

**ECONOMIC SANCTIONS AS AN INSTRUMENT OF
U.S. DIPLOMACY IN SOUTH AFRICA**

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CERTIFICATE

This is to certify that this dissertation entitled "ECONOMIC SANCTIONS AS AN INSTRUMENT OF U.S. DIPLOMACY IN SOUTH AFRICA" submitted by Shibashish Misra in partial fulfilment of six credits out of a total requirement of twenty four credits for the award of the degree of Master of Philosophy of this university. This dissertation has not been submitted for the award of any other degree of this university or any other university. This is his original work.

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

PROF. ASHOK GUHA
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(SUPERVISOR)

DEDICATED TO MY MOTHER

C_O_N_T_E_N_T_S

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Shibashish Misra
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P R E F A C E

Law is an indispensable requirement for a well-ordered existence and sanctions serve to uphold law. Underlined by the idea of force, they are measures for securing obedience to law. They are applied with the purpose of making the recalcitrant state comply with the accepted norms of behaviour. Sanctions aim at rectifying situations threatening peace. An "organic" system of enforcement has been set up under the Charter of the United Nations (UN) with the Security Council being vested with the entire responsibility of initiating enforcement measures. Economic sanctions have been frequently discussed since the inception of the United Nations though the consensus in the Security Council necessary for their applications has not been positive. South Africa has been a frequent target for resolutions recommending economic sanctions as a protest against the policy of apartheid. But these have lacked the strength and force of action initiated in the Security Council.

In the present day context the use of sanctions can be best illustrated in the case of South Africa which has lost almost all its legitimacy and the power of the state is based increasingly on force. The situation in South Africa presents a serious defiance to the principles

enshrined in the democratic fabric of the present day world as well as in the United Nations Charter. It is a system that has oppressed and disenfranchised the majority of its own people, systematically places adults as well as children in detention and seek to destabilize neighbouring governments. Apartheid is now broadly recognized as a flagrant violation of international law; consequently, the legal basis of sanctions has become well established in South Africa which not only practises apartheid but has even tried to internationalise it. The purpose of sanctions is to create economic problems within South Africa which would force the government to abandon the policy of apartheid.

The present study attempts to identify the pros and cons of the use of sanctions by the United States in South Africa, gauge the extent of the success it has attained and evaluate the effectiveness of the sanctions weapon as a viable alternative to the use of armed force against an erring territorial unit. The present dissertation will analyse the quantum of effective use of sanctions by United States in South Africa and the compulsions of United States in not imposing full-hearted sanctions in South Africa. The United States has not gone back while imposing sanctions on other countries, whether it is a grain embargo against Soviet Union or an absolute sanction against Cuba. But in the case of South Africa till

the height of tensions, the United States believed in negotiating tactics and quiet persuasion in the guise of 'constructive engagement' rather than accepting sanctions as a means to relieve tension and chaos there. Sanctions were later used by United States as a diplomatic strategy to promote its own interest rather than a genuine desire to end apartheid in South Africa.

~~X~~ Thus there seems to be a contradiction between the real interest and the continuance of sanctions in United States foreign policy and diplomacy in South Africa. Integral to this contradiction there is the basic problem and challenge before the United States to safeguard its economic interest in South Africa as well as to avoid international isolation by imposing sanctions against South Africa. In other words it has to use subtle diplomacy in order to balance its economic fortress in South Africa and its imposition of sanctions on South Africa. The United States has also been soft towards South Africa because of its overriding defence concern in the wider strategic confrontation with the Soviet Union. The United States sought to curb Soviet and Cuban influence in the region. There was a lull in diplomatic activity on the part of United States with regard to a negotiated settlement of the problem. United States feared that escalation of the conflict would

have serious consequence for their huge economic interest in South Africa. Their brand of sanctions, they thought, would be retaliated by South Africa with its own sanctions. Economic sanctions against South Africa would tend to erode rather than strengthen future influence and flexibility and would damage western economic interest in the country. The purpose of the present dissertation is to study and analyse this contradiction and the problems.

Chapter-I of the dissertation is a theoretical exposition dealing with the integral relationship between sanctions and diplomacy, use and threat of use of economic sanctions as an instrument of diplomacy and the necessity and constraints of sanctions as a viable weapon against an erring state.

Chapter-II deals with the relationship of apartheid with sanctions in South Africa, the instrument of sanctions used at the UN and United States against South Africa to dismantle apartheid and the elusive attitude of United States in not imposing sanctions against South Africa inspite of its condemnation of apartheid.

Chapter-III deals with United States policy of 'constructive engagement' during the Reagan administration, the stakes in South Africa, the diplomatic strategy used

to stall sanctions, a focus on the evolution of United States diplomacy in South Africa before the so-called 'constructive engagement' and the East-West conflict perpetuating the life of 'constructive engagement' even longer inspite of its failure.

Chapter-IV deals with the diplomacy of U.S. economic sanctions against South Africa, the necessity to go in for sanctions against South Africa, the challenges before the United States, the success of US sanctions in South Africa and the potential loss to both United States and south Africa in the coercive interplay of sanctions.

The conclusion looks into the effectiveness of economic sanctions as an instrument of U.S. diplomacy in South Africa and tries to weigh the present reforms in South Africa with the economic sanctions imposed by United States. The conclusion emphasises the judicious mix of United States economic sanctions and friendly gestures to South Africa which has brought about the phenomenal changes in South Africa leading to the lifting of economic sanctions by United States on South Africa.

The method used in this dissertation is descriptive, comparative and analytical. In writing this dissertation

I have mostly relied on secondary sources. However, primary sources have been used wherever necessary.

CHAPTER - I

ECONOMIC SANCTIONS AS AN INSTRUMENT OF
DIPLOMACY: A THEORETICAL FRAMEWORK.

Modern nations are politically and technologically interdependent and thus rely on each other for resources and commodities that enable them to develop and sustain viable economies. For almost any national endeavour, whether it is to establish or increase standards of living or to produce capabilities and resources that can be used for domestic or foreign policy purposes, reliance on others has become one of the paramount conditions of modern international relations.

Since economic resources are often scarce but necessary to fulfill national values and aspirations, needs in the modern world are frequently of an economic nature. Economic resources are among the major capabilities that can be mobilised for political purposes. For example, when a country relies on the export of a few commodities to earn foreign exchange, any drop in the price of these exports can have disastrous effects on the economy. Such dependence are not uncommon between developing and industrialised countries, and can be exploited for political purposes, provided that alternative markets are not available.

~~E~~ Economic instruments of foreign policy are normally used for three purposes : 1) to achieve any foreign policy objective by exploiting need and dependence and

offering economic rewards, or threatening or imposing economic punishments; (2) to increase a state's capabilities or deprive a potential enemy of capabilities; and (3) to create economic satellites or help maintain political obedience in satellites or "spheres of influence" by creating a relationship of economic dependence.

Thus economic "coercion", or coercive diplomacy using the economic instrument of foreign policy implies the effort to project influence across frontiers by denying or conditioning access to a country's resources, raw materials, semi-or finished products, capital, technology, services or consumers.¹ The basic theory of economic sanctions postulates that economic deprivation will result in the desired political change in the behavioural pattern of the target state.²

Sanctions can be defined in the words of A.L. Epstein as "a promise of rewards for fulfilment of the norms or behaviour that are socially recognised and accepted

1 Tom J. Farer, "Political and Economic Coercion in Contemporary International Law", American Journal of International Law (Washington, D.C.), vol.79, no.2, April 1985, p. 408.

2 Neera Chandhoke, The Politics of UN Sanctions (New Delhi: Gitanjali Publishing House, 1986), p.3.

or in the liability to suffer the consequences that attend their breach".³ Sanctions are ex post facto measures. In other words they are applied after the norm has been violated. At the level of international politics sanctions are measures of foreign and/or collective policy against an offender state.⁴

A publication from the United States Department of Defence defines economic warfare as the aggressive use of economic means to achieve national objectives.⁵ In this article the author makes a list of the principles of economic warfare⁶:

- i) Diversity: There are varied instruments of economic warfare such as trade, finance, resource management and other unconventional instruments like industrial espionage, disinformation and the like. There is a diversity of approaches to bring economic forces to bear. The positive approach involves the awarding of economic benefits and the negative approach uses the denial of economic benefits.
- ii) Objective: A clearly defined objective is a pre-requisite for coordinating economic initiatives.

3 A.L. Epstein, "Sanctions" in International Encyclopaedia of the Social Sciences (New York, 1968), vol.14, p.1.

4 Chandhoke, n.2, p.6.

5 John C Scharfen, "The Principles of Economic War" United States Naval Institute Proceedings (Annapolis), vol.109, no.12, Dec. 1983, p. 61.

6 *ibid*, pp. 61-63 (refer to it for a detailed analysis).

- iii) Concentration: The application of economic force should be focused on a specific area or areas of an adversaries economic vulnerabilities.
- iv) Flexibility: Withholding the use of economic coercion is one form of retaining flexibility.
- v) Magnitude of the Effort: The magnitude of the force employed must be sufficient to accomplish the objective.
- vi) Timeliness: Time impacts on the application of economic force in several ways. Short-range tactical economic measures are less likely to be effective than long-term strategies.
- vii) Unity: If there is to be a successful application of economic force, national resources must be effectively coordinated, controlled and concentrated upon the objective. World economies are so integrated that the exercise of economic force will usually impinge upon one's own economy, the economy of one's allies, and the economy of nations other than the target nation.

There are different modes of coercive diplomacy.

But at the outset, it must be made clear that when rewards are offered or economic punishments are threatened two conditions should be fulfilled - the target state must perceive the genuine need of reward or avoidance of punishment and secondly, no alternative source of supply should be made easily available to the target.

K.J. Holsti has listed a few modes of economic 'coercion' - Tariffs, Quotas, Boycott, Embargo and Loans, credits and currency manipulations.⁷

7 K.J. Holsti, International Politics : A Framework for Analysis (New Delhi: Prentice Hall of India Pvt. Ltd., 1978), pp. 245-6.

Economic Sanctions as an Instrument of
Coercive Diplomacy:

When rewards are given openly and on a major scale, it is referred to as "foreign aid", and when punishments are meted out in the same way, it is termed as 'economic sanctions'. But it is more appropriate to describe it as economic pressure.⁸

Sanctions are, it can be said in the light of the dynamics of international politics, more acceptable in the community of nations than the use of force. It is usually more concrete than diplomatic protests or other such moves. Economic sanctions can be defined as coercive economic measures taken against one or more countries to force a change in policies, or at least to demonstrate a country's opinion about the other's policies.⁹ Economic sanctions occasionally involve "comprehensive" but more normally entail "selective" interruption of commercial and financial relations between the sanctioner and his victim.¹⁰

Economic sanctions as an instrument of diplomacy are by no means a wholly twentieth century phenomenon.

8 G.R. Berridge, International Politics : States Power and Conflict since 1945 (New York : St. Martins Press Inc, 1987), p. 94.

9 Barry E. Carter, International Economic Sanctions: Improving the Haphazard U.S. Legal Regime (New York: Cambridge University Press, 1988), p.4.

10 Berridge, n.8, p.95.

Since the First World War they have been used in support of an increasingly broad range of foreign policy objectives. Probably the most important reason for the growing popularity of economic sanctions in the 20th century ironically enough, is the triumph of liberal political theory which occurred in the West during the course of the 19th century.

Both the League of Nations as well as the United Nation held that war was irrational and that economic sanctions were the natural alternative because no state could long survive the loss of the benefits of free trade.¹¹ A belief in the utility of sanctions and of their potential efficacy as an alternative to force is thus an understandable outgrowth, if not a necessary entailment of liberal rationalism.¹²

In his book, David Baldwin has noted three common meanings of the term "economic sanctions": the first, a rather narrow concept, refers to the use of economic measures to enforce international law; the second

11 David A. Baldwin, Economic Statecraft (New Jersey: Princeton University Press, 1985), p.201.

12 James Mayall, "The Sanctions Problem in International Economic Relations : Reflections in the Light of Recent Experiences", International Affairs (London), vol.60, no.4 (1984), p. 634.

refers to the types of values intended to be reduced or augmented in the target state; the third corresponds to the concept of economic techniques of statecraft.¹³ The concept of "economic sanctions" has been used in varied manners. For some, sanctions are those legal policy instruments that are used to enforce international law.¹⁴ For others, as mentioned in the previous pages, sanctions are the instruments of economic coercion. Further, still others use the term only in a sociological sense: sanctions, whether positive or negative, are simply the means of exercising power.¹⁵ But generally it is agreed that sanctions are the economic instruments used to achieve foreign policy goals and are effective instruments of diplomacy.

There are basically two distinguishing characteristics of sanctions - first, international sanctions are imposed for acts of wrong-doing; and second, they are punitive in intent. They are invariably imposed in response to some act.¹⁶ When states use sanctions, they are seeking

13 Baldwin, n.11, p. 201.

14 Hans Kelsen, The Law of the United Nations (New York: Praeger Publishers, 1950), p. 760.

15 For details, see Klaus Knorr, The Power of Nations : The Political Economy of International Relations (New York: Basic Books, 1975)

16 Kim Richard Nossal, "International Sanctions as International Punishment", International Organisation (New York), vol. 43, no.2 (1989), p. 305.

to achieve one or more of five broad ends: compliance, subversion, deterrence, international symbolism or domestic symbolism.¹⁷

But one point may be noted at this juncture: no state can employ economic sanctions or any other kind of economic statecraft, for that matter, with any prospect of success unless it has a fair degree of economic power. This in turn depends on the four "bases" of economic power - economic strength, the will to use it, skill in its application and a reputation for its successful employment.¹⁸

'Economic strength' is, by far, the most important base of economic power. An interesting deduction may be noted here. Since most goods and services are in wide demand throughout the world economy, only very large states or groups of states are likely to have any real degree of monopoly. But at the same time instances can be cited of small states which possess monopoly of power if they happen to be well endowed with natural resources which in turn happen to be high in demand. Countries like the United States, whose exports are relatively insignificant to the economy as a whole, which means, the states that have only a small ratio

17 ibid, pp. 307-8.

18. Berridge, n.8, p.98.

of their foreign economic transactions to gross national product, are very likely to be less vulnerable to market power than the thoroughgoing 'trading states' like Great Britain and South Africa.¹⁹ But on the other hand, both kinds of state may equally be vulnerable to monopoly of power exerted by a foreign enemy.

The Effectiveness of Sanctions:

The conditions for the successful employment of economic sanctions are exacting and it is thus not surprising that their record has not been a good one, especially when employed in issues in which the stakes are high.

Liberal theorists were of the view that sanctions were an understandable outgrowth of liberal rationalism. The problem with this approach is that in practice it tends to politicise trade, when in theory the liberal harmony of interests requires both national and international markets to be treated as autonomous. The imposition of sanctions immediately returns international relations to the mercantilist zero-sum world from which the liberal internationalists were so anxious to escape.²⁰

19 ibid, p. 98.

20 Mayall, n.12, p. 634.

As far as the other argument is concerned, sanctions are not an effective means by which foreign policy objectives can be achieved. The futility of this argument arises from the fact that usually the target state turns to alternative sources for the embargoed goods.²¹ No matter how dependent the target country is on its trade with the state attempting an economic power-play, the government under pressure can usually turn to other partners. For example, the United Nations (UN) oil embargo on Rhodesia was undermined by the conduit provided by South Africa; the American boycott of Cuba was vitiated by Castro's ability to find an alternative market for his country's sugar in Russia; and President Carter's attempt to punish the Soviet Union for its invasion of Afghanistan by the imposition of a grain embargo in 1980 was utterly defeated by the extent to which other producers - notably Argentina and Australia - were prepared to replace American grain in Soviet market.²²

Besides, another important point may be noted here : sanctions increased the target's political will to resist foreign pressure. Coercive trade sanctions

21 Knorr, n.15, p. 152.

22 Berridge, n.8, p. 100.

tend to foster political integration rather than disintegration.²³

The denial of economic resources to the enemy by seige and blockade has an honoured place in the theory of war, but sanctions without military backup are undermined by economic interdependence, which at first sight makes them seem attractive as a form of non-violent coercion. Only in circumstances where the target state is virtually totally dependent on the market of the opposing state, which can itself easily survive any counter - sanctions, are they likely to be effective in persuading an adversary to modify its policies.²⁴

Despite sanctions, if a state could sustain relations with multinational firms, then the effectiveness of sanctions is put to question. This is because, governments have difficulties in monitoring the activities of their multinational corporations and also because the UN lacks enforcement capabilities.²⁵

23 Knorr, n.15, p. 154.

24 Mayall, n.12, p. 638.

25 Stefanie Ann Lenway, "Between War and Commerce: Economic Sanctions as a Tool of Statecraft", International Organization (New York), vol.42, no.2, Spring 1988, p. 398.

Baldwin, in his book "Economic Statecraft" has taken up the problem of the efficacy of sanctions. His argument stems from his belief that in a nuclear age it is especially important to understand the capabilities and limitations of alternatives to military force.²⁶

Another drawback of economic sanctions is that, unlike most kinds of conventional military force, they tend to be indiscriminating in the damage which they inflict : in the complex and intricately intermeshed world economy, and again bearing in mind that this is more true of trade than financial sanctions, economic missiles are almost by definition unguided. Not only do they have the tendency to explode in the faces of those who launch them, but they are also likely to do as much harm to states adjacent to the target states as to the targets themselves.²⁷

Finally, the continually evolving dependence on vast, sophisticated communications and information management systems makes it difficult to isolate economic rewards and punishment to a single nation.²⁸

26 Baldwin, n.11, p.69.

27 Berridge, n.8, p. 101.

28 Scharfen, n.5, p.60.

The UN and the Concept of Sanctions:

The moral claims of competing ideologies particularly those reflected in the East-West rivalry, have encouraged widespread official use of the term sanctions to invest foreign policy actions with an aura of righteousness. Moreover, the trend to adopt corrective measures outside the UN and other organizational frameworks, has inevitably extended the scope of sanctioning. 'International sanctions are penalties threatened or imposed as a declared consequence of the target's failure to observe international standards or international obligations.'²⁹

International sanctions may be adopted inside or outside institutional frameworks. If it is adopted inside the framework of an institution then it may either be mandatory or voluntary and in the latter case, they can only be voluntary. Thus there are elaborate provisions in the Chapter-VII of the UN Charter regarding sanctions.³⁰

It seems highly contradictory that given its role

²⁹ Margret, P. Doxey, International Sanctions in Contemporary Perspective (London: Macmillan Press, 1987), p. 4.

³⁰ Chapter-VII, Articles 41 and 42, empowers the Security Council to call on all UN members to cease diplomatic and trade relations with any country which threatens international peace, and as per Article 43, in extreme cases can also call for the use of force.

as a body promoting peace, how could the UN possibly resort to the use of force ? But then, without Security Council's authorization, force is only permitted to UN members for individual or collective self-defence against armed attack; and governments typically justify military action in those terms.³¹ The veto protects permanent members of the Security Council and their friends and clients from any possibility of mandatory UN sanctions.

Apart from the collective concept of sanctions under the purview of the UN, the states can also impose unilateral sanctions. But the decision to impose sanctions on the part of the imposing state is inseparable from the diplomacy to persuade other states, particularly the allies, to follow suit.³² If this diplomacy fails, not only will sanctions fail, but, in addition, the imposing government's international prestige may be damaged.³³ One example can be cited in this case. The United States was determined to apply sanctions against Soviet Union over Afghanistan and Poland, despite the enormous difficulties it faced in persuading its European allies of the necessity of the embargo. As

31 Doxey, n.29, p.21.

32 Mayall, n.12, p. 639.

33 *ibid*, p. 639.

a result, a great degree of damage was inflicted on the Atlantic alliance.³⁴ Thus the decision to impose sanctions unilaterally by a sovereign state has got its own difficulties. The generic problem of all sanctions diplomacy is how to reconcile the conflicts of interests. When there is a basic division of interests, even amongst the allies, then the chief purpose of imposing sanctions (to bring to book a recalcitrant state) is not achieved. Thus, when in response to UN pressure the United States and Britain unilaterally imposed embargoes on arms sales to South Africa in 1963 and 1964, this was to the advantage of France, which quickly established itself as South Africa's major arms supplier.³⁵

Sanctions can be applied (a) by one state against another, (b) by a group of states against a state or a group of states and (c) by an international organization against a norm-breaker.³⁶

Sanctions applied by an international organisation against a state or a group of states by way of punishment

34 Robert Paarlburg, "Lessons of the Grain Embargo", Foreign Affairs (New York), vol.59, no.1, Fall 1980, pp. 160-1.

35 Mayall, n.12, p. 639.

36 Peter Wallensteen, "Characteristics of Economic Sanctions", Journal of Peace Research (Oslo), vol.5 (1968), p. 249.

for the breaking of an internationally accepted norm are qualitatively different from the sanctions employed as an instrument of diplomacy of a state. This is so as any posture adopted by the international organisation has the advantage of immediate legitimacy.

R. St. Macdonald says:

Collective measures are theoretically more desirable than individual sanctions, the reason being that the coercion is here being mobilized in support of and in no significant way in opposition to, the decisions of the organized community and this fact alone goes a long way towards providing legitimacy.(37)

The first time that the UN used the economic weapon was against Ian Smith's rebel regime in Rhodesia. The use of economic sanctions against an errant state by an international organisation for promotion of certain values was a significant event in the annals of the world body.)

The United States and Sanctions:

Economic force may be the most effective instrument of power the United States has in the competition

37 R. St. Macdonald, "Economic Sanctions in the International System", Canadian Yearbook of International Law (Vancouver), 1969, pp.70-71.

among nations. The enthusiasm for the use of economic sanctions which has characterized various United States administrations (especially those of President Carter and of President Reagan) has repeatedly been emphasized in the United States. It has the capability to wield the global weapons of economic warfare effectively if it is properly prepared and organized.³⁸

The United States leads the world in its employment of economic sanctions as an instrument of diplomacy and has experienced a success rate of about sixty seven per cent in sixty-two cases, as cited by Gary Hafbauer and Jefferey Schott.³⁹

Over the years the United States success rate, as regards the utility of sanctions, has varied according to the foreign policy objective being pursued. There were sanctions whose chief aim had been to bring about relatively modest changes in the policies of the target state.⁶ Economic sanctions have occasionally succeeded in furthering non-proliferation policy. For example, in 1975-76, Canada and the United States threatened

38 Scharfen, n.5, p. 60.

39 For details, see Gary Clyde Hafbauer and Jeffrey Schott, Economic Sanctions Reconsidered: History and Current Policy (Washington, D.C.: Institute for International Economics, 1985).

financial and export sanctions to persuade South Korea not to buy from France a reprocessing plant that could have been used to make weapons - grade nuclear material.⁴⁰

Similarly, the United States delayed some shipments of nuclear power reactors and fuel to Taiwan in 1976-77 in a successful effort to stop the Taiwanese from reprocessing spent fuel.⁴¹ ,

Combating international terrorism has been another of the modest, though increasingly important, goals of the United States in its use of economic sanctions. The United States government also employed economic sanctions against countries that were designated as supporting terrorism.⁶ A well-known example was President Reagan's tightening of sanctions on Libya, which had apparently supported the terrorists who fired on civilians at the Rome and Vienna airports in December, 1985. ,

Another policy goal of US economic sanctions has been to resolve expropriation claims. The United States is opposed to alien countries expropriating the properties of US companies unless there is "prompt,

40 Carter, n.9, p. 15.

41 *ibid*, p. 15.

adequate and effective compensation"⁴². The US has been successful in an eight of its nine uses of sanctions against expropriation. The continuing effort against Cuba is the only unsuccessful case.)

The United States has enjoyed frequent success in its use of sanctions to destabilize foreign governments. Duvalier's downfall in Haiti in February 1986 may be attributed to the US suspension of 2.6 million dollars in foreign assistance.

Since 1945 US has resorted to imposing sanctions to disrupt military adventures. Examples of it are US opposition of Egypt's Nasser in Yemen and the Congo in 1963-65 and also its opposition to British-French invasion of Egypt in 1956. U.S. has also imposed sanctions to limit the long term military potential of the target country.

Economic sanctions are often used in times of war in the form of economic blockades and embargoes. Here, however, they are secondary to military measures. There is a fundamental difference between sanctions employed during war time with the aim of destroying the infrastructure of the offending state, and sanctions employed

42 Carter, n.9, p.17.

as a method of "non-destructive coercion" with the objective of law enforcement.⁴³ The difference is qualitative. Margaret Doxey comments:

There are important differences in the status and purpose of economic measures used as techniques of warfare either in conjunction with military measures or independently and economic sanctions employed by an international organisation as part of a constitutionally authorized enforcement process. (44)

Economic sanctions alone are a blunt and ineffective instrument of peace enforcement. They can be effective if they are applied as an adjunct to police operations against the subject. The longer economic sanctions take to be effective the less they are likely to continue to receive international support.⁴⁵

Sanctions do not aim at the destruction of the target state. They are aimed to bring about certain changes in the target state. Moreover, sanctions create

43 S.C. Lloyd Brown John, Multinational Sanctions in International Law: A Comparative Analysis (New York: Praeger Publishers, 1975), p.1.

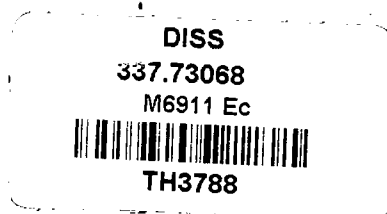
44 Margaret Doxey, Economic Sanctions and International Enforcement (London: Macmillan, 1980), p.9.

45 Leonard T Kapungu, The United Nations and Economic Sanctions against Rhodesia (Lexington: Lexington Books, 1973), pp. 39-40.

conditions in which negotiations are possible. They impress upon the target state that its behaviour constitutes an "offence", but one which can be corrected. Hence not all avenues to negotiation are closed as in the case of outright warfare. Moreover, economic sanctions are less costly than shooting war. Robert McNamara said, "One day's war is more expensive in terms of financial cost and human misery which can easily finance one month expenditure on economic sanctions"⁴⁶. In the nuclear age, in which war can no longer be the pursuit of politics by another means, the significance of sanctions as tool of international politics seems to be growing. Sanctions are regarded as the ultimate non-violent means of economic and political intervention?

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46 New York Times, 14 December 1990.



CHAPTER - II

APARTHEID AND SANCTIONS

South Africa has been deformed by apartheid - its vitality weakened and wasted. The white regime in South Africa in its struggle to survive has, over the last two decades and more, spread death, economic destruction, starvation and division over the southern hemisphere, brazenly piling horror and illegality so high upon each other that the rest of the world has lacked an adequate vocabulary of outrage.

Before we go into the diplomatic nuances, it is necessary to understand apartheid and the various anti-black rules imposed by the white regime in South Africa. South Africa is an African nation with seventy three per cent of the population of African origin and twelve per cent coloured and Asian, dominated by a regime of a white minority of a mere fifteen per cent.¹ The South African political system is characterized by cultural diversity, communal conflict, and the domination of a black majority by a white minority. This the white minority does through the policy of "apartheid" or "separate development" which provides for a system of enforced separation between three racially defined population categories: "Whites", "Coloureds", and "Blacks". It is

1 J.N. Garba, "Western Countries Sustain Apartheid System in South Africa", New Perspectives(Helsinki), vol.15, no.2 (1985), p. 27.

a deeply divided society with apartheid amounting to a crude system of "divide and rule" and a sophisticated example of a "pragmatic racial oligarchy"² Apartheid is, in fact, a true and accurate reflection of the ethnic complexity of this society.

The word 'apartheid' was invented by Hendrick Verwoerd. Every race has a unique destiny of its own and a cultural contribution to make to the world. Different races must therefore be kept separate and allowed to develop along their own lines. Contact among races resulting in contaminating the purity of racial culture must be reduced to an absolute minimum. The system requires that each racial group should have part of South Africa as a homeland in which it can develop its own culture. A long series of laws provides for the rigid social and residential segregation of the races.

The Population Registration Act (No.30 of 1950), made provision for race classification of the population into Whites, Blacks and Coloureds. This Act can in no way be said to provide an accurate and comprehensive description of the ethnic composition of South African

2 W.J. Breytenbach, "The Multi-National Population Structure of South Africa", Plural Societies (The Hague), vol.2, no.1 (1977), pp. 53-68.

society. This is the basic Act on which the political institutions of apartheid society in South Africa is constructed. Besides this, the Group Areas Act, Separate Amenities Act and the Bantu Education Act attempted to segregate the blacks. Political separation was achieved through the Separate Representative of Voters Act, the promotion of Bantu Self-Government Act and the Prohibition of Political Interference Act.³ Many of the Acts have become redundant now. To encourage the policy of segregation 'Bantustans' have been encouraged to accept full independence.

The system of apartheid has faced the problem of survival right from its inception but its position was never as critical as it has now become. With no alternative in hand, the National Party in South Africa adopted only one method which in Afrikaans is called kragdadighsid, i.e., forcefulness. This means brutal suppression of the blacks by police terror, attack by hired mercenaries and inciting inter-tribal war, and clubbing the neighbouring states with bombings and raids to force them into submission. In addition to being a police state, South Africa turned itself into a well-oiled war machine.

3 See for details Africa: South of the Sahara 1989 (London: Europa Publications Ltd., 1988), p. 903.

The terms 'cycle of violence' or 'spiral of violence' have become part of the South African political lexicon. Institutional violence by the state leads to violent reactions and protest and insurgent violence escalates. In order to check this the police uses the oppressive apparatus of the state and so the cycle goes on.⁴ Apartheid inevitably leads to violence. It is the end of a self-destroying policy for as long as it is practised it will be resisted. The physical violence used by the racist regime is so great that armed resistance is accepted as an act of 'counter-violence'.⁵

To counter these apartheid laws the majority of the world community has been consistently calling out for sanctions against South Africa. Two diametrically opposite views have been advanced on the subject of sanctions against South Africa. One supports sanctions on the ground that - (i) sanctions will facilitate the end of apartheid, and (ii) timely imposition of sanctions can avoid an all-out racial blood bath in Southern Africa. Opposing this view others argue that - (i)

4 Hendrik W. Vander Merwe, Pursuing Justice in South Africa (London: Billing and Sons Ltd., 1989), p. 30.

5 Shanti Sadiq Ali, "United Nations Role in South Africa: Constraints and Possible Options", India Quarterly (New Delhi), vol.42, no.3 (1986), p. 229.

sanctions are immoral; (ii) they will hurt South Africa's blacks more than the Whites and (iii) that at any rate sanctions are impracticable.⁶

The three major reasons for sanctions against South Africa had been its assistance to the illegal regime in the erstwhile Rhodesia, its continued control of Namibia till recently and parts of it even now, and the system of apartheid itself.⁷ The first and the second have almost become dead issues but the third, considered a heinous crime against humanity and the worst category of racism, is still alive. Often underlying the call for sanctions is a theory of action that asserts a relationship between the economic isolation of South Africa (the strategy) and the ending of apartheid (the goal).

Sanctions are moral imperatives against the evil system of apartheid in South Africa. Sanctions are used to express solidarity with the black people in southern Africa, and especially for resistance

6 Anirudha Gupta, "Sanctions Against South Africa: Some Issues and Implications" India Quarterly (New Delhi), vol.42, no.3 (1986), p. 274.

7 Margaret P. Doxey, International Sanctions in Contemporary Perspective (London: Macmillan Press, 1987), p. 124.

movements engaged in guerrilla warfare there, such as the African National Congress (ANC), and the Pan Africanist Congress (PAC) all of whom have called for economic isolation of South Africa.⁸ Sanctions are seen to be economic warfare and coupled with the guerrilla war and internal civil disturbances it will rid the world of this form of racism, as prevalent in South Africa. The economic isolation of South Africa will hasten the demise of apartheid.

Diplomacy at the United Nations:
United Nations and Apartheid

The method of racial segregation practised in South Africa has been condemned world-wide by the anti-apartheid movement. The anti-apartheid movement is a multi-racial, worldwide movement consisting of governmental and non-governmental actors operating at international, national and subnational levels in an attempt to end racial oppression in South Africa.⁹ The principle of the elimination of racism of which apartheid is an institutionalised form has become an urgent concern of the international community. As the community's guardian the United Nations has accorded a high priority to this

8 Jancie Love, The U.S. Anti-Apartheid Movement: Local Activism in Global Politics (New York: Praeger Publishers, 1985), p. 1.

9 *ibid*, p.1.

principle. The concern of the international community has been evident in the General Assembly's recommendations, resolutions and decisions. India has been relentlessly fighting apartheid in different international forum including the United Nations.

The Problem of Consensus

The United Nations has been able to play a key role in promoting an impressive world alliance against apartheid - but powerful vested interests have thwarted and concerted and decisive action. The role of the United Nations in the struggle against apartheid within South Africa has been considerably weakened by the lack of consensus in dealing with systematic violations of international norms by the Pretoria regime for the maintenance of apartheid, as well as over the strategies to be adopted to resist this unjust and oppressive system. Apartheid has been condemned on numerous occasions by the United Nations which has called for sanctions against the racist regime in South Africa. Most governments have implemented diplomatic, political and economic and other sanctions against the regime. Yet, a few governments which profess rejection of apartheid and many Transnational Corporations and financial interests in the West, have constantly opposed and undermined international sanctions against apartheid and have assisted the Pretoria regime.¹⁰

10 Garba, n.1, p. 28.

The powers given to the Security Council are found to be major constraints as they impede enforcement measures. As a consequence the gulf between international law and reality threatens the very credibility of the world organisation especially as far as its human rights policies with regard to South Africa are concerned.¹¹

The United Nations is the obvious forum to impose sanctions but the position there is complex. The General Assembly, where each nation has one vote, can pass resolutions, but under the United Nations Charter these are not binding on members. The only method of imposing mandatory sanctions is under Articles 37-42 of the United Nations Charter which give each of the five "Big Powers" (China, U.S.A., U.S.S.R., U.K. and France) of the Security Council the right to veto; so nothing can be passed without at least the tacit agreement of all five. Unlike those in the General Assembly, the Security Council resolutions are subject to the veto power held by the five permanent members. In Security Council deliberations, the United States wields great influence not only as a permanent member with right to veto but as a super power of virtually unchallenged economic and political strength.

Limits of United Nations Intervention

The question of South African racial policies

11 Ali, n.5, p. 239.

has been before the United Nations since 1946. The United Nations recognized in 1952 that apartheid would inevitably cause conflict and took up the matter in the Security Council in 1960 as a clear danger to peace. The United Nations' organs held discussions, passed resolutions and made appeals to the South African Government to readjust its policies in accordance with the principles of the Charter. The South African Government has reiterated that the matter was essentially within its domestic jurisdiction under the terms of Articles 2, Paragraph 7, of the United Nations Charter and that the resolutions of the United Nations were ultra-vires. Only Portugal supported South Africa's contention that it was not accountable to the United Nations for the treatment of its population.

Diplomatic Actions and Appropriateness of
United Nations Coercion

The analogy between apartheid 'based on the ruthless demand of human inequality' and colonialism was made implicit in the Lusaka Manifesto on the Liberation of Southern Africa.¹²

¹² The Lusaka Manifesto, while recognizing the Republic of South Africa as "an independent sovereign state and a member of the United Nations", reiterated that, "it could not compromise on the question of South Africa's apartheid policy 'based on the ruthless demand of human inequality' and that 'the validity of the principles of human equality and dignity extend to the Republic of South Africa just as they extend to the colonial territories of Southern Africa'." For full text, see, Africa Contemporary Record, 1969-70 (London), pp.41-45.

The shooting by the police in Sharpeville of peaceful demonstrators against the Pass laws in 1960 not only shook South Africa and the world out of their complacency but formed a turning point in the United Nations consideration of the South African problem. The Sharpeville incident provided the evidence which compelled not only the General Assembly but also the Security Council to discuss the matter. The Security Council adopted a resolution which was rejected by the South African government; and it proceeded with the declaration of Emergency, banning of the ANC and the PAC and the strengthening of its security forces.

At the November 1962 meeting of the General Assembly, there emerged a clear-cut division over the approach towards the problem of South Africa. United States did not believe in taking stiffer measures against South Africa. The African nations took up the issue against the United States. Mr. Adebo, speaking as a representative of Nigeria, said that "all the diplomatic approaches by the U.S.A. and U.K. before, have been valueless"¹³ It was due to their efforts that the General Assembly in its resolution 1761 (XVIII) of November 6, 1962, specifically "requested the member

13 General Assembly Official Records, (GAOR), (1962), Session 17, Plen, mtgs. vol.1, p. 667.

states to take measures separately or collectively in conformity with the Charter of the United Nations to bring about the abandonment of apartheid policy".¹⁴ Measures amounting to sanctions were first recommended by the General Assembly in 1962 when members were requested to sever shipping and air links and to boycott South African trade. The Assembly by the same resolution established the Special Committee on Apartheid to keep the racial policies of South African government under continuous review.

In the United Nations the General Assembly can do no more than recommend that the Security Council should implement the enforcement measures provided for in Chapter-VII of the Charter and impose mandatory economic sanctions. The Security Council so far has been constrained from acting to isolate South Africa because of veto powers of its permanent members especially United States and Britain. On its own however the General Assembly in 1973 declared apartheid to be a "crime against humanity", and has prevented South Africa from taking part in plenary sessions since 1974. The Security Council has on a few occasions

14 *ibid*, p. 667.

heeded the recommendations of the General Assembly as in the case of the 1977 mandatory arms embargo on South Africa in place of the voluntary ones recommended in 1963, 1964 and 1970. It was for the first time that mandatory sanctions had been imposed on a member state and the Western Powers had supported the unanimous decision in determining that 'the acquisition by South Africa of arms and related material constitutes a threat to the maintenance of international peace and security'. This decision came in the wake of the death in detention of Steve Biko and the banning of Black consciousness organisation.¹⁵ Resolution 418 of 1977 instituted the mandatory ban on the sale to South Africa of "arms and related material of all types including ... weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts". The arms embargo remains in force and has had some effect in limiting South Africa's military capacity. But the ban has numerous loopholes and is broken by a few states, notably Israel. Vetoes by big powers have prevented the UN from imposing any other mandatory bans. The year 1982 was declared the International Year of Mobilization for Sanctions

15 Survey of Race Relations in South Africa
(Johannesburg: South African Institute of Race Relations, 1977), pp. 574-6.

against South Africa by the UN.

Due to certain stem measures by the UN and constant vigilance over human rights issue the white regime in South Africa in order to confuse world public opinion, proceeded to advertise the so-called changes and reforms apparently to mitigate racist oppression under the cover of cosmetic changes in "petty apartheid".¹⁶ Thirty years ago it was difficult even to obtain the required majority for a discussion of apartheid in the UN. Many powerful Western (notably United States and Great Britain) and other states blocked any condemnation of South Africa. Today the UN and the international community are committed to the total eradication of apartheid. Probably of even greater influence on the UN dealings with South African racial issues has been the rapid increase in the number of African members and their persistent effort to enlighten the world community about apartheid's explosive potential as a fuse for setting off a world-wide

16 The expression "petty apartheid" is normally used to indicate practical measures separating whites and blacks in all walks of life, as distinguished from the grand design of geographic separation of black homelands. Petty apartheid relates to discrimination regarding residential areas amenities such as cinemas and restaurants, taxis, and public transport, buses, post offices, hospitals, beaches, swimming pools, parks and other amenities. See Merwe, n.4, pp. 28-29.

race war.¹⁷ They insisted on the urgency of sanctions to end this inhuman practice of apartheid.

The South African regime is increasingly isolated from the rest of the world. The decisive role in ensuring the end of apartheid and the beginning of a new course in South Africa belongs to the South African people themselves, but the international conditions for such a development are rapidly being created.¹⁸ It is clear that the pace and direction of peaceful change within South Africa, under the auspices of the UN, can only be brought about by the active cooperation of Pretoria's allies who control the implementation of enforcement measures in the Security Council.

The United States Policy Towards Apartheid:

At the UN, America's perceived support for South Africa and seemingly disregard for African economic and political concerns have reinforced the perception of the United States as an aloof, uncomprehending super power.¹⁹ United States was opposed to the position

17 The Observer (London), 19 April 1984.

18 E.S.Reddy, Apartheid: The United Nations and the International Community (New Delhi: Vikas Publishing House Pvt. Ltd., 1986), p. 13.

19 Monique Rubens, "At the United Nations, Africa and the U.S. at Odds", Africa Report (New York), vol.29, no.2 (1984), p. 56.

adopted by the UN for over two decades, namely:

- a) to end collaboration with the apartheid regime;
- b) to support the national liberation movement; and
- c) mobilise world public opinion for these purposes.²⁰

Ambassador Stevenson of the United States to the UN spoke of "the anachronistic spectacle of the government of a great people which persists in seeing the disease as the remedy, prescribing for the malady of racism the bitter toxic of apartheid". "Apartheid", he said, "is abhorrent".²¹ But the United States did not support action under Chapter VII of the UN Charter.

Ambassador Stevenson said :

It is clear to my delegation that the application of sanctions under Chapter VII in the situation now before us would be both bad law and bad policy. Chapter VII was intended to apply where there was an actuality of international violence or such a clear threat to the peace as to leave no reasonable alternative but resort to coercion.(22)

20 Reddy, n.18, p. 146.

21 United Nations Doc. S/PV. 1052, 2 August 1963, pp. 31, 33-35.

22 ibid, p. 37.

In 1963, the United States government decided, in response to the birth of the Organisation of African Unity (OAU), to impose an arms embargo against South Africa. It also supported Resolution 1881 (XVIII) of October 11, 1963 in the United Nations General Assembly, calling for the release of political prisoners, many of whom were involved in sabotage and several of whom were well-known communists.

The United States who has the exercise of veto in the Security Council, has been reluctant to support the broad consensus in the United Nations on the question of self-determination for African majority in an undivided South Africa.²³ President Botha of South Africa stated that 'one man, one vote' is non negotiable. The rejection of one man, one vote is neither new nor an insoluble obstacle to a settlement and could be solved by voluntary or involuntary fragmentation. The United States by abstaining on General Assembly Resolution 31/64 (XXXII) rejecting the "acceptance of independence" by Transkei, expressed its support for the policy pursued by South Africa.

Under President Reagan's administration, UN diplomacy took a back seat to economic and military might

23 The Guardian (London), 15 August 1985.

as a tool of American foreign policy. The administration's policies of linking Cuban troop withdrawal from Angola to Namibian independence and 'constructive engagement' with South Africa isolated it at the UN and continued to hamper progress on the South African issues.²⁴

But later on with vigorous and blatant public opinion in United States rising against apartheid and isolation in the world community on South African issue have significantly altered the United States diplomatic stance towards the racist regime. The United States since the closing years of the Reagan administration has become more vocal in its resentment of apartheid and has forcefully entertained the logic of sanctions as a devise to remove apartheid. Thus the American posture has considerably changed though the sympathies for the white regime in South Africa is still exhibited in the United Nations as late as 1987 with United States vetoing a sanctions bill in the Security Council.

Role of Public Opinion

The American public opinion has also been playing an important role in influencing US policies towards South Africa. Ever since Dr. Martin Luther King's acceptance of Nobel Peace Prize late in 1964 the American

24 Rubens, n.19, p. 54.

blacks have slowly identified the struggle against apartheid with their own domestic civil rights struggle; they could generate public interest in the South African policy of the United States to a level seldom achieved by any other foreign policy issue.²⁵

The black American Democrat, the Reverend Jesse Jackson came up with an unusual form of what he called sanctions during a tour of frontline states in August 1986. He suggested a summit meeting of President Reagan and South African leaders. He said:

Specially we must look at apartheid in regional terms, not just local terms... we must use a multiple strategy approach such as diplomatic ties with Angola, aid to Namibia. All are really sanctions against South Africa.... 26

Increased concern among politicians, trade unions, Churches and the media about South Africa and its ruthless policy of apartheid raised a massive degree of awareness among the public which further tried to impress upon the government the immediate and urgent need of sanctions.

A Louis Harris survey in 1978 found that fortysix per cent of Americans thought that USA and other countries

25 New York Times, 11 December 1986.

26 Joseph Hanlon and Roger Omond, The Sanctions Handbook (London: Penguin Books Ltd., 1987), p. 162.

should put pressure on South Africa to provide blacks with greater freedom and participation in government. More than half supported a halt to arms sales; Americans favoured United States companies putting pressure on Pretoria by forty-six to twenty-eight per cent; and a near similar percentage of Americans supported a ban on new investment.²⁷

The public opinion in United States was further roused in 1985 by the turmoil in black townships, and the efforts by the security forces to suppress it, which received extensive television coverage in the United States.

U.S. Congress on Apartheid and Sanctions

The Congress has always denounced apartheid and has called for economic sanctions against South Africa. However, the power of Presidential veto have thwarted their moves on most of the occasions. Call for economic sanctions from the United States Congress came more persistently during the Reagan administration.

The Reagan administration repealed the Clark Amendment applicable to South Africa and provided overt

27 Desaix Myers, United States Business in South Africa (Bloomington: Indiana University Press, 1980), p.135.

military aid to UNITA rebels who in reality were not freedom fighters but were carrying out the objectives of South Africa in Angola. However, as far as South Africa is concerned, the Reagan administration was reluctant to support similar action. On the contrary, it provided the racist military and police with aid banned by previous administrations, flagrantly violating the United Nations arms embargo. It also supported South Africa on making the release of Nelson Mandela conditional on his renunciation of "violence" which it had been rightly argued in the General Assembly, would be forcing the African National Congress to accept the legitimacy of the entire apartheid machinery.²⁸

In 1984 South African government introduced constitutional changes which allow direct elections to three legislative chambers by Whites, Coloureds and Asians, and in 1985 certain offensive legislation (notably the Mixed Marriage and Immorality Acts) were repealed, but blacks still had no votes except in the so-called 'homelands' whose patently spurious independence has failed to win any outside recognition. The inauguration of the new Constitution provoked renewed

28 Ali, n.5, p. 245.

protest in South Africa and internal unrest led to the proclamation of a State of Emergency in numerous areas of the country in July 1985. A mounting toll of death and destruction brought renewed calls for radical reforms and for sanctions. The anti-apartheid movement in the United States gained momentum and for the first time United States not only accepted in principle the appropriateness of sanctions as a means of bringing pressure to bear on South African government, but also took steps of economic and political nature.²⁹

Congress usually plays a secondary role, essentially one of passing the basic statutes; the President then decides to invoke or not to invoke when a dispute or a minor crisis arises. The Reagan administration was pressurised in 1985 by an overwhelming vote in the United States House of Representatives and Senate to order limited economic sanctions against South Africa on the declaration of Emergency in a desperate effort to meet the wave of unrest which had swept the country since 1984. Although the Carter administration was not in favour of sanctions, the former President, in August 1985, after both the House of Representative and the

29 Doxey, n.7, p. 46.

Senate had passed bills to impose sanctions against South Africa, urged Reagan not to veto if the two Houses of Congress came up with an agreed measure.³⁰

Sanctions were thus imposed but they were not designed to put economic pressure on South Africa but, as George Shultz, Secretary of State, described, were intended to "send a single message on behalf of all Americans". The measures imposed by the United States was mild. But in symbolic terms these measures were important as they represented a qualitative shift in United States governmental policy which was not welcome to the South African government. The United States administration imposed sanctions approved by the Congress but opposed sanctions in the Security Council.³¹

In July 1986 pressure increased on the Senate to pass a sanctions bill. The Washington Post editorialized that the United States must be seen to be enthusiastically on the side of black freedom rather than white privilege. America is a multiracial society that strives to ensure equal rights for all its citizens, and this impresses a moral stance on American policy towards South Africa.³²

30 Business Day (Johannesburg), 21 August 1985.

31 Indian Express (New Delhi), 4 October 1986.

32 Washington Post (Washington, D.C.), 30 July 1986.

The comprehensive Anti-Apartheid Act of 1986 is an important exception to the secondary role of Congress as well as to the lack of a comprehensive statutory framework for sanctions. Congress enacted the law in October 1986 over President Reagan's veto.

Virtually no opponent of sanctions defends apartheid. Their goal is always to move away from racism and towards a free, non-racial (or multi-racial) society. President Reagan, the strongest opponent of the use of economic pressure against South Africa, was no exception. Defeated by the Senate he delivered a major speech on sanctions on 22 July 1986. He began with an attack on apartheid, 'the root cause of South Africa's disorder'.³³ He said America's views of apartheid was clear:

Apartheid is morally wrong and politically unacceptable. The United States cannot maintain cordial relations with a government whose power rests upon the denial of rights to a majority of its people, based upon race.(34)
He went on to add:

But the primary victims of an economic boycott of South Africa would be the very people we seek to help. Most of the workers who would lose jobs, because of sanctions would be black workers.(35)

33 Washington Post (Washington, D.C.), 13 August 1986.

34 The Guardian (London), 13 August 1986.

35 ibid.

For President Reagan capitalism was the natural enemy of feudal institutions such as apartheid. Experience in United States shows that racial progress comes swiftest and easiest not during economic depression but in times of prosperity and growth. He insisted on not a western withdrawal but deeper involvement by the Western business community, as agents of change, progress and growth.³⁶

Objective of Sanctions in South Africa:

The objective of sanctions is to force South African government to end apartheid, to dismantle the elaborate legal structure that denies blacks the right of their full self-determination. Presumably this would be accomplished by imposing economic hardships on the country as a whole and especially on whites, in order to punish them and raise the cost of perpetuating apartheid. Sanctions have achieved important successes and comprehensive economic sanctions stand a good chance of encouraging fundamental changes in South Africa. Unless Americans want to go to war against apartheid, such sanctions represent the only hope of bringing the apartheid regime to the negotiating table.

The concern of governments who oppose sanctions, about the suffering of blacks in South Africa, is

36 Hanlon and Omond, n.26, p. 175.

hypocritical. The blacks are suffering in any case, from Pretoria, from the logic of anti-sanctions. Almost thirty years ago Chief Albert Luthuli said:

The economic boycott of South Africa will entail undoubtedly suffering for Africans. We do not doubt that. But if it is a method that shortens the day of bloodshed, the suffering to us will be a price we are willing to pay. (37)

The President of Zambia on this issued said:

Yes, we will be hurt by these sanctions, but we will suffer more if economic sanctions as a peaceful weapon for change are not applied. The result of the explosion will be far more destructive than the injury that economic sanctions can cause to us.(38)

Sanctions per se do not have the potential for immediate change and nor do their informed adherents expect them to. But this strategy has more long-term potential. What it certainly does is to demonstrate world condemnation of apartheid and inflict a sense of isolation in the target state. Sanctions may not be the perfect weapon but no other weapons are available to check South Africa's flagrant violation of international law and human rights.

37 Neil Kinnock, "South Africa: Measure That Matter", Mainstream (New Delhi), vol.24,no.52, 30 August 1986, p. 18.

38 ibid, p. 18.

South Africa is dependent on foreign trade and support and the white minority government could not survive for long if it was totally isolated. Resistance by other countries and interests which have extensive financial links with South Africa have blocked these moves. However, fear of isolation along with South Africa has forced countries to change their diplomatic posture towards South Africa and adopt coercive diplomacy in relationship to the racist regime. The United States has evolved its position over the years and today is in favour of continuation of existing economic sanctions against South Africa as an instrument of its diplomacy to dismantle apartheid in South Africa.

CHAPTER - III

CONSTRUCTIVE ENGAGEMENT - A DIPLOMATIC STRATEGY

One individual, Assistant Secretary of State for African Affairs Chester Croker, has been almost solely responsible for formulating, adapting, and implementing the concept of 'constructive engagement'. For him South Africa's overwhelming economic and military predominance in the southern region of the African continent was a reality and could not be overlooked. It was realpolitik reasoning rather than ideological consideration that shaped Crocker's thinking on the question. Constructive engagement was a product of his assessment that the Botha regime's secure domestic and regional position, deriving from the nation's relative economic and military self-sufficiency, limits the effectiveness of economic sanctions or arms embargoes¹.

Crocker's belief in the viability of constructive engagement as an alternative to the more confrontational strategy followed by the Carter administration also rested on the assumption that Prime Minister P.W.Botha meant it when he said in 1979 that South African whites

1 Helen Kitchen and Michael Clough, "The United States and South Africa: Realities and Red Herrings", Significant Issues Series (Washington, D.C.), vol.6, no.6 (1984), p. 3.

must "adapt or die", and that he could take steps to improve U.S. - South African relations - notably by initiating internal reforms, accepting Namibia's independence, and developing accomodative relations with South Africa's neighbours. Crocker believed that U.S. interests would be best served by encouraging and assisting South Africa in moving in a positive direction in the domestic and regional areas rather than by coercion. Crocker presented 'constructive engagement' primarily as a means of reinforcing movement away from apartheid in South Africa; the Namibian issues and broader regional relations were only briefly mentioned. In order to influence a non-racial order of society it emphasized dialogue with South Africa and not confrontation. Quiet diplomacy, according to Crocker, will achieve more than will harangues in the U.S. Congress.²

But before we go into the details of the diplomacy of 'constructive engagement', its failures and finally its burial, it is necessary to deal with the evolution of American policy towards South Africa from 1960

2 Peter Duignan, "The United States and South Africa: The Case Against Disinvestment". Orbis (Philadelphia), vol.31, no.1, Spring 1987, p.8.

(the year of the Sharpeville massacre), the United States interests in South Africa and the broader East-West conflict. All of these have conditioned Reagan's diplomacy towards South Africa in the form of 'constructive engagement' through the first term of his presidency and part of his second term after 1984.

Evolution of United States Diplomacy
Towards South Africa

For the first time the United States came up from its diplomatic hibernation towards the atrocities in South Africa and deplored the Sharpeville massacre in 1960. At that stage the State Department, however, said U.S. policy was that it did 'not normally comment on the internal affairs of governments, with which it enjoys normal relations'.

The Johnson administration, in 1964, did not tender for four-wheel vehicles wanted by the South African government after the State Department warned that export licenses should be refused because the vehicles could be converted into armoured cars³. Pretoria then placed no orders with Ford until 1967, when purchases were resumed.

3 Joseph Hanlon and Roger Omond, The Sanctions Handbook (Harmondsworth: Penguin Books Ltd.) 1987), p. 156.

In May 1966 President Johnson said that there was increasing awareness in Africa that government must represent the true will of its citizens:

This makes all the more repugnant, the narrow and outmoded policy which in some parts of Africa permits the few to rule at the expense of the many Just as we are determined to remove the remnants of inequality from our own midst, we are also with you - heart and soul - as you try to do the same . (4)

Nixon Administration

U.S. diplomacy during the Nixon years was summed up by the President in February 1970:

There is no question of the United States condoning or acquiescing in the racial policies of the White rules regimes. The United States stands firmly for the principles of racial equality and self-determination.(5)

However, the 1960s had shown that there could be no quick solutions and progressive change could not be furthered by force. Later the same year,

4 Arthur Schlesinger, Robert Kennedy and His Times (London: Andre Deutsch, 1978), pp. 743-9

5 Hanlon and Omond, n.3, p. 157.

President Nixon repeated U.S. commitment "for fundamental human rights in Southern Africa", but stressed that the solution lay not in violence but in "the constructive interplay of political, economic and social forces which will inevitably lead to changes". The U.S.A did not believe that cutting of ties with the rich, troubled land would advance the cause they pursue or help the majority of the people of that country.⁶ This was a policy of 'constructive engagement', though the phrase itself had not yet been coined. By 1972 the Nixon administration was showing greater sympathy towards Pretoria than its two predecessors. In April 1972 small executive jets had been sold to South Africa and Boeing 707s to the Portuguese who were embroiled, amid much international hostility, in fighting colonial wars in Angola and Mozambique. The ban on importing Rhodesian chrome had been ended in defiance of the UN where Washington had abstained or voted against resolutions on South Africa.

The United States has tended to regard South Africa as a 'client' ever since the Nixon Doctrine

6 ibid, p. 158.

advanced the idea that the United States should appoint regional 'deputy sheriffs' rather than employ direct force itself outside recognised American spheres of influence.⁷

Henry Kissinger was the principal architect of American diplomacy in South Africa during the Nixon year. Kissinger summarizes:

The Whites are here to stay (in South Africa) and the only way that constructive change can come about is through them. There is no hope for the blacks to gain the political rights they seek through violence, which will only lead to chaos and increased opportunities for the communists.(8).

Carter Administration

In 1976, Jimmy Carter became the President of United States. Carter followed what Pretoria considered the most hostile policy towards South Africa ever made by a U.S. President. The then South African Prime Minister, B.J. Vorster, said in August 1977 that the administration was embarking on a course that would

7 G.R. Berridge, 'The Role of Super Powers' in John D. Brewer, ed., Can South Africa Survive ? (London : MacMillan Press, 1989), p. 19.

8 Steven Smith, US Neo-colonialism in Africa (Moscow: Progress Publishers, 1974), p. 60.

lead to chaos and anarchy in South Africa. The only difference between American pressure and communist revolution was one of method - 'strangulation with finesse' instead of 'death by brute force'.⁹ The Carter administration sought to differentiate itself from its predecessors by placing greater emphasis on human rights of South Africa and downplaying the strategic dimension.¹⁰

The concrete manifestation of the Carter approach included - (1) the Anglo-American effort to achieve a settlement in Rhodesia; (2) the initiation of the Western "contact group" initiative to achieve a settlement in Namibia; (3) Vice-President Walter Mondale's meeting in 1977 with Prime Minister B.J. Vorster in Vienna, where the term "one-man-one vote" surfaced; (4) a tightening up of restrictions on exports to the South African military following the death of Black Consciousness leaders Steve Biko while in detention and (5) expanding U.S. contacts inside South Africa with black activists.

The issue of human rights became a salient

9 International Herald Tribune (Paris), 14 August 1977.

10 Jim Cason and Mike Fleshman, "The United States and South Africa", Monthly Review (New York), vol.37, no.11, April 1986, p. 72.

feature of Carter's diplomacy. The Carter administration sponsored the formulation of the 'Sullivan Principles'. This code of conduct was designed to guide the activities of American business operating in South Africa. It dealt with fair employment practices.¹¹ However, the superficiality of Carter's 'human rights' approach soon became apparent: there was return to business as usual with Pretoria. Three major factors demonstrated this. Firstly, United Nations Security Council Resolutions that were intended to occasion changes in the apartheid system were constantly vetoed by the United States. Secondly, the United States continued its traditional economic, military and technological ties with South Africa. And finally, the human rights policy was plagued with duplicity in its application.

U.S. Interests in South Africa:

The foundation of U.S. involvement in South Africa was by two American corporations - "The New Mont Mining Company" and "The American Metal Climax". They in turn opened a floodgate to American corporate interests. By 1980, U.S. had 300 companies and by 1985, 350 operating

11 George Klay Kieh, "Beyond the Facade of Constructive Engagement: A Critical Examination of the United States Foreign Policy Towards South Africa", Africa Quarterly (New Delhi), vol.26, no.1 (1987), p. 3.

in the country with 15 billion dollars worth of investment about 3 quarters of the U.S. investments in the continent were in South Africa and an estimated return on investment of 15 per cent compared with 10 per cent at home. These companies control 43 per cent of the South African petroleum market; 23 per cent of its motor vehicles and 75 per cent of its computer business.¹² The interest of United States in South Africa is primarily economic such as investments and trading interests.

The existence of a variety of minerals in South Africa has always attracted western interests as they are important for development of their economy. United States having an advantage of money and technological power is in the best position to exploit the under-developed economic structure of South Africa. U.S. investment in South Africa totalled an estimated 15 billion dollars: 4.7 billion dollars in bank loans, over 2 billion dollars in direct investment, and an estimated 8 billion to 10 billion dollars in securities - primarily gold stocks.¹³

12 *ibid*, p. 1.

13 The Observer (London), 10 August 1985.

In terms of the North Atlantic Treaty Organisation planning fifty seven per cent of Western Europe's oil needs and twenty per cent of American oil needs pass by the Cape.¹⁴ As a major supplier of gold, South Africa plays a key role in money supply and the financial stability of the capitalist world.

American Diplomacy in the Milieu of East-West Conflict during Reagan Administration:

Instead of giving unreserved support to the freedom of Namibia, to the dismantling of apartheid and to resist the destabilization of States by South Africa the United States had viewed the issues as an extension of super power rivalry for influence in the African continent. The United States had been soft towards South Africa because of their over-riding defence concern in the wider strategic confrontation with the Soviet Union. They thought that a friendly government on the coastline at the entrance in both the Indian Ocean and the South Atlantic is vital to their interests at a time when Soviet naval power was growing. The United States and its allies believed that they have vital strategic and economic

14 Richard E. Bissell, "How Strategic Is South Africa?", in Richard E. Bissell and Chester A. Crocker, ed., South Africa into the 1980s (Colorado: Westview Press, 1979), p. 215.

interests in the flow of merchant shipping (especially oil tankers) along the 'Cape Route'. Following the growth of Soviet naval strength in the Indian Ocean and the rise of Soviet bloc influence in southern Africa in the first half of the 1970s anxiety was expressed by the US Joint Chiefs of Staff and Defence Planning Committee of NATO.¹⁵ United States has an important but more exposed interest in relation to South Africa. And that is the diplomatic and domestic political interest in avoiding a posture towards issues in the region which in view of the opinions of the Africans and American blacks on the question of apartheid, are likely to lead to a deterioration in American relations with countries of the Organisation of African Unity (OAU) and may probably cause acute unrest in the United States itself.¹⁶

The United States also has a strategic interest in gaining access to intelligence on the region and its surrounding oceans and this is supplied by South Africa's Silvermine ground station.¹⁷ Washington has a strategic

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- 15 Christopher Coker, NATO, The Warsaw Pact and Africa (London: Macmillan Press, 1980), pp.82-87 and 98.
- 16 W.J. Foltz, 'United States Policy toward South Africa: Is One Possible?', in G.J. Bender, J.S. Coleman and R.S. Sklar, ed., African Crisis and U.S. Foreign Policy (Berkeley: University of California Press, 1985), pp. 38-42.
- 17 *ibid*, p. 35.

interest as well in discouraging the development of South Africa as a nuclear weapons state because of its general interest in the avoidance of nuclear proliferation.

The most important American interest of all in Southern Africa in the view of the Reagan administration, is the diplomatic, cold war interest in expelling Soviet influence from the region. Chalking up a major cold war victory against Moscow, by securing the removal of the Cuban troops from Angola was the major impulse behind American policy and this is one of the factors that led to the linking by the United States of Namibian independence to the withdrawal of the Cubans from Angola.

South Africa mattered strategically to the United States: it was one of the most vital regions of the world. Around the Cape of Good Hope passes the oil of the Persian Gulf - which is indispensable to the industrial economies of Western Europe. Southern Africa and South Africa are a repository of many of the vital minerals - vanadium, manganese, chromium, platinum - for which the West has no other secure source of supply. The Soviet Union knew the stakes: it had installed, using Cuban troops, 'a client regime' in Angola and was providing it with weapons to attack UNITA, which President Reagan

described as "a black liberation movement which seeks for Angolans the same right to be represented in their government that black South Africans seek for themselves." The United States strategic interests in South Africa includes curbing of Soviet and Cuban influence in the region and restraining South Africa from producing nuclear weapons. The U.S. Administration during the Reagan period felt that communism and apartheid are two forms of oppression and it was not orally soft on one at the expense of the other. It did not, therefore, condemn apartheid because of its strong anti-communist stand.¹⁸

The U.S. put South Africa in a global context and assessed its policy with reference to wider East-West concerns. Reagan saw the world in terms of competing power blocs, with little room for the uncommitted. Within such a view South Africa has an increased geopolitical, economic and military importance not only in its own right but as something to be denied to the Soviet Union.

Diplomacy of Constructive Engagement:

The Carter administration sought to promote changes in South Africa through strong public condemnation and the threat of economic sanctions. The Reagan administration

18 Davidson Nicol, "United States Foreign Policy in Southern Africa: Third World Perspectives", The Journal of Modern African Studies (New York), vol.21, no.4, December 1983, p. 589.

called this approach unrealistic and counterproductive and instead adopted a policy of "constructive engagement" toward South Africa. Quiet persuasion, it was convinced, could better protect U.S. interests in South Africa while more effectively encouraging the government to change its racial policies. One of its first principles was that the previous U.S. policy of putting overt, public pressure for change on the South African regime had seemed to promise much more to black South Africans than it could deliver. "Americans need to do their homework", wrote Mr. Crocker:

A tone of empathy is required not only for the suffering and injustice caused to blacks in a racist system, but also for the awesome political dilemma in which Afrikaners and other Whites find themselves.....American power should be kept dry for genuine opportunities to exert influence. As in other foreign policy agendas for the 1980s, the motto should be: underpromise and overdeliver - for a change. (19)

While American policy under the previous administrations had been tinted with ambivalence and double standards, the Reagan administration has unequivocally articulated United States unflinching support for Pretoria both in

19 Chester A. Crocker, "South Africa: Strategy for Change", Foreign Affairs (New York), vol.59, no.2, Winter 1980/81, pp. 323-51.

substance and in form through the policy of "constructive engagement."

In President Reagan's own words,

Can we (the United States) abandon a country that has stood by us in every war we have fought - a country that is strategically essential to the free world in its production of minerals we all must have? I feel that... if we are going to sit down at a table and negotiate with Russians, surely we can keep with a friendly nation like South Africa. (20)

The closest embrace between the U.S. government and apartheid came under the Reagan administration's policy of constructive engagement.²¹ In the South African context the cardinal features of constructive engagement are: (1) a friendly and a non-confrontational approach via quiet discussion and negotiation with Pretoria; it is only through this method apartheid can be reformed; (2) continual political, economic, military and technological collaboration with and support for Pretoria. The rationale is that through this means the United States can continue

20 Elizabeth Schmidt, "Marching to Pretoria: Reagan's Southern African Policy on the Move", Trans Africa Forum (New Jersey), vol.2, no.2, (1985), p. 5.

21 Janice Love, The U.S. Anti-Apartheid Movement: Local Activism in Global Politics (New York: Praeger Publishers, 1985), p. 13.

to exercise leverage, and thereby occasional change; (3) the corollary is that economic sanctions and other punitive measures will have an adverse impact on the oppressed black population, and undermine the viability of the reform crusade and (4) South Africa is strategically important to the United States: it has several minerals that are crucial to the American industrial complex, hence the United States has to support Pretoria otherwise the communists will take over.²²

Constructive engagement believed in reforming the South African system by working entirely within it. "Active constructive engagement" relied on white-led change and ignored the needs, the politics and the passions of the black majority in South Africa.²³ Constructive engagement was designed to end South Africa's isolation from the world community and to bring this important U.S. ally back on the international stage.

The most fundamental thing that constructive engagement promised was that if the United States could, as Crocker

22 Kieh, n.11, p. 5.

23 Standord J. Ungar and Peter Vale, 'South Africa: Why Constructive Engagement Failed', Foreign Affairs (New York), vol.64, no.2 (1985/86), p.235.

put it, "steer between the twin dangers of abetting violence in the Republic and aligning ourselves with the cause of White rule", then it could contribute to the achievement of change in South Africa.²⁴ In the early days of constructive engagement, the Reagan administration seemed obsessed with a desire to exhibit American balanced position. In 1981, Mr. Crocker stressed that in South Africa, the United States sought "to build a more constructive relationship.....based on shared interests, persuasion and improved communication". While reiterating that the Reagan administration disapproved of "apartheid policies that are abhorrent to our own multiracial democracy", Crocker said:

We must avoid action that aggravates the awesome challenges facing South Africans of all races. The Reagan Administration has no intention of destabilizing South Africa in order to curry favour elsewhere.(25)

Bishop Desmond Tutu had warned then that "a United States decision to align itself with the South African government would be an unmitigated disaster for both South Africa and the United States".²⁶

24 ibid, p. 238.

25 "Regional Security for Southern Africa", Document 50, The United States and South Africa: US Public Statements and Related Documents, 1977-85 (Department of State, Washington D.C.: Government Printing Office, 1985), p. 58.

26 Sunday Times (Johannesburg) , 12 March, 1981.

This policy of United States encouraged South Africa to destabilize by economic means its neighbours and demonstrate its political hegemony over weaker states. The United States distanced itself on the issue of destabilization and condemned South Africa's cross-border incursions. Absence of strong action by United States strengthened Pretoria's audacity. In spite of this Crocker stated, "you cannot get Government changes in the right direction unless you have a White majority for change and a power base."²⁷

The basic conclusion was that the Whites were here to stay and the only way that constructive change could come about is through them. However, the Reagan administration failed to understand that the issue in South Africa is not "power sharing" but a power shift: a shift from white minority rule to black majority rule based on one person one vote in a unitary, nonracial state.²⁸

George Shultz, the U.S. Secretary of State during the Reagan administration, said that the next months would reveal whether the South African government can muster the

27 The Guardian (London), 20 July 1984.

28 Henry Winston, "South Africa and the Reagan Factor", Political Affairs (New York), vol.65, no.2, February 1986, p. 8.

vision and bold leadership that will be required to move from confrontation to negotiation and a new constitutional order deriving its strength from the consent of the governed.²⁹ This revealed the racist essence of "constructive engagement". According to Shultz, it is not the ANC and its leaders - such as Nelson Mandela and Oliver Tambo - who can provide vision and leadership, but the apartheid rulers.

One of the most protracted interests of the Reagan administration to go in for constructive engagement was that a continuation of apartheid would polarize black and white opinion and this would lead to economic disorder and violence which was catastrophic to the American economy in South Africa. Crocker argued that it was "not our task to choose between black and white, but to be 'even-handed', so as to be in a better position to pursue diplomatic solutions and to protect Western strategic and economic interests in the region."³⁰

With a UN sponsored arms embargo on South Africa in

29 *ibid*, p. 9.

30 James Barber, Jesmond Blumfeld and Christopher R. Hill, The West and South Africa (London: Routledge and Kegan Paul Ltd., 1982), p. 3.

1977, South Africa developed an arms industry. Fearing nuclear proliferation the U.S. did not want to make South Africa more powerful since sanctions seemed to make it more independent and thrive for self-sufficiency. The U.S. constructive engagement policy sought to establish a relationship with South Africa that will permit effective communication between United States and South Africa and thereby enhance United States ability to influence its policies.

The United States have all along expressed its abhorrence of apartheid, but does not believe that mandatory sanctions will provoke the necessary changes. It felt instead that investments would promote economic growth, which in turn, would not only alleviate the conditions of blacks, but also force the South African government to abandon its policy of apartheid. For Reagan, sanctions were, a "historic act of folly". Sanctions would be counterproductive: they are more likely to strengthen resistance to change than to strengthen the forces of reform.³¹

If the South Africans cooperated on the Namibian issue,

31 Kenneth W. Dam, "South Africa: The Case Against Sanctions?" Department of State Bulletin (Washington, D.C.), vol.85, no. 2099, June 1985, p.36.

the United States could "work to end South Africa's plocat status in the world and seek to restore its place as a legitimate and important regional actor with whom U.S. can cooperate pragmatically."³² The U.S. State Department leadership was enthusiastically willing to make symbolic gestures to Pretoria. Crocker said:

We Americans are builders and not destroyers We should develop, rather than withdraw, our influence and be prepared to use it, while taking into account the strength and self-sufficiency of a state halfway round the world that cannot be coerced by outsiders on whom it is only marginally dependent. (33)

The Namibian Imbroglia in the
Cover of Constructive Engagement

By mid 1981, the tying of a South African withdrawal from Namibia to a withdrawal of Cuban troops from Angola had become Reagan administration's strategy which served two purposes. Firstly, it would dissociate communist influence in the regional by withdrawal of Cuba from Angola and secondly, linkage of Cuban and South African

32 Crocker, n. 19, p. 334.

33 Chester A. Crocker, "The U.S. and South Africa: A Framework for Progress", Department of State Bulletin (Washington, D.C.), vol.85, no.2103, October 1985, pp. 5-7.

withdrawals was the most promising way of moving South Africa to agree to implementation of UN Resolution 435. A successful Namibian settlement would give the Botha government confidence to move faster with its internal reform programme, which in turn would confirm the merits of constructive engagement. The Reagan administration seemed to believe that with its domestic situation under control and improving South Africa, with American backing, could play the role of a regional power promoting peace. Once Namibia had achieved independence under U.N. supervision, other regional tensions would be reduced and South African Whites would peacefully coexist with neighbouring black ruled states.

However, the period of constructive engagement did not bring about Namibian independence nor the withdrawal of Cuban troops from Angola. Dr. Crocker, who had devised linkage, became known in the capitals of the Frontline States as 'the master of contrived duplicity'.³⁴ Prime Minister Robert Mugabe of Zimbabwe derided linkage as 'blackmail' and suggested that

34 These are the words of Theon-Ben Guirab, SWAPO's United Nations representative in the early 1980s and later Secretary for Foreign Affairs.

constructive engagement would be better called 'constructive instigation', as it so clearly encouraged the South Africans to threaten the neighbours.³⁵

However, despite the death of constructive engagement the 'linkage' issue was very much alive and went on to be a major issue in the independence of Namibia and the withdrawal of Cuban troops from Angola.

In October 1981 Chester Crocker in a major policy speech emphasized the importance of directing constructive engagement at the entire southern region of the continent, not just South Africa:

Until there develops a structure of understanding - some reciprocally understood basis for coexistence - between South Africa and its neighbours, this situation will remain a major source of instability and could result in growing conflict across borders.(36)

Dr. Crocker further said in a Congressional hearing in 1981:

Southern Africa is a region of unquestioned importance to United States and western economic progress and warrants a substantial

35 Victoria Brittain, Hidden Lives, Hidden Deaths: South Africa's Crippling of a Continent (London: Mackays, 1988), p. 67.

36 *ibid*, p. 64.

effort on our part to reinforce these prospects and to forestall heightened conflict and polarization. Second, this region has the tragic potential to become a magnet for internationalized conflict and a cockpit of East-West tension. It contains the explosive combination of forces - Soviet-Cuban military involvement. (37)

The compromise and accomodation which had originally referred to South Africa's internal politics thus became a regional policy of constructive engagement. No matter how successful its regional dimension, constructive engagement will ultimately be judged by its critics in the United States on criteria relating to apartheid.

American Manipulation of Constructive Engagement and its Demise:

Constructive engagement called for actions that would help blacks to acquire the economic and organizational base from which effectively to demand a larger share of political power. During its first three years in office, the Reagan administration, with the support of Congress, took a number of steps in this direction, including setting up programmes that expand on private initiatives to educate black South Africans in the United States, providing funding to train black union leaders, and

supporting various efforts to further black entrepreneurial development.

A number of concessions had been made to Pretoria since 1981 to enhance the effectiveness of "quiet diplomacy". These included loosening up "gray area" restrictions on export of nonlethal equipment to South Africa that could be used by police or military and voting in favour of a loan to South Africa in the International Monetary Fund (IMF).³⁸

American policy was to educate, prod, cajole, encourage, bolster and not to coerce, compel or force changes. However, rather than humanizing the apartheid regime, as the Reagan administration claimed while aggressively launching policy of "constructive engagement", developments within South Africa and Pretoria's policies in the region revealed that in reality it is the Western Powers who had to work in subordination to South Africa's aims of "reforming" not eliminating apartheid at home and establishing its hegemony in southern Africa.³⁹

38 Jonathan Kwitny, "How IMF Overcame Political Issues to Vote a Loan to South Africa", Wall Street Journal (New York), 1983, p. 72.

39 Shanti Sadiq Ali, "United Nations Role in South Africa: Constraints and Poppable Options", India Quarterly (New Delhi), vol.42, no.3, (1986), pp. 246-47.

At the international level, the policy of constructive engagement provided support for the propagation of the apartheid system. In the United Nations, the United States consistently supported the apartheid regime. Since the inauguration of the Reagan administration, the United States voted against virtually every measure in the United Nations General Assembly that had been designed to occasion changes in the apartheid system. Simultaneously, the United States also used its veto power in the United Nations Security Council in 1981, 1983 and 1987 to undermine efforts aimed at bringing changes in South Africa. Reagan administration frequently stood alone on South Africa's side in the U.N. Security Council, vetoing resolutions critical of South Africa on occasions when Britain and France abstained, and, in some cases, registering the only abstention when Western allies voted to condemn South African actions.

In the economic field, the Reagan administration provided the "glucose" that kept the apartheid state alive. Specifically, in the trade area, total trade increased by 1 billion dollars in 1981 - from 3.2 billion dollars in 1980, to 4.1 billion dollars. By 1984, the United States regained its status as South Africa's largest trading partner: total trade burgeoned to a

record of 6.6 billion dollars.⁴⁰

Similarly, the total amount of American private investment in the apartheid system rose from \$ 2.01

Table. 1 : THE DIRECTION OF SOUTH AFRICA'S TRADE WITH THE UNITED STATES [IN BILLION DOLLARS (US)]: 1981-1985

Year	Imports	Exports	Total Trade
1981	2.7	1.5	4.2
1982	2.7	1.3	4.0
1983	3.0	2.0	5.0
1984	4.1	2.5	6.6
1985	3.7	3.5	7.2

Source: South African Institute of Race Relations, Race Relations Survey, 1981-85 (Johannesburg: Natal Witness Ltd.).

billion in 1980, to \$2.6 billion in 1981. By 1985, about ten of the American companies in South Africa controlled more than 70 per cent of the total value of direct investment.⁴¹

Thus, it is clear that instead of dismantling apartheid the United States diplomacy was aimed at

⁴⁰ Kieh, n. 11, p. 10.

⁴¹ The Times (London), 26 February 1986.

constructively engaging itself in order to economically benefit from the rich minerals and the huge market in South Africa and to perpetuate South Africa's evil system of apartheid and create, rather than diffuse, tensions in the region. Consequently, the United States has supported the survival of pro-Western capitalist governments in the region, both in order to maintain its economic interests, and to reduce or eliminate the perceived threat of the Soviet Union, which might gain a foothold in the region.

One important consequence of American policy of quiet diplomacy was that a whole stratum of black South African leaders who had previously agreed to negotiate over the country's future were swayed into the cult of violence. Dr. Crocker never appeared to notice that, just as Sullivan principles of work-place desegregation were rejected as mere window dressing by South Africa's workers, so also constructive engagement was rejected by South Africa's black majority as it was by black Africa. Apart from that whatever little economic gains the black majority had derived from Leon Sullivan and U.S. businessmen proved no more tractable with Dr. Crocker's political carrots.

In 1981 the Reagan administration permitted medical

exports for the South African police and the armed forces as well as airport X-ray scanning equipment. There were further concessions in 1982; the scope of export to South Africa increased which included electronic instruments, computers and crime prevention instruments. Certain equipments were later used by the South African government not only for oppression of blacks, but also for aggression against neighbouring countries such as Angola, Lesotho and Mozambique on the grounds that they harboured activists of the ANC.

The Reagan administration openly associated U.S. policy with white power in the region, accompanied by a disregard for the political reaction that association would provoke at home and abroad.

In 1985 the Botha government in South Africa proceeded to impose a new constitution under which the coloured people and people of Asian origin were given token rights while the African majority was totally excluded. Under the policy of constructive engagement the Reagan administration welcomed the diabolic constitution as a step in the right direction.⁴²

42 J.N. Garba, "Western Countries Sustain Apartheid System in South Africa", New Perspectives (Helsinki), vol.15, no.2 (1985), p. 28.

However, by 1984 the public opinion in United States was in favour of sanctions and there was impatience with the administration's policy of constructive engagement or quiet persuasion. The anti-apartheid cause gained international momentum in late 1984 with the Nobel Peace Prize to Bishop Desmond Tutu of South Africa. In 1985 President Botha declared a state of emergency. The Reagan administration responded by speaking out more forcefully against apartheid, but it remained convinced that its policy of quiet diplomacy will most effectively further U.S. interests.

The diplomacy of constructive engagement of the Reagan administration failed to fulfill its raison d'etre: the dismantling of the apartheid system through quiet negotiations. Instead, the policy served as a bulwark for the propagation of the system and for making the apartheid state more intransigent. The failure of the policy manifested both at the domestic and at the international level. At the domestic level the rate of human rights violations and discriminations escalated and at the international level, the United States economic relations with South Africa experienced a phenomenal growth: trade, investment and the granting of loans to the Pretoria regime by American banks increased.

The only concrete achievements of constructive engagement were a brief period of leniency by the Pretoria government towards black trade unions and the granting of passports to black spokesmen invited to U.S., such as Tutu and Motlana. Ever since the failure of constructive engagement there has been a call in the U.S. for economic sanctions against South Africa. The pressure is from both the domestic and international spheres. Senator Edward Kennedy, whose visit to South Africa in 1984 sparked off a massive controversy, made many statements in favour of the issue of economic sanctions. In 1985 he said:

Mr. Botha's system of reforms in South Africa had dashed all real hope that the South African government is ready to change its racist ways. Let us send a clear and unmistakable message that the time for constructive engagement with racism is over and that the time for firm American action against apartheid has come.(43)

The U.S. Congress in 1985 felt that time was running out. "Sticks" as well as "carrots" were needed to deal with the apartheid regime on the major issues of racism. President Reagan was forced in 1985 to order light punishment on Pretoria which the administration called a period of 'active constructive

43 Washington Post,
16 August 1985.

engagement' with South Africa.⁴⁴ Again in 1986 Reagan's veto was overridden by the Congress and economic sanctions were imposed against South Africa in a stringer manner. This particular posture of Congress was termed as the biggest foreign policy defeat of the Reagan Presidency.

By 1986 constructive engagement was gone in name as well as, in fact, without any success - neither regional nor domestic. Apartheid was still securely stuck in the white regime's rule book in South Africa. Constructive engagement caused the United States to lose five valuable years when it might have influenced South Africa to begin negotiating a settlement of the unique and extraordinary racial problems.

In spite of the burial of the policy of constructive engagement Reagan made desperate attempts to dig it out from its grave. In mid-August 1986 the President sought to draw a distinction between the sanctions he had used against Poland and Nicaragua and those which others want against South Africa. The sanctions were justified against Nicaragua because it was seeking to export revolution while South Africa was not. Further, black South Africans

44 Ben L. Martin, "American Policy Towards Southern Africa in the 1980s", The Journal of Modern African Studies (New York), vol.27, no.1 (1989), p. 30.

were not being as severely oppressed as Nicaraguans were by the Sandinista regime. In the Polish case, sanctions were directed against the government and not the people or Solidarity.⁴⁵

But whatever may be the attempt to dig out constructive engagement, the United States public opinion, media and public diplomacy by the South African leaders have compelled America to impose some sort of sanctions against the racist regime as a means to destroy apartheid. The United States diplomacy was left with no option but to pursue a policy that involved partial sanctions which might be termed as partial disengagement or selective engagement.⁴⁶

After the failure of constructive engagement Crocker came out with another article in Foreign Affairs defining constructive engagement as a conditional concept: in exchange for Pretoria's cooperation on achieving Namibia's independence, United States would hold Pretoria as a major ally.⁴⁷ But since this diplomacy failed, constructive

45 The Guardian (London), 13 August 1986.

46 Henry Bienen, "The United States and South Africa: A New Policy-Selective Engagement", Orbis (Philadelphia), vol.31, no.1, Spring 1987, p. 28.

47 Chester A. Crocker, "Southern Africa: Eight Years Later", Foreign Affairs (New York), vol.68, no.1 (1989), p. 159.

engagement was no longer used as a policy in South Africa.

Chester Crocker's painstaking diplomacy failed to bring significant changes in South African policies. Constructive engagement is largely discredited and the only option before the United States was economic sanctions to bring to book the erring state of South Africa. It is clearly evident that constructive engagement was used by the United States as a substitute to a confrontational strategy of applying sanctions against South Africa. Economic sanctions would have hampered its own economic interest as well as the interest of one of its major allies, South Africa itself.

CHAPTER - IV

DIPLOMACY OF U.S. SANCTIONS AGAINST SOUTH AFRICA -
COMPULSIONS AND CONSTRAINTS.

In September and October 1986, the United States House of Representatives and Senate voted to override President Reagan's veto of the Comprehensive Anti-Apartheid Act of 1986 and thereby imposed economic sanctions against South Africa. Though the economic impact of the sanctions may be minimal, the Act was a strong political statement against the fascist policies of the South African Government.

Prior to the Act, the policy of the United States towards South Africa was generally one of "constructive engagement", a policy of passive encouragement of change of the South African system of apartheid.¹ In September 1985, this policy of constructive engagement was undermined when the President after pressure from Congress, issued an Executive Order imposing limited economic sanctions against the South African government. The Executive Order banned computer exports to the South African government, and barred U.S. importation of South African arms, ammunition, military vehicles and nuclear goods and technology except what is required under International Atomic Energy Agency (IAEA).² The restrictions also

1 For details refer to Chapter III of the present dissertation.

2 The Economist (London), 14 September 1985.

included the stipulated adherence to the Sullivan Principles for U.S. companies doing business in South Africa and promised consultation with parties to the General Agreement on Tariffs and Trade (GATT) with a view to banning the import of krugerrands to the U.S.³

The Comprehensive Anti-Apartheid Act:

While the Executive Order initially placated critics of the President's South Africa policy, members of Congress began to press for more stringent sanctions in early 1986, after the South African government declared a state of emergency and further restricted the civil liberties of black South Africans.

The U.S. representative who met President Botha on his European visit following the declaration of the state of emergency was reported as having told him "that the 'emotional climate' in the U.S. would not permit the presidential veto unless there was 'accelerated movement' towards the dismantling of apartheid."⁴

3 Margaret Doxey, International Sanctions in Contemporary Perspective (London: Macmillan Press, 1987) p.50.

4 Financial Times (London) 12 August 1985.

Although President Reagan in his major foreign policy statement toward South Africa in early August 1986 asserted that sanctions destroyed America's flexibility, discarded diplomatic leverage and deepened the crisis and tried to convince the American people that "victims of an economic boycott of South Africa would be the very people we seek to help,"⁵ demands for comprehensive sanctions were raised from different quarters in the USA. William Zartman argued persuasively that the only pre-condition for initiating productive negotiations was a 'mutually hurting stalemate'⁶ when both (the blacks and the whites) get the pangs of the outcome of sanctions they will need each other and compromise and tend to push themselves to the negotiating table. There was a realization in Washington that a political compromise had to be made in South Africa before a violent revolution toppled the white minority regime. Even the U.S. Secretary of State George Shultz recognised: "the only alternative to a radical, violent outcome is a political accommodation now, before it is too late."⁷

5 Time (Chicago), 4 August 1986.

6 William Zartman, 'Ripening Conflict, Ripe Moment, Formula and Mediation', in Diane B. Bendahmane and John W. McDonald, ed., Perspectives on Negotiation: Four Case Studies and Interpretations (Washington: Foreign Service Institute, Department of State, 1986), p. 218.

7 The Observer (London), 15 August 1986.

One June 18, 1986, the House of Representatives passed a sanctions bill which would have virtually ended all trade with South Africa and forced U.S. businesses to leave that country within six months⁸. In response to the House action, President Reagan urged Congress to resist from imposing punitive sanctions. Congress did not follow the President's urging, and while the Senate rejected the sanctions bill passed by the House⁹, the senate began working on its own sanctions bill in July 1986.

On August 15, 1986 the Senate passed a bill imposing economic sanctions against South Africa. President Reagan vetoed the bill arguing that the main victims of the bill's economic sanctions would be South African blacks. The President notified congressional leaders that if Congress sustained his veto, he would impose limited sanctions. He stated that he would sign an Executive Order which would ban new investment in South Africa, bar the import of South African iron and steel, and ban bank accounts for the South African government and its agencies.¹⁰ Congress, however, rejected the president's offer and the bill became law when both the House and Senate overrode the President's veto.

8 Jeff Walker, "Economic Sanctions: United States sanctions Against South Africa", Harvard International Law Journal (Cambridge), vol.28, no.1 (1987), pp. 117-18.

9 ibid, p. 118.

10 The Times (London), 27 September 1986.

The Act restricted various financial activities of American nationals doing business in South Africa. First, the Act prohibited United States nationals from making or approving any extension of credit to the South African government or any organization controlled by the South African government.¹¹ Second, the Act prohibited new investment in South Africa by any United States national.¹² Third, the Act forbid any United States depository institution from accepting or holding any deposits from the South African government or any agency controlled by the South African government.¹³ Fourth, the Act instructed the United States Export-Import Bank both to encourage South African blacks to use its facilities and to

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- 11 The Comprehensive Anti-Apartheid Act of 1986 section 305(a) states: "No national of the United States may make or approve any loan or other extension of credit, directly or indirectly, to the Government of South Africa or to any corporation, partnership or other organization which is owned or controlled by the Government of South Africa". The Observer (London), 13 October 1986.
- 12 Section 310(a) of the Act states: "No national of the United States may, directly, or through another person, make any investment in South Africa". The prohibition against new investment does not apply to new investment in firms owned by black South Africans. *Ibidem*.
- 13 Under the Act, United States depository institutions may, however, accept or hold deposits from the South African government if such accounts are authorized by the President for diplomatic or consular purposes. *Ibidem*.

guarantee credit to businesses that are majority-owned by either black South Africans or other non-white South Africans.¹⁴

In addition to placing financial restrictions on those doing business in South Africa, the Act prohibited computer exports to the South African armed forces, police, prison system, national security agencies and apartheid enforcing agencies. This ban on computer exports barred the exportation of computers, computer software, and technology intended to service or manufacture computers.¹⁵ The Act also prohibited the exportation of petroleum goods produced in the United States.¹⁶ Additionally, the United States Nuclear Regulatory Commission was precluded from issuing a license for the exportation of nuclear materials to South Africa.¹⁷

The Act also prohibited the importation into the United States of a number of South African goods. Those goods whose importation was prohibited include coal, uranium, textiles, steel, iron and agricultural products.

14 Created in 1945, the Export-Import Bank is an agency of the United States government which aids in financing and facilitating imports and exports and the exchange of commodities between the United States and Foreign nations. Ibidem.

15 The Observer (London), 3 October 1986.

16 Sunday Times (London), 3 October 1986.

17 New York Times 3 October 1986.

The Act also barred the importation of South African arms, ammunition, and military vehicles in addition to the importation of gold krugerrands. It also prohibited the importation of any gold coin minted in South Africa.¹⁸

Finally, the Act provided funds to support black South African students. The Act established a scholarship fund for black South Africans attending universities, colleges and secondary schools in South Africa.¹⁹

The bill permitted the ending of sanctions if President of the United States determined that the South African government had released Nelson Mandela from prison made substantial progress toward dismantling the system of apartheid and establishing a non-racial democracy, and had taken three of the following four steps: repeal of the state of emergency and release of detainees held under the state of emergency; unbanning the democratic political parties; repeal of the Group Areas and Population Registration Acts; public commitment to good faith negotiations with truly representative members of the black majority without preconditions.²⁰

18 The Observer (London), 3 October 1986.

19 Newsweek (New York), 13 October 1986.

20 Sanford Wright, "Comprehensive International Sanctions Against South Africa: An Evaluation of Costs and Effectiveness", Africa Today (Colorado), vol.33, nos. 2 & 3 (1987), p. 20.

This Act was a significant step forward in terms of diminishing U.S. support for the South African government. Approximately £ 329 million in South African funds were affected by the bank deposit prohibition. At least 95,000 passengers a year were affected by the ban on landing rights.²¹

The economic impact of the Act may be marginal but the political message was clear. The Act marked a radical departure from President Reagan's policy of 'constructive engagement' and demonstrated the extent of Congress dissatisfaction with the policy. Congress was so dissatisfied with the policy that for the first time since the enactment of the War Powers Act in 1973, it voted to override a President's veto on a major foreign policy issue. The Act was able to send a message that the passive policy of constructive engagement was no longer acceptable and that the United States must and will act affirmatively to end apartheid in South Africa.

However, before the Act was passed the number and volume of foreign loans to South Africa had decreased since 1985 in response to a decree by the South African government

21 New York Times, 16 August 1986.

suspending indefinitely the repayment of foreign loans.²²

The State Department told Congress on January 17, 1987:

The U.S. economy and military remains so much dependent on South Africa for 10 minerals and other raw materials that the officials think it is difficult to find other sources for the key items like Chromium, cobalt, manganese and platinum group metals. (23)

The sincerity of the U.S. Anti-apartheid Act of 1986 in the light of this statement sounds skeptical. The U.S. Geological Survey in 1988 listed no fewer than 27 minerals as 'critical' for modern industrialized societies.²⁴

Prohibition on new loans to the South African government is not likely to have much impact. Apart from this, U.S. companies then had begun to withdraw existing investments from South Africa at a rapid pace. Given this trend toward voluntary divestment, the prohibition on new investments appeared to be superfluous.

Campaign in U.S. for Divestment:

The campaign in the U.S. for the divestment of holdings by universities, churches, cities and states in

²² Walker, n.8, p. 121.

²³ Africa Research Bulletin (Economic Series), vol.24, no.1 (1987), p. 8544.

²⁴ James Barber, Desmond Blumerfeld and Christopher R. Hill, The West and South Africa (London: Routledge and Kegan Paul Ltd., 1982), p. 62.

companies with South African interests and for ending of bank loans was not new. States have passed legislation in the past to prohibit or limit the investment of public funds in companies with South African interests. The first state action was taken by Nebraska in 1980, followed by Massachusetts, Connecticut, and Michigan in 1982.²⁵

The campaign began to attract nationwide support in 1984. This was due to a series of events in 1984 like the widespread unrest and police violence centering round the imposition of the new Constitution in South Africa, the award of the Nobel Peace Prize to Bishop Desmond Tutu, which focused worldwide attention on apartheid, the candidacy in the US of Jesse Jackson which brought the issue of South Africa into the arena of national political debate and the reelection of President Reagan, which brought the prospects of four more years of 'constructive engagement.

More than any other issue since the Vietnam War, the question of apartheid had touched off a wave of public protest and voluntary arrest in the U.S. Demonstrators took to the streets of the capital while others across the country sought to pressure state and local governments,

25 Cosmas Desmond, "Sanctions and South Africa", Third World Quarterly (London), vol.8, no.1 (1986), p.78.

universities and colleges to rid themselves of holdings that involve U.S. and foreign companies with interest in South Africa.²⁶

In U.S. usage, 'divestment' refers to the action of shareholders disposing of their holdings in companies; 'disinvestment' refers to companies withdrawing their capital from South Africa.²⁷ Although U.S. companies derived only a proportion, and in the case of the giant multinationals only a very small proportion, of their projects from South Africa, the damage done to their image by the exposure and criticism of their involvement in South Africa affected the profitability of their other operations. Companies, therefore, decided whatever their profitability from South African involvement may be, their continued presence was not worth the effort. Since 1980 to 1986, thirty U.S. companies had withdrawn from South Africa while only eleven had gone in. Others like Ford and Coca-Cola had cut back their holdings in South African companies to less than fifty per cent before finally winding up. If South Africans were no longer able to buy Coca-Cola they would begin to feel the impact of international isolation. South African movie houses are dependent on

26 Time (Chicago), 5 August 1985.

27 Desmond, n. 25, p. 79.

American films, and the withdrawal of these films would exert a cultural influence like the sports boycott. The most far-reaching action was California's divestment of \$ 11.3 billion invested in companies doing business in South Africa.

By the autumn of 1985 it was obvious that 'private sanctions' were having visible effects. U.S. banks were nervous about their involvement with South Africa and refused to renew short term loans, while public pressure in the U.S. was also having an influence on corporate attitudes. In September the South African government was faced with a serious fall in the value of the Rand and declared a moratorium on foreign debt repayment to allow for rescheduling of negotiations.

The campaigns have helped to create a political climate in which it was possible for both Houses of Congress to pass legislation which would prohibit new investment and provide for some form of sanctions.

Trade unions have played an increasing part in trying to persuade American corporations to sell their South African interests. One of the biggest moves came in March 1986 when American Federation of Labour-Congress of

Industrial Organization (AFL-CIO) endorsed a consumer boycott of Shell to coincide with the twenty-sixth anniversary of Sharpeville.²⁸

Companies invest in South Africa (as they do elsewhere) in order to make profit and not to benefit the South African economy as a whole nor to improve the lot of blacks in particular. They will withdraw when it is in their financial interests to do so, either because of the state of the economy or because public disapproval is affecting their profitability in other areas. South Africa while still a highly profitable field for investment in some sectors, particularly mining, is no longer the happy hunting-ground that it was. It was reported that Frost Sullivan, a New York risk consultant, had dropped South Africa from ranking as one of the safest of the world's economies to 'a par with some of the higher risk Third World countries'.²⁹

Most of the leading banks had a policy of not making loans to the South African government and its agencies. The most notable 'convert' was Citibank, the world's largest private bank and the US.'s largest

28 Joseph Hanlon and Roger Omand, The Sanctions Hand Book (Harmondsworth: Penguin Books Ltd., 1987), p.165.

29 Sunday Times (London), 28 July 1985.

lender, which announced in February 1985 that it would no longer take part in loans to the South African government nor would it sell krugerrands³⁰.

U.S. companies sold off their South African interests and banks ceased doing business with South Africa. This spared them of what is known as the 'hassle factor'.³¹

Partly as a result of the campaign there was a fall in US bank loans to the public sector from \$623 million in 1982 to \$343 million in September 1984. Investors were largely regarded as party to the 'crime of apartheid'. Disinvestment alone might not bring about radical political change in South Africa, but does make some contribution in preparing the way for other actions, particularly for more wide-ranging sanctions. On the psychological level, it is a gesture of solidarity with, and a morale boost to, black South Africans, the primary agents of change, who are using public diplomacy as an instrument to influence international public opinion in favour of them. The fact that political leaders, with the exception of Chief Buthelezi, leader of the Zulu movement Inkatha, have consistently called for sanction, should in itself be a sufficient justification for the campaign. Effective sanctions were not on the agenda in the US. The

30 E. Miltz, "The International Campaign to End Loans to South Africa", World Council of Churches(Geneva), 1985, p. 176.

31 The U.S. Council on Economic Priorities reported that six pension funds with combined assets exceeding \$95 billion had joined the values of 'shareholder activists' in 1986. See report in Globe and Mail (Toronto), 27 February 1986.

divestment campaign put the issue of South Africa on the agenda.

Above all, the U.S. feared that if the U.S. continued to support the South African regime, it may face a challenge of political isolation from third world countries who have already doubts about U.S. commitments to seek and maintain ties with democratic regimes.³²

US interest to impose economic sanctions on South Africa and to put pressure on the regime in Pretoria to compel it for negotiations with black African leaders was also conditioned by the thought that U.S. might lose its foothold in South Africa when South Africa undergoes a revolution and subsequently a black majority government is established which may denounce any linkage with the collaborators of their oppressors. And ultimately it may create an opening for the Soviets in South Africa which will certainly not be welcomed by the United States.³³

The sanctions bill, though very selective, somewhat placed the United States in line with other international bodies, including the Commonwealth of Nations, the Non-Aligned Nations and the European Community. It

32 Gulam Mustafa and Rezina Ahmed, "US Policy Toward South Africa : Compulsions and Options", BISS Journal (Dhaka), vol.7, no.4, October 1986, p.543.

33 Mustafa and Ahmed, n. 32, p. 546

also put pressure upon Japan and other countries to follow the lead of the United States. The United States had to use sanctions against South Africa to avoid international isolation and to safeguard world security and stability. It had to psychologically impose on the world and the South African government the outrage and ostracism of the U.S. towards apartheid.

United States had shown in the past that it did not count the cost, in terms of money or even lives, in combating what it perceived to be the threat of communism. This particular posture was more carefully nourished by the Reagan administration and the United States diplomacy towards South Africa was directed in both of Reagan's terms in relations to the expansion of communism. Although complete isolation of South Africa was not possible on economic grounds, America perceived the threat of communism graver than economic setback and Reagan administration believed Pretoria's propaganda calling anyone demanding radical change in South Africa as "communist".

According to Dr. Chester Crocker:

The United States has no troops, bases or alliances there (in South Africa), and no coercive influence over any party in the region. By way of contrast, Soviet arms deliveries to Angola alone averaged \$ 1 billion annually for much of the 1980s - ten times the level of U.S. military assistance to all 46 nations of sub-Saharan Africa in the first year of the Reagan Administration and 40 times the U.S. level by 1988.(34)

34 Chester A. Crocker, "Southern Africa: Eight Years Later", Foreign Affairs (New York), vol.68, no.4 (1989), p. 146.

He further added:

Since sound diplomacy can only be based on the realities of history and power, we would have to turn these realities in our direction, play upon the region's own dynamics, and link our vision to the self interest of other parties. (35)

Sanctions Diplomacy Under the
Bush Administration in South Africa

The Bush administration's diplomacy towards South Africa's system of racial oppression was first exhibited by Mr. James Baker, U.S. Secretary of State, when the Eminent Church Persons Group (ECPG) visited the U.S.

Mr. Baker said:

though there might be differences of approach on the use of sanctions in tackling apartheid, the Bush administration agreed with the ECPG on the end result of their efforts - the elimination of apartheid.(36)

In 1990, 3 U.S. banks were involved and responsible for negotiation on the issue of the South African bank loans due for repayment. They were Citibank, Manufacturers Hanover Trust and Morgan Trust.³⁷ The

35 ibid, p. 146

36 James Mutambirwa, South Africa: The Sanctions Mission, Report of the Eminent Church Persons Group (London: Zed Books Ltd., 1989), p. 87.

37 ibid, p.89.

U.S. administration was urged to tighten the U.S. sanctions already in place by establishing a monitoring mechanism to ensure that U.S. companies observed the sanctions. President Bush was however apprehensive about the positivity of the role of sanctions in dismantling apartheid. He said that multilateral sanctions had a chance of showing positive results, but unilateral sanctions were ineffective "because there are always some people or some countries willing to make a quick buck". This particular statement highlights that sanctions were imposed under the Anti-Apartheid Act of 1986 and that Japan promptly took over as South Africa's major trading partner.

The Bush administration thought that perhaps the best approach might be a combination of methods - economic sanctions and 'constructive engagement'.³⁸ The United States diplomacy again tried to revive the fated 'constructive engagement' with a difference. It added the criteria of economic sanction as a major premise to constructive engagement which was conspicuously absent in Reagan's policy of constructive engagement, a diplomatic venture to forestall sanctions.

The United States role and especially that of the Congress during this period was ambivalent with regard

38 New York Times, 21 February 1990.

to imposition of economic sanctions on South Africa. The December 1988 agreement between Angola, Cuba and South Africa opening up the process for Namibia's independence was cited as evidence that the South African government was now reasonable and had accepted the need to seek negotiated solutions.

The South African government negotiated with Angola and Cuba as it was forced to the negotiating table by a constellation of factors. First, the South African Air Force had lost air superiority over the skies of southern Angola and was unable to provide the air cover to enable its trapped troops at Cuito Cuanavale to withdraw without catastrophic losses. Ironically it was UN mandatory arms embargo (i.e. sanctions) which had caused a shortage of spare parts of South Africa's ageing aircraft and their consequent loss of air superiority.³⁹ This was proof that sanctions could work if applied diligently and with determination.

Apart from this, the war in Angola and Namibia had become too costly and, because of South Africa's dire economic situation Pretoria was no longer able to finance

39 The Guardian (London), 30 December 1988.

these military adventures. The adverse economic position of the country was again partly due to the limited economic sanctions imposed by the international community, especially the U.S. The war in Angola and Namibia was costing Pretoria one million pounds a day and many white South African lives. To quote Reginald Green of the Institute of Development Studies in Sussex, this conflict was costing South Africa proportionately more in human terms than Vietnam did to the U.S.A.⁴⁰

Impact of U.S. Economic Sanctions
Against South Africa

Whites in South Africa are generally opposed to sanctions and would like the United States, at one time the largest trading partner of South Africa, to limit its pressure on South Africa to diplomatic forms.

The President of the South African Foundation stated at the end of 1987:

...there is no doubt that the (sanctions) package has had an adverse effect on domestic confidence. This lack of confidence is again and again emerging as the most important single factor inhibiting growth in this country. (41)

40 A.K.M. Abdus Sabur, "South African Strategy in Namibia: An Assessment of the Role of the International Community", BIISS Journal (Dhaka), vol.6, no.3, July 1985, p. 383

41 Financial Times (London) 11 November 1987.

South Africa faces acute unemployment. High levels of economic growth are required to absorb increasing numbers of job-seekers, but this requires external economic and financial contacts, especially with industrialized and more advanced industrializing nations of the world. The restrictions on South Africa's exports, cutting off or reducing crucial imports restricting, reducing and halting loan finance including trade credit, stoppage of the transfer of technology, disruption of transport and communication links have lowered growth rates for the economy.

In US terms, total imports fell by over thirty three per cent at current prices, from \$16.7 billion in 1980 to \$11.1 billion in 1986.⁴² The falling level of imports was a cause of the low levels of aggregate growth achieved in the 1980s. The low and falling levels of real investment have been due in large measure to the actual and anticipated action of the international community against South Africa, which seriously and adversely affected the business climate and level of confidence among investors and potential investors.

42 Roger C. Riddell, "New Sanctions Against South Africa", Development Policy Review (Beverly Hills, California, vol. 6, no.3, September 1988, p.247.

Three factors stand out in this regard: the decision of foreign banks not to roll over South Africa's foreign debt in 1985; second, the decision of U.S. firms to disinvest from South Africa; and, third, the action taken by United States to impose various trade sanctions.⁴³

Disinvestment by United States companies had undoubtedly added significantly to the undermining of confidence in the South African economy. The ban by the U.S. on new private investment into South Africa not only affected confidence but contributed to the shortage of foreign exchange and investment capital in the country. In addition, it helped to halt the flow of new investment from countries where there is no such ban, notably Israel.⁴⁴ The most far-reaching implication of the 1986 Act was the lessening of Israel's military support because any country involved in arms trading to South Africa will forfeit military aid from United States.⁴⁵ Israel could not afford to lose its military aid from U.S. as it needed it badly to fight the Palestinians. Therefore it preferred to give priority to its domestic front rather than supply

43 *ibid*, p. 247.

44 Janice Love, "The Potential Impact of Economic Sanctions Against South Africa", The Journal of Modern African Studies (Cambridge), vol.24, (1988), p.110.

45 Thomas L. Friedman, "Israel will Curb Arms for Pretoria", New York Times, 19 March 1987.

military aid to South Africa. Recent trends in total exports of South Africa are shown in Table 1. They reveal a rising trend in exports after 1985 and a significant fall in exports to the United States in 1987 following the passing of the comprehensive Anti-Apartheid Act of 1986. As is seen from Table 1, the fall in exports to the United States in 1987 of \$1.1 billion coincided with an overall expansion in the U.S. dollar value of worldwide South African exports of \$3.3 billion.

Table-1 : TRENDS IN SOUTH AFRICA'S TOTAL EXPORTS

Year	<u>Total exports(bn)</u>		US \$ bn	<u>Total exports to U.S. % of S.A. exports</u>
	Rand	US \$		
1984	25.3	16.9	2.6	15.4
1985	36.7	16.2	2.1	13.0
1986	42.1	18.3	2.5	13.7
1987	42.7	21.6	1.4	6.5

Source : Roger C. Riddell, "New Sanctions Against South Africa", Development Policy Review (Beverly Hills), vol. 6, no.3, September 1988, p. 251.

The counter measures that South Africa took against economic sanctions severely distorted the economy. The measures include oil stockpiling, the promotion of import substitution industries, a forced pace of development for strategic capital goods sectors, trade diversification and

military sector expansion. For example, in trying to reduce its dependence on oil, South Africa was spending \$ 3.1 billion at three times more expensive than refining gasoline from petroleum at current oil prices.⁴⁶ The value of the Rand had plummeted and the economy had not been in worse shape since 1930s. U.S. sanctions had created a climate of readiness to accept the imposition of stronger sanctions against South Africa.

South Africa's real gross national product (GNP) has not grown at all. With the population growing at about 2.3 per cent a year, per capita living standards have declined sharply. Considerable economic strain arose from the cost of apartheid itself. Military expenditure consumed 13 per cent of the budget. Direct spending on apartheid was estimated to take up a further 14 per cent of the budget.

Apart from economic sanctions affecting trade and financial stability, South Africa was also impaired by other factors such as 'brain drain'.⁴⁷ There is a net loss of technically skilled and professional people as

46 Steve Lohr, "South Africa's World Oil Pipeline Starts to Dry Up", New York Times, 7 December 1986.

47 Edward Seage, "Impact of Economic Sanctions on the South African Economy", Round Table (London) no.306, April 1988, p. 140.

they do not find proper skillful avenues to utilize their abilities. Thus they prefer to migrate from South Africa than to go in.

But to isolate South Africa entirely was a difficult and dangerous proposition. South Africa enjoys a common market with Botswana, Lesotho and Swaziland. Its influence also included Zimbabwe and Mozambique and even Malawi and Zambia are dependent on the South African economy for goods, services, trans-shipments of imports, and to some extent, capital.⁴⁸ Trade linkages are also tight. South Africa is the major trading partner of all its neighbours. On a comparative analysis, the potential of sanctions to hurt South Africa is less than it hurts its neighbours. Their production depends on South African re-exports of many key intermediates as well as on a large number of South African goods and services.⁴⁹ For United States neither complete isolation of South Africa nor military intervention was possible. Constructive engagement was largely discredited. The only option available was to put symbolic dissatisfaction of United

48 J.H. Cooper, "South Africa and the Threat of Economic Sanctions", South African Journal of Economics (Johannesburg), vol.52, no.4 (1984), p. 277.

49 Charles M. Becker, "Economic Sanctions Against South Africa", World Politics (Princeton), vol. 39, no.2, January 1987, p. 150.

States towards apartheid through economic sanctions. Above all, inspite of American sympathies for the white regime in South Africa it could not diminish its wider interest in the Southern African region. Apartheid was drawing neighbouring states of South Africa into the vortex of violence and this affected America's vital interests.

Change of Leadership in South Africa:

A crisis emerged within the National Party in early 1989; in mid-January President Botha withdrew from his official duties and in early February he resigned as leader of the party. He was succeeded by F.W. de Klerk Minister of National Education. Following a confrontation with the Cabinet, which defied Botha's authority by uniting behind de Klerk, Botha resigned as State President in mid-August. De Klerk was sworn in as acting President.

Soon after being elected to office de Klerk went in for major reforms, a step towards the dismantling of apartheid. A reform package was announced by de Klerk in February 2nd, 1990. Among the core measures announced were: the unbanning, after 30 years, of the ANC, the PAC and a number of subsidiary organisations including South African Communist Party (SACP); the lifting of restrictions

on 33 other organisations; the release of political prisoners; the limitation of detention without trial to six months; a moratorium on hangings; and the unconditional release of Nelson Mandela.⁵⁰ Finally, Nelson Mandela was released on February 11th, 1990.

De Klerk agreed with Mandela that an accord with the ANC and introduction of a non-racial society is the only way in which the country can be saved from the stigma which repels the world. Both ANC and the South African government are eager to negotiate, this is in contravention with their previous line of thinking in which both demanded concessions and counter-concessions as preconditions for negotiation.⁵¹

In spite of de Klerk trying to change the face of South Africa, the Bush administration said on February 12th, 1990 that American Sanctions could not be lifted until South Africa met the conditions set out in America's comprehensive Anti-Apartheid Act. The Americans have made it clear that they will not lift economic sanctions

50 Times of India (New Delhi), 3 February 1990

51 William Zartman, 'Negotiations in South Africa', Washington Quarterly (Washington), vol.11 (1988), p. 143.

until the end of apartheid.⁵²

Moscow revised the fundamental tenets of its approach towards South Africa by downplaying revolution, pushing for a political solution, encouraging preservation of the economy and calling for recognition of the importance of ethnicity and group rights. It has also tried to expand ties with liberal whites, academics and journalists in South Africa and is said to be exploring the merits of improving official ties with Pretoria. For Crocker, "the Soviet leadership in the name of 'new thinking' had adopted the functional equivalent of western policy toward this most troubled and perplexing region".⁵³

The reforms by de Klerk were welcomed in all circles. UN Secretary General Mr. Javier Perez de Cueller said the news had "the sound of celestial music" and seemed "like the beginning of the end of apartheid".⁵⁴ President George Bush invited President de Klerk to visit the U.S.A. This was the first official invitation to a South African State President.⁵⁵

52 Dawn (Karachi), 13 February 1990.

53 Crocker, n.34, p. 162.

54 The Observer (London), 20 April 1990.

55 South Africa Country Report: Analysis of Economic and Political Trends Every Quarter, The Economic Intelligence Unit (London), no.1 (1990), p. 19.

Since the fall of the Botha regime in South Africa, the de Klerk government has, as it seems, been sincerely trying to dismantle apartheid step by step. The world public opinion is no longer as harsh as it was in the yester years. However, the world community still looked at these reforms with suspicion fearing that de Klerk's first few years in office will be one of leniency and later similar to that of his predecessor. Therefore, the U.S. went on with its economic sanctions despite the virulent reforms in South Africa. The South African government has realized the urgency to negotiate with blacks. The white regime has realized that it could not take another Soweto troubles of 1970s or township revolt of the 1980s.

CONCLUSION

The South African President F.W. de Klerk seems determined to push and prod South Africa into a new era. His choice was clear--abandon an outmoded system or abandon any hope of joining the world economy and attracting western capital. By jettisoning one of the last legal pillars of apartheid, the Population Registration Act that classified all South Africans at birth by race, de Klerk now confronts the United States with a much more troublesome decision than it faced five years ago. However, supporters of sanctions say that they should remain in place until South Africa changes a political system that still disenfranchises black people. The ANC officials and other government critics argue that Pretoria will slow down the pace of change once international sanctions are removed.

Four of the five conditions established by the U.S. Congress have now been met: legalizing the ANC and other "democratic political parties", ending the 1986 state of emergency, opening negotiations with representative black leaders, repealing the Group Areas and Population Registration Acts. The remaining requirement - the release of political prisoners - has proved to be the most troublesome.

The American public opinion is confused and is unable to decide what should be the course of U.S. diplomacy towards South Africa in the present situation when South Africa seems to be getting rid of the stigma of apartheid. The opinion is largely divided. Business organisations are apprehensive about their future alignments with South Africa. The American corporations came in for considerable criticism at home for their investments in South Africa during mid-1985 and most are likely to wait at least until township unrest subsides before they start pouring more money into the country again. Wayne Mitchell of the American Chamber of Commerce in South Africa says:

Once we have the violence reduced and a solid investment code in place, there is every possibility of a good stream of foreign investment. But until we get that, it doesn't matter how many sanctions are lifted. (1)

How far economic sanctions by the United States have motivated the changes in South Africa is a difficult question because the present international scenario has undergone tremendous changes and the South African

1 Joseph Contreras, "After Apartheid", Newsweek (New York), 1 July 1991.

reforms might be seen as an effect or outcome of this. The dramatic revolutions in Eastern Europe have raised the question of whether the authorities could survive if the black population of South Africa took to the streets in similar numbers.

The United States has become more vocal in its abhorrence to apartheid during the late 1980s due to the cooling down of the East-West tensions. The Soviet Union is no longer regarded as an 'evil empire' in the United States. With the Soviet Union grappling to improve its economy which is in shatters it hardly has resources for regional engagements. The United States has realised that communism does not represent the threat that it had pretended to be. Initially United States was soft towards South Africa as it wanted to curb Soviet influence in the region but with the advent of Gorbachev and especially during 1989-90, the United States diplomacy towards South Africa also marked a change in the sense that it became more coercive and vocal in its disapproval of apartheid. The Soviet quest for economic help from the west to improve its economy has put United States in a stronger position to bargain as was evident in the INF treaty in which the Soviet Union agreed to dismantle more of its military warheads than those of the United States.

It is said that the world was becoming unipolar with the Soviet Union relegated to history as a superpower.

As far as ANC is concerned, its backers in the Soviet Union have gone cold on the romance of revolution. Therefore, they too want to move to the negotiating table.

The South African government has realised that apartheid can no longer secure the interests of white South Africa. Economic sanctions have raised the cost for operating the apartheid system of South Africa and had adversely affected those who benefitted from it. Thus it can be argued that sanctions have played a role in moving South African authorities in the direction of change towards the establishment of democracy.

During the period of 'constructive engagement' from 1980 to 1986 the U.S. helped to strengthen the white regime in South Africa and later faced with diplomatic failures, was morally responsible to assist directly in the dismantling of apartheid and transform South African society into a democratic one. The United States had to provide world leadership in enforcing economic sanctions and demonstrate that it no longer supported the minority South African government.

Though U.S. diplomacy towards South Africa in the UN was directed towards protecting Pretoria and despite its obvious and visible leniency towards the white regime in South Africa, U.S. did take a coercive diplomatic stance and unilaterally imposed economic sanctions which played a major role in influencing the present reforms in South Africa. At the UN American diplomacy was directed in favour of the government in South Africa and it opposed sanctions vehemently and vetoed on all resolutions seeking to impose economic sanctions against South Africa in the 1980s, the latest being in 1987.

Despite White House sympathies the Congress showed its hostility towards apartheid time and again. The U.S. public opinion was furious against this form of racism in the modern world. Public diplomacy both in United States and by the South African black leaders further roused the public opinion and media in United States which persistently called out for economic sanctions against South Africa and have even gone to the extent of calling out business organisations doing business with South Africa to close down and impose 'private sanctions'. They have been successful in their movement against apartheid.

Of late de Klerk has partially fulfilled the last condition imposed by the U.S. Congress in 1986 - the

release of prisoners. The Bush administration had for several months been examining the idea of lifting sanctions. The state department had initiated a review of the sanctions after South Africa repealed, on June 17, 1991, its Population Registration Act, which required South Africans to register themselves on the basis of race and was a major legal pillar of apartheid. The review concluded that sanctions could be lifted.²

There is however still opposition in the U.S. houses of Congress to the lifting of sanctions. But the opponents may not be able to muster enough support to overturn the president's decision as most of the legislators are in favour of the lifting of sanctions against South African government which almost fulfilled all the conditions of the 1986 Anti-Apartheid Act.

The sanctions were imposed by U.S. in 1986 by overriding presidential veto of Ronald Reagan. George Bush who was then vice-president, had opposed the imposition of sanctions against South Africa. Both he and Reagan had argued that sanctions would hurt the victims of apartheid the most.

2 Times of India, (New Delhi), 10 July 1991.

In Durban the leadership of the ANC had indicated a flexibility on the question of sanctions. The U.S. administration interpreted the leadership's hint at flexibility as a signal that the ANC would eventually agree with the lifting of sanctions.

Mr. Nelson Mandela was of the opinion "we want to continue to hold the line on the question of sanctions", but warned, "unless there is a great deal of flexibility and imagination, we will be left holding a shell and nothing else".

In spite of Mandela's warning, the United States on July 10, 1991 withdrew the six year old U.S. economic sanctions against South Africa. George Bush asserted that Pretoria was now on the "irreversible" course of installing a non-racial government in the country and therefore the need of sanctions had diminished. At the same time he doubled the annual U.S. economic aid of \$40 million to the black community in South Africa to help it prepare itself for future responsibility in a democratic society. The U.S. arms embargo on South Africa is still in place and Pretoria is not entitled to U.S. government loans and those from the IMF. The sanctions which have now been lifted include U.S. investment in South Africa and trade in gold coins, steel and minerals which was banned

by the comprehensive Anti-Apartheid Act, 1986.

However, South Africa inspite of all its reforms is still going on with its struggle. There are still prisoners in jail, thousands of exiles have not been idemnified, violence still wrecks the townships and political trials have not been stopped. Mr. Mandela has described the U.S. lifting of economic sanctions on South Africa as "premature".

The U.S. diplomacy towards South Africa has been directed on the economic gains and losses of the United States. The United States is so much dependent on South African minerals that its industries can hardly sustain without it nor can United States find an alternative market for these strategic minerals. The East-West tensions having been lost into oblivion no longer plays an important part in the American policy towards South Africa.

However, removal of sanctions at a point when reforms were heading towards a democratic society in South Africa may not be welcomed to the international community which is striving to see a non-racial government in South Africa. A democratic fabric of society is still non-existent

in South Africa inspite of the basic pillars of apartheid being annihilated. American diplomacy, as the torchbearer, should be directed more towards the establishment of peace, coexistence and democratic ideals than the furtherance of its own interests.

A long-term and effective U.S. diplomatic strategy must be based on a judicious mix of the constructive option and vigorous economic diplomacy in the form of sanctions against Pretoria and aid to black South Africans. Only this can lead to the promotion of the values of a more open and humane society and make South Africa a democratic, and non-racial society.

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