On July 31, 1985 the anti-apartheid movement dealt a major blow to the Reagan administration’s policy of “constructive engagement” when the House-Senate Conference Committee met and agreed on South Africa sanctions legislation. On August 1, the House voted overwhelmingly (380-48) to accept the conference report. Senate action on the report was delayed until September 9 when the Congress resumes, by threats of a Sen. Jesse Helms-led (R-NC) filibuster. The final House-Senate conference report is the result of an unprecedented series of victories scored by the Anti-Apartheid Movement in 1985. After years of arduous lobbying efforts, the issue of South African apartheid finally emerged as a dominant legislative agenda item. Never before have there been so many congressional bills, hearings, and votes on South Africa which distinctly helped the debate on U.S. policy towards the Pretoria regime. The actions by both houses of Congress over the past several months stands as a direct repudiation of the Administration’s failed policy of “constructive engagement.” The final conference committee report contained provisions that reflect a compromise between the two major bills in the House and Senate (see end of article). While the final language resembled the more conservative Senate bill (S 995), sanctions proponents were able to attach some significant provisions during the conference committee. This was due in part to the influence of the stronger House bill and the bi-partisan support it received.

The Anti-Apartheid Act of 1985

On June 4, the House in an overwhelming vote of 295 to 127 (including 1/3 of House Republicans) passed the Anti-Apartheid Act of 1985 (HR 1460). The bill was originally sponsored by Reps. William Gray (D-PA), Howard Wolpe (D-MI), Steven Solarz (D-NY), and many others. The wide support it received was in direct response to the dramatic increase in demonstrations across the U.S. generated by the Free South Africa Movement (FSAM) (see Washington Notes on Africa, Winter/Spring 1985). The bill contained the following measures: 1) a ban on new US corporate investment in South Africa; 2) a ban on US bank loans to the South African government; 3) a ban on the importation of South African gold coins, including the Krugerrand; 4) a ban on computer sales to the South African government; and 5) a ban on US nuclear collaboration with South Africa.

By the time floor debate began on HR 1460, it had approximately 150 co-sponsors and was expected to pass easily. In the first day of debate, 41 Representatives spoke in favor of the bill, while only 5 spoke against it. Throughout the three days of floor debate on HR 1460, May 21, June 4, and June 5, the Republicans offered many different amendments and substitutes, in their attempts to weaken the bill. All were resoundingly defeated. There were repeated attempts to include the Sullivan Principles, all of which were defeated. The strongest amendment, put forward by Rep. Ed Zschau (R-CA), would have given an exemption from the ban on new investment to any company which agreed to abide by the Principles. This was defeated 246-148.

However, this vote did not mean there were 256 strong opponents of the Sullivan Principles in the House. In fact, some of the Representatives who voted against the Zschau amendment are vocal supporters of the Sullivan Principles, particularly Rep. Don Bonker (D-WA). The attempt to attach the Sullivan Principles to HR 1460 was only defeated because Reps. Wolpe, Solarz, and Gray agreed to consider a separate Sullivan Principles bill at a later date. However, it is unlikely that a Sullivan Principles bill by itself will move beyond the House Subcommittee on Africa.

The Republicans tried several other measures to weaken the bill, but were defeated by large margins at every turn. The defeated weakening amendments attempted to gut the Krugerrand ban, to waive the sanctions if a referendum in South Africa showed that Blacks opposed sanctions, and to waive the sanctions entirely unless the ANC would unilaterally "renounce violence."
Anti-apartheid advocates also introduced amendments and offered substitutes which further strengthened HR 1460. Rep. John Conyers (D-MI) offered an amendment to cut off US nuclear collaboration with South Africa, which passed on a voice vote. However, an amendment sponsored by Rep. Bill Richardson (D-NM) to ban the importation of South African and Namibian coal and uranium, was defeated by a voice vote, although it was later attached on a voice vote to HR 1555, the House’s Foreign Aid bill.

Finally, Rep. Ron Dellums (D-CA) offered a substitute for HR 1460, calling for total disinvestment from South Africa, a trade embargo and other sanctions. Although defeated by 345 to 77 the fact that it was brought before the full House for debate shows both how far the anti-apartheid movement has come and how real is the threat of disinvestment for the apartheid regime. Rep. Gray abstained on the Dellums substitute, and Reps. Wolfe and Solarz opposed it, stating that “political reality today” would not allow the measure to become law. However, the threat of such action in the future was made clear by Rep. Wolfe: “... if indeed there has been no progress in South Africa within the next 2 or 3 years ... I think we are going to find a larger number of Americans insisting ... that disinvestment may in fact be the only way to go.”

The supporters of sanctions in the House were able to prevent their bill from being weakened, thus increasing the pressure on the Senate to pass some form of sanctions legislation. The situation in the Republican-controlled Senate was quite different and the emergence of a Senate bill with no significant sanctions loomed as a constant threat.

**Struggling for Senate Sanctions**

Major sanctions legislation was introduced for the first time ever in the US Senate in 1985, the major bill being S 635, the Senate counterpart to the House of Representative’s HR 1460. The bill was introduced by Sens. Edward Kennedy (D-MA) and Lowell Weicker (R-CT). Recognizing the growing momentum for sanctions and mindful of the 1986 re-election efforts of 22 Republican Senators, conservatives also introduced South Africa specific legislation. However, these conservatives pursued a strategy calculated to result in the passage of either no sanctions or the weakest provisions possible. Accordingly, the conservative Republicans first introduced a bill which protected the Reagan administration’s policy of “constructive engagement.” The bill, S 995, introduced by Sens. Richard Lugar (R-IN), Robert Dole (R-KS) and Charles Mathias (R-MD) sought to expand “constructive engagement” and “quiet diplomacy” by the creation of strengthened US ties to South Africa under the guise of “aid” to Blacks. The bill mandated the Sullivan Principles and encouraged increased US corporate involvement in South Africa with credits for Black-owned businesses from the Export-Import Bank and Overseas Private Investment Corporation (OPIC). It also provided scholarships to Black South African students within the apartheid educational structure and provided a 2-year delay before Congressional consideration of imposing bans on the importation of Krugerrands and new investment in South Africa.

Because of increasing public opposition to apartheid, S 995 was countered by other conservative Republican Senators. As a result, a second bill, S 1020, was introduced by Sens. William Roth (R-DE) and Mitch McConnell (R-KY). Although S 1020 contained a package of five moderate but immediate sanctions, the legislative package as a whole was weaker than S 635 and was seen as an obvious attempt to prevent the passage of substantive sanctions.

On June 4, the SFRC considered the language of the three major South Africa specific bills introduced in the Senate, S 635, S 995, and S 1020, in its “mark-up” of the legislation. Senator Lugar used S 995 as the basis for the “mark-up,” during which the Kennedy bill was offered as a substitute and rejected on a party-line vote. Three immediate sanctions from S 1020 were attached to the bill. Then, S 995, as amended by the SFRC, was then passed on a vote of 16 to 1, with only Sen. Jesse Helms (R-NC) dissenting. It contained the following provisions: 1) “aid to black South Africans” as outlined above, along with mandatory Sullivan Principles; 2) an 18 month delay on considering additional sanctions such as bans on new investment and Krugerrand imports; and 3) an immediate ban on bank loans to the South African government, as well as restrictions on nuclear exports and certain computer exports to the government.

Faced with potential defeats, sanctions supporters made an early decision not to attempt to remove the objectionable portions of S 995 or to add the favorable Krugerrands imports ban or the cut-off of new investments as immediate sanctions. When S 995 came to the Senate floor on July 8, Sen. Helms led a right-wing filibuster to forestall debate on the bill. When the filibuster was stopped, by a vote of 88 to 8, the Helms faction attempted to further delay action through a second filibuster, which ran out of steam on July 10.

The Helms filibuster and the parliamentary proceedings it created a particularly difficult situation on the Senate floor. Consequently, anti-apartheid lobbyists and their Senate allies endorsed a compromise agreement between the Democratic and Republican Senate leadership to reject and table all “controversial amendments” to either strengthen or weaken S 995. This compromise was designed to ensure the speedy passage of S 995.

Finally, on July 11, after more than 9 hours of debate on the Senate floor, the amended S 995 was passed by a vote of 80 to 12. Although the Helms faction violated the agreement and offered several amendments to gut the bill, only a non-controversial amendment authorizing a US gold coin to compete with the Krugerrand was included in the final bill. The Senate leadership’s compromise did prevent the consideration and possible passage of

**... action by both houses of Congress... is a direct repudiation of the administration’s policy of constructive engagement...**

*The twelve senators who opposed the bill were right-wingers Jeremiah Denton (R-AL), John East (R-NC), Jake Garn (R-UT), Orrin Hatch (R-UT), Chic Hecht (R-NV), Jesse Helms (R-NC), Gordon Humphrey (R-NH), Paul Laxalt (R-NV), James McClure (R-ID), Steven Symms (R-ID), Strom Thurmond (R-SC), and Malcolm Wallop (R-WY). Of eight non-voting senators, four indicated they would have voted “no”: William Armstrong (R-CO), Barry Goldwater (R-AZ), Phil Gramm (R-TX), and Paula Hawkins (R-FL).*
a very dangerous preemption amendment by Sen. William Roth (R-DE). This amendment would have effectively declared invalid all state and local government divestment actions by claiming the federal government's policy on South Africa preempts such laws. Sen. Roth reluctantly withdrew the corporate-backed amendment in order to expedite passage of S 995, which he endorsed. Further, Sens. Cranston, Proxmire and Kennedy sought to protect state and local divestment by making strong statements on the Senate floor, pointing out that in no way was S 995 meant to preempt state and local decisions regarding their investments and financial management and in no way did such decisions conflict with US foreign policy.

The Home Stretch—Conference Committee Action

The conference committee to resolve the differences between HR 1460 and S 995 remained the last hope of sanctions proponents to attach substantive sanctions to the weaker Senate bill. It was clear that many Senators were reluctant to go beyond the amended S 995. In fact, Sen. Lugar had attempted to bypass the conference committee process altogether, instead forcing the House to accept the Republican-sponsored Senate bill with no chances for amendment. However, South Africa's declared "state of emergency" and the resulting increase in constituent pressure on the Senate led Lugar to finally appoint Senate conferees. The Senate conferees were as follows: Republicans: Foreign Relations Committee members Jesse Helms (NC), Nancy Kassebaum (KS), Richard Lugar (IN), and Charles Mathias (MD); Banking Committee members Jake Garn (UT) and John Heinz (PA).

Democrats: Foreign Relations Committee members Alan Cranston (CA), Claiborne Pell (RI), and Paul Sarbanes (MD); Banking Committee member William Proxmire (WI) and Senator Edward Kennedy. The House conferees were as follows: Democrats: Howard Berman (CA), Don Bonker (WA), George Crockett (MI), Mervyn Dymally (CA), Dante Fascell (FL), Robert Garcia (NY), Parren Mitchell (MD), Steven Solarz (NY), Ted Weiss (NY), and Howard Wolpe (MI).

Republicans: William Broomfield (MI), Dan Burton (IN), Mike DeWine (OH), Robert Dornan (CA), and Mark Siliander (MI). Eleven members of the House Banking Committee were part of the discussions dealing with the minting of a US gold coin.

When the conference committee met on July 21, chaired by Sen. Lugar, sanctions proponents pushed hard to attach the Krugerrand ban to the legislation. As chances for adding an immediate ban on new investment became non-existent through the presence of hardline conservative Jesse Helms on the committee, anti-apartheid activists sought to have that provision automatically imposed after twelve months. However, that effort failed, together with attempts to remove the Sullivan Principles and the objectionable "aid to blacks" provisions.

The resulting compromise largely reflects the weaker S 995, but does include some strengthening language from HR 1460. The compromise added the House's ban on Krugerrand imports to the three sanctions in S 995. The conferees also agreed to drop the Senate's provision encouraging OPIC credits to South Africa and reduced the Senate's delay mechanism on the consideration of further sanctions from 18 months to 12 months. However, the objectionable mandatory Sullivan Principles, Export-Import Bank credits, and $34 million in scholarships to South Africa's segregated school system remain.

While the bill rebukes the Reagan Administration's failed "constructive engagement" policy and deals an important political and psychological blow to the apartheid regime, the retention of most of the objectionable portions of S 995 means that this compromise cannot be viewed as a complete victory for the anti-apartheid movement.

What It All Means

If the proposed legislation becomes law, it will not go far enough toward reducing US economic support for apartheid. The retention of the objectionable Sullivan Principles, Export-Import Bank and scholarship provisions, as already stated, represents an extension of "constructive engagement" and an increase in US ties to the status quo of apartheid. The weak nature of the included sanctions is also disturbing. The ban on Krugerrands affects only new imports, not those coins presently in the country. The bank loan prohibition affects only loans to the South African government, which represents only $450 million out of an estimated total of $4.5 billion in outstanding loans to South Africa from US banks. And although the conference committee succeeded in tightening the Senate's weak language restricting computer exports and nuclear trade, these provisions are still much weaker than the total bans included in HR 1460.

While Congress has been fiddling over sanctions, the pace of current events both within South Africa and internationally has overshadowed the US response. South Africa's brutality during the "state of emergency" declared on July 21 has steadily increased black rage and utterly failed to deal with the mounting unrest across South Africa. As a result, investor confidence in South Africa is at an all-time low. The rand plunged to 36 cents during the last week of August, and capital flight grew so serious that the Johannesburg financial markets were closed. Foreign banks' refusal to reschedule loans led to a frantic trip overseas by the head of South Africa's Reserve Bank in a panic attempt to stave off total economic collapse.

Internationally, the pace of punitive measures against South Africa has grown since mid-July. France, Canada, Australia, the Scandinavian countries and the European Economic Community have all taken steps to concretely display their refusal to do "business as usual" with South Africa, the measures varying from recalling their ambassadors to the cut-off of all new investments. The UN Security Council, after many hours of contentious debate, voted to encourage member countries to voluntarily adopt economic sanctions, over a US and British abstention.

Meanwhile, the administration and its conservative allies continue to search more and more desperately for a justification to veto sanctions and to defend white minority rule in South Africa. One significant example was the Rev. Jerry Falwell's much-publicized five-day trip to South Africa. On his return, he announced the establishment of a funding drive to raise millions of dollars to combat sanctions legislation, publicly encouraged his minions to invest in South Africa and purchase Krugerrands, and called Bishop Desmond Tutu a "phony." Behind the scenes, the Conservative Caucus is generating letters and phone calls to the Senate to forestall action on the compromise sanctions bill, which these forces believe to go "too far, too fast." Some press accounts revealed that White House officials Patrick Buchanan (Director of Communications) and Linda Chavez (from the White House Office of Public Liaison) may be orchestrating similar moves in other conservative circles in the hope of preventing an embarrassing situation in which President Reagan would feel the need to veto legislation supported by many leading Republicans, including Dole and Lugar.

The Road Ahead

As we go to press, the Senate is scheduled to vote on the (continued on page 8)
### House Voting Record

1. **HR 1460, Anti-Apartheid Act of 1985**: As amended, HR 1460: a) bans new investment in South Africa; b) bans bank loans to the South African government; c) bans the importation of the South African Krugerrand; d) bans computer sales to the South African government; and e) bans nuclear collaboration with South Africa. WOA supported HR 1460; passed June 5, 1985; 295 to 127.

2. **Conference Report, HR 1460/S 995**: (see summary on page 9 for details of the compromise). Weaker than HR 1460, contains many objectionable features of S 995. "Yes" vote favorable for this record; passed August 1; 380 to 48.

3. **Stratton Amendment to HR 1555**: Repeals the Clark Amendment, which had banned overt or covert US military aid to Angolan rebels. WOA opposed; passed July 10; 236 to 195.

4. **Sijanders Amendment to HR 1555**: Bans economic aid to Mozambique until foreign military personnel reduced to 55 or less. WOA opposed; passed July 11; 247 to 177.

<table>
<thead>
<tr>
<th>WOA</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALABAMA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALASKA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ARIZONA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ARKANSAS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>CALIFORNIA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>COLORADO</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>CONNECTICUT</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>DELAWARE</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>FLORIDA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>GEORGIA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>HAWAII</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>IOWA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>KANSAS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>KENTUCKY</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>LOUISIANA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>MARYLAND</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>MASSACHUSETTS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>MICHIGAN</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>MISSISSIPPI</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>MISSOURI</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>MONTANA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>NEBRASKA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>NEVADA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>NEW HAMPSHIRE</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>NEW JERSEY</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>NEW YORK</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>NORTH CAROLINA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>NORTH DAKOTA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>OHIO</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>OREGON</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>PENNSYLVANIA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>SOUTH CAROLINA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>SOUTH DAKOTA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TENNESSEE</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TEXAS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>WASHINGTON</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>WEST VIRGINIA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>WISCONSIN</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>WYOMING</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*WOA stands for the White House Office of the President.*
Anti-Apartheid Actions Explode Across U.S.

As the situation in South Africa continues to worsen, with more than 650 blacks killed and 2,000 injured by police since last August, and more than 12,000 detentions in the same period, anti-apartheid activity in the US continues to expand and become more effective. Grassroots action in the US provided a climate which contributed to the passage of economic sanctions against apartheid in the House of Representatives. Particularly important have been the new wave of campus anti-apartheid protests, and increasingly successful campaigns to stop the sale of the South African Krugerrand gold coin. As the Free South Africa Movement (FSAM) continues to gain momentum from these and other actions, an increasing number of cities, states and universities are taking action to divest their holdings in South Africa-related firms.

The FSAM, which began on November 21, 1984 (see Winter/Spring 1985 WNA), has continued to grow across the country. As we go to press, more than 3,000 have been arrested in civil disobedience at South African embassy and consular facilities, and at Krugerrand dealerships as part of FSAM demonstrations in 23 cities, which have attracted tens of thousands of demonstrators. Another 3,000 arrests have occurred in campus demonstrations around the country. At many of these demonstrations, strong support of the Anti-Apartheid Act of 1985 (HR 1460/S 635) and other sanctions legislation before Congress have been features of statements to the press, as are demands for consulate closings, state and local divestment, and boycotts of the Krugerrand.

The FSAM has succeeded in closing honorary consulates in New Orleans, Portland, OR and Boston. Krugerrand dealerships across the country have agreed to stop selling the coin as a result of the demonstrations, including the 204-store Best Products chain, Mellon Bank, First National Bank of Chicago and Valley National Bank in Arizona. Nine cities have passed anti-Krugerrand resolutions: Atlanta, Boston, Chicago, Portland, OR, Denver, Detroit, Oakland, CA, San Antonio, TX and Miami. These successful campaigns were important to passage of the prohibition of Krugerrand imports as part of the House Anti-Apartheid Act.

Campus Protests Win Success

The first half of 1985 has seen many surprises for those who have decried the "apathy" of American youth. From Cornell and Columbia to Berkeley and San Diego, students (and often faculty) at more than 100 colleges and universities took part in demonstrations to demand that their schools withdraw investments from South Africa. Combining high-tech computer "bulletin boards" with militancy reminiscent of the 1960's, the student protests have resulted in nearly 3,000 arrests, occupation of campus buildings, and hunger strikes that not only prove commitment but also win success.

Already, as a result of these protests, sixteen colleges and universities have acted to divest part or all of their South Africa-related stocks during academic year 1984-85, nine of them acting in May and early June. Those acting to partially or totally divest in 1984-85 are: Brown U., Cal State (Northridge), City U. of New York, Dartmouth, Evergreen State (Washington), Georgetown, Grinnell, Harvard, Hobart and William Smith Colleges, U. of Iowa, Iowa State, State U. of New York (SUNY), SUNY Stonybrook Foundation, Rutgers, Western Washington U. and Yale. A total of 55 colleges and universities have taken some form of divestment action. Further student protests are planned for the fall, including a "National Anti-Apartheid Protest Day" on October 11 to focus on the themes of divestment and freedom for South African political prisoners.

Grassroots action provided the climate for passing economic sanctions in the House of Representatives.

City and State Divestment Actions

City and state divestment action has also picked up in the first half of 1985. The pace is growing so quick that accurate totals are difficult to keep. The sixth and most recent state to divest is Iowa, which passed a partial divestment bill with a Sullivan Principles exception in April 1985. Iowa divestment activists won success through their linkage of the American farm crisis to the South African land issues of forced removals and the "bantustan" policy. Sponsored by Sen. Thomas Mann and Reps. Gene Blanshan and Jean Lloyd-Jones, the Iowa bill will divest a total of $130 million. Bills are currently pending in some 28 states, including New York, California, and Florida.

Cities across the country are also divesting their public funds from South Africa. As of September 1984, 14 cities had policies reflecting some form of divestment. By May, 1985, the total was 25. Some of the cities which have totally or partially divested in recent months include Pittsburgh, New York, Miami and Cincinnati.

As these activities continue to grow, they spell the death knell of "constructive engagement" and increase the likelihood of strong US economic sanctions against apartheid. Grassroots action has always been the key to changing US policy toward South Africa. With the momentum of anti-apartheid action mounting higher in the coming months, Congress and the administration should now clearly understand the depth of growing American opposition to apartheid. Continued pressure from cities, states, religious groups, students and others will soon make it impossible to maintain "constructive engagement," a policy that violates the values and goals of the American people.

John Taylor, San Diego Union
“Constructive Engagement” Fails Namibia Again

South Africa continues to display its contempt for US policy on the one hand, while praising it on the other. The failure of the US policy of “constructive engagement” is illustrated by three recent developments: South Africa’s internal “interim government” in Namibia, its attack on a US oil installation in the northern Cabinda enclave of Angola, and its June 30, 1985 cross-border raid into Angola. These latest embarrassments for “constructive engagement” demonstrate once again the utter failure of quiet diplomacy to restrain South Africa’s regional aggression and win independence for Namibia.

Namibian independence, long proclaimed as a centerpiece of “constructive engagement,” has been an elusive goal for the Reagan administration. As early as 1981, the administration’s insistence on linking the withdrawal of Cuban troops from Angola to Namibian independence became the major stumbling block to ending South Africa’s illegal occupation of Namibia. The Lusaka Accord, partially brokered by the US, in which South Africa pledged to withdraw its troops from Angola by March 31, 1984, seemed to offer hope that a Namibian settlement might soon be reached.

Recent developments in Southern Africa demonstrate the failure of quiet diplomacy to win independence for Namibia.

In fact, however, Namibian independence has receded even further as South Africa reneged on its commitment of withdrawal for more than a year. While continuing to announce its intention to comply with the Accord, South African forces in January 1985 launched military exercises code-named “Iron Fist” in northern Namibia. In March, South African authorities boldly sealed off the northern half of Namibia to all outsiders not having official permission. Council of Churches of Namibia general secretary, Abisai Shejavali, noted that the move “will hide these things that they [the South Africans] do from the people who can report them.”

On May 21, 1985, Angolan forces encountered a South African Defense Force commando unit attempting to sabotage the Gulf Oil installation in the northern Cabinda province of Angola. South Africa claimed the unit was on a reconnaissance mission to gather intelligence on the South West Africa People’s Organization (SWAPO) and the African National Congress (ANC). However, a captured commando told the Associated Press: “We were not looking for ANC or SWAPO, we were attacking Gulf Oil.” Most recently, on June 30, South Africa launched a cross-border raid into Angola, killing at least 60 in two days of fighting.

These incidents, along with South Africa’s announcement last April that an internal “interim government” had been arranged through the Multi-Party Conference (MPC), a group of South African-supported parties with a small power base in Namibia, have further undermined efforts to implement UN Security Council Resolution 435, the internationally-accepted plan for Namibian independence. Under the internal plan, which took effect June 17, South Africa will continue to control, having a veto power over all legislation and maintaining the foreign affairs, defense and internal security portfolios. The new arrangement is a clear step towards a unilateral declaration of independence in violation of Resolution 435. Most western observers have declared it “null and void.”

Secretary of State George Shultz first joined in the condemnation, but Assistant Secretary of State for Africa, Chester Crocker, later downplayed the US response to “deeply disappointed,” and praised South Africa’s compliance with its “international commitments.” Despite this condemnation of the arrangement, the administration allowed a delegation including Conservative Caucus director Howard Phillips, National Rifle Association president Howard Plock, Washington Times editorial page editor William Cheshire, and a legislative aide to Rep. Phil Crane (R-IL), James Van De Graaff, to attend the June 17 installation of the MPC “government.” Also in attendance was Marion Smoak, a registered foreign agent for the Democratic Turnhalle Alliance, one of the MPC parties which had formed a similar “government” in 1978. June 17 in Windhoek, Namibia’s capital, was marked not only by the installation, but also by rallies protesting the new arrangement. The rallies were broken up by members of South Africa’s notorious police counterinsurgency unit, Koevoet, and attendees were beaten and arrested. The administration’s perpetually optimistic view of the South African government thus seems to fly in the face of overwhelming contrary facts.

In a related development, Rep. Patricia Schroeder (D-CO) has introduced a bill in the House, HR 2589, which would require US corporations to withdraw from Namibia in order to comply with UN Decree No. 1, the General Assembly resolution prohibiting investment in Namibia and the exploitation of its natural resources. The Schroeder bill is a significant strengthening of congressional opposition to apartheid. It would put the US on record as concretely supporting multilateral UN efforts to gain Namibian independence, and further undermine “constructive engagement.” Hearings on the bill are scheduled over the summer. In the meantime, the Namibian struggle continues.
South Africa Declares State of Emergency

South Africa's President, Peter W. Botha, declared a state of emergency July 21 affecting 36 magisterial districts. In the first two weeks, over 1400 people were detained and at least 25 killed. A state of emergency has not been declared since the brutal massacre of 67 unarmed civilians at Sharpeville in 1960. Then over 11,503 people were detained in the 156-day duration.

Under the state of emergency, the South African police have extraordinary powers including: search without warrant, detention without trial, total press censorship, curfews, restrictions of movement, and other such measures. While the South African police have exercised similar sweeping powers against opponents of the apartheid system in the past, this state of emergency declaration more overtly legalizes those actions.

Under this emergency, the South African government could take over "National Key Points" (foreign or domestic industry) and require the use of these facilities and personnel for military or paramilitary purposes. Industries such as oil, automobiles, and computers, where the large portion of U.S. investments lies, could be declared "national key points" under the guidelines of South African law.

South Africa Raids Botswana

On June 14th, South African commandos launched a brutal pre-dawn raid on Gaborone, the capital of Botswana, targeting homes of South African refugees and the offices of an international news agency, Solidarity News Service. The commandos destroyed 10 homes and killed at least 16 people, including a 5-year-old child. The offices of the Solidarity News Service were also raided and the organization's files and records were seized. The South Africans claimed that all of the targets were persons or organizations associated with the African National Congress (ANC) and had been the source of guerrilla activities within the region.

The Botswana raid comes in the wake of the May 21 foiled sabotage attempt on the Gulf Oil refinery in Cabinda in northern Angola by South African commandos. South Africa's regional aggression dramatically confirms the failure of "constructive engagement."

The official U.S. response to the attack on Botswana was to recall the U.S. ambassador to South Africa, Herman Nickel, for "consultation and review of the situation." The recall is the strongest action the State Department, however, reiterated the U.S. commitment to the policy of "constructive engagement" as the best way towards peace in the Southern Africa region.

Freedom on Trial in South Africa

Sixteen members of the leadership of the United Democratic Front (UDF), a multi-racial alliance of anti-apartheid groups, have been arrested and charged with high treason, a crime punishable by death in South Africa. The trial began on August 5, 1985, although pretrial hearings had taken place on May 21 and July 11.

Victoria Mxenge Assassinated

Prominent black South African civil rights lawyer Victoria Mxenge, one of seven "instructing attorneys" in the UDF Treason Trial defense team, was shot in the head by four hooded men at 7:30 p.m. on August 1, 1985. Mxenge was the widow of Griffiths Mxenge, a prominent black attorney murdered in 1981, and had three children.

Mxenge's death is the latest in a series of apparent political assassinations. Other recent victims of assassination-style murders include Cradock anti-apartheid organizer Matthew Goniwe and three of his coworkers, whose funerals were held on July 20. Despite police denials, most anti-apartheid activists point to the increasing number of such killings as evidence that right-wing "death squads," or police collaborators, are now actively eliminating opponents of the regime. Earlier this year, the UDF launched a campaign for an internationally-supervised investigation into these executions.

Clark Amendment Repealed, Mozambique Aid Hindered

Efforts to improve US relations with the Frontline States in Southern Africa were seriously set back when Congress passed its first Foreign Aid bill since 1981. The House-Senate conference committee compromise on the bill included the repeal of the Clark Amendment, which since 1976 had cut off US overt or covert military aid to Angolan rebels, and a provision severely restricting aid to Mozambique. The measure passed the Senate by voice vote July 30, 1985, and was approved 262 to 121 in the House July 31.

President Reagan signed the bill into law on August 8. The repeal of the Clark Amendment, which had prohibited aid to the South African-backed UNITA rebels fighting to overthrow the Angolan government, seriously hinders efforts to end US support for South Africa, secure regional peace and achieve Namibian independence. South Africa sponsors UNITA as part of its regional destabilization campaign and efforts to destroy SWAPO and the ANC. In protest of the July 10 vote for repeal by the House, Angola broke off all discussions with the US on Namibian independence and reducing the number of Cuban troops in Angola, accusing the US of allying itself with South Africa.

A package of economic and military training aid for Mozambique that had been requested by the administration as a means of increasing US influence in that country. The aid "carrot" was extended in 1984 to help entice Mozambique into signing the Nkomati Accord with South Africa. However, due to hardline conservative insistence, the Foreign Aid bill requires any economic aid to Mozambique to flow through private, non-governmental agencies. Military aid is prohibited, unless Mozambique fulfills a number of conditions, among them reducing the number of foreign military personnel to 55 or less, and holding "free elections" by September 30, 1986. US military assistance was needed by Mozambique to increase its effectiveness against the South African-backed Mozambique National Resistance rebels.

Both the repeal of the Clark Amendment and the restrictions on aid to Mozambique are indications of the shifting mood in Congress even further away from US support for Third World justice and freedom, and towards support for insurgent groups claiming "anti-communism." (See recorded vote, p. 4.)
Sanctions: The Time Has Come!
(continued from page 3)

compromise sanctions package on September 9, its first day back after the August recess. The bill is expected to survive another Helms-led filibuster attempt and to pass with a large margin. Then the bill will proceed to the White House for signature or veto.

The worsening situation in South Africa now clearly calls for strong economic sanctions. The compromise package’s 12 month delay mechanism provides anti-apartheid activists with a tailor-made election issue for the 1986 campaigns. With 34 Senate seats (22 of them currently held by Republicans) and all 438 House seats due for re-election, the election in November will come just at the time new sanctions measures can be considered under the compromise bill.

Though the compromise bill is much weaker than the strong action demanded by the continually-increasing cycle of violence and repression in South Africa, the administration clearly hopes to be able to justify a veto in order to continue its embattled policy of “constructive engagement.” With the arrest of Bishop Tutu’s son on August 26, the detention without charge of Rev. Boesak on August 27, and the continuing round-up of opposition figures inside South Africa, the South African government seems determined to help the administration as much as possible. As Tutu noted on August 28: “birds of a feather flock together.”

SUMMARY: CONFERENCE COMMITTEE COMPROMISE

Immediate Sanctions:

1) Ban on the import of South African Krugerrand gold coins. The ban could be waived by the President, with the approval of Congress, if one or more of eight conditions towards the elimination of apartheid are met by the South African government.

2) Prohibition on bank loans to the South African government. Private sector loans, the largest percentage of loans to South Africa, are still allowed. The prohibition does not apply to loans agreed to before the enactment of this legislation.

3) Restrictions (but not a ban) on computer exports to South African government agencies. Exports to security, arms production and research, passport administering-related agencies and others included in restrictions. Exceptions are made if services provided will benefit non-whites or an end-use verification system is in place to ensure that the restrictions are adhered to.

4) Limits on U.S./South African nuclear cooperation. Prohibits the export of nuclear-related goods and technology or authorization to engage in the production of special nuclear material in South Africa. No explicit ban on technicians. Ban could be waived if South Africa signs Nuclear Non-Proliferation Treaty.

Possible Additional Sanctions:

Additional sanctions, such as a ban on new commercial investment and a ban on the importation of South African coal and uranium, may be imposed if, within 12 months after enactment of this bill, but not later than January 1, 1987, the President determines that one or more of eight conditions towards the elimination of apartheid have not been met by the South Africa government.

Procedure for Imposition of Additional Sanctions:

The President prepares and transmits a report to both houses of Congress, including a determination as to whether or not significant progress has been made towards the elimination of apartheid (based on eight conditions included in the bill). After the President has submitted this report, the Congress, operating under expedited procedures, may enact whatever sanctions legislation it deems appropriate.

Other Provisions:

Sullivan Principles:

 Mandatory adherence to the ineffective Sullivan Principles fair employment code is required for all U.S. companies employing more than 25 persons in South Africa and reporting and monitoring procedures for implementing the code by the Secretary of State are included.

“Aid” to Blacks Provisions:

1) Scholarships for Black South Africans. Thirty-four million dollars is allotted for fiscal years ’86, ’87 and ’88 for use for education, training, and scholarships for Black South Africans within the racist and segregated South African educational system.

2) Human Rights Fund. The bill provides for $1.5 million for fiscal year 1986 and each year thereafter, to provide legal and other assistance to political detainees and their families as well as to “non-violent” organizations resisting aspects of the apartheid system.

3) Export-Import Bank Assistance. Export-Import Bank credits would be extended to businesses in South Africa majority-owned by Black South Africans or other non-whites. This provision waives the Evans amendment, the first and only trade sanction ever imposed by Congress, prohibiting Eximbank activities in South Africa.

Call the Hotline! The anti-apartheid action hotline offers a 3-minute, taped message, changed weekly, providing up-to-date information and action suggestions. Open 24 hours a day, call (202) 546-0408 for the message. If you would like to advertise a local action or victory, call (202) 546-7961, and we will put it on the hotline to let others know.

Washington Notes on Africa
110 Maryland Avenue, N.E.
Washington, D.C. 20002
(202) 546-7961

Subscription Rate: We request a $15 annual contribution to receive this newsletter plus legislative alerts on Southern African issues. Additional copies of this issue are available for 75¢ each for 1-10; 20¢ each for 11-50; 15¢ each for over 50 copies (add 35% for postage).

Sponsors of the Washington Office on Africa: The Amalgamated Clothing and Textile Workers Union; the American Committee on Africa; The American Lutheran Church, Division for World Mission and Cooperation; Christian Church (Disciples of Christ); Church of the Brethren; Episcopal Church, Coalition for Human Needs and Public Affairs Office, Executive Council; Lutheran Church in America, Division for Missions in North America; Presbyterian Church (U.S.A.), Program Agency; Progressive National Baptist Convention, Home Mission Board; Society for African Missions (S.M.A. Fathers); Society of Missionaries of Africa; United Automobile, Aerospace and Agricultural Implement Workers of America, UAW; United Church of Christ, Board for World Ministries; and Office for Church in Society; United Methodist Church, Africa Office and Women’s Division of Board of Global Ministries; United Steelworkers of America.

Produced by: Jean Sindab, Lisa Crooms, Janet Jakobsen, Randy Nunlee, Damu Smith, Jacki Wilson, Beth Porter, Rudy Roberts, David Shull.