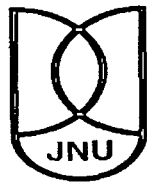


# **US RELATIONS WITH SOUTH AFRICA,1994-2008**

**Dissertation Submitted to Jawaharlal Nehru University  
in partial fulfillment of the requirements  
for the award of the degree of**

**MASTER OF PHILOSOPHY**

**SURENDRA SINGH CHAUHAN**



**AMERICAN STUDIES PROGRAMME  
CENTRE CANADIAN,US AND LATIN AMERICAN STUDIES  
SCHOOL OF INTERNATIONAL STUDIES  
JAWAHARLAL NEHRU UNIVERSITY  
NEW DELHI-110067  
INDIA  
2010**




CENTRE FOR CANADIAN, US AND LATIN AMERICAN STUDIES  
SCHOOL OF INTERNATIONAL STUDIES  
**JAWAHARLAL NEHRU UNIVERSITY**  
NEW DELHI - 110067

Date: 26/07/2010

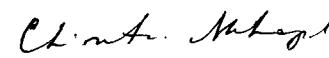
**DECLARATION**

I declare that the dissertation entitled “**US RELATIONS WITH SOUTH AFRICA, 1994-2008**” submitted by me for the award of the degree of **Master of Philosophy** of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or any other university.

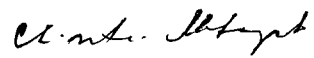
  
Surendra Singh Chauhan

**CERTIFICATE**

We recommend that this dissertation be placed before the examiners for evaluation

  
Prof. Chintamani Mahapatra

(CHAIRPERSON)

  
Prof. Chintamani Mahapatra

(SUPERVISOR)



CHAIRPERSON  
Centre for Canadian, US &  
Latin American Studies  
School of International Studies  
Jawaharlal Nehru University  
New Delhi - 110067

## ACKNOWLEDGEMENTS

*I would like to pay obeisance at the feet of my parents for their blessings that are always with me in all my aspirations and who have been a pillar of strength for me through all ups and downs.*

*I take this opportunity to express my gratitude towards my supervisor Prof. Chintamani Mahapatra for his encouragement, supervision and support for the completion of my dissertation. It would have been next to impossible to make this research without his help and guidance.*

*I am thankful to my sisters Baya, Sangeeta and brother-in-law Ranveer for their moral support and encouragement.*

*Thanks to my brother Bhau for giving his Laptop when he needed more.*

*I wish to extend my sincere regards to my friend Vipul who was always there for me.*

*Thanks to my roommate Pranav for helping me so much.*

*Lastly, I would like to thank all those whose names couldn't be incorporated but who supported me in any respect during my research.*



Surendra Singh Chauhan

27<sup>th</sup> July 2010

## Preface

The relationship between South Africa and the United States has a complex history, a history of racial discrimination being the common vector between the two. Their relationship always had more than strategic flavor attached to them. Even though struggles for racial equality in the United States and South Africa took new shape in the mid-twentieth century, it was well into the 1980s before the United States expressed meaningful opposition to apartheid. Political and financial support along with military training for freedom fighters from the 1950s into the 1970s came from the former Soviet Union, from China, Cuba, Libya, and the Palestine Liberation Organization. Within South Africa, white support for black rights came predominantly from members of the South African Communist Party, the labor movement, and some members of the armed forces who had fought for the South African army in the Second World War. The association of the black liberation movement with communism shaped US policy: diplomats were more concerned with containing communism (and protecting US economic interests) than with ending apartheid, despite the domestic support for the civil rights movement.

The fear of communism was in no small part linked to the significant economic and strategic interests of the US in South Africa. The South African economy itself depended on American companies, which were the primary investors in South African business. The US foreign policy thus reflected the belief that the apartheid status quo would secure the safety and accessibility of South African markets. This attitude was evident in the 1952 UN debate on apartheid: the United States took a "middle of the road position," noting that apartheid was not in keeping with the UN Charter but emphasizing that countries should not intervene in sovereign affairs. This attitude is reflected in America's own paradoxical actions: it was one of the 61 countries supporting the UN resolution that rejected apartheid but did nothing to curb its investment in the apartheid state.

The South African liberation in 1994 brought a shift in South African policy towards United States. South Africa became the primary spokesperson of Africa and expressed severe criticism of American motives in policies toward Rwanda, Congo, Zimbabwe, and Uganda. The Clinton administration that was in power at that time

was criticized for failing to continue to invest in South Africa's business infrastructure and failing to invest in President Thabo Mbeki's priorities of debt relief, closing the digital divide, and bettering trade opportunities. For United States, expectations in the South African transition arguably fell short of its expectations as South Africa did not become a pro-US force that it might have imagined it would become.

It is against this background that this dissertation seeks to make a comprehensive assessment of relations between United States and South Africa from 1994 till 2008, in the aftermath of end of Apartheid in South Africa and how economic intervention has been the major driver of political relations between United States and South Africa after 1994. After looking at the historical evolution of their relationship, the study would look at the trends visible in the relationship in the given period, delineate the major factors conditioning them, look at their engagement in Africa and also lends a special focus to the issue of human rights.

This dissertation has five chapters. The first chapter is introductory in nature and briefly lay out the historical evolution of the relationship between the two countries during the era of Apartheid. The second chapter deals with U.S Perception of Post-Apartheid South Africa and traces the relation between the two countries from 1994 unto 2008. It extensively looks at the factors that influence the relations between the two countries. The third chapter titled Economic Issues in U.S- South Africa Relations looks at the emergence of South Africa as a economic power in Southern Africa as well as Africa. Chapter four gives a perspective on Convergences and Divergences on selected issues. This chapter looks at issues like human rights and race, which has an important bearing on relationship between the two countries. The last chapter titled Conclusion summarizes the major findings of the study.

The whole study is based on published literature, government publications and speeches of the leaders, which have been collected from both the primary and secondary sources. Besides books and articles published in various research journals, several official websites have been consulted.

## LIST OF ACRONYMS

ACOTA	African Contingency Operations Training Assistance
AGOA	African Growth and Opportunity Act
ANC	African National Congress
ASF	African Standby Force
BCF	Bilateral Co-operation Forum
BNC	Binational Commission
CAAA	Comprehensive Antiapartheid Act
CDC	Center for Disease Control and Prevention
CJSP	Criminal Justice Strengthening Program
CODELS	Congressional Delegations
COLD	Community Outreach and Leadership Development
COSATU	Congress of South African Trade Unions
DOTS	Directly Observed Treatments
FMF	Foreign Military Financing
GEAR	Growth, Employment and Redistribution
IAEA	International Atomic Energy Agency
ICC	International Criminal Court
IMET	International Military Education and Training
IMF	International Monetary Fund
INL	International Narcotics and Law Enforcement Affairs
LGSF	Local Government Support Program
MCA	Millennium Challenge Account
NAM	Non- Aligned Movement
NAP	National Action Plan
NDOH	National Department of Health
NEC	National Economic Council
NEPAD	New Partnership for Africa's Development
NIH	National Institute of Health
NTCP	National Tuberculosis Control Program
NTP	National TB Control Program

OAU	Organization of African Unity
OFAC	Office of Foreign Assets Control
PAC	Pan-African Congress
PEGOA	Partnership for Economic Growth and Opportunity Act
PEPFAR	President's Emergency for AIDS Relief
RDP	Reconstruction and Development Program
SACU	Southern Africa Customs Union
SADC	Southern African Development Community
SANDF	South African National Defence Force
SDN	Specially Designated Nationals
UNCTAD	United Nations Commission on Trade and Development
USAID	United States Agency for International Development
WJEI	Women's Justice and Empowerment Initiative
WMD	Weapons of Mass Destruction

# CONTENTS

	<b>Pages</b>
<b>Chapter 1:</b>	
Pre-Apartheid US-South Africa Relations: A Historical Evolution	01
<b>Chapter 2:</b>	
US Perception of Post-Apartheid South Africa	23
<b>Chapter 3:</b>	
Economic Issues in U.S- South Africa Relations	43
<b>Chapter 4:</b>	
Convergences and Divergences on Selected Issues	59
<b>Chapter 5:</b>	
Conclusion	87
Bibliography	92



# Chapter 1

## Pre-Apartheid US-South Africa Relations: A Historical Evolution

Apartheid is an Afrikaans word meaning “apartness”. (Oxford, 1987:26) It was described by the architect of apartheid, Prime Minister Malan, in his address to the South African Parliament on 25 January 1944 as “the policy to ensure the safety of the White race and of Christian civilisation”. Essentially speaking, it was a system of legal racial segregation enforced by the National Party government in South Africa between 1948 and 1994, under which the rights of the majority non-white inhabitants of South Africa were curtailed and minority rule by White people was maintained.

The foundation of apartheid was laid in 1910 with the formation of the South African Union. The succeeding minority White rulers passed numerous legislations thereby strengthening the structure of racial discrimination, in South Africa. The nationalists claimed that their concept of apartheid alone could ensure the future of ‘White Civilisation’ in South Africa. Its supporters claimed that Apartheid was not based on repression, but on a sense of trusteeship for the African Population, allowing for their separate development along their own lines. The government segregated education, medical care, and other public services, and provided black people with services inferior to those of white people.

Apartheid sparked significant internal resistance and violence as well as a long trade embargo against South Africa. A series of popular uprisings and protests were met with the banning of opposition and imprisoning of anti-apartheid leaders. As unrest spread and became more violent, state organizations responded with increasing repression and state-sponsored violence.

Reforms to apartheid in the 1980s failed to quell the mounting opposition, and in 1990 President Frederik Willem de Klerk began negotiations to end apartheid, culminating in multi-racial democratic elections in 1994, which were won by the African National Congress under Nelson Mandela. The vestiges of apartheid still shape South African politics and society.

## **American Foreign Policy towards Apartheid Regime**

The good relations which so happily exist between our two countries are a source of the greatest satisfaction and encouragement to me, and I assure you that the traditional ties of friendship and understanding between us shall be strengthened to our mutual benefit.

President Dwight D. Eisenhower in a statement to the  
South African Ambassador, November 15, 1954. (Lake, 1974:74)

The United States has maintained an official presence in South Africa since 1799, when an American consulate was opened in Cape Town. On May 31, 1910, four colonies were joined together to create the Union of South Africa, a self-governing Dominion in the British Empire. While the new nation was sovereign when it came to its domestic affairs, the United Kingdom maintained control over its relations with the wider world. Over the next two decades, South Africa gradually gained control over its external policy. The Balfour Declaration of 1926, issued at the end of the Imperial Conference held in London that year, recognized that the United Kingdom and the Dominions were “autonomous Communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs.” (Marshall, 2001:541) In December 1931, the United Kingdom approved the Statute of Westminster, codifying this relationship.

The United States recognized the Union of South Africa on November 5, 1929, when President Herbert Hoover accepted the credentials of Eric Hendrik Louw as Envoy Extraordinary and Minister Plenipotentiary of the Union of South Africa. On December 19, 1929, the United States established a legation in Cape Town by appointing Ralph J. Totten, who was serving as Consul General, as Minister Resident; Totten presented his credentials as Minister Resident to the Government of the Union of South Africa on February 18, 1930. On June 20, 1930, the legation was relocated to Pretoria and Totten was appointed Envoy Extraordinary and Minister Plenipotentiary to the Government of the Union of South Africa. Totten presented his credentials to the Government of the Union of South Africa on September 8, 1930. On December 21, 1948, the Department of State announced the elevation of the South African and US legations to embassy status, effective as of the date of the presentation of ambassadorial credentials. On March 3, 1949, H. T. Andrews presented his

credentials as Ambassador Extraordinary and Plenipotentiary of the Union of South Africa to President Harry S. Truman. On March 23, 1949, North Winship presented his credentials as Ambassador Extraordinary and Plenipotentiary of the United States to the Government of the Union of South Africa. On May 31, 1961, the Government of the Union of South Africa declared that henceforth the country would be a republic. On that same day, US Ambassador Joseph C. Satterthwaite was reaccredited to the newly-formed Republic of South Africa through the transmission of new credentials to the South African Foreign Office.

As the nationalist urges of independence movements swept the countries of Africa during the 1950s marking the beginning of the end of European colonialism, two politicians of widely divergent political perspectives underscored the necessity of rethinking US foreign policy toward the continent. "For too many years," Vice President Richard M. Nixon noted in 1957 after returning from a twenty-two day tour of the African continent, "Africa in the minds of many Americans had been regarded as a remote and mysterious continent which was the special province of big game hunters, explorers and motion picture makers "(Nixon, 1957:640). Recognizing the importance of an emerging Africa in the international scene - especially within the context of the East-West struggle - Nixon recommended that President Dwight D. Eisenhower authorize the creation of a separate Bureau of African Affairs within the State Department, an idea which reached fruition in 1958. Also speaking out in 1957, Senator John F. Kennedy (D-Massachusetts) derided what he perceived as Washington's inability to come to grips with the question of colonialism and the growing forces of nationalism in Africa. Kennedy later warned that the "only real question was whether these new nations (of Africa) will look West or East - to Moscow or Washington - for sympathy, help, and guidance in their effort to recapitulate, in a few decades, the entire history of modern Europe and America." (Sorensen, 1988:331). In order to blunt what he perceived as the steady decline of US prestige in Africa at the expense of growing Soviet influence; Kennedy concluded that "we must embark on a bold and imaginative new program for the development of Africa"(Sorensen, 1988:365). The prescription offered by both Nixon and Kennedy was to upgrade Africa to a position of priority within the policymaking establishment in accordance with changing international realities.

Before 1960's the American foreign policy towards the southern Africa in general and South Africa in particular, was characterized variously as "benign neglect", "minimal engagement", and , "weak and non-reactive" (Price, 1982:203). The serious American focus in South Africa began to rise only in 1960's. These were the years when the US was making major advances toward racial equality at home, which automatically called for attention to South Africa's growing racial tensions. It was also a period when newly independent African states began to raise their voices in the UN and elsewhere, complaining about apartheid.

Before and after decolonisation, the US assumed that Africa was primarily the responsibility of the former colonial powers. In the words of an Assistant Secretary for African Affairs :

"We support African political aspirations when they are moderate, non violent, constructive and take into account, their obligations to and interdependence with the world community. We also support the principle of continued African ties with western Europe". (Rothchild, 1970:307)

Washington saw South Africa as the South African elites saw themselves. According to Nagorski:

"South Africa's ruling classes saw themselves, and were largely seen by others until the 1950's as a snug western enclave at the top of Africa. Faithfully Christian, they staunchly opposed communism and governed themselves according to a Westminster model of Parliamentary Democracy" (Nagorski, 1978:188)

Both Truman (1945-53) and Eisenhower (1953-61) administrations maintained good relations with all the minority regimes of Southern African states. State Department spokesmen periodically reiterated US abhorrence of racism, apartheid and colonialism. The US occasionally voted for mild UN resolutions condemning apartheid. South Africa's racial laws were, however, seen as largely a matter of domestic jurisdiction.

From 1961 the Kennedy administration architected a new foreign policy. The US began a two track policy of both rhetoric and action toward South Africa in particular. Kennedy and his advisors like Chester Bowles, C. Mennen and Adlai

Stevensson made a conscious effort to identify with black African's aspirations and maintained a dialogue with most African Leaders., including some radicals. Kennedy's rhetorical efforts were largely successful. These efforts cost little politically and as a result the Kennedy Administration was generally regarded as representing the most pro-African presidency so far (Shepard, 1979:44).

Within Africa Kennedy's public image of concern influenced a whole generation of African School children and secondary school students. Prior to the exploits of Mohammed Ali, Kennedy was the most widely known American in Africa. The European countries regarded the American concern for Africa as likely "to foment colonial revolt so that US could replace European predominance in the region" (McKay, 1963:102)

The minority ruled states in Southern Africa were largely excluded from Kennedy's rhetoric about majority rules, although lip service was given to criticism of South Africa's racial policies. The United States supported an UN arms embargo against the Republic in 1963 and also voted in favour of a number of anti apartheid resolutions in the UN. But Washington did little to discourage investments in South Africa. Both policy makers and academicians continued to view South Africa as separate from sub-Saharan Africa and a part of the European Community. (Emerson, 1963:7).

Rupert Emerson spoke for many of those periods when he argues "...The republic of South Africa ... is for present purposes a predominantly European country" (Emerson, 1963:7).

The American press and other agencies of the government continued to sympathise with the plight of black South Africans and tended to take their sides during incidents of repression and violence. Among other gestures, US State Department required for the first time the American embassy in South Africa to invite blacks to official functions and in 1964 the President's brother Robert Kennedy visited South Africa as an important gesture of solidarity with those forces who were fighting apartheid.

President Johnson (1963-69) continued with Kennedy's policy placing it within the context of his commitment to civil rights in the United States. But US

investment in Southern Africa, particularly in South Africa, continued to increase throughout the period. Major loans and credit arrangements were encouraged by commerce department officials. However on the issue of South West Africa (Namibia) the United States took a pro majority position, arguing that Pretoria had no right to occupy the territory in defiance of the UN resolutions. In 1966 The US called for the UN to supervise self determination for the territory. The politics of Apartheid in South Africa however, remained at low on the foreign policy agenda of the US because there appeared to be stable government in that country, whereas there was dangerous instability elsewhere.

The Nixon Administration (1969-74) belonged to the Republican Party and hence he viewed the foreign policy concerns of the US differently from his two immediate predecessors, Kennedy and Johnson. Nixon therefore ordered a major review of the US – South African relations. In all six years of his presidency, Nixon had a very astute advisor in Henry Kissinger, first as the National Security Advisor and then as the Secretary of State to shape US policy toward South Africa. The Nixon administration viewed the South African problem as a part of East- West conflict. The Nixon doctrine called for strengthening of regional forces which would cooperate and collaborate with the US in order to contain communism and also the communist assisted insurgencies. In southern Africa only the white minority ruled states and particularly South Africa was in a position to take up this role. Reasoning that white power in South Africa was stable and invincible. Nixon and Kissinger opted to work with Pretoria rather than encourage its opponents (El-Khawas and Cohen, 1976:105).

They ended US support for condemnatory resolutions at the UN. The arms embargo was partially lifted and The US embargo was partially lifted and The US business was encouraged to increase its investment in South African economy (Rothchild and Ravenhill, 1983:340).

In this regard, National Security Council Memorandum 39 (NSCM 39) was completed by August 15, 1969 and approved by the National Security Council in January 1970. The NSCM 39 called for a partial relaxation of American measures against minority regimes; increased aid for black African states in the region such as Botswana and Zambia; and a series of Diplomatic efforts to resolve tensions between the white governments and their black neighbours. This option concluded that

“... the whites (in southern Africa) are here to stay and the only way that constructive change can come about is through them. There is no hope for the blacks to gain political rights they seek through violence, which will only lead to chaos and increased opportunities for the communists”. (Khan and Cohen, 1971:105)

US policy towards South Africa up to 1974 was based upon the major tenets of NSCM 39. Strategists assumed that South Africa did not contain any vital strategic or political interests for the US although the region in particular South Africa held an important business interests. It was because southern Africa was a zone of political stability to be controlled by pro-western regimes in South Africa, Rhodesia, Mozambique and Angola. Because of these regimes, South Africa fell outside of the East-west conflict area, and the US could afford to maintain a low profile in the region.

The 1974 military coup in Mozambique and Angola fundamentally altered the nature of political conflict in southern Africa and with this US policy also came under review. South Africa was witnessing increasing political unrest; guerrilla activities in Namibia were increasing; and the talks between the smith government and the African Nationalists was deadlocked. In June 1975, a Marxist government came to power in Mozambique. Angola collapsed in a three sided civil war and “Dormant’s fear too came to head; fears of radicalisation, major revolutionary violence and deepening soviet involvement” (Karis, 1982: 337). By August 1976, according to a former chief of the CIA task force in Angola:

“We are mounting a major covert action to support two Angolan liberation movements about which we had little reliable intelligence. Most of what we knew about the FNLA came from (Holden) Roberto, the chief recipient of our largesse, and it was obvious that he was, exaggerating and distorting the facts in order to keep our support. We knew even less about Savimbi and UNITA.”(Stockwell, 1978:90)

US covert assistance to National Liberation Front of Angola (FNLA) and National Union for the Total Independence of Angola (UNITA) was no match for overt Soviet assistance and Cuban combat involvement on the side of the MPLA backed by over 12000 Cuban troops, was able to secure control of the country. By

February 1976, the war was over in favour of the MPLA. The abortive US involvement in Angola had a significant impact both in the United States and in South Africa as well. The US stood without a foreign policy in southern Africa in the wake of the Angolan debacle. This happened despite the fact that the Kissinger policy of containment carried into the conflict. For Kissinger, "Angola might be far away but .... it was a test case of the superpower relationship. The Kremlin was seeking unilateral advantage from the several relaxations of tensions" (Spanier, 1980:205). After Angola a new policy for the region would have to take into account the domestic and regional origin of conflict.

The Kissinger policy had several goals. It assumed that the Soviet Union would entrench their forces there and perhaps look for new opportunities to expand their influences after its success in Angola. The US could pre-empt this by seeking an overall reduction in tensions in the region and thus searching for a peaceful settlement to the conflicts in Rhodesia and Namibia. Kissinger hoped to secure that when majority rule did come in Southern Africa, moderate African leaders would come to power. In the spring of 1976, Kissinger began his last effort at shuttle diplomacy, a widely publicized series of meetings with both the front line states and South African and Rhodesian leaders, in a search for a peaceful settlement to the civil war in Rhodesia. The US approach to southern Africa shifted from direct confrontation to crisis management. The Kissinger mission achieved one major breakthrough when the US with the cooperation of South Africa, pressurised the leader Ian Smith into agreeing to a two year timetable to a majority rule. However the Shuttle diplomacy which was aborted by the Ford's loss of Presidency in November 1976, failed in its ultimate goal to end the conflict and construct a constitutional arrangement. The Kissinger plan was rejected by both the Rhodesian Nationalist leaders and the frontline states because they felt substantial power still remained in the hands of the Whites during the transition period.

The Ford/Kissinger period (1974-76) however saw a new era of active involvement in the Southern African Region. After 1976, US diplomats following Kissinger's lead assumed the role of mediator between the frontline states on the one hand and the African nationalists on the other. While Carter's approach might provide a sharp break from the past in terms of public rhetoric the new regime inherited many of the assumptions and techniques of the last two years of the Kissinger Period. When



President Carter assumed office in 1977, he was determined to put increasing pressure on South Africa. He called for the American Support to all forces pledged to majority rule in South Africa. Richard noose, the assistant secretary of state for African affairs, describe US interest in South Africa as “preserving our national consensus on foreign policy goals relating it to human rights and human dignity, assuring long term access to strategic minerals in South Africa and surrounding countries both for our own and our allies’ economic and defence; force losing opportunities for expanded soviet influence that come with protracted violent conflicts” (Department of State Bureau of Public Affairs, 1980).

President Carter (1976-81) himself presented a new policy style on South Africa. In a December 1977 interview, President Carter put it this way: “We ... believe that our overall conduct of foreign relations will be strengthened by the moral premise inherent in our stance on (Southern Africa) questions .... we have made it very clear that we oppose apartheid. We think that because the south African System is unjust, it may well lead to increasing violence over the years” (Rothchild, 1983:317)

The new rhetoric was somewhat moralistic in tone and more pro African than any other administration up to that point. For many of the Carter’s advisors including Andrew young who was mostly identified with this faction, the conflict and unrest in the region was caused by not by Cuban and Soviet but by the inherent injustice in the apartheid system itself. The carter administration openly identified with the aspiration of black Africa and other third world states against South Africa in order to force South African government to relent its policies and institutions of apartheid, the Carte Administration took several tough measures. The United States refused to recognise the Transkei State (nominally an independent ‘Bantustan’ within the South African framework). The American recognition would have given legitimacy to the misdeeds of the Pretoria regime and according to the policy makers in South Africa, the other Western States would have followed quit in such farcical divisions in South Africa, thereby containing the forces opposed to the White government. The Carter Administration decided to further intensify the arms embargo and tax credits were refused to the American Corporations doing business in both South Africa and Namibia.

In May 1977, the US Vice President Mondale (Walter) met the South Africa premier, Vorster and called for majority rule in Rhodesia and Namibia. Besides, he also asked for a “progressive transformation of South African Society to the same end – equal participation in the election of its national government and its political affairs”. (Carter, 1980:124) As a result, “The strategic bond between South Africa and US ... snapped in 1977” (Legum, 1979:127).

Beyond the rhetoric, however, the substance of the Carter approach showed a remarkable continuity with the Kissinger policy on Rhodesia and Namibia. Washington’s effort continued to be focussed on Rhodesia in an effort to contain the escalating violence and to find a solution of the crisis acceptable to all parties. Hence, “The newly elected Carter Administration ... adopted the essentials of the Kissinger policy, now modified into the Anglo- American plans for Rhodesia”(Price, 1978:3)

Andrew Young along with the British foreign secretary, Dr. David Owen, continued with the Kissinger plan of using South Africa as a conduit to bring about changes in Namibia and Rhodesia, and like Kissinger they approached each problem separately. The Carter administration stressed the tactical nature of their contacts with Pretoria and reiterated that it was not meant to downplay the need for change in South Africa itself.

The Carter administration was also committed to an over trading system in southern Africa. All the Carter advisors saw US investment as a positive force in South Africa and the region. US business by following the Sullivan principles was expected to moderate the harshest element of the South African system.

Carter and his staff expended a great deal of efforts to negotiate a peaceful settlement in Rhodesian and Namibian conflicts. Young and Owen took the Kissinger shuttle diplomacy role. From 1977 to 1978 they made an effort to get both Anglo American plan for Rhodesia. The Plan included a transitional arrangement for the country, an end to the illegal status of the regime, an interim UN force during the transition period and a free election on the basis of universal adult franchise.

In case of Namibia, much of the efforts to negotiate a Namibian settlement laid with Young’s deputy and his successor, Donald Mchenry. Proximity negotiations were held in 1978 between the two sides and an arrangement was reached on a

number of issues relating to the establishment of a UN authority, a ceasefire and UN supervised elections. South Africa then abruptly broke off the talks and any further negotiations on the Angolan issue proved to be inconclusive. By 1979 the South Africans had begun to withdraw from negotiations. As the 1980 elections approached they began to anticipate the possibility of a Carter defeat

US efforts with Rhodesia met with little success. The Anglo American plan was rejected by the Smith regime in 1978, and at the same time Smith established an internal transitional government to be headed by the Bishop Abel Muzorewa. Two more years of War and the efforts of the Thatcher administration, and without any direct US involvement, led to an emergence of an independent Zimbabwe in 1980 (Gavshon, 1981:161).

In South Africa the death of Steve Biko, a Black Nationalist leader in the police custody caused, a massive political uproar inside and the international community condemned the killing in the severest of terms. The Pretoria regime responded with a clampdown against its critics. In September 1978, P.W. Botha replaced Vorster as the Prime Minister of the Republic. As Botha spent the greater part of 1979 consolidating his position, there was little progress on regional negotiations

The year 1979 marked a turning point in Carter policy towards southern Africa. Throughout the Carter years there was an internal conflict between the regionalists who saw internal factors in Southern Africa as the key to dealing with the problems of the region, and the globalists who felt that US policy toward southern Africa should be viewed in terms of the US-Soviet relations. Andrew Young and Zbigniew Brzezinski represented the two ends of the policy spectrum. According to Gavshon "The tussle between Young and Brzezinski began almost as soon as the Carter team took office. As Young freely acknowledged after resigning, the issue centred on the Cuban role in Africa" (Gavshon, 1981:161).

By mid 1979 elements in the US senate were pressing for recognition of the Smith backed Muzorewa government. Having lost his job in the UN, his departure sighted the return in the US policy matters, of the globalists who viewed that "an increasing assertive Soviet Union was the primary problem for the United States in Africa and thus the principle target of the US policy. (Price, 1981 :32)

This shift of policy back toward globalism while never completed, provided a greater continuity with the incoming Reagan administration than the political rhetoric of the election campaign suggested. The Carter policy which had shown great promise in 1977 ended the same as the rest of his foreign policy efforts: confused, ambiguous and guided by the paradigms of the earlier administration.

As the 1980 election campaign suggested, the US policy toward South Africa emphasised on the elimination of injustice based on race. But for Reagan “The basic issue was a power struggle and the Soviet Union” (Deutsch, 1980:4).

The President Reagan’s first term (1980-85) began on the hope of optimism on the basis of its “constructive engagement” which had four components:

- To work out a settlement in Namibia
- To make the Cuban troops leave Angola
- To foster regional security in southern Africa
- To dismantle the apartheid structure in South Africa.

But in the end it was the most condemned initiatives of the Reagan administration. And only a radical shift of the American policy towards South Africa would have endeared the public opinion and other opponents of Apartheid system in South Africa. The eventual re-election of President Reagan in November 1984 was expected to bring about this perspective change regarding South Africa.

Sensing the displeasure of the people, the media and the congress, the President in his December 7, 1984 Human Right’s Day speech stated, “ The United States regards Racism with repugnance” and called on South Africa to end its unjust black policy (Africa News,1984:1).

In the light of this speech, the administration followed a policy of disinvestment and Sanctions to pressurise Pretoria into firm action. Following the declaration of a partial state of emergency on 20 July 1985 and Pretoria’s hostile actions towards its neighbouring states, it was being said in the international community that only with the firm support of the US and its allies, can the South African problem be resolved. Following this, President Reagan on September 9, 1985, announced his executive order: No. 12532 in which he outlined severe restrictions on

trade and investment in South Africa. This was followed by Executive Order No. 12535 on October 1, 1985 by which he put in effect bans on import of South African Krugerrand in the US.

On 1 June 1986, Pretoria imposed a full fledged emergency to counter the aftershocks of the new economic sanctions and disinvestment policies which shook the very foundations of its economy. It came down severely on the anti apartheid protestors locking up more than 10,000 opposition leaders and suspended civil rights.

Considering the reluctance of Reagan Administration in strictly handling the emergency situation and its pro white regime stance, on June 18<sup>th</sup>, 1986 The House of Representatives passed a bill which ended all trade with South Africa. Reacting to this President Reagan in his July 22, 1986 address to the congress stated the basic objectives of his South African policies -

- A time table for elimination of apartheid law should be set
- All political prisoners should be released immediately
- Nelson Mandela should be released to participate in the country's political process
- All black political movements should be unbanned
- Both the government and its opponents should be gin a dialogue over constructing a political system that rests upon the consent of all where the rights of majorities and minorities and others are protected by law.

But these measures of Reagan failed to placate the opposition and on August 15, 1986 Senate by a vote of 84 to 14 passed a bill imposing economic sanctions against South Africa. On September 12, 1986 the House of Representatives passed this bill by a vote of 308 to 77.

On 26<sup>th</sup> September 1986 President Reagan vetoed the bill but the House of Representatives and the senate overrode his veto with overwhelming majority. This forced President Reagan to implement The Comprehensive Anti Apartheid Act, 1986.

With the passage of the United States Comprehensive Antiapartheid Act (CAAA) over a presidential veto in 1986, the United States Congress established an elaborate sanctions structure prohibiting future investments, bank loans, and some forms of trade with South Africa. More than 200 of the 280 United States companies

in South Africa sold all, or part of, their operations there, and many of those remaining adhered to business principles intended to ameliorate the effects of apartheid. The CAAA called on the United States President to report to Congress each year on the state of apartheid in South Africa, in order to assess the need for further legislation.

By 1987 the US – South Africa relations were at an all time low. The Intelligence Authorization Act prohibited intelligence sharing between the two countries. The January 1987 report of the Secretary of States’ Advisory Committee on South Africa concluded that circumstances in South Africa had “moved in a direction sharply at odds with the hopes and expectations of the architects of American policy”. (Marcum, 1988 : 159-179)

The year 1988 proved to be a successful year regarding US foreign policy toward South Africa. The independence of Namibia and the withdrawal of Cuban troops from Angola was the most important agenda of the US foreign policy to be resolved. Following the Ban on many anti apartheid organisations by the South African government in February 1988, the US senate proposed new sanctions against it on 22 June 1988 to exert more pressure on Pretoria. But this bill was rejected by Reagan administration as they would prove too costly for American economy resulting in loss of exports worth \$1.2 billion and forced liquidation of \$1 billion of direct investment and other heavy indirect losses. The strong disapproval by the President forced the senate to abandon the bill. In later part of 1988 South Africa re-declared the emergency and passed many new legislations effectively choking the anti apartheid movement. This pushed South Africa on a verge of Catastrophe inside and an international isolation over its apartheid policy and US was blamed for being the chief collaborator of the Pretoria regime till the late 1980’s.

The Bush administration entered office in January 1989 determined to avoid the bruising battles with Congress over South Africa so frequent during the Reagan years. Whereas Secretary of State James A. Baker III indicated in his confirmation hearings that the administration was seeking a bipartisan approach built on close consultation with Congress, (Pear, 1989:A3). Bush sought to demonstrate his sympathy with the antiapartheid movement by personally meeting with South African activists and publicly expressing his abhorrence of apartheid (Weinraub, 1989:A8).

"Reagan never succeeded in communicating his sympathy with the victims of apartheid/' noted Herman Nickel, Ambassador to South Africa from 1982 to 1986, "So the Congress doubted whether his heart was in the right place on the issue of racial justice generally and South Africa in particular" (Weinraub, 1989:A8). In this regard, the Bush administration won the cautious praise of influential congressional opponents of apartheid, such as Wolpe, who claimed to be "encouraged" by what seemed to be "a much more sensitive public posture toward the South African regime" and "more interest and emphasis on this critical question"(Weinraub, 1989:A8). Despite the willingness of Bush and his senior advisers to demonstrate that their hearts were in the right places, US foreign policy toward South Africa in the early months of the Bush administration differed little, if at all, from the later years of the Reagan administration.

Bush administration pushed the Africa issue and particularly South Africa issues to the back burner in view of the unprecedented changes taking place in Europe. This preoccupation with the dramatic socio-political changes in the Soviet Union and Eastern Europe, as well as the reunification of Germany and the future of the NATO alliance, US-South African relations were relegated to the Africa specialists within the State Department. In congressional testimony strikingly reminiscent of Crocker's policy of constructive engagement, newly appointed Assistant Secretary of State for African Affairs Herman J. Cohen stressed that he perceived "new thinking" and a "new sense of realism" among the white Afrikaner elite. If supported by an active US stance of "dialogue, negotiation and compromise," explained Cohen, "a democratic solution may be achievable"(Ottaway, 1989:A21). Although willing to concede that economic sanctions had been successful in forcing the Afrikaner elite to consider negotiations with the black majority, Cohen nonetheless emphasized the State Department's continuing opposition to further sanctions against South Africa. This stance also enjoyed broad support within the CIA and the Pentagon. The opposition of the national security bureaucracies to further sanctions against South Africa stood in sharp contrast to the sentiments of congressional anti-apartheid activists. Led by the House Subcommittee on Africa and the Congressional Black Caucus, activists continued to favour the tightening of economic sanctions. At the very least, these members of Congress hoped that the Bush administration would support the multilateralization of sanctions, and were

willing to concede the administration's unwillingness to advance beyond the sanctions legislation "currently on the books" in exchange for making that legislation the basis of a US-supported resolution within the UN Security Council - a step the Reagan administration was unwilling to take (Brauer, 1989). As demonstrated by South Africa's successful refinancing in October 1989 of a significant portion of its outstanding international loans, however, an ongoing congressional-executive stand-off favoured continuation of the status quo. In this case, anti-apartheid activists sought White House intervention to prevent international banks from extending the grace period for nearly \$8 billion in South African loans scheduled to fall due in June 1990. Congressional activists had hoped to precipitate a major financial crisis in South Africa similar to the one in 1985 when banks recalled nearly \$14 billion in debt, the idea being to undermine apartheid further and force the Afrikaners to negotiate with the black opposition. Yet in the face of executive branch opposition and the inability of Congress to muster enough interest to force the issue, Washington stood on the sidelines as South Africa reached agreement with its creditors (Wren, 1989:B34). Unable to force the executive branch to adopt more stringent economic sanctions, congressional activists from mid-1989 on were faced with a growing movement within the national security bureaucracies to repeal portions of the 1986 Comprehensive And-Apartheid Act as a result of far-reaching changes in South Africa's political system. At the forefront of these political changes was Frederik W. de Klerk, the national chairperson of the ruling National Party who in the September 1989 election emerged as the new President of South Africa. Adopting a reformist stance that in many respects paralleled the approach taken by Soviet leader Mikhail Gorbachev, de Klerk as early as June 1989 announced his intention to create a "new South Africa" in which the white minority would share power with the black majority (Claiborne, 1989:A5). In order to demonstrate his sincerity in seeking implementation of some type of power-sharing agreement, de Klerk in the months that followed initiated a series of political reforms that began with the September 1989 legalization of peaceful anti-government protests. In what surely will be recorded as one of the most historic moments in South African history, de Klerk four months later announced the unconditional release of Nelson Mandela, the world-renowned ANC leader who had spent nearly twenty-eight years in South African prisons.



The evolving political events in South Africa contributed to a significant change in the sanctions debate within the US policymaking establishment, which broke down essentially into four major groups. The first group, comprising those portions of the policymaking establishment that had never supported the imposition of economic sanctions- the State Department, the Pentagon, and the CIA – broached the idea of partially lifting some of those measures. One of the primary concerns of this group was that the growing polarization of South African politics could lead to the downfall of de Klerk, a reformist leader who, like Gorbachev, was perceived as crucial to the reform process. Specifically, in order to forestall the rising electoral strength of right-wing forces in South Africa opposed to any changes in apartheid, this group argued that the judicious lifting of sanctions would strengthen the hand of de Klerk. This viewpoint became increasingly debated after British Prime Minister Margaret Thatcher on February 21, 1990, announced her government's intention unilaterally to lift a self-imposed ban on new investment in South Africa. The second group consisted of those congressional activists who favoured holding the line on sanctions until it became clear that the reform process in South Africa was irreversible. In September 1989, for example, members of this group were questioning whether de Klerk represented "real change." Although he was perceived as much "smoother" than his predecessor and "better able to put a positive face on the tragedy of South Africa," congressional activists cautioned that this did not ensure a "fundamental change" in the structures of apartheid (Wolpe, 1989:A3). Even after a two-day fact-finding mission to South Africa in March 1990 in the aftermath of Mandela's release from prison, congressional activists, though hopeful, remained cautious. Describing the period as a "rare window of opportunity" for the creation of a non-racial democracy, congressional activists nonetheless noted that there remained significant obstacles to a lasting negotiated settlement (Ottaway, 1990:A1).

In addition to those groups favouring the partial lifting and maintenance of existing sanctions legislation - the dominant perspectives within the US policymaking establishment during 1990 - two other groups constituted fringe elements. Although having declined in numbers as a result of the evolution of political events in South Africa, a third group continued to call for the strengthening of sanctions measures. The most prominent supporters of such an approach were Trans Africa and other grass-roots anti-apartheid organizations. The final group included those conservative

members of Congress, such as Helms, who favoured the complete lifting of economic sanctions. Whereas the number of proponents of further sanctions declined due to the recognition that de Klerk deserved to be given a chance, proponents of completely lifting sanctions became isolated by the realization among some conservatives that the 1986 legislation did, in fact, contribute to political change in South Africa.

The primary issue in the growing congressional-executive sanctions debate was South African compliance with the legal requirements of the Comprehensive Anti-Apartheid Act of 1986. According to Section 311 of the act, Bush was authorized to suspend or modify any of the sanctions measures if South Africa fulfilled the first and three out of the four remaining conditions listed below:

- The release of Nelson Mandela, as well as all other persons persecuted for their political beliefs or detained unduly without trial.
- Repeal of the state of emergency and release of all detainees held under such a state of emergency.
- Unban all democratic political parties and permit the free exercise by South Africans of all races of the right to form political parties, express political opinions, and otherwise participate in the political process.
- Repeal of the Group Areas Act and Population Registration Act and institution of no other measures with the same purposes.
- Agree to enter into good faith negotiations with truly representative members of the black majority without preconditions.

An Executive Order repealing sanctions would take effect thirty days after being issued unless Congress by a majority vote passed a joint resolution overturning the President's decision.

By June 1991, the reform process initiated by de Klerk (measured in terms of South African compliance with the preceding five major conditions of the legislation) had reached the point that the White House could seriously entertain the lifting of sanctions (Pear, 1990:A12). First, the Afrikaner government demonstrated its willingness to enter into good-faith negotiations (condition 5) through ongoing talks

with the black majority that had resolved several thorny political issues; most notable was the ANC's August 1990 agreement to suspend its guerrilla struggle in favour of peaceful negotiations (Wren, 1990:A3). A second requirement (condition 4) was met when the two key legal foundations of the apartheid system - the Group Areas Act and the Population Registration Act - were repealed in June 1991 (Wren, 1991:A1). Third, all previously banned political parties and organizations, most notably the ANC, were legalized (condition 3) as of February 2, 1990. A fourth requirement (condition 2) was met when, in the aftermath of similar actions in the Transvaal, Cape Province, and the Orange Free State in June 1990, the state of emergency was lifted in the remaining province of Natal in November 1990 (Wren, 1990:A3).

The only really contested requirement (condition 1) revolved around the US demand for the release of all political prisoners. In August 1990, the South African government agreed to the phased release of several categories of such prisoners by April 1991, as well as the return of more than 20,000 political exiles. This agreement, of course, followed on the heels of Mandela's dramatic release in February 1990, which was preceded by the release of seven prominent political prisoners in October 1989. A dispute arose, however, over who exactly constituted a political prisoner. Despite the amnesty granted to hundreds of individuals detained without trial or jailed for their political beliefs, the South African government initially refused to release prisoners who had committed "violent" crimes, even if those crimes were politically motivated. According to the Human Rights Commission, a monitoring group based in South Africa, approximately 800 such political prisoners were being held as of July 1991 in violation of the August 1990 agreement (Wren, 1991:A3). This interpretation was rejected by a State Department sponsored fact-finding mission that concluded in July 1991 that all political prisoners jailed for non-violent crimes - in essence an acceptance of the South African government's definition - had been released.

The State Department's certification of South African compliance with all five conditions of the 1986 anti-apartheid legislation was the culmination of a pro-repeal trend within the national security bureaucracies that ultimately required an executive decision by the White House. Having never agreed with his critics about the efficacy of the sanctions weapon in seeking an end to apartheid, Bush on July 10, 1991, underscored the "irreversible" nature of political change in South Africa and announced the lifting of all punitive measures associated with the 1986 anti-apartheid

act (Friedman, 1991:A1). "Since coming to office in 1989," he explained, "President de Klerk has repealed the legislative pillars of apartheid and opened up the political arena to prepare the way for constitutional negotiations, and as I've said on several occasions, I really firmly believe that this progress is irreversible "(Bush, 1991:A6). As a result, bans were lifted on, among other things; trade in various products, the provision of bank loans to the South African government, and new investments by US companies.

The executive branch's decision to lift sanctions was not greeted warmly by those portions of the policymaking establishment that had been in the forefront of the sanctions campaign throughout the 1980s. Members of the House Subcommittee on Africa and the Congressional Black Caucus favoured the continuation of sanctions until a new constitution guaranteeing the right to vote for South African blacks was in place, despite the fact that this was not one of the conditions of the 1986 legislation. For these critics, lifting sanctions before obtaining some sort of power-sharing agreement only invited intransigence on the part of the Afrikaner regime. "They will be removed, and it will be tragic" explained Gray on the day Bush announced his decision to repeal sanctions, "If you lift them too soon, you lock in apartheid" (Bradsher, 1991:A3).

The proponents of maintaining sanctions were severely hampered by the simple reality that South Africa largely had met the conditions originally established by Congress in 1986. As aptly noted by Lugar, one of the original co-authors of the 1986 Anti-Apartheid Act who favoured the lifting of sanctions, to change the conditions of the 1986 law to include some sort of power-sharing agreement was tantamount to changing the rules in the middle of a game (Lewis, 1991:A6). Moreover, despite the continued existence of a broad constituency that at the very least wanted the Bush administration to hold off on repealing sanctions, the lack of popular perceptions of an ongoing crisis in South Africa ensured that traditional ideological splits within Congress would hamper any efforts at achieving the number of votes necessary to stop the White House. Indeed, even heightened township violence between Mandela's forces and those supportive of Chief Gatscha Buthelezi's Inkatha Freedom Party, which culminated in the Boipatong massacre of forty-two civilians in June 1992, and led to accusations that the violence was orchestrated by an Afrikaner government still pursuing divide-and-rule policies, was insufficient to alter

the direction of US foreign policy toward South Africa (Shepherd, 1992:57-60). "As long as there is continued, demonstrable progress in South Africa toward the removal of the obstacles," conceded Wolpe, one of the congressional leaders who felt that the Bush administration's embrace of South Africa was premature, "I think Congress will adopt a wait-and-see attitude" (Bradsher, 1991:A3).

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The general movement toward reform in South Africa which continued into January 1993 did not mean that the Bush administration had a free hand in re-establishing the close US-South African ties that existed prior to the mid-1970s. Despite such growing pressures within the national security bureaucracies, the anti-apartheid coalition was sufficiently strong to maintain other forms of sanctions legislation not associated with the 1986 anti-apartheid act. In addition to a variety of legislation that remains in place at the local, city, and state levels, continued restrictions at the federal level include bans on exports to the South African military and police forces, and any form of intelligence sharing. Although Cohen indicated the possibility of seeking the prosecution of a "test case" in which local anti-apartheid legislation failed to comply with new federal realities, this approach seemed highly unlikely given the continued political concerns of the anti-apartheid movement. Whereas the lifting of sanctions in accordance with legislatively mandated conditions was one thing, to seek the reversal of other forms of legislation before actual constitutional changes in South Africa was quite another. It is for this reason that the State Department's Africa Bureau sought to soften the potential domestic firestorm that could have accompanied the lifting of sanctions by ensuring that the decision was announced in consultation with Mandela in the aftermath of a major ANC conference during the first week of July 1990, at the same time giving notice of a doubling in the levels of US assistance (from \$40 million to \$80 million) devoted to housing, economic development, and education programs for black South Africans (Friedman, 1991:A6).

The most notable foreign policy aspect of the then ongoing process of reform in South Africa was that it essentially shifted the policy debate over sanctions within the US policymaking establishment. Prior to 1990, the national security bureaucracies sought to "hold the line" against congressional demands for stricter sanctions against South Africa. By 1990, twenty-seven state governments, ninety cities, and twenty-



four counties had also imposed sanctions against South Africa or divestment measures on their own citizens' South African holdings. In 1990, these roles, in a sense, had shifted as congressional activists became confronted with the necessity of "holding the line" in the face of growing repeal pressures emanating from the national security bureaucracies. The critical element of both of these processes was the absence of crisis in which the national security bureaucracies were able to hold, and subsequently overturn, the sanctions efforts of a variety of governmental and non-governmental forces associated with the anti-apartheid movement.

In 1993 when Bill Clinton replaced George Bush in office, his order's to pull out all American troops out of the Horn of Africa by April 1994; following the death of 18 US soldiers in Mogadishu, Somalia effectively ended America's commitment to Africa, particularly South Africa. Although the trade relations continued to bloom, the diplomatic relations went through a brief period of neglect.

It was under the pressure of African American voters that the US became involved with Africa again. Also the potential of Africa as a new emerging market for American goods and newly emerging security threats to the United States swung the US foreign policy in the direction of engagement again with the understanding that as long as the process of political reform continues to unfold, US will continue to seek the incremental enhancement of its ties with South Africa.

## Chapter 2

### US Perception of Post-Apartheid South Africa

“.....First, we are on the same journey, trying to create a non-racial democracy with justice and economic opportunity for everyone regardless of gender, religion or ethnic origin. If South Africa succeeds, it will have a global impact (by demonstrating a model of community that works for all its citizens). Second, if South Africa succeeds economically, it will not only create a model for development, but it will be a beacon of hope for the whole continent. A strong South African economy could become the engine of growth which powers other countries, especially in Southern Africa.”

- Vice President Al Gore (Mohajane 2009:18)

US policies toward South Africa and the anti-apartheid struggle were a contentious issue from the 1960s through the 1980s, with many arguing that the United States was doing too little to promote human rights and democratic rule. From the 1970s through the early 1990s, US-South Africa relations were severely affected by South Africa's racial policies. In the realpolitik of cold war, containing Soviet influence around the world dominated US calculations toward South Africa as was the case with many other countries. US officials viewed South Africa as an important strategic ally in an unstable region that stood against the spread of communism. Consequently all US administrations in the 1970's and 80's opposed strong economic sanctions against South Africa while still rhetorically condemning the apartheid system.

Congress enacted the Comprehensive Anti-Apartheid Act of 1986 (P.L. 99-440) over President Reagan's veto in order to affirm US support for democratic change. The legislation imposed a number of sanctions against South Africa. The Reagan Administration, by contrast, had been pursuing a policy of “constructive engagement” (i.e., dialogue) with the white South African regime, regarding this approach as the most effective way of promoting change. In the early 1990s, the United States assumed a lead role in supporting South Africa's transition to democracy. Policy makers at that time saw the South African democratization process

as a model for other African countries, and expected that the country would soon become a stabilizing force as well as an engine for economic growth throughout the sub-Saharan region.

Since the abolition of apartheid and democratic elections of April 1994, the United States had enjoyed a solid bilateral relationship with South Africa. Although there were differences of position between the two governments, mainly on political issues, these largely did not impede cooperation on a broad range of important subjects. Bilateral cooperation in counterterrorism, fighting HIV/AIDS, and military relations were particularly positive. Both countries committed to inter alia, the international promotion of human rights, the promotion of international trade, the prevention of the proliferation of weapons of mass destruction and the elimination of illicit trafficking in narcotics. South Africa and the US also shared a confluence of values in important areas such as democracy, the rule of law, good governance, and the peaceful resolution of conflicts in Africa.

Since 1994, three State visits between the US and South Africa had taken place, further solidifying the relationship, as well as the close personal relationships between the respective leadership. President Mandela visited the US in October 1994, President Clinton visited South Africa in March 1998, and President Mbeki visited the US in May 2000. Furthermore, representatives of the US Administration and several US Congressional Delegations (CODELS) had also regularly visited South Africa. These visits served to strengthen bilateral relations between the two countries and explore further expansion of areas of co-operation.

Clinton era bore witnessed many ups and downs in bilateral relations between the two countries. In early 1994, Washington contributed US\$10 million to assist the electoral process in South Africa, including election observers and technical assistance to parties participating in the elections. After the elections, the administration of President William J. Clinton announced a US\$600 million, three-year aid, trade, and investment package for South Africa. The United States also promised to support the participation of international lending institutions, such as the IMF, in reconstructing the South African economy.



Despite some strains, South Africa and the United States were pursuing closer ties in many areas. More than 500 United States companies had more than US\$5 billion in direct investments in South Africa in the mid-1990s, and trade between the two countries had been increasing steadily.

On 1<sup>st</sup> March 1995, Washington and Pretoria established a United States-South Africa Binational Commission (BNC) to improve communication and cooperation. (The United States has similar commissions with Egypt, Russia, and Mexico.) Under the leadership of Vice President Al Gore and Deputy President Thabo Mbeki who met twice yearly, the US and South Africa started building a broad, deep and enduring partnership. It consisted of joint technical committees, drawn from the appropriate national agencies, in several areas of mutual concern. The BNC brought executive authority to bear on decisions, and used monies already available to the various agencies in Washington, expediting implementation of new programs and agreements. (A new treaty on avoidance of dual taxation was negotiated in a record 18 months, for example.) As a result, the BNC created sufficient momentum to exponentially expand US-South African relations in the post-apartheid period. These committees originally numbered five and focused on trade and investment; conservation, the environment and water; human resources development and education; science and technology; and sustainable energy. In 1996, a sixth committee was formed to deal with agricultural issues. Working groups on health and on housing were created in early 1997. A seventh committee on defence was formed the BNC meetings in Washington, DC, in July 1997. An eighth committee, to deal with law enforcement co-operation, was announced at the end of the fifth BNC meeting in August 1998. These committees met as necessary between the full plenary BNC meetings, and were required to produce concrete results. It supplemented the regular diplomatic efforts in several important ways:

- It elevated the bilateral relationship to the highest levels of the two governments by involving Vice President Gore, Deputy President Mbeki, US cabinet members, South African ministers and other senior government officials in partnerships that were unprecedented. No US vice president in history and no domestic cabinet secretaries had ever devoted as much time to

the well-being of another country as these officials had committed to South Africa.

- The Binational Commission provided a vehicle for speedy communication between government officials who might not normally speak directly to each other.
- The Binational Commission brought American resources, government agencies, and people to South Africa in ways that go far beyond what is normally found in a US mission. When the South Africans needed help in dealing with organised crime, drug trafficking and money laundering, they asked for assistance through the Binational Commission. The US responded by making people and resources available from the Federal Bureau of Investigation, the Drug Enforcement Agency, Customs, and the Bureau of International Narcotics and Law Enforcement Affairs (INL). In addition, an interagency co-ordination group was put together to provide assistance in a wide variety of areas.

The Commission also worked with Justice Minister Dullah Omar to develop a joint proposal focussed additional US assistance in two key areas:

- helping South Africans to establish a training programme for prosecutors, judges and other senior justice officials; and
- reviewing South African criminal laws and procedures, including the government structure set up to implement them.

The Binational Commission provided an opportunity for leaders in business and government to work together to develop policy incentives and to eliminate disincentives to trade and investment. Tax treaties were signed, markets were opened, technology shared and practices and policies changed because of the work of the BNC. Examples of BNC activities and 'deliverables' between 1995 and 1999 are the new US-South Africa tax and civil aviation treaties, the New Africa Opportunity Fund (sponsored by OPIC to attract investment capital to Southern Africa), and the completion of hundreds of energy efficient, affordable homes in places such as Katlehong and Guguletu. There were numerous cross-national exchanges for

consultation and training in areas such as water resource management. Co-operation via the BNC enabled enhanced predictions of El Nino's repercussions for Southern Africa, and opened the US market for South African citrus, protease and other agribusiness. The US and South African law enforcement agencies joined forces to curtail drug trafficking through South Africa as well as incidents of international terrorism, a notable challenge. The BNC organised support for the South African National Youth Commission from US business and Voluntary organisations. A US-South Africa trade and investment framework agreement (TIFA) was established which was the first step in the development of a free trade pact. In the meantime, the TIFA provided a regular forum for resolving routine trade issues at the working level. This proved to be the most enduring contribution of the BNC yet, and one high on Washington's list of priorities.

Other areas of bilateral assistance planned or already in place because of the collaborative agreement signed at a 1996 meeting of the Binational Commission included the provision of investigative training to the South African National Police, providing recommendations on border security, help in developing a national drug control strategy, assisting in the development of a national witness protection programme and the provision of regional police training for Southern African nations.

Despite its overwhelming achievements, a debate emerged on the feasibility of the BNC. The BNC was an effective foreign policy tool for several reasons. The reasons were that:

- it had developed links between actors at the ministerial and functional levels in the US and South Africa;
- it had brought greater depth to counterpart contact, engendering 'otherwise impossible' openness in relations;
- it provided continuity in what have been portrayed as close relations between the US Vice-President Al Gore and the South African Deputy President Thabo Mbeki.
- it had eased conflict in the US-South Africa bilateral relations;

- it could be a creative means to involve the private sector in the US-South Africa policy;
- it had cut through bureaucratic red tape;
- it had been a catalyst for new projects due to the pressure for presenting 'deliverables' at the biannual meetings;
- it had accelerated the completion of these projects through setting deadlines and improving interagency co-ordination;
- it had brought in sectors of the US government never before involved in foreign policy, and provided a framework for co-ordination without overwhelming the US Department of State or South African Foreign Ministry; and
- it had focused high level attention on South Africa twice a year, which raises the profile of the country and Africa in US foreign policy generally.

There were complaints about weaknesses in the existing structure and emphasis on deleterious side effects which needed attention. These complaints were that the BNC has focused too much on issues which did not help South Africa's critical problems of poverty;

- it had been very labour intensive, straining the capacity of the bureaucracy with its twice yearly meetings and causing some ill will, in the US for instance between the office of the vice-president and BNC member agencies;
- it had taken up a great deal of time, on top of regular responsibilities, with interim meetings and preparation for the commission meetings;
- it had imposed 'artificial time frames' on project completion;
- it had lacked bipartisan appeal in the US, being the creation of a Democratic administration;
- it had largely, excluded civil society and needs to move beyond Washington, DC, to create people-to-people links;

- it had not done enough to institutionalise the private sector arm of its work;
- it had created too many expectations by engaging in great fanfare at its meetings;
- it had not been accessible to the public, nor has it communicated well, and therefore its benefits are generally lost on the public in both the US and South Africa; and
- it had dominated the US policy on Africa, and should expand to cover at least the Southern African Development Community (SADC),<sup>4</sup> if not all of sub-Saharan Africa, if only at a ministerial level.

At the functional level, the BNC had certainly short-circuited many of the standard operating procedures and bureaucratic politics which often delayed results in foreign relations. Examples could include the bilateral tax treaty, negotiated in 'record time' (eighteen months), a 'working for water' employment/conservation project in South Africa up and running by February 1997, and a US-SA trade conference organised between February and July 1997 and attended by over 260 US business representatives in Washington. But in doing so, the BNC had introduced its own set of processes and politics. It seemed that rather than streamlining the policy-making process on South Africa, the BNC had accelerated the processes still in place, and made use of the executive powers of the heads of the bureaucracies in charge, as well as the overriding authority of the respective vice-presidents, 'to get things done'.

The frenetic activity on either side of the Atlantic surrounding the BNC resulted, in August 1998, in an agreement between Mbeki and Gore to reduce one of the biannual meetings to a 'BNC-lite.' The plan was that the full commission—the principals, all committees and working groups—would in future meet only once a year. The second meeting each year would include mainly 'principals' (Gore and Mbeki), with committee co-chairs and functionaries attending only as needed.

Under the Bush administration and following President Mbeki's working visit to the US in June 2001, it was agreed that the work of the former BNC would continue under a new structure, which would be known as the SA-US Bilateral Co-operation Forum (BCF). The first Secretariat meeting took place in February 2002,

during which ways in which the work of the 10 committees could be coordinated and strengthened were discussed. The expansion of trade and investment, and the deepening of substantive relations in spheres such as agriculture, justice and anti-crime, defence, energy development, health, human resource development, housing, science and technology, and conservation and environmental matters currently form the most important elements of the Forum's activities.

Another South African initiative which the US Administration supported was New Partnership for Africa's Development (NEPAD). The US Assistant Secretary of State for African Affairs, Walter Kansteiner, formed part of the G8 Personal Representatives Committee working with the NEPAD states in implementing the G-8 Plan of Action on the NEPAD. The US Administration had indicated that their material support for the NEPAD would be channelled through the Millennium Challenge Account (MCA) which would potentially increase total US spending on development assistance by 50% (to reach US\$ 5 billion by 2006). Although not uniquely focussed on Africa, the MCA will be conditional upon adherence to political and socio-economic eligibility requirements. Deputy Minister Aziz Pahad visited Washington in October 2002 during which he delivered testimony on the NEPAD to the House of Representative's International Relations Committee Subcommittee on Africa. He encouraged the United States Congress to actively support the programmes and initiatives of the NEPAD.

At the time when the BNC began its work, the US identified South Africa as one of 10 big emerging markets in the developing world. This made it especially promising as a destination for the US goods and capital. The 1990s mantra of "trade not aid"- a result of the dismal record of aid in the 1980s, especially in Africa – created the impetus for the US Africa growth and opportunity Act (AGOA), first mooted in 1996. Delayed by the protectionist lobbying on the part of US producers, AGOA passed through congress in 2000. It had a significant impact on trade relations between South Africa and the US.

In this early period of post-apartheid relations, several other agreements were also signed. These included works on the US Peace Corps in South Africa and others on co-operation in matters of the environment, science and technology, energy, transport, health, education, customs and extradition.

Minor strains emerged in South Africa's relations with the United States after the elections of 1994. President Mandela was critical of the United States on several fronts, including the level of economic assistance offered to help recover from apartheid. South Africa's new government was careful to maintain a certain distance from the US in the light of its own debut onto the world stage in 1994. It had various roles to fulfil as a leader in the Non-Aligned Movement (NAM), in the Southern African Development Community (SADC), and in the Organization of African Unity (OAU). South Africa differed with Clinton administration on several issues. Among them were the resolutions of a 1991 indictment by a United States court against South Africa's state-owned Armscor (Armaments Corporation of South Africa). The case concerned apparent violations of the United States arms export controls during the 1980s. South African officials in 1994 requested that the indictment be dropped, noting that the target of sanctions--the apartheid regime--had been removed from power. The United States officials refused to intervene in the judicial process, however, and the case was finally settled without public clamour in 1996.

Washington placed South Africa on a "trade watch" list in 1996, referring to apparent trademark violations that were being adjudicated in South African courts. These and other relatively minor disagreements might have been resolved fairly amicably, had they not taken place against the backdrop of anti-American rhetoric by South African officials on several occasions. For example, in his determination to maintain his government's sovereignty and freedom from outside interference, President Mandela repeatedly emphasized his loyalty and gratitude to countries that had staunchly opposed apartheid during the 1970s and 1980s. Among these countries were Cuba, Libya, and Iran, which the United States considered international outcasts or state sponsors of terrorism.

Pretoria had championed the cause of ending the thirty-year-old trade embargo against Cuba, in defiance of the United States, and South Africa hosted a conference to promote African-Cuban solidarity in October 1995. Pretoria also forged several new cooperation agreements with Iran in 1995 and 1996, and increased its oil purchases from Iran, over United States objections. President Mandela proclaimed South Africa's solidarity with Libya and welcomed that country's leader on a visit to South Africa in late 1995. Pretoria's proposed arms sales to Syria and relations with

other “rogue” states such as Libya; disputed trademark violations initiated by South African companies during the sanctions era (including a restaurant named “McDonalds”); and US duties imposed on South African steel.

By this time South Africa was considered to be one of the United States’ main strategic partners on the continent. Bilateral relations had been somewhat cordial, however, the US and South African administrations have expressed differences with respect to the situations in Zimbabwe, Iran, and Iraq, and US officials have articulated frustration with the South African government on positions it took while serving on the United Nations Security Council.

These differences did not greatly affect expanding business relations, however. In 1991 when President H.W. Bush lifted US sanctions in response to Pretoria’s unbanning of the ANC and the release from prison of Nelson Mandela, US-South African business dealings had largely dried up after five years of comprehensive political restrictions. By 1994 the value of imports and exports between the US and South Africa stood at Rs23,598 million and constituted 9.45% of South Africa’s total trade turnover; investments was also climbing, if more slowly.

Without much fanfare, American assistance helped to improve the functioning of government at all levels: expanding and improving basic education, providing support for housing construction, improving health care, creating jobs, conserving water, eliminating pollution, developing local community leadership, resolving local and regional conflicts and contributing to a wide variety of additional efforts to consolidate non-racial democracy.

United States Agency for International Development (USAID) was a major agency of the US which extensively worked to strengthen the US ties with South Africa during and after post Apartheid Era. The earliest USAID efforts in South Africa began in 1979. Working through the Human Rights Fund, USAID supported local non-governmental organizations working on human rights activities. A formal USAID program did not start in South Africa until 1986, when the US Comprehensive Anti-Apartheid Act of 1986 authorized the appropriation of funding for a foreign assistance program to help South African victims of apartheid. The funding was given directly to private entities. This assistance came in several forms:



- Scholarships to secondary school and university, both inside South Africa and in the US;
- Community based education including multi-racial schools and adult education;
- Support of local non-governmental organizations active in human rights;
- Training of unionists, black managers, and black business leaders in leadership and business skills;
- Training of community organizers in first aid, health care, and emergency management; and
- Small grants to local community groups to establish health or education to promote income generation and employment.

Since 1992, South Africa had been among the leading African recipients of US aid. The Community Outreach and Leadership Development (COLD) program was one of the largest during this period. COLD gave grants to local non-government organizations and civic associations to develop community leadership and representative institutions. It also supported disadvantaged communities to pursue their own priorities for social and political change. Activities included leadership training, small business development, adult education, information dissemination, and teacher training.

USAID program began to change in the lead-up to the national election in 1994. COLD began providing grants to local organizations to conduct voter and democracy education workshops, created voter education centres, established voter documentation programs, trained poll workers and journalists, and supported human rights.

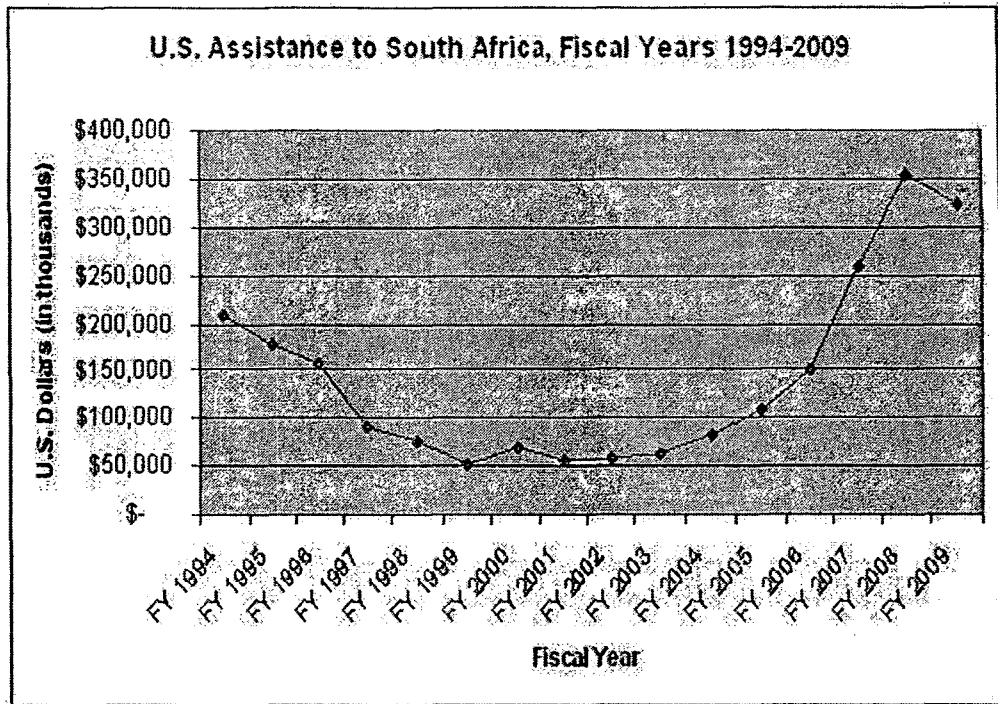
USAID's assistance grew from \$7 million in Fiscal Year 1985 to \$212 million after the elections in 1994. Post-apartheid, USAID concentrated on promoting human, civil, and legal rights; improving access to education; facilitating loans through local organizations to small businesses; and delivering low-cost mortgage loans that allowed 4000 low-income families to buy homes. South African

economists were sent to the US for advanced training and returned to work for the South African government or private companies. Additionally, USAID assisted in approving over 1 million housing subsidies and nearly three quarters of a million houses were completed or under construction, through housing guarantees.

Throughout most of the decade, USAID supported programs to strengthen basic education. Overall, USAID worked to improve student outcomes by training teachers to incorporate critical thinking skills into their curriculum, giving scholarships, developing reading material and curriculum in maternal languages, and incorporating technology into the classroom. USAID also supported peer education programs in the schools that disseminated health messages and promoted healthy behaviours.

In 2000, USAID once again refocused their efforts - concentrating on decreasing the criminal case backlogs, providing anti-retroviral treatment to HIV/AIDS patients, helping the South African government to address land tenure issues, supporting black-owned firms and agribusinesses, and assisting nearly 200,000 households to gain access to housing, water, sanitation and power. USAID also began promoting public-private partnerships with organizations such as Sesame Street and Microsoft. With Sesame Street, USAID partnered to develop a character who was HIV positive in order to diminish stigmatization and promote prevention of the disease. Microsoft was involved in helping strengthen science and math program in schools.

The USAID portfolio had evolved over the last few years to focus on critical needs. Almost 98 percent of the work USAID did in South Africa was related to health- primarily HIV/AIDS, but also addressing tuberculosis and family planning. USAID continues to support historically disadvantaged small and medium enterprises and has begun assistance to workforce development programs. USAID was also helping South Africa facilitate access to credit. USAID continued to work through the court system, but primarily focused on gender issues, particularly violence against women. Through trilateral agreements, USAID was assisting the South African Government develop their capacity as an emerging donor.



(USAID website, 2010)

US assistance to South Africa had increased in recent years, rising from an estimated \$224 million in FY2006, to \$398 million in FY2007. The Bush Administration obligated an estimated \$574 million for FY2008, and requested almost \$576 million for FY2009.(CRS, 2009: 16) In its FY2008 congressional budget justification, the State Department reported that “the US Government’s (USG) relationship with South Africa was transforming from that of donor to one of strategic partnership,” and accordingly, “activities in Peace and Security will continue to increase in importance while development programs will be phased out in the next couple of years.” (CRS, 2009: 16) The US assistance continued to focus on fighting HIV/AIDS and tuberculosis and assisted the South African government to implement economic reforms and to improve its regional peacekeeping capacity. USAID programs supported efforts to promote sound governance, reduce unemployment and poverty, increase access to shelter and basic municipal services, and improve the quality of education and the country’s health system. US assistance included \$850,000 in International Military Education and Training (IMET) programs in South Africa. The United States provided significant assistance to South Africa’s fight against HIV/AIDS through the President’s Emergency Plan for AIDS Relief (PEPFAR) and contributed over \$1,447 million since the program’s inception in FY2004. The Bush Administration requested \$557 million for FY2009 through the

Global HIV/AIDS Initiative. By the end of FY2008, the PEPFAR program had provided Antiretroviral therapy to an estimated 549,700 patients, transmission prevention treatment to over 462,400 pregnant HIV-infected women, and palliative and/or tuberculosis care for 1,852,700 South Africans. PEPFAR's South Africa program also funded public education efforts to promote abstinence, faithfulness, and healthy behaviour to reduce the risk of transmission among high-risk groups.

Despite severe sanctions by the US and the UN for its apartheid policies throughout most of the Cold War, South Africa was the principal American ally in opposing Soviet encroachment in the region. According to a defence analyst, "during the Cold War, United States foreign policy toward Sub-Saharan Africa had little to do with Africa" (Lawson, 2007). This led to a contradictory US foreign policy with regard to South Africa. On one hand, through sanctions the US opposed the apartheid regime, but on the other hand, through coordinated efforts with South Africa during World War II and the Cold War; the US supported the oppressive leadership.

After 1960, when concerns over Soviet influence in sub-Saharan Africa began to grow, the US assigned responsibility for the region to the US Atlantic Command, then to Strike Command, and finally to Readiness Command before its responsibility dissolved in 1971. This left sub-Saharan Africa out of the US unified command plan structure until 1983, when it was divided into its current configuration of shared responsibility among US Central Command (CENTCOM), European Command (EUCOM) and Pacific Command (PACOM) (Congressional Research Service 2007:10). The failure on the part of the US to see sub-Saharan Africa as important strategic ally (except for interests in fighting the Cold War) helped explain why diplomatic relations between the US and South Africa were not as strong as the US would like them to be. Post apartheid period saw a rapid growth in strategic partnerships, especially in face of the growing threat of terrorism.

The US Department of Defense (DoD) began to assist South Africa's military integration efforts as early as 1993, by working with the US Information Agency on a joint South African National Defense Force (SANDF) visit to the US. The US committed US\$120 000 in 1994 and US\$250 000 in 1995 (US Department of Defence 1995) to launch a military education and training programme with South Africa. Military assistance increased after the end of apartheid with a programme known as

Project Phidisa (a Zulu word meaning 'to prolong life'), which focused on treating members of the SANDF and their families who are living with HIV/Aids. This programme was run by three organisations: the SANDF, the US National Institute of Health, and the United States DoD. The programme's scope was to establish the impact of HIV infection on the South African military community and to develop appropriate strategies for the effective management and prevention of HIV infection (Project Phidisa website). In 2004, the US committed more than US\$50 million over a five-year period to further Project Phidisa. At the time, the US Ambassador to South Africa stated that the agreement was an "outstanding example of the close relationship that exists between the governments of South Africa and the United States, and the shared vision of our people" (US Embassy in South Africa, 2005). Unfortunately, this relationship did not remain strong and the future of the programme was jeopardised by strained relationships between the US DoD and the South African authorities. Officials from the US met with the South African Military Health Service several times to seek better cooperation, but the meetings yielded mixed results.

Military assistance to South Africa continued in various forms through AFRICOM. US Africa Command was established in October 2007 and operated under US European Command during its first year. It was envisioned that by utilising AFRICOM to strengthen ties with South Africa, the US would continue to promote human security, reduce terrorism, and improve trade relations between the two countries. Not only would economic relations between the US and South Africa benefit as a result, but South Africa's economic development and position as an economic leader on the continent will ensure improved global trade and economic cooperation. Human security would improve with better relations between the US and South Africa because a stronger South Africa could play a larger role in the humanitarian crises that plague the continent.

October 1, 2008 marked AFRICOM's transition to independent Unified Command Status. The AFRICOM transition team was budgeted for approximately \$50 million in Fiscal Year 2007, and the command received \$75.5 million for Fiscal Year 2008 and \$310 million for Fiscal Year 2009. AFRICOM was designed to better enable the Department of Defence and other elements of the US government, to work in concert and with partners to achieve a more stable environment in which political and economic growth could take place and humanitarian and development assistance

could be used more effectively. It was focused on synchronizing hundreds of activities inherited from three regional commands that previously coordinated US military relations in Africa. Although AFRICOM was not strictly centred on fighting wars (as commands were in the past), it nonetheless was facing challenges in dealing with South Africa. The security of the US forces that would be operating on the continent was a major concern in establishing AFRICOM. South Africa is the most stable country on the continent and would have been an ideal location for additional US military and state department personnel, who are currently operating out of Kelley Barracks in Stuttgart, Germany. Yet, South Africa had not been receptive to hosting a US military command. Specifically, on 30 August 2007, South African Defence Minister Mosioua Lekota stated that “any country that allowed itself to be a base for the US strategic command in Africa would have to live with the consequences” (Hartley 2007). This was a critical issue because while the focus of AFRICOM incorporates military and civil relations, the concern that most countries had with hosting the command was over the military presence and how it would be perceived by its neighbours. If South Africa was opposed to hosting AFRICOM despite receiving considerable aid from the US, other countries would in all likelihood also be hesitant.

According to a DefenseLink article, South Africa’s greatest need was not training in the traditional military disciplines, but in resource management, personnel management, human rights and the proper role of the military in a democracy (US Department of Defence 1995). This was an important consideration for AFRICOM. Traditionally major commands had required large numbers of troops in support of their objectives. AFRICOM can instead parcel out its resources as needed to assist the South African military without stretching US forces. One of the challenges that this situation posed for the US was that with the formation of AFRICOM the US itself will have to deal with a new series of issues in working across multiple organisations, including DoD, the State Department and the US Agency for International Development (USAID). That being said, as the US works through the challenges of working across agencies, it would be able to apply lessons learnt to help South Africa deal with the problems it faced in working across multiple organisations.

The US and South African law enforcement authorities had cooperated for several years on terrorism investigations, including investigations into the possibility

that South Africa had been used as a haven for Islamic militants from outside the region (Business Day, 2002). In 1999, South African authorities arrested Khalfan Khamis Mohamed, a Tanzanian later convicted in the bombing of the US embassy in Dar es Salaam, and deported him to the United States. Khalfan had reportedly sought to hide among Cape Town's Muslims after he fled Tanzania. More recently, one of the suspects of the 2005 London bombings, Haroon Rashid Aswat, who was arrested in Zambia, was thought to have spent time in South Africa. There was continuing concern that other terrorists may seek to hide in South Africa, or make use of its modern transportation and communications systems for transit, smuggling, and money-laundering (Wall Street Journal, 2002). The US Department of Treasury's Office of Foreign Assets Control (OFAC) included several South African nationals in its Specially Designated Nationals List (SDN), which sanctioned individuals and groups believed to be linked to terrorism. In a controversial move, the South African government used its position in 2007 as a member of the U.N. Security Council's Al-Qaeda and Taliban Sanctions Committee, also known as the 1276 Committee, to block United Nations travel and financial sanctions on two of these individuals, Farhad Ahmed Dockrat and Dr. Junaid Ismail Dockrat. The South African government argued that it required more time to examine the evidence against the Dockrats before applying sanctions. There was concern over the potential use of South African travel documents by would-be terrorists. At the time of his arrest, Haroon Rashid Aswat was carrying a South African passport, and according to media reports, others with suspected ties to terrorism have been apprehended at the US and British borders, as well as in Pakistan, with South African travel documents (New York Times, 2004). The US State Department's Office of the Coordinator for Counterterrorism had noted concern regarding fraudulent travel documents, saying, "Efforts to limit the accessibility of passports and identity documents to potential terrorists are limited by resources and corruption in the Department of Home Affairs." (USDS website, 2005) South African passports were found during raids by British police on suspected terror groups in London in 2004 and 2005. South Africa's intelligence minister reported in August 2005 that groups allegedly linked to al-Qaeda had been discovered in southern Africa and that maritime targets could be threatened. The US law enforcement agencies provide training to their South African counterparts, supply needed equipment to the South Africa Police Service, and share information (The US Embassy in South Africa website, 2004). The South African

government had expressed differences with the United States in the latter's designation of Hamas and Hezbollah as terrorist organizations. In May 2007, prior to the Hamas military seizure of the Gaza Strip, the South African Minister of Intelligence met with Hamas leader and then-Prime Minister of the Palestinian Authority Ismail Haniyeh. According to some media reports, he publicly praised Hamas and invited Haniyeh to visit South Africa.

One major strain on relations between the US and South Africa was the Article 98 Agreement, a bilateral pact in terms of which countries pledged not to seek prosecution of other countries' citizens in the International Criminal Court (ICC) (Centre for International Policy 2007). South Africa did not sign the agreement and it had a deleterious effect on US cooperation with and funding for South Africa. In 2002, Congress passed the American Service-Members' Protection Act (ASPA). Section 2007(a) of the ASPA includes the 'prohibition of military assistance' to the governments of countries that are parties to the ICC. However, section 2007(c) includes an article 98 waiver, which allows the US president to waive the prohibition of military assistance set out in section 2007(a). Late in 2006, President Bush determined that it was "important to the national interest of the United States to waive the prohibition of section 2007(a)" with respect to certain countries, one of which was South Africa (Georgetown Law Library, 2007). As a result, the US provided international military education and training (IMET) to South Africa, but not foreign military financing (FMF). So, while on the one hand it would seem that cooperation with South Africa would not be in the best interests of the US due to South Africa's decision not to sign the Article 98 Agreement, on the other hand refusing to cooperate with South Africa leaves opportunity for other countries to step in to fill the void.

Despite the cordial relations that officially existed between South Africa and the United States, some analysts suggest that diplomatic differences highlighted what former the US Assistant Secretary of State for African Affairs Jendayi Frazer referred to as a "rough patch" in the US - South African relations (Zacharia, 2007). As one US official pointed out, the country has had close ties with the Non-Aligned Movement countries, and has exhibited "marked sympathy toward countries that exert their independence from the West" (Thomas-Greenfield, 2006). Some South African officials expressed opposition to the Bush Administration's initial proposal to locate the new US combatant command, Africa Command or AFRICOM, on the continent



(CRS, 2009:21). However, the government later allowed a historic visit by a US aircraft carrier, the USS Theodore Roosevelt, in October 2008, and military relations were reportedly improving. South Africa had taken a critical stance toward the war in Iraq, and former President Nelson Mandela had been vocal in his opposition to what he viewed as US unilateralism on Iraq. South Africa also differed significantly with the United States on Iran. During a 2006 visit by the Iranian Foreign Minister to Pretoria, South Africa affirmed its support for Iran's "inalienable right to pursue nuclear energy for peaceful purposes," at the same time that the Mbeki government announced its intention to consider renewing its uranium enrichment program (BBC, 2006). South Africa, which dismantled its own nuclear weapons program after the fall of apartheid, insisted that any enrichment program would be strictly peaceful in nature.

South Africa's need to focus on domestic economic and social problems meant that US expectations for the country's regional role were perhaps not met in full in the first post-apartheid years. But South Africa's leadership in the launching of NEPAD; the deployment of South African peacekeepers to Burundi, Cote d'Ivoire, and Sudan; and intensive South African involvement in the peace process in the Democratic Republic of the Congo highlighted South Africa's capabilities as a regional actor. As a member of the African Union (AU), South Africa was involved in helping to find solutions to problems on the continent although the AU itself had been the object of much criticism due to the policies of many of its members. South Africa is also a member of the Southern African Development Community (SADC) that comprises of 15 countries in southern Africa. SADC established an African Standby Brigade on 17 August 2007 (South Africa 2007) as part of a larger initiative to have an African Standby Force (ASF) with brigades permanently set up throughout different regions on the continent to enable quick response to crises.

South Africa also assisted US efforts to resolve the Haiti crisis by providing an exile location for former President Bertrand Aristide. Given South Africa's role in conflict mediation and resolution throughout the continent, the United States worked to expand the country's peacekeeping abilities through the African Contingency Operations Training Assistance (ACOTA) program (CRS, 2002).

The US was involved in multiple programmes to alleviate many of South Africa's problems – by means of military assistance, health services, economic aid, and other projects from numerous agencies. The existing programmes, combined with stronger diplomatic and military relationships between the two countries, were considered critical in ensuring that South Africa becomes a beacon of leadership for other countries. In addition, with South Africa being the hegemony of Africa, better relationships with this country were vital to US interests in Africa. It was expected to act as a committed US partner once relations were strengthened.

## Chapter 3

### Economic Issues in US-South Africa Relations

Economic interests were one of the most important factors shaping the key foreign policies of United States since its inception in 1776. In fact it wouldn't be an overstatement to say that economic interests had not only greased the clockwork of the American foreign policy establishment but they have also provided momentum to some far reaching foreign policy decisions. Many foreign policy initiatives, directly or indirectly, stemmed from this desire of United States to protect its economic interests abroad. In some ways South Africa can be considered another link in this realpolitik side of the US foreign policy.

South Africa was the biggest and most advanced African economy. Compared to its neighbouring states it was light years ahead of them. South Africa had abundant mineral resources, particularly rare metals. It was the world's leading producer and exporter of rare metals like platinum, gold, manganese, chrome, vanadium, and titanium. Also it was one of the biggest suppliers of Fissionable Uranium (and its refined form, Yellow Cake) as a member of Nuclear Suppliers Group. South African economy growing at a slow albeit consistent pace was a major market for US exports. Besides it had highly developed industries specialising in machines, aeronautical, weapons etc. It had an advanced service industry that is a major contributor to its exports to the US. Also it is the gateway to almost all of sub-Saharan Africa. Its strategic location at the tip of the continent gave it a decisive advantage over all other African economies.

Throughout the apartheid era, all US governments tried to preserve (and in some cases salvage) the US economic interest in South Africa, despite whatever stance, whether rhetorical or genuine, they were taking against apartheid in public. The US trade with South Africa continued through backdoors despite sanctions imposed on South Africa by international bodies like the U.N. and by US itself. In 1991 when President HW Bush lifted US sanctions in response to Pretoria's unbanning of the ANC and the release from prison of Nelson Mandela, US-South African business dealings had largely dried up after five years of comprehensive political restrictions. By 1994 the value of imports and exports between the US and

South Africa stood at Rs23,598 million and constituted 9.45% of South Africa's total trade turnover; investments also started climbing, if more slowly (Fabricius, 1998:2).

After 1994, the US commitment to Africa wavered for a few months in the aftermath of the Somalia incident but it was back on track following the historical changes taken place in South Africa. According to Clinton, American security and strength was dependent on how it made its way in the world economy- a world economy where the distinction between what was domestic and what was international was arbitrary at best (Hesse, 2001:105). To this he added 'in a new era of peril and opportunity our overriding purpose must be to expand and strengthen the world community of market-based democracies' (Kegley and Wittkopf, 1996:72). The Clinton administration formulated a tenet which maintained that American prosperity and pre-eminence demanded that the country, in Clinton's words, 'compete and not retreat' from an increasingly interdependent world and global economy (Garten, 1994:1).

As a part of this, administration official identified ten 'big, emerging markets' (BEMs) that, though marginal today, possessed vast potential.(USCD website) The BEMs were all regarded as critical areas of growth into the 21<sup>st</sup> century. It was estimated that by year 2000 US trade with the 10 BEM countries could easily exceed that with European and Japan combined. The 10 BEMs were china (including Taiwan and Hong Kong), Indonesia, India, South Korea, Mexico, Brazil, Argentina, Poland, Turkey and South Africa. The key to unlocking that vast potential – and subsequently to creating an environment conducive to international American investment and business, identified as crucial to the American national interest – was to promote simultaneously, democratic and economic liberalism. Collectively the Clinton administrations objectives came to be known as a doctrine of 'enlargement' (Miller, 1994:626). It is important to note that in nearly every case where administration officials spoke of 'enlargement' economic and democratic principles were mentioned simultaneously. It stressed on the fact that economic growth while it did benefit who had it was the key to American prosperity and pre-eminence in the international system. The Clinton administration's enlargement vision was neither a pure economic and political self-centeredness nor a pure economic and political altruism. This new vision was a form of 'enlightened self-interest' encompassing both (Hesse, 2001:106).

Through an executive order he created National Economic Council (NEC), thus moving 'the centre of gravity' on economic policy to the White House and merging better diplomacy and economic principles (Safire, 1993:25). By mid 1995 every official in foreign policy apparatus of the US began increasingly to calculate how their work helped to advance US economic interest (Cox, 1995:32).

Most Americans in 1995 made a case that while much of the rest of the world had gotten better; the perception was that Africa had gotten worst (Ihonvbere, 1994:7). The expectation was that though the Clinton administration had deterred the worst cuts to aid and programmes relating to Africa, this was to be a short lived victory. This directly affected South Africa as it was major recipient of US aid programmes (in particular a five year aid package announced by Clinton Administration in 1994 worth US \$ 600 million ). The White House was consistently trying to integrate Africa into its newly evolving foreign policy convictions.

The policy decisions made by the Clinton administration in the years 1994 and 1995 laid the general groundwork for the US policy regarding Africa and particularly South Africa for the next 7 years until President Bush took office in 2001.

The focus of US policy regarding South Africa was crystallised as policy makers started to develop clearer goals for the future. In terms of how enlargements was relevant to US foreign policy towards Africa, from mid- 1995 the White House viewed Africa as a continent of 700 million-plus potential consumer's on the cusp of positive change. As a result, administration officials worked hard to champion Africa not as a continent of irreversible decline (i.e., a bad neighbourhood where few should want to go), but one demanding American interests because multiparty elections and economic reform, were on the rise. US foreign policy makers not only rejected 'Afro-pessimism' but also kept their distance from 'Afro-optimism'. They adhered to a notion of 'Afro-realism' - one which accord with sentiment expressed in a World Bank report which claimed 'there is no single African reality' (USDS, 1995). While the US official claimed they had hope for Africa as a whole, the truth was that some countries had far greater potential for political and economic progress.

South Africa was the country with the highest expectations. US policy makers viewed South Africa as the crown jewel example of democratic governance. The fact that South Africa was the only country in Africa to be singled out as a BEM merely

demonstrated the hopes the US was pinning on South Africa. It considered this country as the African star shining brightest by vigorously upholding democratic principles while simultaneously presenting 'an economic blue print of strategies to promote export growth, create a stable environment for investments, encourage privatization, reduce government spending, develop human resources, encourage industrial development and modulate wage demands'(Africa Policy Information Centre, 1997). South Africa's new government started to prudently nurture the country's economic potential giving due attention to maintaining infrastructure, keeping a sound currency, and exploiting the countries vast natural resources. Post Apartheid South Africa was a newly emerging 'market based democracy' and thus fitted neatly into the new foreign policy approach of the US. The implicit hope was that the foundation of South Africa was deep and strong enough to anchor long term economic and strategic interests of US (Hesse, 2001:110).

As such the Clinton administration showed an eagerness to have South Africa as a partner in enlargement. As a sign of the importance with which the US foreign policy makers viewed South Africa, in march 1995 Washington and Pretoria established a US-South Africa Binational Commission, to be chaired by US Vice-president Al Gore and South African deputy president Thabo Mbeki – the only high level binational entity of its kind between the US and a sub Saharan African country. The US secretary of State Warren Christopher conducted a high-profile diplomatic visit to South Africa (capping of a series of visits by US government officials and business leaders).

In the words of James Joseph, the US ambassador to South Africa, "the thrust of the commission is to streamline government to government co-operation", necessitated by the fact that "over 500 US firms had established a presence in south Africa – there names reading like a who's who of American business... over US \$4 billion worth of goods crossed the Atlantic in 1994" and in his view, "US trade and investment in South Africa (would) continue to increase as US firms discover the dynamism of the Southern African region". (Joseph, 1995).

Increasingly, emphasis was being given to how the US alone benefited (Jesse, 2001:113). The only notable variations from the emerging 'America First-ism' in the early months of 1996 was in a USAID program for a Southern African Enterprise

Development Fund meant to support micro enterprise in South Africa and Zimbabwe (Africa Policy Information Centre, 1997).

But the US stand that trade coupled with selective aid was the best approach to strengthen ties between the two countries. This was a calculated political move on the part of Clinton Administration meant to appease and appeal to widest range of critics and voters in the upcoming elections. Unfortunately for US foreign policy makers, their goal of an enlargement partnership was to be eclipsed by this approach. While US policy makers did everything they could to win support at home and paid attention to planning details, they failed to realize the obvious point that their efforts would count for little without South African support thinking that the benefits to them would be self-evident.

As South African leaders began to speak out, it became obvious that this was not the case, and that there was much scepticism that arose from a historical experience. An example of this was the monumental failure of an American-proposed 'African Crisis Response Force' (ACRF), unveiled during Christopher visit, with South Africa at its leader. It failed to gain Pretoria's endorsement, and in fact, resulted in public statements of thinly-veiled annoyance. South African leaders resented the fact that US seemed bent on imposing its own solutions, rather than working with them as equals. President Mandela was very vocal regarding this approach of the US, stating "My point of view is if this initiative is to succeed, it must have credibility. It must not come from one country. It should be the initiative of the U.N." (Business Day, 1996).

Then an open row erupted between Washington and Pretoria. Following the leak of secret South African cabinet documents on the weekend of 12 January 1997, it emerged that South Africa had plans for selling advance fire control systems to Syria, a state US policy makers claimed was a sponsor of terrorism and one which posed an unsettling threat to America's close middle eastern ally, Israel. The US reacted strongly to this stating 'The United States is deeply concerned about the proposed sale' (Reuters North American Wire, 1997). While the US and South Africa had previous points of contention over South Africa's moral support for countries such as Cuba, Iran and Libya considered by the US to be pariahs like Syria, the Syrian arms sales matter was much more serious. Because of Syria's blacklisting in American

Law, Congressional legislation would require the suspension of certain economic Aid packages to South Africa if the sale went through. Nevertheless, South African policy makers were undeterred. South Africa had a substantial interest in Syrian arms sale to go through. This single sale of US \$ 645 million would double the South African defence exports from US \$ 280 million of year 1996. The South African response to this “ public America bullying’ was that they were ‘rankled’- they were very sensitive about any event that they thought went ‘against’ south Africa, or to views they felt were being ‘ imposed’ on them (Reuter, 1997).

To say the least, tepid responses to the American proposed ACRF and heated exchanges with American policy makers regarding the proposed sale of military equipment to Syria, frustrated officials in Washington because they derailed their African enlargement agenda. From 1996, as the row between Washington and Pretoria gained in intensity, the South African bond Market began to stumble and Rand tumbled by nearly 28% against the US dollar (Financial Times, 1997). Bilateral trade between the two suffered. The US foreign direct investment in South Africa fell to US \$ 189 million in 1996 from US \$ 294 million in 1995 (USITC website).

This decline in the value of South African government bonds proved to be a wake up call for South Africa. It was the beginning of the realisation that in the ‘post-1994, post-euphoria context’, reputation posturing and profile could be no substitute for pragmatic policy and action (Hesse, 2001:133). Therefore in the February 1997 meeting of BNC, South African Deputy-President Thabo Mbeki and US Vice President Al Gore were keen to ease tensions between the US and South Africa. Gore commented that ‘Friends will sometimes have disagreements. Friends work through their disagreements in a mutually respectful way... It’s not for me to speak on a decision that is South Africa’s’ (The Citizen, 1997:11A). Mbeki was quoted as saying that ‘No two countries would agree on everything, but we agree on most things that matter... has not been a threat at all to our relationship’ (Chicago Tribune, 1997:3). Following this reconciliation, the flow of US capital touched a record high of US \$ 1298 million.

The Syrian face-off forced the US policy makers to rethink their policy of being overly assertive and openly confrontational where South Africa was concerned. They sought to reshape their policies to underscore the South African participation in



them. Following this pattern, the next key transition policy of the Clinton administration towards Africa was AGOA and as the economic giant of the Africa, South Africa was to be its key beneficiary. AGOA was meant to provide the US with a 'carrot' and a 'stick' – to round out its African agendas (Hesse, 2001:149).

On 27 April, 1997 several members of the African Trade Caucus, a bipartisan group supporting the opening of American markets to African goods and Services, introduced 'African Growth and Opportunity Act' (AGOA) in congress.(Africa News, 1997:1) AGOA sought to

- Lift American import duties on African apparel and textiles
- Expand the number of sub-Saharan countries eligible to fall under the US's General System of Trade Preferences for developing nations.
- Create a US \$ 650 million investment fund (to be administered by OPIC)
- Establish a US-Africa Trade and Cooperation Forum to improve communication on trade issues

The Clinton Administration took this bill and rewrote it in form of 'Partnership for Economic Growth and Opportunity Act' (PEGOA) in May 1997. This shifted the nearly all goals and ideas related to Africa and therefore South Africa, towards economic reform and trade. The PEGOA expected its beneficiaries to 'lower quota and tariff', to pursue 'growth-oriented policies', and to explore the creation of free trade areas in order to benefit from some of the Act's provision, like loans for small and medium-sized businesses, funds for infrastructural projects and to eliminate bilateral debt (Agence France Presse, 1997). Buzzwords like 'economic reform', 'freer trade' and 'growth oriented strategies' featured prominently in the PEGOA.

In March 1998, the US House of Representatives passed the AGOA and following this President Bill Clinton undertook a comprehensive tour of Africa to underscore the US economic interests and intent in Africa, from 23 March 1998 to 2 April 1998, his longest foreign incursion till date. Where the emphasis of these actions laid was made clear by the fact that of the 11 days in Africa, 4 days were spent in South Africa. Clinton told nearly 500 South African parliamentarians that "America wants a strong South Africa. America needs a strong South Africa. We are determined to work with you as you build a strong South Africa". (Irish Times, 1998:10)

But the South African response to this was not so warm. President Mandela stated that “Our people have welcomed President Clinton with open arms. This is one of our proudest moments... I hold him in high respect. (But) the fact that we have respect for him does not mean we have no differences... This is a matter (AGOA) over which we have serious reservations... To us it is not acceptable” (Deutsche Presse-Agentur, 1998). South African stance was made clear by Vice President Mbeki in his interview with the French Quarterly *Politique Internationale*. He insisted that Africa and South Africa alike needed trade and aid, not trade instead of aid, as AGOA emphasized. ‘It (the AGOA) is wrong,’ Mbeki said bluntly. ‘Africa needs both’ (Jerusalem Post, 1998:6). Mbeki argued that if the South African ‘economy today cannot generate the resources that are required to address all these urgent problems of poverty which face us’, South African businesses could not be expected to compete against American producers, with infinitely more resources, in American Markets. It stood to reason, Mbeki then added, that if this was the case with South Africa, sub-Saharan Africa’s largest and most advanced economy, then it would also be true for other African Countries (Irish Times, 1998:10).

But one of the positive responses to the economic-diplomacy ventures of the US regarding South Africa was the formation of Growth, Employment, and Redistribution’ (GEAR) strategy initiated by South Africa in June 1996 (South Africa Government Policy website). GEAR aimed at to accelerate the 3% growth rate of the economy and also to assuage the doubts of investors regarding the direction South African economy was taking (South Africa Government Policy website). In early 1997, the government undertook a long term disinvestment process auctioning off state owned enterprises to the private sector (Financial Times, 1998). This indirectly brought the American and South African policy makers on the same platform, with South African Minister of Trade and Industry Alec Erwin stating that South Africa ‘must engage...with these forces of globalisation’ in order to take advantage of ‘new markets that did not exist before to our economy’(South African Senate Debates, 1996:1769).

With South Africa joining WTO in January 1995, taking over the chairmanship of United Nations Commission on Trade and Development (UNCTAD) in May 1996 and initiating negotiations with members of SACU for its integration into SADC in 1997; the respective foreign policies of both the US and South Africa

driven by fundamentals found in AGOA and GEAR, had coalesced to a point where they were more alike than different. Irrespective of South Africa's contention in regard to AGOA, its growing ties with Iran for oil and recent forays in Far East including re-establishing relations with mainland China, the indications from both Washington and Pretoria were that the only to accelerate the growth of South Africa was through privatisation, increased competitiveness, sound fiscal and monetary policies and the corresponding enticement of foreign investment. By the end of 1998, United States was South Africa's leading overall trading partner and South Africa was the United States' leading trading partner on the African continent (Hilfe Country Report, 1998).

Though, on 30 April 1998, the South African Ambassador to the United States released a letter addressed to all 100 Senators in the US Congress pronouncing the public support of the American 'African Growth and Opportunity Act', it was only in the year 2000, that AGOA became a reality under the Bush Administration (Embassy of South Africa in the US, 1998). The AGOA became the cornerstone of the Bush Administration's trade and investment policy toward sub-Saharan Africa, which was aimed at promoting free markets, expanding US-African trade and investment, stimulating economic growth, and facilitating sub-Saharan Africa's integration into the global economy. As a result of AGOA, substantially all imports from sub-Saharan Africa are eligible to enter the United States duty-free. With its rapidly growing economy South Africa was the key beneficiary of AGOA (AGOAA website).

In 2001, the US was South Africa's largest single trading partner in the world. According to US Commerce Department statistics, bilateral total trade for 2001 amounted to some US\$ 7.25 billion, with South Africa enjoying a healthy trade surplus of some US\$ 1.6 billion. This figure includes General System of Preferences (GSP) privileges under the African Growth & Opportunity Act (AGOAA) that was valued at some US\$ 1 billion (USITC website).

In the first year of implementation of the Africa Growth and Opportunity Act, in 2001, the value of South African goods exported under AGOA to the US grew by a remarkable 45%, from \$923 million to \$1.34 billion. This increase was especially notable in light of the 4.4% decline in overall exports from South Africa to the US over the same period. That decline had been attributed to the world economic

slowdown and a 30% fall in the value of platinum exported to the US (US embassy in South Africa, 2003). Remarkably, South African exports to the US in the transport sector alone increased by 240% during that period. From 2002 to 2003, South Africa's AGOA exports across all sectors grew by 24% to \$1.7 billion. So, the upward trend continued, even in the face of a strengthening rand. In 2001, AGOA exports by South Africa amounted to 21% of total exports to the US; in 2002, 32% and in 2003, 34%. Overall South African exports to the US stood at \$ 4.2 billion and import stood at \$ 3 billion creating a trade surplus of \$ 1.2 billion for South Africa (USITC website).

The US had consistently been the largest foreign direct investor in post-apartheid South Africa, representing some 40% of total FDI since 1994. US companies operating in South Africa directly or indirectly now number 900, compared with 104 in 1994 (256 companies having left earlier owing to sanctions). These companies, which included big players such as Caltex, Ford, General Motors, Southern Bell Corporation and Pfizer, employ approximately 125,000 people in South Africa (Department of International Relations and Cooperation, South Africa, website). FDI by all US companies in South Africa stood at \$ 346 million at the end of 2000 (US embassy in South Africa, 2003). The official 'Comprehensive Report on US Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act' prepared by the USTR(2002) summarised the US view of South Africa as following :

“Market Economy/Economic Reform/Elimination of Barriers to US Trade: South Africa has a market-based economy that incorporates an open, rules-based trading system, and provides for the protection of private property rights. It is making progress on IPR protection. South Africa has significantly reduced its average tariff rate, though some tariffs remain high. South Africa provides national treatment for foreign investors. There is no record of expropriation or nationalization of any US investment. There is a bilateral Trade and Investment Framework Agreement, as well as a bilateral tax treaty in force. The government is making progress on the privatization of parastatal enterprises.

Rule of Law/Political Pluralism/Anti-Corruption: South Africa is a multiparty parliamentary democracy. The government is committed to the rule of law, and is working to strengthen its judicial and regulatory systems. While South Africa faces serious governance and corruption challenges, the government has made the fight against corruption a priority, including the establishment of ten anticorruption bodies. An extremely high crime rate and inadequate police response remain serious problems.

Poverty Reduction: The government is committed to improving the distribution of resources and has established a number of poverty reduction programs. The Black Economic Empowerment program, small business support programs, and infrastructure projects to improve access to basic services, housing, education and health care are all aimed at reducing poverty and narrowing the wide income disparities resulting from apartheid. High unemployment remains a serious problem.

Labor/Child Labor/Human Rights: South Africa provides strong worker rights protections, including the right to freely associate and to bargain collectively. There is a legally established minimum age for the employment of children, but enforcement is difficult in some cases. Child labor occurs in South Africa, particularly in the agricultural sector. South Africa has ratified all ILO core conventions, including ILO Convention 182 on the worst forms of child labor. The government generally respected the human rights of its citizens; however, problems remain in several areas. The Constitution provides for equal protection, freedom of speech and the press, freedom of assembly, and an independent judiciary; these rights are respected in practice. The government has focused high level attention on the human rights issues of law enforcement, and is making serious efforts to improve the professionalism of its security services; it has taken action to investigate and prosecute some members of the security forces involved in human rights abuses.”(USTR website, 2002)

AGOA was a positive development for South Africa, as well as for other African economies (Mills and Hughes, 2003). The AGOA provided for non-reciprocal trade benefits and opportunities to eligible sub-Saharan African countries for a period

of eight years. While the AGOA legislation ended in 2008, the Bush administration had stated its intention to extend this window of opportunity for African economies to 2015 (Bridgman, 2004:254).

President Bush had directed the Administration to negotiate trade-expanding agreements with developing countries, such as the SACU nations, to enhance the US trade and investment relationship with them and to facilitate their integration into the global economy. Seeking out new growth opportunities, such as those in southern Africa, was an integral part of the Bush Administration's global trade strategy (USTR website, 2002).

During a 2002 visit to South Africa, US Trade Representative Robert Zoellick proposed the creation of the United States' first Free Trade Agreement (FTA) with sub-Saharan Africa, linking the United States with South Africa and the other members of the Southern Africa Customs Union (SACU): Botswana, Lesotho, Swaziland, and Namibia. SACU was the United States' second largest trading partner in Africa behind petroleum-rich Nigeria. It was hoped that the FTA could be a model for future agreements between the United States and developing countries in Africa and elsewhere (USTR website, 2002).

Negotiations for the FTA between the US and the SACU were launched in June 2003 in Pretoria. By moving from one-way trade preferences to full partnership through a reciprocal free trade agreement, the US and SACU could have expanded market access, further link trade to southern Africa's economic development strategies, encourage greater foreign investment, and promote regional economic integration and growth.(USTR website 2003) Through an FTA, the United States sought to build an infrastructure for opportunity that stems from AGOA and to establish a comprehensive framework for 21<sup>st</sup> century commerce. The FTA was to cover not only tariffs, but also establish new disciplines on trade related issues, including services, investment, government procurement, electronic commerce, labour and environment. It was to help to level the playing field in areas where US exporters were disadvantaged by the European Union's free trade agreement with South Africa, and to engage SACU countries as partners in multilateral market-opening initiatives through the World Trade Organization (USTR, 2003).

Reaction to the FTA proposal in the region was reportedly positive, but there were concerns about the scope of the negotiations. Some observers felt that US proposals to include intellectual property, government procurement, and services in the negotiations could have a negative impact on the SACU countries, and that the United States was not sensitive to the differing levels of development within SACU. Within South Africa, trade pundits were debating the wisdom of such an arrangement because, unlike AGOA, FTAs were generally based on reciprocity and would thus give the US unprecedented access to Southern African markets. There was concern on a broader level, as well, that the plethora of FTAs under negotiation or proposed by the United States (with the Central American Common Market, the Middle East, Australia, and the Common Market for Eastern and Southern Africa, among others) would do more damage than good for the developing world. By creating regional trading blocs that may cause others to retreat into protectionist mode, and by undermining the cohesion of the developing world at multilateral trade forums such as the World Trade Organization talks, these FTAs might prove to be of only short-lived benefit for nations such as South Africa. With presidential elections on the horizon in the US, there was a great incentive in Washington to avoid another credible challenge to American farm subsidies such as that launched by the G-20+ at Cancun 2003.

South Africa's approach to the failed WTO talks in Cancun in September 2003 were in no doubt a disappointment to US policy makers, who generally viewed South Africa as an ally in the developing world with Pretoria's exemplary macro-economic and trade policies. But at the Cancun talks, South Africa, as part of the G-20+ of like minded developing nations including India and Brazil, pressed the US (as well as the European Union and Japan) to liberalize agricultural policies before talks could proceed (John, 2003). The ensuing stand-off, in addition to the G-20+ opposition to discussion of the "Singapore issues" involving investment and other issues led to the failure of the talks (The Economist, 2003:29).

Meanwhile AGOA benefits were extended through the AGOA Acceleration Act of 2004 (P.L. 108-274) until 2015. The FTA negotiations that had begun in 2003 continued through 2004 and 2005 but were eventually suspended in 2006, when US and SACU officials agreed on a new work program that was aim at addressing a broad range of trade and investment issues, and might contribute in the long term toward a possible FTA.

Throughout its engagement with South Africa US had raised objections on IPR and Patent infringements in South Africa. Though minor in nature, South African efforts to curb these infringements was thought to reflect South Africa's commitment to international trade practices as laid down by the US.

### **US-South Africa Trade**

In 2008, South Africa was one of the key trading partners of the US, and the bilateral trade relationship had maintained a consistent pattern of expansion since 1994. US goods and services trade with South Africa totalled \$20 billion in 2008 (USITC). Exports totalled \$8.5 billion; Imports totalled \$11.4 billion. The US goods and services trade deficit with South Africa was \$2.9 billion in 2008. Trade in services with South Africa (exports and imports) totalled \$3.5 billion in 2008 (latest data available). Services exports were \$2.0 billion; Services imports were \$1.5 billion. The US services trade surplus with South Africa was \$524 million in 2008. US exports of private commercial services (i.e., excluding military and government) to South Africa were \$2.0 billion in 2008 (latest data available), 0.3% (\$6 million) less than 2007 but 224% greater than 1994 levels. US imports of private commercial services (i.e., excluding military and government) were \$1.5 billion in 2008 (latest data available), up 4.0% (\$58 million) from 2007, and up 405% from 1994 level. Other private services (business, professional, and technical services), and royalties and license fees categories accounted for most of US exports and imports to South Africa in 2008.

Since 1994 the US had consistently been the largest foreign direct investor in South Africa (replaced by China in 2009), representing some 40% of total FDI since 1994. Through new and returning investments, the number of US companies in South Africa now exceeded the pre-sanctions period. While in 1994 (when US sanctions were lifted) the number of US companies in South Africa was 104 (256 having left), the US Embassy in Pretoria estimates that approx. 900 US companies operated directly or indirectly in South Africa now. US foreign direct investment (FDI) in South Africa (stock) was \$4.9 billion in 2008 (USTR website), a 5.4% decrease from 2007. Reported US direct investment in South Africa was led by the manufacturing and wholesale trade sectors. South Africa FDI in the United States (stock) was \$643 million in 2008 (latest data available), up 164.6% from 2007. Sales of services in



South Africa by majority US-owned affiliates were \$4.5 billion in 2007 (latest data available), while sales of services in the United States by majority South African-owned firms were \$1.2 million.

At the end of year 2008, the US thought about South Africa could be understood from the following “Comprehensive Report on US Trade and Investment Policy Toward Sub-Saharan Africa” prepared by the Office of the United States Trade Representative:

“Market Economy/Economic Reform/Elimination of Trade Barriers: South Africa maintains a diverse market-based economy and provides national treatment to foreign investors. The country is making notable progress on improving IPR enforcement and addressing cumbersome IPR court proceedings. The Department of Trade and Industry created an enforcement unit and the judiciary increasingly understands the complexity and specialized nature of IPR. Commercial Crime Investigative Units have been instituted within the South African Police Service; Specialized Commercial Crime Courts have been established in major cities; and seven specialized prosecutors have been designated since 2006 to exclusively manage IPR cases. The relevant South African Departments have formed an interagency group to enhance cooperation in combating IPR crimes.

Rule of Law/Political Pluralism/Anti-Corruption: South Africa maintains a multiparty parliamentary democracy in which political parties are allowed to operate freely. Free and fair municipal elections were held in March 2006. While the African National Congress holds an overwhelming majority in parliament and in other levels of elected government, several opposition parties are active. The government is committed to the rule of law and is working to strengthen its judicial and regulatory systems, but high crime rates have strained the judicial system’s capacity. The judiciary is independent at all levels. Municipal service delivery and corruption remain a challenge. Under the anticorruption regulatory framework, the government has charged the former Deputy President, and prosecuted dozens of public officials, including the Chief of the South African Police Service, Members of Parliament and municipal councilors.

Poverty Reduction: Poverty reduction and job creation are major government priorities. The 2008 budget increased measures to improve the social welfare payment system and the delivery of public services, such as basic housing, water and sanitation, electricity, and telecommunications, especially to the rural poor. More than one-fourth of all South Africans receive government support of one type or another. The budget also allocated funds for civil projects that employ labor-intensive methods as a means to create employment and impart job skills. The Broad-Based Black Economic Empowerment Codes of Good Practice were published in February 2007. These Codes are designed to integrate previously disadvantaged minorities into the market economy.” (USTR website, 2009)

## Chapter 4

### Convergences and Divergences on Selected Issues

Keeping political and economical gains apart, one of the major motivating force behind the continuing US support (intervention) of South Africa was the deeply embedded concept in the American psyche that being the world's only super power, it was the US's ethical and moral duty to engage with the wrongs of the world and right them. This is evident from a televised address made by President Bush on 4 Dec, 1992 just before the deployment of 28,000 US troops to Somalia. President Bush stated "The United States alone cannot right the world's wrongs ... (But) we also know that some crisis in the world cannot be resolved without American involvement, that American involvement is often necessary as a catalyst for broader involvement of the community of nations" (Hesse, 2001:60). In the light of this statement, to some extent, the US perceived its assistance to South Africa as a part of this ethical obligation.

One must keep in mind that though there were political (containment of communism) and economic (trade and securing of major trade routes) aspects that forged the US foreign policy towards Africa, the ethical dimension was always present. In the end of the 1960's, the rise of black leader, Martin Luther King and the ripening of the race debate in American civil society forced successive governments in the US to rise sharp voice against the blatant racial discrimination practiced in South Africa. But the US government played a hypocritical role in shunning South African white leadership on human rights conferences but secretly aiding them in the security sector. The successive governments in the US had modified their level of cooperation with South Africa, balancing its domestic pressure and civil society movements vis-à-vis the demands of a cold war scenario and then a unipolar world order. This led to a bitter and divisive debate over foreign policy, the like of which had not been witnessed since the Vietnam War. With anti-apartheid activists and members of Congress pitched against the Reagan executive, 'Constructive Engagement' provided one of the most spectacular US foreign policy fights of modern times. The US Anti-Apartheid Movement played a key role in overturning the Reagan administration's policy of constructive engagement and imposing sanctions in 1986. Even as South Africa was growing through its transition after De Clerk's ascension to

power, the rest of the world was experiencing major structural changes in the international system. As the major benefactor of the African National Congress, Soviet Union imploded leaving behind United States as the sole superpower in the world.

American unilateralism and a moralistic and racially conscious South African foreign policy, at the first look, seem at cross purposes with each other. Moreover, South Africa as preponderant player in southern Africa and also Africa also made it much more strategically important for United States. It is in this context that the relationship between the two countries regarding ethical ties should be seen.

The US took a proactive and leading role in supporting South Africa through its transition to broad-based democracy. The administration of President Bill Clinton set great store by the success of the South African model of multiculturalism, a model much needed in its own cities across America. The US Anti-Apartheid Movement facilitated continued and increased development aid to South Africa. This was remarkable in early 1990s, when US aid budgets were generally declining. At the time of Nelson Mandela's inauguration, President Bill Clinton announced an aid package of US \$ 600 million, to be distributed over the next five years.

The 1994 assistance package, which was later forthcoming in spite of Clinton's differences with the Republican majority in the US legislature, included loan guarantees through the overseas Private Investment Corporation to encourage investment in housing, electrification, and small business development (especially among previously disadvantaged South Africans), and resources for primary health care. Grants were also given to support democracy-building, education, health care, environmental programs and various other goals. This served as a springboard for the launching of several US-South African initiatives. The grand US ambition to bring democracy and liberalism to the Dark Continent by using South Africa as an example could be seen as an US attempt to bring democracy to the region and ceased the mindless civil strife and lawlessness in the African continent.

On the other hand, the South African liberation in 1994 brought a shift in South African policy towards the United States. South Africa's new government was careful to maintain a certain distance from the US, in the light of its own debut onto the world stage in 1994. It had various loads to fulfill as a leader in the Non-Aligned

Movement (NAM), in the Southern African Development Community (SADC), and in the Organization of African Unity (OAU). Over the years South Africa had differed with the US on several ethical issues. Among them were the Pretoria's proposed arms sales to Syria and relations with other "rogue" states such as Libya, Iran etc.; the war in Iraq; the perceived unilateral approach adopted by the current US administration to that war and other issues; the human rights violations perpetrated by the US during Afghan and Iraq wars; Pretoria's resistance to a more openly critical stance on the rule of Zimbabwe's president, Robert Mugabe etc.

South Africa became the primary spokesperson of Africa and expressed severe criticism of American motives in policies toward Rwanda, Congo, Zimbabwe, and Uganda (Mikell and Lyman, 2001: 91-92). The Clinton administration that was in power at that time was criticized for failing to continue to invest in South Africa's business infrastructure and failing to invest in President Thabo Mbeki's priorities of debt relief, closing the digital divide, and bettering trade opportunities (Mikell and Lyman, 2001: 92). For United States, expectations in the South African transition arguably fell short of its expectations as South Africa did not become a pro-US force that it might have imagined it would become.

Despite their apparent differences the US and South Africa initiated many bilateral efforts to put an end to various socio-political maladies plaguing South Africa in particular and Africa in general. The key areas where these various initiatives were focused include improving human rights and empowering previously disadvantaged members of the society, health particularly HIV/Aids epidemic, education, illegal arms trade and non-proliferation of nuclear technology, drug trafficking, climate change, and other ethical issues like its stance in the UN on various international issues and its increasing role in development (NEPAD) and conflict resolution in Africa and abroad (in particular Iraq).

### **Human Rights**

South Africa had a long and tragic history of racial domination, social injustice, political oppression, economic exploitation, gender discrimination and judicial repression. Human rights were one of the main casualties of the Apartheid regime. Previous governments, before the non-racial democratic election of April 1994, systematically violated the human rights of the entire black population. This

large-scale denial of human rights reached its highest form in the system of apartheid - a policy of social engineering based on institutionalised racial discrimination. Apartheid was so thoroughgoing in its destruction of fundamental human rights and freedoms crime against humanity.

On the other hand, in the form of Anti Apartheid movement, South Africa had a long and proud history of struggle for the protection and promotion of human rights, social justice and the respect of human dignity. This struggle was fought by ordinary women and men at great personal sacrifice, often with the loss of many lives. The non-racial democratic elections in April 1994 brought this history to an end and ushered in the beginning of a new era - the building of a united non-racial, non-sexist South Africa founded on democratic values, social justice and fundamental human rights and freedoms. One of the biggest challenges faced by the new democracy was to build a country that was fair to all of its citizens; a country in which all individuals felt and knew that they were valued members of society, and that they had rights that respected human dignity, promoted human development, fostered human equality and advanced human freedom.

Until the democratic elections of April 1994, South African government systematically discriminated against the vast majority of its people. It systematically denied them their political rights, forced them off their lands, placed huge obstacles in the way of their development, discriminated against them in access to resources, denied them equal access to education, training and employment and jailed and persecuted those who fought for justice and equality.

The wounds left by this systematic and brutal repression, lasted for almost two centuries. By removing apartheid's legal underpinning, the South African government made a major and largely unanticipated step toward creating a relatively egalitarian and non-racial society. Dismantling the more intractable social and economic components of a legal system of racial domination, into which South Africans had been socialized, was clearly a more herculean endeavour. The South African society was still fundamentally unequal and deeply divided where there was race privilege on the one hand, and deep-seated structural inequality on the other. Not all of the South African people enjoyed the human rights which were fought for and which many gave their lives for. The vast majority of the population lived in abject poverty and in

hunger. There was large-scale unemployment, lack of access to land, property, resources, education, health care and social services

Democracy was irreconcilable with racial inequality and social injustice. Democracy is incompatible with poverty, crime, violence and the wanton disregard for human life. Democracy was strengthened and entrenched when society was fully aware of its fundamental human rights and freedoms and consciously laid claim to these. The 1994 South African Constitution and the Bill of Rights incorporated fundamental international human rights as part of South African law. In accordance with this Bill of Rights South Africa gave its full and unequivocal support to the Universal Declaration of Human Rights. They signed all of the main international and regional human rights treaties.

The election of a new democratic government, the adoption of a new Constitution, the entrenchment of a Bill of Rights and the country's return to the international community together laid the foundation for the establishment of a society based on equality, dignity, democratic values, social justice, fundamental human freedoms and fairness to all of its citizens.

After becoming a constitutional democracy, South African government under the leadership of Nelson Mandela established the following institutions to protect and promote democracy and human rights in South Africa:

- The Office of the Public Protector
- The South African Human Rights Commission
- The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
- The Commission for Gender Equality
- The Auditor-General
- The Electoral Commission

Through these institutes the government had aimed at healing the divisions of the past, establishing a society based on democratic values and social justice, laying the foundations for a democratic and open society where government was based on the will of the people and where every citizen is equally protected by law. The focus was on improving the quality of life of all citizens, maximising every person's

potential replacing a culture of violence and disregard for human life with a culture of human rights and respect of the right to life.

A measure milestone in this direction was the National Action Plan the National Action Plan for the Protection and Promotion of Human Rights (NAP) lodged with the United Nations on the 10th December 1998, International Human Rights Day and the 50th Anniversary of The Universal Declaration of Human Rights. By doing this, South Africa reiterated its commitment to protect and promote Human rights on its soil and abroad. The NAP was the product of many months of consultation and co-operation, involving both government and civil society, to create and implement a detailed policy and legislative programme to realise the fundamental rights and freedoms provided for in the Constitution and Bill of Rights. It was a serious effort to address the legacy of the past by implementing practical and attainable plans for the protection and promotion of human rights. The Reconstruction and Development Programme (RDP) was the policy framework for the realisation of the NAP. Integral to the NAP, therefore, was the government's commitment to the eradication of poverty and the end of discrimination and inequality. It was understood that the realisation of human rights, particularly socio-economic rights, requires public expenditure to meet basic needs, develop infrastructure, promote growth and stimulate job creation. South African government had moved far along the path of reprioritising its spending to meet the needs and aspirations of the majority of its people.

But the long March towards achieving the above set goals was far from over. The huge gap between the rich and the poor, between the haves and the have-nots, which coincides with race, was considered a serious threat to the existence and survival of South African democracy.

That was why promotion of human rights had been one of the key aspects of the US policy towards South Africa. The end of apartheid regime was just the first stepping stone in this regard. The US initiated many programs in South Africa to promote human rights. The first efforts in this direction were made as early as 1979 through USAID. But the major efforts began in earnest after 1994 elections. USAID was the main US agency, working with South African government and other private entities, to initiate and implement many of these programs. The focus was set on



promoting education, economic empowerment and the rule of law, political pluralism and anti-corruption practices.

US valued a holistic approach to development, in which development activities were not stove-piped along specific technical lines. For example, democracy and governance programs also integrated elements of health through the Women's Justice and Empowerment Initiative that medically and legally assisted women who had been victims of gender-based violence. Program for economic growth portfolio were linked to education through improving Further Education Training schools to fill gaps in the labour market.

In addition to programmatic linkages, the US was dedicated to improving the capacity of South Africans to assist their own people (and other African countries) across all areas of its work. Institutional development and human capacity building were fundamental pieces of all US programs. Through its health programs, US assisted local non-governmental organizations develop systems and capacity to sustain as an organization after the US funding ends. Programs, such as the SABIL economic growth project, helped to develop skills of a cadre of South Africans who can provide those skills to the country after the US's discrete intervention was completed.

Additionally, the US took whole-of-government approach to many development issues. The health team worked in close coordination with the US Center of Disease Control and Department of Defense, among others. USAID's economic growth team frequently discussed their programs with the US Trade and Development Agency. This intra-government approach ensured that the US Government was not duplicative in its service delivery.

The US education program targeted disadvantaged children and adults who were denied access to quality education and assisted in the development of an education system that allowed individuals to participate and compete in the modern global economy over. Since the inception of this program in 1994, the US and the Government of South Africa had partnered over a 15 year period to transform South Africa's apartheid education system to an egalitarian one appropriate to the largest economy of the 54 countries comprising Africa. Before democratic elections in 1994, USAID unilaterally funded tertiary-level scholarships and the work of NGOs

preparing for the transition to democracy. From the 1994 elections to 2008, USAID and the Government of South Africa implemented a series of projects in primary, further, higher, and adult education. Bilateral projects were used to develop policies and systems, and to enhance capacity in the areas of curriculum, governance, school-funding norms, quality assurance, and HIV/AIDS prevention and mitigation. While the US's formal education programs in South Africa were to end in 2009, there were ongoing wrap-around education programs that were already working to achieve economic growth and improved health outcomes.

To promote and strengthen good governance, rule of law, and human rights in South Africa, the US under the aegis of USAID initiated the Democracy and Governance program which focused on three key areas:

- The Women's Justice and Empowerment Initiative (WJEI), an \$11.7 million US Presidential Initiative to strengthen the capacity of the South African government to combat sexual and gender-based violence, through support for the national roll-out of the Thuthuzela Care Center model (TCC). The WJEI program is partially PEPFAR funded.
- Local Government Support Program (LGSP) was a \$9.5 million program that builds the capacity of local government to improve delivery of services. The LGSP program was partially PEPFAR funded.
- The Criminal Justice Strengthening Program (CJSP) follow-on supports the National Prosecuting Authority and the South African Judiciary to improve the prosecution and adjudication of sexual offence cases and provides targeted technical assistance and institutional support for the newly established Judicial Education Institute (JEI).

USAID's Economic Growth Program initiated in 2000, mirrored the South African Government's strategy for job creation and growth with equity, focusing on creating employment and income for historically disadvantaged persons through the development of small and medium size enterprises (SMEs) in the manufacturing, services, and agricultural sectors. USAID's Economic Growth Office aimed to boost employment and economic growth in South Africa. USAID provided technical assistance to enhance the competitiveness SMEs in the manufacturing, services, and agricultural sectors and helped them to build commercial trade ties between larger, more established businesses in South Africa and around the world. By working closely with banks and other financial service providers and reforming the financial legal and regulatory framework, USAID aimed to expand access to financial services for SMEs. The program is still ongoing and currently USAID works with 12 vocational colleges and the Department of Education to increase the employability of students

and create a better match between skills offered by the colleges and those needed by employers. USAID has created over 18,000 jobs and generated \$1.7 million in SME revenue over 10 years. (All the above statistics are from USAID website)

## **Health**

In 2003, the US President's Emergency Plan for AIDS Relief (PEPFAR) was launched in response to the global threat of HIV/AIDS and South Africa was named one of PEPFAR's focus countries. Under this program \$15 billion were committed over the next five years to stem the spread of the pandemic worldwide. With 5.7 million of the 48.3 million citizens infected with HIV (11.8%), South Africa had the highest number of infected adults and children in the world, 17% of the global HIV epidemic. South Africa received more PEPFAR funding than any other country, and was responsible for a quarter of the global PEPFAR targets for treatment.

PEPFAR was a US commitment to the global fight against HIV/AIDS, and USAID was one of several US agencies tasked with the implementation of the PEPFAR program. In South Africa, under the PEPFAR program, USAID worked with several US agencies including: the Centre for Disease Control and Prevention (CDC), Peace Corps, the Department of Defence, the Department of Health and Human Services, the National Institute of Health (NIH), and the Department of State.

The core elements of PEPFAR's activities had been focussed on prevention, treatment, and care. These activities were supported by a set of cross-cutting activities that emphasized overall health system strengthening and the enhancement and use of strategic information to foster program improvement. The PEPFAR program in South Africa worked in collaboration with the South African government to provide HIV/AIDS prevention, treatment, and care; increase capacity through training and technical assistance; ensure high quality of services provided; and strengthen monitoring and evaluation systems. Principles of the South African PEPFAR Program were:

- Partner with South African Government.
- Support the South African National Strategic Plan for HIV & AIDS and STI, 2007-2011 and other relevant South African policies.

- Reorient PEPFAR support (1) toward more comprehensive alignment with South African policies, programs, and systems; and (2) toward (where appropriate) an emphasis to work with few international implementing partners in favour of indigenous organizations.
- Build on demonstrated success and make more strategic use of available evidence for new programming.
- Develop the capacity of South African government and other indigenous groups to manage strong health programs, emphasizing use of strategic information for evidence-based management.
- Plan for sustainability.

The program included the provision of anti-retroviral (ARV) medicines in the wake of the South African government's finally recognizing HIV as a primary cause of Aids (through Pretoria still highlights the role of poverty in exacerbating Aids, and the importance of dietary alternatives to ARVs). Educational programmes, training in palliative care, support for organizations caring for Aids orphans, improvements to South Africa's public health facilities and enhancement of its research capacity also featured in this initiative.

The US government was one of nearly 20 donors providing technical and financial assistance in support of South Africa's HIV & AIDS and STI Strategic Plan for South Africa, 2007-2011. Major donors included the Global Fund, the European Union (EU), the United Kingdom, Belgium, the Netherlands, Australia, France, Sweden, and Germany. USAID supported the South Africa's National HIV and AIDS and STI Strategic Plan for South Africa, 2007-2011. Both the US and the South Africa recognized the need for a strong relationship between the US Government and the National Department of Health (NDOH) to maximize the impact of the PEPFAR program by promoting efficiency and sustainability. PEPFAR not only partnered with South Africa's National Department of Health (NDOH), but also with the Department of Correctional Services, the Department of Defense, the Department of Social Development, the Department of Education, and Provincial Departments of Health. The US believed that this multi-sector approach will continue to contribute to the success of the HIV/AIDS program.

Another emerging health issues in South Africa was tuberculosis (TB). South Africa was plagued by one of the highest estimated TB rates in the world, ranking fifth highest among 22 countries with a high burden of TB. Tuberculosis was the second most serious infectious disease in South Africa and was made a priority program by the National Department of Health. Multi-drug resistant (MDR) and extensively drug-resistant (XDR) TB had exacerbated the situation. South Africa had 0.7 percent of the world's population and 28 percent of the world's population of HIV and TB co-infected individuals. An estimated 73% of new TB patients in South Africa are co-infected with HIV. TB patients with HIV were almost twice as likely to get multidrug-resistant TB as well as extensively drug-resistant TB and had high mortality rates due to TB and HIV co-infection.

USAID had begun working directly with the South African Government to strengthen systems and capacity in several areas critical to a fully functional TB control program, including infection control at service delivery levels. USAID scaled up efforts to strengthen effective coordination between TB and HIV services from national to district levels and planned improve linkages for joint policy development, planning, implementing, and monitoring of TB/HIV integrated activities.

PEPFAR activities improved surveillance of TB/HIV and MDR-TB, provided training and technical assistance for staff working in integrated TB/HIV programs, increased access to TB/HIV services, and ensured effective referral linkages between TB and HIV services as well as between these services and community and home-based care. In HIV service delivery programs, United States Government (US)-funded programs provided intensified TB case findings and referrals to TB programs for diagnosis and treatment.

Likewise, in TB clinics, US funded programs offered HIV counselling and testing and referrals for HIV treatment and care services. The US partners worked to improve infection control policies and systems in hospitals and clinics in order to limit the spread of TB. Laboratory partners were asked to work towards the scale up of quality assured laboratory services for TB/HIV and rapid diagnostics for TB and MDR-TB to improve early detection and management of persons suspected with MDR/XDR-TB. The US efforts also improved information, monitoring and evaluation, and management systems to enable a concerted and effective response.

By the end of 2008, about a total of 19,761 nurses, doctors, laboratory personnel, and community health workers were under training on TB. The training courses ranged from basic TB management to management of multi-drug resistant (MDR) TB. All training materials used were developed jointly with the National TB Control Program (NTP). The project provided at least 80% of all MDR TB training in the country. Further, 75 percent of all registered TB patients were tested for HIV through US-supported programs

DOTS training enhanced reporting and recording of TB cases at the facilities level, and improved treatment and follow-up of TB patients. This contributed to the reduction of the number of defaulters and the probability of additional multiple drug resistant (MDR) and extensively drug resistant (XDR) TB cases.

USAID worked closely with the South African Government (SAG), through the National Tuberculosis Control Program (NTCP) and provincial and district health departments and communities to create appropriate social mobilization and service delivery models for Directly Observed Treatments (DOTS).

The US supported TB programs were still ongoing. The US had a TB technical working group that coordinates US TB activities and included the US Centers for Disease Control and Prevention (CDC), USAID, and Department of State representatives. This group worked closely with the entire US team to ensure that strategic and technical guidance was applied appropriately across all agencies.

Maternal and Child Health/ Family Planning (CH/FP) was another area of focus where the US backed up South African efforts. South Africa had excellent maternal and child health policies. However, implementation was weak and South Africa was only one of a few countries in the world where under-5 mortality was increasing. The major challenges were as following

- Young South Africans were beset with a high rate of adolescent pregnancy as well as high prevalence of HIV and sexually transmitted infection (STI).
- Most young South Africans living with HIV and AIDS were female.
- The AIDS epidemic in young people aged 15-24 indicates a disproportionate impact on young women.

The goal was to reduce unintended pregnancies, improve reproductive behaviours of men and women, and reduce maternal and child mortality and morbidity.

USAID Family Planning/Reproductive Health (FP/RH) interventions were designed to help reduce child mortality, improve maternal health, and prevent HIV infection. FP/RH allowed women to control the timing and spacing of their births. USAID had been working with the South African government to improve implementation of family planning and reproductive health policies and supervision of service providers. USAID, in collaboration with the National Department of Health, supported activities in five provinces and eight districts to improve family planning and reproductive health (FP/RH) in health facilities. USAID worked towards FP/RH integration with HIV/AIDS programs, which would contribute to shared US-South African goal of ensuring that FP/RH remains integral to reducing the impact of AIDS. USAID resources continued to aid the delivery of youth-friendly services by training youth mentors and clinical service providers to work together at health facilities. Additionally, FP funds supported the SAG's health care system. At the end of 2008, the results from the 68 supported facilities showed that a total of 25, 639 first time antenatal care visits were made and all of these facilities had at least one trained nurse in family planning. (All the above statistics are from USAID website)

### **Nuclear Non proliferation**

In 1948, South Africa established the Atomic Energy Board, the forerunner to the Atomic Energy Corporation, to oversee the development of the nation's uranium mining and trade industry. The country's nuclear experience truly began under the aegis of the "Atoms for Peace" program when in 1957 it signed a bilateral 50-year nuclear collaboration with the United States that resulted in South Africa's acquisition of a nuclear reactor and an assured a supply of highly enriched uranium (HEU) fuel for it (Federation of American Scientists website, 2010). There was an insistent focus on the US cooperation rendered to South Africa's tryst with the nuclear weapons. There was overwhelming plethora of evidence incriminating US in supplying critical nuclear technology (especially uranium oxide) which was vital in the construction of the South African atomic bombs.

But there had been interesting changes in this relationship in the post-apartheid period, starting with the dismantling of the South African atomic weapons when power passed into the hands of the black leaders. South Africa was the first and the only nation in the world to have acquired nuclear weapons (and deployment capacity) and then to have fully dismantled it.

In May 1993, the South African Parliament passed the Non-Proliferation of Weapons of Mass Destruction Act, which committed South Africa to abstain from the development of nuclear weapons. (South African Department of Trade and Industry website, 1993) At the 1995 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) Review and Extension Conference in New York, South Africa played a significant role mediating between the nonaligned movement and the nuclear weapon states. International officials credited South African diplomats with building consensus among member states to adopt a set of "Principles and Objectives for Nuclear Non-proliferation and Disarmament" and to extend the NPT indefinitely (South African Department of Foreign Affairs website, 1995)

On 11 April 1996, South Africa and 42 other African states signed the African Nuclear-Weapon-Free-Zone Treaty (the Treaty of Pelindaba) in Cairo, Egypt. In June of the same year, South Africa was admitted to the UN Conference on Disarmament in Geneva and in September South Africa signed the Comprehensive Test Ban Treaty. South Africa, one of 44 countries that must ratify the treaty for it to take legal force, did so on 30 March 1999. South Africa was to host five monitoring stations established to verify the treaty (USDS website, 1996).

Building on its role at the 1995 NPT Review Conference, South Africa had drawn on its unique nuclear history to emerge as the critical bridge between developing and developed countries on nuclear issues. A principal leader in the movement to ensure that all states had the right to develop nuclear technology for peaceful purposes, South Africa had also freely challenged nuclear weapon states to adhere to their respective disarmament conditions, for example by criticizing the United Kingdom's 2006 decision to construct a new class of ballistic missile-capable submarines as being in conflict with Britain's commitment to nuclear disarmament (South African Department of Foreign Affairs, 2006).



South Africa was a producer, possessor, and trader of nuclear materials and technologies. It had close ties with US nuclear establishment. The growing energy crisis facing developing countries, a problem likely to worsen as states near capacity constraints in the power sector, was tied to Pretoria's interest in expanding its civilian nuclear energy program. Even South Africa had not been able to elude the growing energy crunch, moving from a regular power exporter to a domestic power deficit within the past decade. To relieve its own energy deficit and to better position itself as a major global nuclear supplier, South Africa continued to develop new nuclear technologies and had considered re-activating its nuclear fuel cycle in recent years to relieve its own energy deficits. With its large uranium reserves and advanced peaceful nuclear program, the energy crisis propelling the potential construction of new nuclear plants, and a re-established nuclear fuel cycle, Pretoria's energy export business became increasingly lucrative as countries such as Pakistan, India, China and Russia continued to experience larger energy demands and power shortages (Johannesburg Business Daily, 2006).

However, South Africa had a serious blemish on its nuclear trade history, as evidence suggested that certain South African companies and individuals were involving in supplying nuclear-related equipment to Libya through Abdul Qadeer Khan's nuclear network. In 2004, Asher Karni, a naturalized South African citizen, was arrested for involvement in the nuclear smuggling network attempting to obtain piping and autoclave technology from South Africa (Nucleonic Week, 2004).

South Africa had also differed significantly with the United States on Iran. During a 2006 visit by the Iranian Foreign Minister to Pretoria, South Africa affirmed its support for Iran's "inalienable right to pursue nuclear energy for peaceful purposes," at the same time that the Mbeki government announced its intention to consider renewing its uranium enrichment program (BBC South Africa, 2006). South Africa, which dismantled its own nuclear weapons program after the fall of apartheid, insisted that any enrichment program would be strictly peaceful in nature.

The US remained uncomfortable that South Africa might supply nuclear materials and technologies to countries suspected of trying to acquire nuclear weapons, such as Iran, Syria, and North Korea. Arguing that Iran need not forfeit its inherent right to nuclear energy technologies even if Tehran did not comply with

IAEA safeguard obligations, Pretoria had been particularly critical of harsh economic sanctions if Iran did not comply with demands to relinquish apparent nuclear weapons aspirations, arguing that such actions would only hinder diplomatic engagement. The possibility that South Africa could share pebble-bed modular reactor technology had sparked calls for increased control and monitoring of the exchange of the technology as well as tighter overall controls on imports and exports.(Fars News Agency, 2008) Pretoria had attempted to implement stronger controls and guidelines for its nuclear trade.(World Nuclear Association Website)

The South African Nuclear policy closely followed that of the US regarding control and monitoring of the exchange of the technology, safety measures and overall controls on imports and exports. The only major issue of contention had been that of total disarmament. Just over half a century after its first such agreement, in 2008, South Africa was preparing to sign a bilateral agreement with the United States on cooperation regarding advanced nuclear energy systems and reactor technology, particularly with concerns to improving the cost, safety and proliferation-resistance of next-generation nuclear power systems. The agreement was signed in September 2009 and this will further strengthen the US-South Africa cooperation on peaceful use of nuclear energy and nuclear disarmament (US Fed News Service, 2009).

#### **US policy on South African role in African conflict resolution**

Since 1994, South Africa had been deeply involved in resolving regional conflicts in Africa. Having been identified as a leader in promoting regional stability, South Africa had been receiving support from the US for its initiatives in regional peacemaking. For instance, between 2002 and 2003, the US contributed \$2 million to support South African-led negotiations to end Burundi's civil war. It also committed an additional \$6 million to the South African Special Protection Unit deployed in that country. In addition, the US provided diplomatic and financial backing to the South African effort in the Democratic Republic of Congo (DRC), where Pretoria led successful negotiations to resolve the internal and external aspects of that war (US Embassy in South Africa, 2003).

Zimbabwe had been a major point of conflict between the increasing bilateral cooperation between the US and South Africa. During his 2003 visit to Africa, President George W. Bush called then-President Mbeki his "point man" on

Zimbabwe. (White House Website) The United States had been outspoken in its criticism of the policies of Zimbabwe's President Robert Mugabe with respect to human rights, democracy, and land reform, and had imposed "targeted sanctions" prohibiting travel to the United States by Zimbabwe leaders. President Mbeki, by contrast, chose to deal with President Mugabe through "quiet diplomacy," or diplomatic engagement, and South African officials had called for western countries to reconsider the penalties they had imposed on Zimbabwe.

As Zimbabwe's largest trading partner, many observers had considered South Africa to be in a position to exert substantial leverage on its neighbour. In 2005, as the International Monetary Fund (IMF) threatened to expel Zimbabwe from the Fund for debt payment arrears, the country requested a loan of up to \$1 billion from South Africa for fuel, food, and electricity, as well as to address the IMF payments. Amid rumours that the South African government would make any potential loan conditional on economic and political reforms, the loan negotiations stalled and Mugabe found another source from which to repay the IMF dues (Washington Post, 2005).

Following Zimbabwe's 2005 parliamentary elections, which the American government termed "fundamentally flawed" and "seriously tainted," the head of South Africa's parliamentary observer mission, Mbulelo Goniwe, chief whip of the ruling African National Congress (ANC), was quoted saying that the delegation had "unanimously agreed that the elections were credible, legitimate, free and fair." (Washington Times, 2005) Leading the Southern African Development Community (SADC) observer delegation, then-South African Deputy President Mlambo-Ngcuka congratulated Zimbabwe on "the holding of a peaceful, credible, well-managed and transparent election. The people of Zimbabwe have expressed their will in an impressively instructive manner that will go a long way in contributing to the consolidation of democracy and political stability not only in Zimbabwe, but also in the region as a whole" (The Washington Post, 2007). Both statements received substantial criticism in the international press.

In March 2007, Southern African Development Community (SADC) leaders appointed President Mbeki to mediate between the Zimbabwean government and the opposition. In June 2007, South Africa initiated talks between the Mugabe

Administration, represented by the country's Ministers of Labor and Justice, and the two MDC factions, represented by their respective Secretary-Generals, in Pretoria. President Mugabe's proclamation in January 2008 that national elections would be held on March 29, 2008, while opposition rallies in the country continued to be suppressed by police, angered the opposition and led to the dialogue's collapse.

Mbeki's Zimbabwe policies drew criticism from within his country; former President Mandela, Archbishop Tutu, former opposition leader Tony Leon, and even the ANC's ally, the Congress of South African Trade Unions (COSATU), had been vocal detractors. COSATU delegations were forcibly expelled from Zimbabwe twice, first in 2004 and later in 2006, when COSATU members travelled to Harare to express their support for Zimbabwean human rights activists after incidents of alleged police violence. One COSATU leader remarked, "We are not quiet diplomats," and "we will not keep mum when freedom does not lead to respect for workers and human rights" (Daily Mail and Guardian 2004). When the Mbeki government issued a terse initial statement following the March 11, 2007, arrest of opposition and civil society activists, COSATU criticized the government for a "disgraceful" response, "in the face of such massive attacks on democracy and human rights, especially coming from those who owed so much to international solidarity when South Africans were fighting for democracy and human rights against the apartheid regime" (BBC Africa, 2007).

Jacob Zuma had previously referred to the Zimbabwean president as "a monster," but he had also defended Mbeki's quiet diplomacy (The Sunday Telegraph, 2006). Other ANC heavyweights like Cyril Ramaphosa and Tokyo Sexwale criticized Mbeki's policy. Sexwale said, "When a freedom fighter takes a wrong step, it is time for other freedom fighters to stand up and say "we know you are a great man, but we cannot support what you are doing" (Zimbabwe Independent, 2006). In 2007, he suggested that the Zimbabwean government might be ignoring Mbeki's efforts, and that it might be time to "turn up the volume.<sup>83</sup> Ramaphosa expressed similar sentiments.

President Mbeki's reluctance to take a more critical stance toward the Mugabe Administration led to increased calls for the South African leader to be replaced as the SADC mediator on Zimbabwe. Tsvangirai criticized Mbeki for his "quiet support for

the dictatorship,” and had called for him to step down as mediator (Bearak, 2008). According to reports, President Mbeki recently wrote President Bush a letter warning the United States not to interfere in the Zimbabwe situation (Gerson, 2008).

But as the violence increased after the 2008 elections in Zimbabwe, public and internal ANC pressure might have forced Mbeki to take a stronger position with President Mugabe. Mbeki visited Zimbabwe on several occasions after the elections, and he dispatched six retired generals to investigate reports of attacks on the opposition. The generals reportedly expressed shock at the level of violence (Voice of America, 2008). Under Mbeki’s mediation, the Zimbabwe parties reconvened for talks in South Africa, and on September 15, 2008, after several weeks of negotiations, Mugabe and MDC leader Morgan Tsvangirai signed a power-sharing arrangement aimed at resolving the political standoff. After a four month delay, the parties reached agreement on several key implementation details and Tsvangirai become Prime Minister of a new coalition government. Cabinet positions had been divided among the parties. Like other international donors, the United States expressed cautious support for the new arrangement, but reaffirmed that certain conditions must be met before non-humanitarian assistance to the government would resume.

### **International Issues in Bilateral Ties**

The United States and South Africa took divergent roads where international human rights norms were concerned. Since the end of apartheid, South Africa had begun to develop its own foreign policy and strongly supported international law and the rule of law. Despite the cordial relations that officially existed between South Africa and the United States, some analysts suggested that ethical differences highlight what former US Assistant Secretary of State for African Affairs Jendayi Frazer referred to as a “rough patch” in US-South African relations (Zacharia, 2007). As one US official pointed out, the country had close ties with the Non-Aligned Movement countries, and had exhibited “marked sympathy toward countries that exert their independence from the West.”(Greenfield, 2006) The South African government and the majority of the South African people opposed the 1999 Kosovo intervention and the 2003 war in Iraq in the absence of United Nations Security Council authorization.

South Africa was one of the leading nations supporting the creation of the International Criminal Court (ICC). The post-apartheid government has also shown a willingness to comply with international procedures. The unilateralism shown by the Bush administration also resulted in growing anti-American views, especially within the South African black community. South Africa resented the bullying tactics being used by the Bush administration to coerce governments to comply with quite inappropriate (and probably ineffectual) policies, such as the so-called Article 98 agreements that prevent countries from delivering Americans to the International Criminal Court. There was widespread support for the South African government's decision, at the cost of millions of dollars in aid, to refuse to enter such an agreement. The anti-American sentiment in South Africa was also supported by its vocal Muslim community, which strongly opposed what it perceived as coercive US policies toward the Middle East.

South Africa took a critical stance toward the war in Iraq, and former President Nelson Mandela was vocal in his opposition to what he viewed as US unilateralism on Iraq. South Africa opposed the US-led intervention in Iraq from the start on the grounds that the US had neither obtained UN backing for such a war, nor fully exploited the UN process of inspections to determine the existence of feared weapons of mass destruction (WMD). The US, in defence of its actions, pointed to the repeated refusal by the Iraqi President, Saddam Hussein, to co-operate with that process in the 12 years since UN inspections began following the first Gulf war. When South Africa's deputy foreign minister, Aziz Pahad, visited Baghdad in the weeks before hostilities began, he made South Africa's opposition to the military intervention clear: he told Hussein that South Africa supported a continuation of the UN's lead role (Martha Bridgman, 2004:256). The resulting strain on US-South African relations was largely limited to the period of military engagement. The subsequent rapprochement between the US and the UN over Iraq's reconstruction further softened South Africa's rhetoric on the matter. Later Pretoria harshly criticized the US on its violation of human rights of prisoners of war and inhumane treatment of detainees in Guantanamo Bay and other similar detention facilities around the world.

## **The National Security Strategy**

In an official routine document outlining the policy planning of the White House, the Bush administration in September 2002 shocked close observers with the following statement.

“To achieve these goals [of political and economic freedom, peaceful relations with other states, and respect for human dignity], the United States will... prevent our enemies from threatening us, our allies, and our friends, with weapons of mass destruction” (US Department of State website).

This policy, which had come to be referred to as “pre-emption,” was unprecedented among the world’s modern democracies.

The document also noted the key role of South Africa and three other African nations (Nigeria, Kenya and Ethiopia) as “anchors for regional engagement” for the US in Africa. Within this framework of pre-emption, the US would focus on bilateral engagement and on building “coalitions of the willing” to confront the threat of global terror (US Department of State website).

In this formulation, weak states were increasingly seen as likely to provide bases for terrorist cells such as those that planned and executed 9/11 attacks in New York and Washington (Takeyah and Gvosdev, 2002:97-108)). The African continent, which was beset by conflict and contains many weak states, was thus a concern for the Bush administration.

The collaborative efforts between the US and South Africa in conflict resolution on the African continent had been thrown into disarray by the refusal of Pretoria to sign an agreement exempting US citizens and soldiers operating on South African soil from the jurisdiction of the International Criminal Court (ICC). The US was seeking similar agreements with the nations world over, although it was finding fewer signatories than it would wish, even among its allies. The result of South Africa’s refusal to sign the agreement, provided for in article 98 of the ICC statute, had been a suspension of US military aid to the value of \$7.5 million annually, with effect from October 2003. The suspension included military education and training and foreign military funding. While anti-terrorism efforts through law enforcement training by such US bodies as the Federal Bureau of Investigation (FBI) were

continuing, for now the US and South Africa seem to have limited their own capacity-building efforts to counter terrorism. This was a by-product of the ICC debate which neither is likely to find satisfactory.

It was in South Africa's interest to confront insidious security challenges, such as terrorism and the dissemination of weapons of mass destruction, in Africa. Whether this would be accomplished in partnership with the United States under the US National Security Strategy would most likely depend upon careful diplomacy on the part of the leaders of both nations.

### **Terrorism**

US and South African law enforcement authorities cooperated for several years on terrorism investigations, including investigations into the possibility that South Africa had been used as a haven for Islamic militants from outside the region (Business Day, 2002). In 1999, South African authorities arrested Khalfan Khamis Mohamed, a Tanzanian later convicted in the bombing of the US embassy in Dar es Salaam, and deported him to the United States. Khalfan had reportedly sought to hide among Cape Town's Muslims after he fled Tanzania. More recently, one of the suspects of the 2005 London bombings, Haroon Rashid Aswat, who was arrested in Zambia, was thought to have spent time in South Africa. There was continuing concern that other terrorists may seek to hide in South Africa, or make use of its modern transportation and communications systems for transit, smuggling, and money-laundering (Wall Street Journal, 2002). The US Department of Treasury's Office of Foreign Assets Control (OFAC) included several South African nationals in its Specially Designated Nationals List (SDN), which sanctioned individuals and groups believed to have links to terrorism. In a controversial move, the South African government used its position in 2007 as a member of the U.N. Security Council's Al-Qaeda and Taliban Sanctions Committee, also known as the 1276 Committee, to block United Nations travel and financial sanctions on two of these individuals, Farhad Ahmed Dockrat and Dr. Junaid Ismail Dockrat. The South African government argued that it required more time to examine the evidence against the Dockrats before applying sanctions.

There was concern over the potential use of South African travel documents by would-be terrorists. At the time of his arrest, Haroon Rashid Aswat was carrying a



South African passport, and according to media reports, others with suspected ties to terrorism were apprehended at US and British borders, as well as in Pakistan, with South African travel documents.(New York Times, 2004) The US State Department's Office of the Coordinator for Counterterrorism had noted concern regarding fraudulent travel documents, saying, "efforts to limit the accessibility of passports and identity documents to potential terrorists are limited by resources and corruption in the Department of Home Affairs."(USDS website) South African passports were found during raids by British police on suspected terror groups in London in 2004 and 2005. South Africa's intelligence minister reported in August 2005 that groups allegedly linked to Al-Qaeda had been discovered in southern Africa and that maritime targets could be threatened. US law enforcement agencies provided training to their South African counterparts, supplied needed equipment to the South Africa Police Service, and shared information (US Embassy in South Africa Website).

In May 2007, prior to the Hamas military seizure of the Gaza Strip, the South African Minister of Intelligence met with Hamas leader and then-Prime Minister of the Palestinian Authority Ismail Haniyeh. According to some media reports, he publicly praised Hamas and invited Haniyeh to visit South Africa. The South African government had expressed differences with the United States in the latter's designation of Hamas and Hezbollah as terrorist organizations.

### **Trilateral Assistance**

Part of the US vision for Africa was to inspire other nations in the region to follow the model of South Africa, for peaceful conflict resolution and establish democratic government and initiate liberal economic reforms. South Africa was expected to play a key role in this, by building up its capacity from being a receiver to a donor. One of the first steps towards realising the role of South Africa in Africa was the establishment of Trilateral Assistance Program in early 2008.

Tri-lateral activities were to facilitate South Africa to provide demand-driven expertise and services to other African countries. These projects were to help consolidate peace in recipient countries and supported the countries' development. Furthermore, it provided a means for the South Africa to enhance its capacity to deliver foreign assistance and improves inter- and intra-ministerial cooperation. It was difficult for the South Africa to use domestic resources to fund these activities given

the size and urgency of its own internal needs. Trilateral agreements, which featured “other” donor funding combined with South African expertise, allowed it to respond positively to requests for assistance.

SA’s support to the continent had been stated as one of the top policy goals of the new Zuma administration, with failed/failing states high on the priority list. South Africa was also a leader in championing the application of the Paris Declaration on the sub-continent. The US was one of the South Africa’s principal collaborators in this effort over the last five years. In consequence, all activities supported by the trilateral program were implemented in a manner that was fully consistent with the tenets of the Paris Declaration on Aid Effectiveness and its Accra Agenda for Action. These included country ownership, alignment with country strategies and systems, and mutual accountability.

The Tri-Lateral Assistance Program proved to be a surprisingly effective mechanism for helping the US to combine development priorities in both South Africa and the recipient African state. The Tri-Lateral Assistance Program allowed the US to bridge geographic divides and implement activities that meet both nations’ priorities.

In 2008, the US (through USAID) and the South Africa worked successfully to develop local governance structures in post-conflict regions of the DRC, inspired by the South African model itself. Following this the scope of the Trilateral Program was expanded. In the same year, the South Africa and the US collaborated to implement many programs in other African states. The programs covered a wide range of areas from agricultural activities in Malawi to training civil servants in Southern Sudan. Funding for the Tri-Lateral Assistance Program was approximately \$1.3 million. An addition \$1 million was allocated for funding the work with South Africa’s Impendent Election Committee (IEC) on election observation, election monitoring and capacity development for election commissions to selected countries in Africa.(USAID website)

The US was of the view that Africa held the key to its own development and a country like SA provides an African platform to engage the rest of the International community in a dynamic partnership. The legacy of this program will be the ability of the US to partner with the South Africa on ever larger projects in Africa. These future

collaborations would not focus on building the South African capacity in this field, but on how combined US and South African efforts could support development in other African nations.

### **US-South Africa in the UN**

South Africa, with fellow African countries Egypt, Ethiopia and Liberia, was one of the original 51 founding members of the United Nations (UN), created in 1945. In 1974, the UN General Assembly decided to suspend South Africa from participating in its work due to international opposition to the policy of apartheid. However, both the Pan-African Congress (PAC) and the African National Congress (ANC) were allowed observer missions at the UN with the UN's financial support.

The transition to democracy in the early 1990s paved the way for the normalisation of South Africa's relations with the UN. Since then the country had participated actively in all aspects of the work of the organisation. In October 2006, South Africa was elected by the members of the General Assembly to serve, for the first time in the country's history, as a non-permanent member of the Security Council for the period 2007-2008. In terms of South Africa's emerging international role, this position presented its government with a golden opportunity to further its progressive and Africanist foreign policy orientation.

UN was another arena where the differences between the US-South Africa had been highlighted time and again. There were marked difference between both nations on many key international issues including Iraq and Iran. Many observers perceived South African behaviour in its new role to be 'disappointing' or 'confused'.

South Africa's recent role as a non-permanent member of the U.N. Security Council was controversial, and the South African government was criticized by the United States as well as by many human rights activists for its lack of support for human rights issues raised before the Council (Los Angeles Times, 2007). In particular, the South African government's opposition to having Myanmar, Zimbabwe and more recently, global warming, included on the agenda of the UN Security Council, and had created a chasm between two countries.

In January 2007, South Africa voted against a resolution on political prisoners in Burma, arguing that alleged human rights abuses in sovereign countries were not

covered by the mandate of the Security Council as defined by the U.N. Charter. It argued that because the abuses do not pose a direct threat to international peace and security, they would be more appropriately addressed by the U.N. Human Rights Council (UN website). In March 2007, while serving a one-month term as President of the Security Council, South Africa reportedly blocked discussion of human rights abuses in Zimbabwe (Voice of America, 2007). Nobel laureate Archbishop Desmond Tutu said of the Burma vote, in which China and Russia cast a double veto, "I am deeply disappointed by our vote. It is a betrayal of our own noble past...The tyrannical military regime is gloating, and we sided with them. If others had used the arguments we are using today when we asked them for their support against apartheid, we might still have been unfree," (International Herald Tribune, 2007). Former DA leader Tony Leon expressed similar sentiments on his government's alleged refusal to address the Zimbabwe situation, calling it "extraordinary irony" that the ANC government would use the same argument used to block debate on the abuses of the former apartheid regime in South Africa (Business Day, 2007:1).

South Africa and the United States also differed on Middle East issues addressed by the Security Council. In May 2007, South Africa abstained from a US-sponsored resolution to establish an international tribunal to investigate political killings in Lebanon, arguing that although it supported a tribunal with "Lebanese ownership," it was not appropriate for the Security Council to impose a tribunal upon the country and "politicize international criminal law" (UN website). The country was vocal in its opposition to Security Council sanctions on both Sudan and Iran, arguing that such sanctions would ultimately harden the target governments' positions rather than reduce tensions. Particularly in the case of Iran, on 24 March 2007, resolution 1747 was served before the Security Council, dealing with the question of the international community's response to Iran's nuclear programme (UN Website). At issue was the fact that a number of UN members including the US (but seemingly not South Africa) were not convinced that this programme had peaceful aims. However, after efforts to modify resolution language, South Africa ultimately did vote for sanctions against Iran in March 2007, "to remind Iran of its responsibility towards the IAEA and the Non-proliferation Treaty" (Business Day, 2007:1). The resolution, adopted unanimously, called on Iran to abide by the obligations of the International Atomic Energy Agency (IAEA) as well as the Treaty on the Non-Proliferation of

Nuclear Weapons. It undertook to implement measures (in this case, sanctions) to persuade Iran to comply with earlier resolutions in this regard, and to constrain Iran's development of sensitive technologies in support of its nuclear and missile programmes.

On 17 April 2007, a debate regarding climate change was introduced arguing that the UN Security Council was the right place to have this discussion primarily because 'an unstable climate will exacerbate some of the core drivers of conflict, such as migratory pressures and competition for resources'(UNSC Website) Quoting from the Stern Review Report, the UK representative noted that the Council debate was 'about the world recognising that there is a security imperative...for tackling climate change and for our beginning to build a shared understanding of the relationship between energy, climate and security' (UNSC website). Needless to say, as the grand debate unfolded, the old North-South divide (between the developed and developing countries) emerged, undermining the potential of such a shared understanding. In this debate, the South African representative aligned his country with the position of the Non-Aligned Movement (NAM), the Group of 77 and China, and the African Group, namely that the debate on climate change does not fall within the mandate of the Council. Although few, if any, participants discounted the findings of the UN Intergovernmental Panel on Climate Change, the argument was that climate change was an issue best addressed elsewhere in the UN system.

In July 2008, South Africa voted with Russia, China, Vietnam, and Libya in opposition to a US-sponsored resolution on Zimbabwe (S/2008/447) that called for targeted sanctions on select members of the Mugabe regime, an international arms embargo, the appointment of a U.N. Special Representative on Zimbabwe, and the creation of a Panel of Experts to monitor and evaluate the situation and the effects of the sanctions (UNSC website).

The position of the South African government (particularly as a non-permanent member of the UN Security Council), on matters of international affairs on the organisation's agenda, was focused on the promotion of its African agenda (peacemaking, peacekeeping and peace building). However, it can be said that the government unhesitatingly aligned itself with the agenda of the global South in matters before the Council (including nuclear proliferation, climate change, and

human rights crises in Burma and Zimbabwe) even while, at times, it contradicted its own principles. The South African government's behaviour at the UN, and in particular the Security Council, was consistent with the image of itself as an 'emerging middle power' exercising power and influence in Africa and, more broadly, in the developing world. But with its limited resources, it can only play a limited role in improving the region's economic position in the world, and reform of international institutions of governance.

## Chapter 5

### Conclusion

There is a long history of US relations with South Africa. There was a time when South Africa was ruled by minority white community that adopted an apartheid policy towards the black majority community. This policy was as bad as or worse than the slavery system that prevailed in the US until the civil war in 1860s. It took another hundred years for the US to provide civil rights to the African American in the society. In the post world war 2<sup>nd</sup> period, the US government, while opposing apartheid system in principle, cultivated cordial ties with the white minority government of that country. South Africa attracted the US business community due to its enormous natural resources as well as its strategic location in the prevailing atmosphere of the cold war. However, along side the civil rights movements in the US in 1960s, successive American presidents began to distance themselves from the minority regime of South Africa and also imposed considerable moral pressure on Pretoria.

During the cold war years the fear of communism was in no small part linked to the significant investment of American business in South African trade, industry, banks, and natural resources, particularly valuable materials like gold. The United States also had a stake in the geographic location of South Africa--the Cape of Good Hope being the most traversed sea-lane for the transport of oil and a prime access point to West Africa, the Indian subcontinent, and the Persian Gulf. The South African economy itself depended on American companies, which were the primary investors in South African business. The US foreign policy thus reflected the belief that the apartheid status quo would secure the safety and accessibility of South African markets. This was evident by the fact that the US supported the UN resolution that rejected apartheid but did nothing to curb its investment in the apartheid state. This policy led to mutual skepticism among the leaders even as they approached each other post 1994, with careful policies focused on developing friendly cooperation instead of touching on the conflicting themes.

The US appreciated the importance of South Africa in several dimensions and accordingly devised its policy with care. By placing South Africa in a larger African context, the US had successfully conducted its diplomacy with that country. When dealing with South Africa, the US also kept in mind other important factors, such as regional conflicts, growing threat of terrorism etc. As a result, South Africa was approached from the broader perspective of Africa and the nations beyond. At the same time, however, the US differentiated between South Africa and Africa, giving US-South Africa relations particular attention in its strategic thinking and undertakings. While the US dealt with all the African states on the basis of equality (except Nigeria due to its supply of crude oil), it placed the special emphasis on South Africa which corresponded both with South Africa's importance in the region and the coincided with the economic interests of both countries.

A few years after the cold war South Africa underwent a major socio-political transformation. The white minority government was overthrown after years of struggle by the ANC. The father of modern South Africa, Nelson Mandela became the president, the apartheid system ended. However, the economic resources of a country and the infrastructure developed during the racist government continued to survive and drew the attention of the global business community including that of the US. In the post cold war era and the post apartheid government system in South Africa, economy drove US engagement with South Africa. The association of the black liberation movement with communism shaped the US policy and the diplomats were more concerned with containing communism (and protecting US economic interests) than with ending apartheid, despite the domestic support for the civil rights movement.

The US viewed South Africa as central to its foreign policy in Africa and placed special stress on furthering bilateral relations in all three areas- economic, political and security. While specific aspects of the US policy in these three areas were adapted to changing international circumstances, the basic course of policy toward South Africa remained the same – that of strengthening bilateral economic ties. America needed raw materials for its various industries and market for its finished goods. For South Africa, the US had emerged as a natural partner for trade as the economies of both the countries were already closely tied. Since 1994, rear metals



and other finished products had been the mainstay in the US-South Africa trade relations.

Following President Clinton's vision of market-based democracies and BEM's, the Clinton administration vigorously pursued the carrot and stick approach to round out its South Africa agenda. The mantra of trade not aid, supported by a strong campaign to increase US trade with South Africa (by forming BNC, TIFA, etc.) laid the foundation of long term American economic engagement in South Africa. Tax treaties were signed, markets were opened, technologies were shared and laws were passed to foster close economic ties between the two countries. It is worth recognizing the fact that the economic reforms undertaken by South Africa (GEAR) had considerable positive effects on their trade and economic relations. Despite the monumental failure of the ACRF proposal, the economic cooperation between the two countries was burgeoning. By 1997, AGOA was in its gestation period and GSTP was already in force. A great deal of direct foreign investment was flowing into South Africa. The legacy of Clinton administration was inherited and continued by the Bush regime. The passing of AGOA in 2000 (and its subsequent extension till 2015) and the continuation of BNC as BCF further bolstered the bilateral trade between the two countries. Formation of NEPAD further cemented the ties. The failed FTA talks, the growing South African relations with China (particularly trade) and South Africa's stand in WTO against the developed countries, did nothing to hinder the economic relations which continued to grow at a steady pace.

Though trade and economic relations between the US and South Africa had been improving rapidly since 1994, the two countries confronted several hurdles in their way. The contention between the two regarding the Syrian arms deal, the Iranian petrol for goods deal and support of Iranian nuclear program, the cooperation with Libya, Cuban trade embargo, South African stand on human rights abuses in Zimbabwe, its criticism of US invasion of Kosovo and later Iraq, its stand on various issues in the UN etc. had frozen diplomatic relations from time to time, Despite repeated criticism of several US policies and major stand off on various issues, the wheels of economic engagement kept on turning unhindered.

On the aid front USAID, the largest bilateral donor and second-largest overall donor to South Africa (after the European Union), was active in the areas of

HIV/Aids, capacity-building, civil society, governance and the environment since 1979. PEPFAR presented yet another opportunity for strengthening relations between the US and South Africa. PEPFAR was (and is) of critical importance in war against South Africa's war against AIDS.

On the strategic front the US DoD the Project Phidisa was implemented under the auspices of the South African National Defence Through IMET, several other American programmes enhanced the defence and peace keeping capabilities of South Africa. The driving force behind the recent upsurge in the US activities in South Africa was instigated by increasing presence of competing powers in South Africa, particularly China, which made it imperative for the US to reshape its partnership with the continent's leader in order to gain the influence required to effect change. Also post 9/11 terrorism became one of the most important threat perceptions for both countries in their strategic relationships. To eliminate it, both started cooperating on various fronts. Towards these ends the Unified Combatant Command for Africa, known as U.S. Africa Command or AFRICOM was created which became activated in 2008. AFRICOM brought with it resources that were to benefit South African agencies. With USAID working alongside AFRICOM, funds were directed towards the following critical areas: resource management, personnel management, human rights and the proper role of a military in a democracy. This established the US intension of transforming South Africa from a recipient of aid to a strategic partner with overall responsibility for all African countries In order to ensure that the introduction of AFRICOM to South Africa was not perceived as an imperialist move (to secure its economic interests and natural resources) the USAID's was integrated into the AFRICOM structure to lessen the appearance of militarisation to help ease tension among South African officials (and public) over AFRICOM's operating in South Africa.

South Africa, the leader on the continent, set the example for other African countries. By diplomatically engaging South Africa, providing humanitarian aid, training and assistance to the South African government, and using US military to improve training for the SANDF, the US sought to strengthen its relationships with other countries by allowing South Africa to act as the leader in negotiations while it acts in a coordinating capacity. As South Africa moved away from its history of apartheid and entered an era of democratisation and rapid economic development, it

was poised to have a substantial impact on the economic and political future of Africa. It was considered to be an asset to any nation that succeeded in developing and maintaining amicable relationships with it.

As is evident, the US had major economic interests vested in South Africa during and post-Apartheid era (1994 onwards). Therefore it can be safely said that the firmly established relations between the US and South Africa during the period of study (1994-2008) were built on its need to secure and promote its economic interests in South Africa. Hence proved the hypothesis which is outlined in the beginning of this study.

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