CHAPTER-VI

CONCLUSION
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The study is an attempt to identity the nature and effectiveness of sanctions implemented by the United Nations to penalize a recalcitrant state, viz. South Africa. It was in 1962, that the United Nations had recommended sanctions against South Africa. It has continued to practise its apartheid policy in violation of the United Nations Charter. The sanctions were recommended to pressurise the Pretoria Regime to move towards majority rule and to bring about compliance with the prevailing norms.

The study brings out that apartheid policy is deep rooted in the country. It has a long history and has been practised with new brands for long. Initially, it was a result of British boar antagonism, but later implemented to subjugate the black Africans. In simple terms it is a result of racial prejudice but its real purpose is to secure abundant supply of cheap labour for economy. This can be ensured only by forcing people to work as cheap labourers. Apartheid entails an elaborate system of rules for regulating the lives of blacks. All the legislations such as pass-laws, education, Bantustans, labour laws, group area Act, security laws and so on and so forth are part of this system intended to regulate the lives of non-whites. All these laws have been used by the whites to dominate the non-white majority and to make them their servants.
The study reveals that the apartheid policy makes it impossible for Africans to do anything except cheap labour. They are deprived of all freedoms. Their lives are totally controlled. The denial of freedom is reinforced by denial of any real opportunity for escaping from this situation. For this, Africans are denied access to education and professional skills. For Africans, there is a shortage of teachers and a shortage of schools. The schools available for blacks are not well-equipped. Higher education is difficult to obtain for them.

Even those who manage to reach University or technical training schools, are unable to make use of acquired knowledge because the facilities are inferior in comparison to those of whites. Likewise per capita expenditure on black's education is very low. Besides South African government has barred Africans from most of the skilled jobs. The black Africans are not imparted education even about their political system. Thus, the education system is highly discriminatory and loaded against the black population who are made to realise that they are inferior to whites.

The study also reveals that the Africans are denied the means necessary to live independently of white economy. It is because the blacks have been forced to live in areas designated by the government as "homelands". These
areas are exceedingly poor. Majority of African population live in these homelands having no facility of life. These reserves are not meant for granting independence to Africans. The real intention of the white government behind this policy is to be found in the critical economic situation of those who are forced to live in those areas. People have to live a miserable life in these areas.

When the blacks leave their reserved areas to seek work in white areas however, they enter a world in which they have almost no right of any kind. They are turned into migrant workers whose lives are regulated by a complex system of controls.

An Africans worker must carry a pass book containing the details of his employment and he must produce it on demand for the police. They have to get job on contract basis. They have no right to strike or to take any kind of collective action. Breaches of contract by African workers are a criminal offence.

Black, people live bordering on starvation and are provided poor health care. Many people die from diseases related to malnutrition. The poor conditions force the women to seek work in "white areas" leaving their children on their fate in 'reserved areas'. They (Blacks) have no freedom of expression. Those who express themselves against the apartheid policy, have to face brutality under
the Security laws. To continue with its policy, the racist government becomes more and more oppressive. Numerous people have been jailed. Children have also become prey of these security laws. The opponents of the policy have to face brutality to an extent that it is considered a crime against humanity.

Though some reforms have been made but they are very slow and within the framework of apartheid. The government does not want to eradicate apartheid. Rather it has been spending more and more on army and military buildup so to implement its racial policy and to crush the opponents. The study reveals that the costs of maintaining of system of apartheid policy are very high resulting the collapse of country's economy through the creation of millions of half-starved Africans.

Contrary to the government's claim that it is based on separate development, the study reveals that it is only to preserve white domination and to create situations that it becomes a necessity for the blacks to go to white areas and to work on low, rather it can be said, starving wages and thereby the government would be able to secure an abundant supply of cheap labour.

The policy of Apartheid militates against the humanity, human rights, self-determination and undemocratic, so it faces a great resentment from the Black Africans and international community. The world body which is committed
to uphold such norms can not remain neutral. Furthermore, as the policy is based on racial discrimination and carried on by the minority with support of South Africa's military build up thereby posing a threat to international peace and security.

The United Nations' has recommended the imposition of economic sanctions under chapter VII of the charter which is meant to deal with the recalcitrant state. The theory of sanctions assumes that economic deprivation is likely to bring about the desired change in the political system of the target state. Sanctions are punitive measures which discourage any deviation from the established norms and put pressure upon the target state to comply with the existing norms. The sanctions have been institutionalized in the covenant of League of Nations and then in the charter of the United Nations. According to the UN Charter, sanctions are applied when there is a threat to breach of peace while under covenant of League, they were applied when breach of peace had occured. Thus, the UN charter goes a step further to League of Nations. The UN charter authorizes the security council to take steps under chapter VII of the charter. The security council is to determine whether there is threat to peace or not and has to take measures with the consent of the big five.

The chapter VII of the charter provides that sanctions are only to be used as a weapon only for the
preservation of international peace and security and not to destroy the erring Nation or its economy. In case of South Africa, they are negative and used as penalties on the racist regime to force the regime to move towards majority rule and democratic norms. Thus, ideally, sanctions to be effective should be applied immediately. They should be comprehensive and mandatory if they are to succeed in isolating the target state, they should be applied in concert. But in case of South Africa, it took a long time to implement the sanctions because the member states of the world body were lax in applying them. They not only circumvented the UN sanctions, but also continued their economic, political and military links with the racist regime. It appeared that sanctions would not be comprehensive and would not be applied universally. It is because the world body is too loosely structured to take immediate decisions and to go in for a concerted and unified approach. The study brings out that the UN resolutions are recommendatory in nature. It is the national governments that are required to implement them.

In the United Nations, the constraints upon the formulation of an effective and comprehensive sanction policy were evident. The trading partners particularly the United States, Great Britain, France were unwilling to apply sanctions against South Africa. So, the sanctions were developed very slow. As the General Assembly has been
recommending to impose sanctions against South Africa since 1962, but the trading partners were always against it though they criticised the South Africa's apartheid policy. In the forums of the United Nations, they tried to control every initiative and every move of the Asian-African nations on the issue of imposition of sanctions. This non-cooperative attitude of the trading partners considerably circumscribed the capacity of the Security Council to take effective decisions. Having regard to the seriousness of the situation, the Security Council ought to have dealt with the racist regime through immediate, total and mandatory sanctions. Instead, it went about it in a slow and gradual manner. The veto exercised by the Western power played a role in slowing down the evolution of UN sanction policy.

The UN has also established a 'Special Committee Against Apartheid' to keep the situation under review between its sessions. But the western powers did not participate in it. Hence the necessary will to operate the sanction policy was totally absent, so the UN resolutions had been violated.

The study also reveals that, the UN has been providing material aid and moral support to the struggling people in South Africa. The west has continued to create obstacle only on the imposition of sanctions. They are the only peaceful and effective weapon in the hands of the world body. It has proved that the effectiveness of the UN has
been undermined by the attitudes of the governments that have failed to implement the UN resolutions on sanctions.

However, the UN has provided forum to the Asian-African nations to express their resentment against such policy and to exert pressure on the western powers to take action against the racist regime. It has also perceived that South African situation as a crisis that was capable of being resolved only through sanctions on international level. It has also made it clear that the racist regime is illegitimate thus it should be eradicated. Further, the sanctions that the world body imposed against South Africa not only reiterated the legitimacy of the liberation struggle but also made it clear that the regime was unacceptable as long as it persisted in defying the demand of international community. The Special Committee Against Apartheid publicised the events of South Africa requiring concerted action at international level and thus helping to build public opinion. By denying normal avenues of international trade and economic intercourse to the regime, the world body has constantly pressurized psychologically to change its behaviour.

The other organizations like Non-Aligned Movement, Organization of African Unity and African National Congress has been making tireless efforts to get the sanctions implemented. The study reveals that these organizations can not force any country to implement the resolutions for they lack enforcing powers. But they
have highlighted effectively the situation in South Africa and inhuman aspects of Apartheid policy. Expressing their solidarity with the liberation movement, they have provided every type of assistance to the struggling people of South Africa. They have tried to draw the attention of the world to the need for some concerted and immediate action to solve the problem.

The study shows that pressure through mobilising of public opinion could force the international community to adopt sanctions against the racist regime. The NAM, OAU, has made efforts to mobilize public opinion in their own summits and in the United Nations. The ANC too has sent its missions abroad for the purpose which have borne fruit.

Being numerically dominant in the UN, the Afro-Asian countries have expressed themselves effectively and thus highlighting the South African situation effectively. It is for their efforts that the South African issue has constantly been given priority in the agenda of the United Nations. They have made use of every occasion to throw light on the situation of South African that it is against the UN charter and requires implementation of sanctions. NAM, OAU and ANC have left no stone unturned to mobilize public opinion in support of sanctions. They have repeatedly condemned the apartheid policy and western powers for not imposing sanctions. They have undertaken effective
steps to acquaint the international community with the South African situation thereby making them realize that such situation required concerted action on the international level. Today the fruits of their labour are evident. The international community has realized that apartheid must be eradicated and the western countries have also come round to imposing sanctions against South Africa. The racist government has also taken some steps in the direction of abolition of apartheid policy and have come to the negotiating table. Thus, the study proves that these organizations have succeeded in highlighting the South African events requiring concerted action in mobilizing public opinion and the implementation of UN resolutions on sanctions.

The study brings out that the deteriorating situation, in particular the conditions of the Africans have made the imposition of sanctions against South Africa a dire necessity. The sanctions would be effective if imposed universally because the target state would be totally isolated. This could lead to economic instability and force the target state to change its policy. As South Africa possessed vital minerals and was of strategic importance, some countries seemed to be unwilling to place their economic and strategic interests at stake for enforcing sanctions. For they felt this could lead to a situation where benefits were remote and the burden immediate. Hence
it was clear that sanctions would not be comprehensive and would not be universally applied because of the non-cooperative attitude of the west.

The study also reveals that conflict of national interest and international commitment create obstacles in the application of sanctions. For the national interest, the countries drag their feet in respect of fulfilling their international obligation. That is why there was no unanimity among nations on the issue of imposition of sanctions against South Africa. To fulfil their interests, they do not want the system to be abolished. That is why the trading partners never wished to impose sanctions. Their policy speeches made it clear and they have tried their best to stop the imposition of sanctions. So, they oppose sanctions and suggest other approaches like 'Persuasion' and 'Constructive Engagement'. Both the approaches assume that economic links would solve the problem and change would in time come from whites. But the study brings out that whites will never transfer power to majority people. They will not help abolish a system which supplies to them cheap labour and which yields them high profits. Thus, these approaches have failed to work out the much sought after reforms. They are the new tactics in the name of peaceful change. They do not help to dismantle apartheid but to appease the international resentment only.
Resultantly whatever reforms are contemplated they are effected within the framework of apartheid. No reform which can eradicate apartheid is undertaken.

The study shows that almost all sectors of South African economy are dominated by Transnational Corporations and the country has to heavily rely on foreign capital and technology. This is because it does not possess means to make the best use of its rich mineral resources. However the black struggle against apartheid has reached a stage from where they can not be pushed back. It is a struggle for full eradication of apartheid at any cost. If the international community severs its economic links with South Africa, it could result in economic instability and thus bring the regime to its knees. In such a situation, the most effective action against apartheid would be to severe all transnational collaborations. With this end in view the approaches of 'economic disengagement' and 'selective sanctions' have been suggested. But they can also prove ineffective in realising the goal of economic disengagement which is expected to be gradually effective. The other approach of selective sanctions does not cover all aspects of collaboration and hence doomed to failure. Thus the only efficacious approach is that of comprehensive and mandatory sanctions. This warrants immediate implementation of sanctions by the Security Council. But because of
non-cooperative attitude of western powers particularly USA and Great Britain, it has gone on very slow. The delay in their implementation takes away their effectiveness because it gives the target state breathing-space before their application. For example oil is very crucial for any industrial state and South Africa is heavily dependent on imported oil to meet its requirements. The delay in implementation of sanctions enabled it to establish SASOL to produce synthetic oil. It thus made it self-sufficient to meet its requirements for some period.

Similarly, the study shows that South Africa's war machine is heavily dependent on imported items other than oil. Though the UN has imposed arms embargo in 1963 but it was not mandatory. Its allies continued to supply arms justifying that they were for their external defence. Similarly, Britain excluded dual purpose items. Unless an item had been explicitly manufactured for military purposes, it was not covered by embargo. The racist-regime continued to receive related arms equipment in the veil of 'dual purpose'. This enabled the countries like USA and Britain to circumvent arms embargo though they were mandatory. For they did not cover the related arms which were also helpful for manufacturing arms. The sanctions to be effective must be mandatory and comprehensive. They should be implemented immediately.
The study brings out that the sanctions have compelled the white government to come to the negotiating table. It is found that investment and foreign capital is very crucial for South African economy. The antisanction group also argues that investment is very crucial for the development of the country. It will benefit all the people and improve their condition. It will provide job opportunity and bring prosperity to everyone in the country.

In this way it is argued that investment will abolish apartheid. A similar view has been expressed in case of TNCs. It is correct that economic collaboration is helpful for developing a country but in case of South Africa, the minority whites have been benefitted and the blacks which are in majority have been forced to lead slave-like lives. Such collaboration has not improved the conditions of black Africans.

The study also reveals that the investing countries get high profits, however, at the cost of people's living. Furthermore, the government is in the grip of debt and is badly in need of loans to make its economy balanced. In 1986, the banks are forced to ask the South African Government for some political conditions before they are able to sign a debt-rescheduling agreement. The government has to make some changes. For in the absence of new capital inflow, the South African government will have to pay the debt through constraining domestic
consumption and growth. It would put the apartheid regime in severe political danger.

Furthermore, in its efforts to balance its economy, the government has to cut imports and slow down domestic spending. This is accomplished through restrictive monetary policies, export promotion and use of low rand. This results in declining living standards for white South Africans. They have now come to worry about the ability of apartheid to hold the economy together. Consequently their confidence in the system has waxed and the government is inclined to change its policy.

The study also brings out that the racist regime of South Africa is vulnerable in economic sector. It make its economy self-sufficient through projects. But it can be self-sufficient for a short period and after that it has to depend upon imports. For example the South Africa has become self sufficient in oil but it can meet its requirements only for about two years. Further, for establishing projects, it requires foreign technology. It may be pointed out that time is no less crucial for the effectiveness of sanctions as no country can remain self-sufficient for a long time. Hence policy of sanctions has to be a long process. Sanctions cause severe disruption to the beleaguered South African economy and puts the apartheid regime in political danger. Consequently the
racist government has shown its willingness in fulfilling the conditions as laid down by the ANC, OAU and the U.N. has come to the negotiating table.

The study also highlights that the black Africans want to establish democratic United South Africa in which every one living in South Africa have a share. They are determined to achieve it at any cost. This fact is borne out by the fact that the racist government never pays heed to the voice of Africans as well as to the demand of international community. It has been able to persist in its policy because of West's collaboration. Only alternative left with black majority has been only to carry armed struggle. Consequently the blacks had to intensify their struggle. The government in a bid to counter it became more and more brutal and oppressive. The assistance, it received from abroad has been used to crush the struggling people till it became impossible to crush their movement. While the black majority is not ready to compromise and the government is not ready to abandon its policy. The UN resolutions and efforts of the international community have been in vain because of the non-cooperative attitude of its allies. With their help, the racist government has been able to strengthen its security forces and military build-up and to enforce its oppressive measures. This has provoked counter-violence and bloodshed. It is therefore believed
that sanctions if applied in time can solve the problem peacefully.

The military build up of South Africa has enabled the government to sustain its apartheid policy and the UN has imposed arms embargo in 1963. But the trading partners, particularly the United States and Great Britain and France has violated the resolution. It has not imposed timely sanctions as per decision of the world body. Then the Security Council made the arms embargo mandatory in 1977. Meanwhile the regime became psychologically prepared to face such measures. It got enough time to convey an impression that it was self-sufficient in arms production. It had been able to manage the supply continued under licence. Similarly in case of oil sanctions it had enough time to establish its own projects and thus manage to produce its own oil. If these sanctions had been applied in time, the country might have reduced its repressive potentialities. In this way, timely imposition of sanctions could force the government to change its behaviour and thereby avoid bloodshed.

The reasoning of the anti-sanction group has been that foreign investment and TNCs are helpful to improve the living standard of Africans and they make the country prosperous. They also provide the blacks more opportunities to get jobs bringing prosperity and improvement in the
conditions of Africans. In this way they would pave the way for peaceful change in apartheid system. Viewed in this light sanctions, it is observed, would hurt the blacks more. But the study reveals the reverse to be true. The above justifications hold good in case of whites in view of the fact that the TNCs employ only a small portion of black population. Majority of blacks still continue to live in 'homelands' where they have no facility of life and unemployment in these reserve is a stark reality. However, the TNCs has adopted code of conduct effect improvements in the conditions of African Workers. But they have not been adopted and discrimination in wages and in labour contracts still exists. The whites are being paid higher wages in comparison to black Africans. The skilled jobs are reserved for whites. The blacks do not have access to technical education. In prevailing conditions, they can not be employed in skilled jobs. The living standard of Africans have been deteriorating. They live under-nourished and lead miserable lives. So sanctions would not affect the blacks so much but it would hit whites who are reaping high profits and enjoying every facility of life. It is because of the apartheid system that the blacks have to work as servants and to work on starving wages. It is they who would be affected if sanctions are applied. The study does not prove that sanctions would hurt the blacks more than the white who corner the bulk of benefits and facilities.
We may also note that sanctions do not aim at the destruction of whites or its economy. But it tends to reduce the racist regime's capability to preserve the apartheid system thereby pressurising it to accept a peaceful transition to majority rule. The study underscores the point that apartheid is a system of political domination by the whites for securing supply of cheap labour. For this the regime has a key requirement that the overall apartheid system must be protected. Economic links with South Africa serve to build up, sustain, fuel, finance and supply the apartheid cheap labour economy. Thus it seeks to bolster the regime and its military strength with a view to keeping the system in place. The regime is encouraged by these links. Though the western powers claim that all the links are forged to help the regime in development and it is the regime to make use of the assistance. However, it has been found that the regime has used the assistance in repressive measures, in strengthening its military build-up rather than to improve the conditions of blacks. Sanctions therefore can reduce the potentiality of the regime to persist in racial policy. For the country is dependent on foreign assistance whether it is in the sphere of chemicals, motor industry, manufacturing sectors which are crucial for maintaining the apartheid system. To crush the struggling people, the regime begins to adopt the more repressive measures which require a highly mechanized army and police, which can be possible through the military industrial complex.
South Africa lacks in technology and skills in management. For this, it has to depend on foreign investment. The study also brings out that investment is also crucial for South African trade as it develops new export sectors by helping the country to become self-sufficient in a particular sector. The foreign banks have also important role in financing governments expenditure. They came to the rescue of the country in critical situations. The country has also to depend on imports for its industrial growth. Though the trade is favourable still there is deficit in some areas. In Machines and Transport equipments, it is heavily dependent on foreign imports. It has to depend on foreign assistance for its requirements. Oil is crucial for any country's development. The racist regime wants to strengthen the country at all weak points seeking to preserve apartheid with the help of overseas allies. If sanctions apply to these sectors, they would reduce its capability to preserve the policy. The study reveals that the government has constantly been increasing its military power with foreign assistance and spending a huge amount on implementation of apartheid. Even it has to pay for its greatly increased military expenditure, its aggressive attitudes towards neighbouring states, to oppress its own people. All this has proved very expensive in trying to pay the mounting costs of its programme. In the absence of foreign assistance in these crucial spheres, such as investments,
transfer of technology, oil, withdrawal of transnational corporations, Bank loans and trade would certainly jeopardise the overburdened economy of the country. It would force the government to transfer power to the majority of the people peacefully, because the regime is lacking in means to preserve the policy. The study shows that the TNCs can never change the system because they have to work within the political system. The sanctions are not against the particular section of the people but only to force the government to alter its behaviour. As long as the state is capable of preserving the system, it would never abandon its policy. Sanctions are not meant to destroy the country but to bring the target state to comply with the international norms. Now as the racist regime of South Africa is proceeding towards making reforms, the international community has decided to lift sanctions in various stages.

In sum sanctions are the only peaceful solution to the problem. National interest, lack of political will and non-compliance of the states limit their effectiveness. The study brings out that the nations who are constrained to apply sanctions because of their interest can be pressurized through public opinion and thereby forced to impose sanctions. The United States, Britain, Japan and France have imposed sanctions due to international pressure. The result is quite evident today. The white-led government has made some important reforms, repealed some apartheid laws.
and come to the negotiating table. They should continue the pressure till transition to peaceful changes is effected. What is needed is unified and well-organized campaign to pressurise the racist government to eradicate apartheid.