FOR IMMEDIATE RELEASE

SOUTH AFRICAN PLEBISCITE PROPOSAL FRAUDULENT AMERICAN COMMITTEE ON AFRICA STATES

"The South African government, which conducted a phony 'plebiscite' in South West Africa (Namibia) in 1946 in which representatives of the non-white 85 per cent of the population were told to sign statements on behalf of their people supporting the government, has now proposed holding a new, and equally fraudulent, plebiscite on the same subject in the same territory," the American Committee on Africa said today in a statement released by George M. Houser, Executive Director.

The proposal, which comes just before the International Court will open oral hearings on a UN Security Council request for an advisory opinion on the "legal consequences for States" of South Africa's continuing occupation of Namibia, does not even definitely propose a plebiscite, Mr. Houser stated. "It announces that if, and only if, the Court rules against all preliminary South African arguments, the government will then propose the plebiscite. Thus the government . . . demonstrates that it is concerned about the wishes of the Namibian people only if it is losing in court."

Nor does South Africa promise to abide by the wishes of the populace if they opt for UN administration, which the plebiscite would offer as an alternative to South African administration.

A fair election would be impossible under the proposal, the ACOA statement explains, first, because it involves participation of only one interested party, South Africa; second, because even if the Court shared supervision of the plebiscite a Court-appointed committee of strangers, unfamiliar with indigenous languages, would have to reach all the inhabitants, including nomads, in an area larger than Texas,
acquaint them with a complex political issue and with the unknown technique of voting in an election; and finally, because control throughout would be maintained by a South African apparatus on whose good will life and livelihood still depend.

The statement continues, "If it [South Africa] had a strong moral case, it would grant independence to Namibia and let the Namibians, operating through their (presently repressed) political parties, freely choose whether and how to associate their country with South Africa in the future."

Mr. Houser finally called upon all governments, including the United States, not to be taken in by "this cruel hoax" or to divert attention away from the basic issue of South Africa's illegal occupation of Namibia.

The text of the statement is attached:
January 28, 1971

Statement of the American Committee on Africa

regarding the South African Plebiscite Proposal for

South West Africa (Namibia)

The South African government, which conducted a phony "plebiscite" in South West Africa (Namibia) in 1946 in which representatives of the non-white 85 per cent of the population were told to sign statements on behalf of their people supporting the government, yesterday proposed holding a new, and equally fraudulent, plebiscite on the same subject in the same territory.

The proposal was contained in a letter addressed to the International Court of Justice, which is scheduled to hold oral hearings in February on a request by the UN Security Council for an Advisory Opinion on the "legal consequences for States" of South Africa's continuing occupation of Namibia despite numerous UN resolutions calling for its withdrawal. The letter was simultaneously issued as a press release, in violation of both South African and International Court rules relating to matters under judicial consideration.

The letter proposed that, in certain circumstances, the Court (acting through a committee of "independent experts") and the South African government jointly supervise a plebiscite in South West Africa to determine whether its inhabitants wish the Territory to be administered by the South African government or by the United Nations.

Despite the appearance of fairness and amenabley to the popular will, an examination of the proposal shows that it is, in fact, an arrogant and deceitful publicity gimmick, designed to mislead world opinion and perhaps even the Court.

Indeed, the letter, when carefully read, does not actually propose a plebiscite: it announces that if, and only if, the Court rules against all preliminary South African arguments, the government will then propose the plebiscite. Thus the government, by the terms of its own proposal, demonstrates that it is concerned about the wishes of the Namibian people only if it is losing in court. In view
of the right to have a vote is profoundly "arrogant" in violation of basic rules, it follows that that proposal must be considered a crude attempt to gain present credit for the apparent promise of future conduct which the South African government hopes never to have to carry out. Equally important, the government does not promise to abide by the wishes of the populace if they opt for UN administration; as far as precedent is concerned, South Africa has refused to accept all three Advisory Opinions of the Court concerning South West Africa (rendered in 1950, 1955, and 1956.)

Even if the proposal were serious, it would still be incredibly arrogant.

In the view of the United Nations, South Africa has illegally occupied South West Africa since 1966 when it was deprived of its mandate over Namibia on account of its gross maladministration of the Territory. South Africa has, therefore, no legal right to be in Namibia, and its offer to jointly conduct a plebiscite there is an arrant assertion of naked power. Even if the Court decides -- contrary to the intention of the Security Council in requesting the Advisory Opinion -- to look into the legality of the resolution terminating the South African mandate, it is arrogant for the presumptively illegal occupier of the Territory to propose that it supervise a plebiscite jointly with the Court but without the participation of other parties in interest.

Finally, the proposal is deceitful since it is drafted so as to make a fair election impossible.

First, it involves participation of only one interested party, South Africa; it excludes the UN, which has established the Council for Namibia as the legal government (in-exile), as well as African and other concerned states. Second, it assumes that a Court-appointed committee, unfamiliar with the indigenous languages (and therefore dependent on official interpreters), could fan out into a territory larger than Texas, contact all the inhabitants (including nomadic tribesmen), explain the nature of the issue to them and demonstrate how to vote (a wholly
new experience, since nonwhites have always been denied the franchise in South West Africa), and effectively supervise the elections -- including the conduct of the South African officials with whom they were acting "jointly." Third, it assumes that South African officials, from top functionaries to policemen, pass officers, and government-appointed chiefs -- all of whom have a stake in preserving the status quo -- would refrain from exerting pressure, subtle or crude, on nonwhite voters, most of whom depend on official good will for the simplest necessities.

Would an African, knowing that he could be imprisoned indefinitely "for investigation" under the Terrorism Act by South African officials who would remain in Namibia when the committee reported back to the Hague, be likely to vote against South Africa, particularly if he were illiterate and needed help to mark his ballot?

If South Africa had a strong legal case, it would argue it before the International Court and not in the press. If it had a strong moral case, it would grant independence to Namibia and let the Namibians, operating through their (presently repressed) political parties, freely choose whether and how to associate their country with South Africa in the future.

The American Committee on Africa calls upon the American and all other governments not to be taken in by their cruel hoax or to try to rework the proposal into some compromise scheme which would divert international attention from South Africa's continued illegal occupation of Namibia. If there is to be any plebiscite on the future of the Territory, it must be carried out by the legal government, either the Council for Namibia acting ad interim or its successor Namibian government elected by a fully franchised citizenry freed from illegal occupation.

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