



The role played by civil society actors in the internalization of
human right norms in South Africa during apartheid rule

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Abstract

Norms can act as touch stones to understanding reality; they could be both regulative and constitutive in nature. But the extent to which norms can actually influence decision making remains a true test to the relevance of constructivist arguments. My research is both qualitative and constructivist in nature. It examines the role played by civil society actors in the internalization of human right norms in South Africa during apartheid rule. I have used civil society actors such as: the Christian resistance movement, trade unions and the black consciousness movement to illustrate how norms could be internalized in a state with strong internal factors (civil society) pulling down strings from external factors (western powers and regimes) to act collectively, forcing policy change and hence a transition from an apartheid rule to a democratic nation. In accomplishing my task, I also used theories such as the 'global civil society' from the perspective of Kaldor 2003, the socialization process, boomerang effect and spiral models, all from Rise and Sikkink 1999. My sources are both primary (pamphlets and journals, written by organisations and also their web pages) and secondary (Books, journals, and also general articles from varied web sites and libraries).

Key words: Norm internalization, civil society actors, South Africa, spiral model, apartheid.

Executive Summary.

This thesis will look into norm internalization by civil society actors, with a special focus on South Africa from 1948 – 1994, precisely during the leadership style of government in the nation called apartheid. The norm I will be using is the universal declaration of human right norms adopted on December 10th 1948 by the United Nations. My reasons for choosing South are as follows:

- Firstly, South Africa stands out as a special case in which norms were internalized by both domestic and international actors in a process known as advocacy to bring about policy shift from autocracy to democracy.
- Secondly, the exemplary force galvanized by western powers and governments in sanctions and isolation of the government of South Africa during this period made this case reliable enough to utilize for a study of norm internalization and its effects.

In order for me to accomplish my task I would be exploring civil society activities undertaken by the Christian resistance movement, the black consciousness movement and trade unions. This variety gives more reliability and validity to my research. Moreover, I will work with two types of theories. Firstly I will use the ‘global civil society’ from the perspective of Kaldor 2003. This theory focuses on how civil society organisations such as social movements and nongovernmental organisations operate within a globalized setting in alliance and advocacy with international actors to bring about domestic change. While exploring civil society activities, the theory focuses on the use and importance of globalization in facilitating the linkage with the international community which acts and brings pressure to bear on the ruling government. Secondly, I am going to make use of socialization theories by Risse and Sikkink. These theories begin with the socialization process of civil society actors, which leads to a boomerang effect, and with several boomerang throws comes out with a spiralled shape of actions. In each of the socialization process, I’ll present models (diagrams) to better illustrate my case and end up with my own internalization diagram. Lastly, I will focus on the constructivist perspective of norms in international relations in my analysis. Constructivism gives my study an in-depth analysis as a perspective on norms, and also focuses on the creation and promulgation of norms in the international system, which also falls in line with my research topic.

In my research I would be seeking to unravel answers to two research questions: Firstly, how can the role of civil society actors can be understood within the internalization of human right norms towards policy change? And secondly, how can we understand the role of civil society actors in ending ‘grand apartheid’ policies in South Africa? My technique will be that the theories will answer my first research question which is quite general, while my analysis will answer my second research question. In order to give a clearer inside to the topic in question, I will explore sub-topics like importance of norms in international relations, globalization, human rights and advocacy networks. I am also aware of the limitations of a case study when it comes to generalizations in research, but I choose a single case instead of a comparative case study because it will permit me to give an in-depth analysis of the internalization process of norms in South Africa using the spiral model, especially taking its extreme nature, rather than giving a surface level analysis of several countries.

For general background knowledge of South Africa, the country is located around the Southern tip of Africa, colonized by the English and Dutch in the 17th century and having a multicultural setting, with blacks constituting more than ¾ of the population. Other major

racism are the whites, Indians and coloureds. Apartheid was instituted as a policy in 1948 by white minority rule in order to strengthen their authority over the nation. This policy called for segregation between the white and other races, and brought about the class system in all spheres of life. Several acts and laws were instituted in this regard to strengthen these racist laws. Social movements, non-governmental organisations, and other types of civil society activists rose within the nation during this period in protest against the system of government. With the Sharpeville and Soweto Massacres, the international community was brought closer to the ills of apartheid rule, and several solidarity organisations including western powers became involved in the struggle. Advocacy, collective action and globalization played a major role towards the end of apartheid. But it was not until 1990 that the government granted political amnesty to prisoners and freedom fighters that things started taking a positive turn. Apartheid policies were finally put to rest after an all race elections that took place in 1994 with Nelson Mandela of the African National Congress as the first black president of the nation. It is worthy of note that South Africa was among signatories that abstained during the signing of the universal declaration of human rights in December 1948.

In my analysis I will locate the South African example within the spiral model, tracing the stages of the model through events that happened in the nation. I will also look at apartheid as a policy and how it affected national life in relation to human right norms; the civil society and how they internalized human right norms; the strength of human right norms versus interests of ideology; and lastly I will revisit the process of norm internalization before drawing my conclusions or generalizing my case of civil society actors and policy change.

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DEDICATION

I dedicate this piece of research work to Almighty God who has been my main source of strength and inspiration.

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1 Introduction

I view norms as a guiding principle that surrounds appropriate or inappropriate behaviour for a particular set of individuals or group of people, associations or organisations. One of such norms is the Universal declaration of human rights and freedom (UDRH). Adopted on the 10th of December 1948 by the general assembly of the United Nations, it was meant to act as a bulwark against oppression and discrimination. The declaration listed rights and obligations for citizens as well as correlated responsibilities expected from states to their citizens.

In my research, I am focusing on the internalization of human right norms in South Africa, terming it a special example as a result of the strength and force from a combination of internal and external movements with the guiding principles of the UDRH, causing both regime and policy change in the nation. I plan to use civil society actors such as the Christian resistance movement, the black consciousness movement and trade unions. This variety will give a strong empirical base and render more validity and credibility to my research. And in order to assist me achieve my task, I will build my theoretical framework on the 'global civil society', the socialization process, the boomerang effect and spiral models.

My research questions will lead me to investigating how civil society actors operate in the process of internalization of human right norms, and also how the civil society actors of South Africa worked towards policy change. While exploring these facts, I would also locate my case in the spiral model and lastly look into the controversies in the process of norm internalization before concluding.

1.1 Civil society actors

The term civil society remains a debated concept as to an actual definition. Many scholars have advanced different definitions for the concept, but for the purpose of this research, I choose to define civil society as "citizens acting collectively in a public sphere to express their interests, passions and ideas, exchange information, achieve mutual goals, make demands on the state and hold state officials accountable". (Diamond 1994, p.5). Interestingly, this working definition touches on aspects such as, group of citizens, collective action in a public sphere, sharing interests and ideas in order to achieve mutual goals, and also making demands on the state for change and accountability. These are all aspects that were pursued by civil society actors in South Africa during the apartheid era, such as: the Christian resistance movement, the black consciousness movement and trade unions, which will constitute my empirical material on civil society actors in South Africa.

1.2 Importance of norms in international relations

Hechter and Dieter refers to norms as some sort of “cultural phenomena”, capable of prescribing and proscribing behaviour in particular circumstances, and in some respects held responsible for regulating varied forms of social behaviour (2005; Introduction, p.xi). In international relations, norms occupy a very significant position with regards to relations between states. Klotz states that “regimes are part of an external environment in which actors pursue their interests; norms therefore do not alter actors’ fundamental definition of their interest or preference ranking. In contrast for constructivist, state interest are determined in part by system level norms that define interest” (1999, pp. 460-461). In this regards, norms might not out rightly define the interest of states, but partially shape the pursuits and behaviour of states within the international system.

Goldmann asserts that in order to understand norms in international relations one has to link it intimately to societal values as they express shared values between its members, which in a sense are also sustained by group membership approval or disapproval. In this regards, any justification geared towards ignoring norms is a bridge of shared values within the international system, creating a vacuum that can only be filled by collective action of prosecution to enforce the norm. Without which the concept will remain very marginal to draw any form of attention. (Goldmann 1969, p.162). Talking about norms and shared values, the UDHR which was ‘proclaimed by the general assembly of the United Nations’ (UN), was meant to set a common standard of achievement for all races and nations the world over, keeping in mind the respect for individual rights and freedoms, and with progressive values on both national and international levels. But what role do these human right norms play as a guiding principle to the civil society in the process of change, accountability, freedom and democracy?

Bjorkdahl states that “many writers accept the fact that norms are clearly portrayed as regulating, enabling and or constituting actors. Some norms operate like standards that specify the proper enactment of an already defined identity and establish rights and obligations” (2002, p.41). In the case of the Universal Declaration of Human Rights (UDRH), it defined inherent rights from birth for all humans, irrespective of tribe or race, and correlated obligations of states to protect and preserve these rights. From another angle, Elster (1989) makes mention of the fact that norms are valuable means through which states realize their ambitions and goals. Besides being shared among actors, they must also be enforced by their sanctions. This reiterates the fact that some common values must be shared by actors that are concerned with the norm, and if these values are disrespected, sanctions are expected to ensue in order to correct unruly behaviour. The truth stands that it does not seem as easy as it sounds, but in principle this is how international norms are expected to operate.

Keck and Sikkink on their part look at norms from a strategic point of view, stating that:

By providing information, norms establish a context for interpreting policy signals sent by other actors, they facilitate monitoring and discourage cheating on the international agreements and they serve as signposts to warn policy makers of prearranged actions that other states will take under certain conditions. Against this backdrop it is possible to view norms and practice as mutually constitutive (1998, p.35).

If we take for example a simple rule or norm meant to keep the environment clean and states “No littering of any kind”. This norm does not only regulate how waste could be disposed, but it has got additional connotations. It brings out the difference between people

who are nicely behaved and environmentally conscious by disposing their trash in the bin, and others who could be called trash, simply because they are careless and choose to disrespect the norm. In essence, this norm, in shaping the individual's image, constitutes that person's identity through which such people of that society or culture could possibly be identified. Onuf on his part looks at rules from a constructivist perspective by bringing forth the idea that rules both constitutes a person's character and regulates his behaviour at the same time. And because of the normative nature of rules, they regulate agent's conduct and inform them of what to do. This conduct regulation also constitutes the arena within which such conduct takes place, not minding whether or not consequences are intended by agents (1998, p.68)

1.3 Globalisation

Globalization is seemingly an everyday issue of discussion. Even though quite common, it could be interpreted from different angles. Several writers attempt to explain the meaning and manifestations of globalization, most of them cannot give a clear-cut or precise definition for the term. Simply put, it could be referred to as the "widening, deepening and speeding up of global interconnectedness". (Held *et al* 1999, p.14). And just as Held further explains, this is not sufficient enough to explain the concept. It obviously needs more flesh for it to get a better application. He then describes it from another dimension as "a stretching of social, political and economic activities across frontiers such that events, decisions and activities of one region of the world can come to have significance for individuals and communities in distant regions of the globe". (*ibid*, 1999 p.15). This definition catches my interest as it points directly to the global civil society in South Africa and their transnational advocacy network activities during apartheid rule. Väyrynen further explains that globalization cannot be considered a single process but rather a bundle of different economic, technological, political and ecological processes (Väyrynen, 1999). The former United Nations secretary general, Koffi Annan always refers to the term as a fact of life. Moreover, in my unpublished undergraduate thesis entitled 'Globalization in the Cameroonian Private Sector', I referred to the term globalization as some form of inter-connection, be it social, economic, political or communication, that links one part of the globe to another, both visibly and invisibly, bringing enormous advantages as well as woes. (Ndoping 2002, p.10).

As a term, the word 'globalization' could be said to reflect a widespread perception of an idea that the world is rapidly being molded into shared social space by economic and technological forces. In this line, developments in one region of the world can have profound consequences on individuals or communities on another part of the globe (Held *et al* 1999, p.1). How then does globalization affect my topic? Globalization makes advocacy feasible and gives it necessary dimensional push. It is the only way that we explain how an event that happens in a little suburb area somewhere in Africa gets to New York the same hour that it happens. Globalization was widely exploited by the civil society of South Africa, it made their voices heard the world over and gave an opportunity for them to advocate for sanctions against the apartheid government. Global politics in a sense stands for the "stretching of political relations, space and time; the extension of political power and political activity across the boundaries of the modern nation state, in which political decisions and actions in one part of the world can rapidly acquire worldwide ramifications" (*ibid* 1999, p.49). This is exactly what happened with the South African civil society. Apartheid was a menace that needed an international intervention, the internal and external forces needed to fully be at work for it to get a 'worldwide ramification' for the cause of events to turn around.

Transnational Politics as a term involves a broad sphere of international actors or transnational bodies, for example multinational corporations, transnational pressure groups, transnational professional associations, social movements etc. This may as well include sub-national actors and national pressure groups in the domestic arena, whose activities often spill over into the international arena (Held *et al* 1999, p.50). More interestingly we notice that “Sites of political action and or decision making can become linked through rapid communication into complex networks of decision making and political interaction” (*ibid* 1999, p.49).

1.4 Aim and outline of study

1.4.1 Aim

Several studies by previous researchers on South Africa has easily asserted the strength of human right norms and how it was fully institutionalized in the state of South Africa, (See Thorn 2006; Black 1999), and some other researchers like Klotz focus on the power or strength of norms such as human right norms over economic and ideological interest especially in the South African case and the United States (Klotz 1995). While I intend to move in line with most of these arguments presented by previous researchers, my major aim is to investigate the process of norm internalization into South Africa during the era of apartheid leading to policy change. The norm in question is inspired from the universal declaration of human rights and freedom.

In order to assist me accomplish my task I will be using the ‘global civil society’, the socialization process, the boomerang effect, and spiral model in my theoretical analysis. The ‘global civil society’ from the perspective of Kaldor would assist me in my investigation of how the civil society of South Africa operated through advocacy, while the socialization process, boomerang effect and spiral model would enable me analyze the various phases of norm internalization by civil society participation in South Africa during apartheid and also come out with my own model of the internalization process. I also wish to explore the dynamics of change between the internals and externals on policy change. In the end, I also aim at locating my case through the phases of the spiral model and assess the process of change in my context. Lastly, I wish to add to written literature on the topic of civil society and norm internalization in South Africa. I would be working with the following research questions to help me accomplish my aim:

- How can the role of civil society be understood within the internalization of human right norms towards policy change?
- How can we understand the role of civil society organizations in ending ‘Grand Apartheid’ policies in South Africa?

The first research question is quite general and will be answered in my theoretical chapter (Chapter four), while the second question narrows me down to my focus and will be answered in my analysis, precisely in chapter six.

1.4.2 Outline of study

In order to accomplish this task, I have the following outline for my study:

Initially, I had given an introduction, and will conclude this section with an overview of previous research on South Africa and apartheid as a whole in order that my own contribution could be easily identified. Chapter two will focus on methodological explanations of how and why I will undertake my research. Chapter three will present the background to my study. In this chapter, I intend to present a little history of South Africa and how apartheid came about. After which I will explain the concept of human rights to get an inside of the norm I am working with, aswell as transnational advocacy networks. Next will be my empirical materials of civil society movements in South Africa, which are the Christian resistance movement, trade unions, and the black consciousness movement. Chapter four will be my theoretical frame work. I will begin the chapter with some major definitions like civil society, norm internalization, and the constructivist perspective of norms in international relations. Following will be the ‘global civil society’ from the perspective of Kaldor, this will usher me into the socialization process, where I will illustrate how the civil society acts in the process of norm socialization. The next part will be the boomerang model and finally the spiral model, clearly explaining the theoretical phases of the model and preparing the way to the analysis of my case. Before I begin analyzing my case, I will first of all merge my theories together in order to explain their relevance to my case, answer my first research question and present my own model of the norm internalization process. My chapter five will trace the stages of the spiral model in South Africa, while chapter six will focus on the stages of norm internalization and also on the dynamics of norm internalization and policy change. I will end this section by answering my second research question. Finally, in chapter seven I will revisit the norm internalization process before concluding. I also wish to make mention that I am aware of the fact that it might not have been just norm internalization by the civil society actors which brought about a complete end of apartheid in South Africa, but since this is my main research topic, I am going to mostly dwell my findings and analysis based on civil society action.

1.5 Previous research

In this subsection I am going to present what previous researchers had written on South Africa as a whole. I decided to preview some major research on South Africa on a general basis because very few researchers on South Africa have written on norm internalization in particular. Most of them have simply touched the topic of civil society actors as part of their study on South Africa in general. With this preview it will be easy for the reader to isolate my own contribution on the topic after my research.

Black (1999) in his article entitled “The long and winding road: International norms and domestic political change in South Africa” discusses South Africa’s transition from the racial authoritarianism of the apartheid era to a non-racial democratic elections in the country. His article is in Risse and Sikkink (1999) on “The power of human rights: International norms and domestic change”. He explains the uniqueness of South Africa, the massacres, and the negotiation processes. He seems to be the only one that has approached apartheid in South Africa from the basis of the spiral model. While tracing the phases of the spiral model in the whole process of apartheid, he states that in several ways, the case of South Africa does not only extend the spiral model, but also serves as a good example of how

transnational activism through human rights can promote and institute policy change. But what he does not clearly illustrate is how this model could be extended, and he also leaves out the link between the socialization process, the boomerang effect and the spiral model itself put together in the South African case.

Campbell (1987) discusses the racial and social components of apartheid in his article of “Challenging the apartheid regime from below” in Nyong’o. He writes on political party movements in South Africa, such as the African National Congress (ANC), the UDF and other minor social movements including the National party (N P) ruling party activities itself. In his analysis he also presents how the international capitals gave the Afrikaans leadership the stamp of approval by increasingly investing in apartheid during the 1960s and 1970s, as a result of a healthy competition between Britain, the USA and Germany for dominance leading to a flow of capital to South Africa.

Clark & Worger (2004) writes on the rise and fall of apartheid. In this book they trace the historical background of South Africa, the basis for which apartheid was instituted, the contradictions and the collapse of apartheid rule.

Crawford and Klotz (1999) combined a good number of articles on the strength of sanctions on South Africa. Principally they focus on issues related to the sanctions debate and how sanctions worked. They discuss different types of sanctions ranging from oil, arms and the nuclear industry. They also discuss the US divestment movement, the disinvestment by financial corporations and the political economy of financial sanctions.

Downings (2004) writes on “Apartheid in South Africa”. His book is a historical background of the factors that led to the development of apartheid in South Africa. He also presents an outlook of the living conditions under apartheid for both blacks and whites, and he concludes with the efforts put together by various actors towards the end of the apartheid regime.

Friedman (1978) writes about facts on the republic of South Africa and the policy of Apartheid. He gives a description of the population, education, socio-economic profile of Africans, the political system, social activist movements, apartheid laws and activities including police repression and concludes with military and strategic dimensions of apartheid including foreign policy of the apartheid government. His book was at the request of the centre against Apartheid of Syracuse University in the United States of America.

Klots (1995) discusses norms reconstituting interest, the global and racial equality and the United States sanctions against South Africa. He traces the transnational anti-apartheid movements with an emphasis on dynamics related to strength of norms as against social and economic interest in the case of South Africa.

Lennart (2005) wrote his masters at Lund University at the department of theology and religious studies on “A journey with apartheid”, the Dutch reformed church in South Africa in debate with World alliance of reformed churches 1960-1998. The theme of his discussion was the discussion that went on between the Dutch reformed church in South Africa (DRC) and the world alliance of reformed churches (WARC) on the issue of apartheid. He describes this process from 1960 to 1998 as it was possible tracing from some important documents from the DRC, and in minutes and other documents from the WARC executive council and from its general councils. He also gives a brief account of South Africa’s history with a special emphasis on the development of churches.

Saxena(1992) in his book entitled “South Africa: walking the last mile” presents a very vivid historical background of South Africa, and traces the course of history of the country all through the various stages of repression to a free and fair democratic election handing over power to Nelson Mandela and victory to the blacks.

Thörn (2006) focuses his discussion on anti-apartheid with respect to the emergence of the “global civil society”. This book is divided into two main parts. The first

part talks about anti-apartheid in a global context with issues related to transnational activism, the globalization of the anti-apartheid movements and the struggle of information and interpretation. While the second part focuses on public debates and apartheid, with topics on the Sharpeville and boycott debates, sports and politics, the new black militancy and finally anti-apartheid and the emergence of the global civil society.

UNESCO (1972) published a book on the effects on education, science and information of Apartheid rule. At the beginning of the book, the universal declaration of human rights is explained, and the research principally focuses on how education, science and information were managed with respect to facts and figures on blacks, other races and whites. Several diagrams and tables are used to explain how the policy of apartheid affected this particular sector of the country's economy.

In my general preview of the above research by previous scholars, it is clear than none of them brought out the stages of norm internalization by civil society actors, but it gave me more of an inside to apartheid and clearly isolates my own contribution in this field of study.

2 Methodology

My study is qualitative in nature and will analyse the case study of South Africa based on norm socialization and internalization into the state of South Africa during apartheid rule. By norm internalization, I refer to ways by which people adopt to social norms from birth ('vertical transmission') or through a social process instituted by institutions or organisations ('oblique transmission'), (Gintis 2002, p.1). My study mostly dwells on the oblique form of transmission. More specifically, my study runs from 1948-1994, i.e from the institution of apartheid laws in South Africa under the National Party through policy change and democratization up to the first all race elections in 1994. The norm in question is the "Universal declaration of human rights and freedom".

A study on norm internalization is a very challenging project as norms by themselves are immaterial facts, pointing to the fact that they cannot be summarized in a clear statistical data analysis as in quantitative research. Even though the norms I am using stems from the "Universal declaration of human rights and freedom", norms are dynamic social processes with no static phenomena, making my task even more challenging. But as Alvesson et.al states, "a method connects the theoretical base with the production and the fruitful use of the empirical materials" (Alvesson et.al, 2000, p.11). I have therefore selected theories of the global civil society exploring the understanding and functioning of civil society actors, and theories of socialization, running from the boomerang effect to the spiral model. These theories are all relevant in the context of my case. Moreover "qualitative research is of specific relevance to the study of social relations, owing to the fact of the pluralisation of life worlds" (Gomm et al 2000, p.11). The increasing number of life worlds in the social fabric opens the opportunity for researchers to investigate the level of quality of a given situation particularly within the society. My target is to investigate how civil society actors internalized human right norms within the society of South African, triggering policy change. This whole chapter will offer a methodological framework that will guide me all through my research process.

2.1 Case study method and generalizations

"A frequently mentioned aim of science is prediction and control. But prediction and control cannot be accomplished without something on which to base predictions or formulate controlling actions" (Gomm *et al.* 2006, p.27). Despite the limitations of generalizing, it is always necessary to have a context for which one can draw predictions. For this reason, I used the South African civil society as the context and from which am going to be formulating controlling actions on how this sector of the society affected apartheid and brought change to the nation of South Africa. This case is tangible enough for predictions because of its uniqueness. It is an extreme of a case in which internal factors (civil society mobilization) through interactions (advocacy) with international movements led to the internalization of human right norms and hence policy change. But however, Gomm *et al* questions the

usability of generalizations since they are always inductively underdetermined as well as temporally and contextually related (2006, p.33). But with this in mind, I am aware that my arguments are based on a social constructivist point of view, and discussions as well as results of this nature fall within a certain social background, enabling me not to fall prey to what Haraway calls the 'God's trick' in describing social phenomena neutrally 'from above' (1988, p.582). Case studies are often considered as non-useful because they offer too limited results and, thus, they are not a suitable basis for generalisations (Gomm et al. 2006, p.36). But having a special case such as that of South Africa and the impact it drew for international sanctions, I would like to use the opportunity to make certain valid predictions from a special case of this nature, basing on the dynamics of norm change with respect to ideological/economic reasons. And also at the end make predictions of other factors that might have as well brought down the apartheid regime other than norms and civil society actors.

2.2 Operationalization

Operationalization refers to the "rules we use to link the language of theory (concepts) to the language of research (indicators)" (Bell 2005, pp.139-140). I am working with the civil society of South Africa in their internalization of norms during apartheid era. The norm I am using draws its inspiration from the "Universal declaration of human rights and freedom", and the civil society actors are: The Christian resistance movement, trade unions, and the black consciousness movement. These movements remained extremely active during apartheid rule. My theories run from the global civil society perspective of Kaldor, to the socialization process of norms as presented by Risse and Sikkink, getting to a boomerang effect, and with several 'boomerang throws' forming a spiral model. I am going to base the arguments of my empirical case (civil society actors) on the perspective of 'the global civil society' of Kaldor, the civil society's interacting, lobbying, and advocating for sanctions on the global web will be centred around the socialization process. While my phases of norm internalization and policy change will be based principally on the spiral model. By norm internalization, I refer to ways by which people adopt to social norms from birth ('vertical transmission') or through a social process instituted by institutions or organisations ('oblique transmission'), (Gintis 2002, p.1). My study mostly dwells on the oblique form of transmission, leading me to my own norm internalization model. My concluding analysis will be based on a combination of all theories put together in relation to my empirical materials, bearing in mind my research questions. The research will be constructivist in nature and my technique will enable my theories to answer my first research question, while my second research question will eventually be answered in my analysis. This blend will enable me link the theoretical and empirical in order to draw valid conclusions.

2.3 Reliability and validity

"Reliability refers to the degree of consistency with which instances are assigned to the same category by different observers or by the same observer on different occasions. It

provides evidence about validity and also tells us about the usefulness of the particular research strategy used” (Hammersley 1992, p.67). I had therefore earlier presented previous research on apartheid in South Africa explaining each of their focus in order that my own contribution will be easily identified. Moreover, all materials taken from other sources have been strictly referenced such that a reader can find it easy accessing the source of each information indicated in this research.

Hammersley also states that “by validity, I mean truth of the claim made. Validity is interpreted in terms of selective representation of reality, with the amount and nature of evidence that is necessary depending on the type of claim involved and on the judgment about its plausibility, credibility and centrality” (1992, p.78). I will present three very active civil society movements during the era of apartheid in my background study, even though they all had a collective view of ending apartheid, they each functioned from different angles and using different strategies in their fight. This variety gives more credibility to the issue being researched. It also falls in line with the idea that in order to guarantee an acceptable level of constructive validity, it is recommended to use triangulation of data-collecting methods, which can be done by using multiple sources such as articles, interviews, documents and books (Yin 2003, pp.97-101).

Moreover, according to Flick (2006), validity in a qualitative research can be understood as a question of whether the researcher sees what he or she thinks he or she sees. But this might sound a little limited, so I would also like to apply the issue of internal and external validity, grounded in the foundation that “transnational anti-apartheid activists’ extraordinary success in generating great power sanctions against South Africa offers ample evidence that norms, independent of material considerations, are an important factor in determining states’ policies”.(Klots 1995, p.451). This internal validity involves a satisfactory correspondence between the empirical results and the theoretical ideas that I have developed, enabling me to come out with my own model. This is also ensured through the varied data collection sources that are used in this study. External validity involves to what extent the results can be generalized to other social environments and situations (Bryman 2002). I will obviously present the part of external validity in my analysis.

2.4 Materials and choice of case

I am working with three civil society actors in the internalization of human right norms during apartheid rule in South Africa from 1948 to 1994. I choose the case of South Africa for norm internalization because as earlier mentioned, it is an extreme of a case in which internal factors (civil society mobilization) through interactions (advocacy) with international movements led to the internalization of human right norms and hence policy change. Also, its uniqueness is further elaborated by the way in which sanctions were collectively and efficiently administered on the state to produce the results that remained significant in history till date. I have also selected each of my civil society actors for my study based on the following reasons:

Firstly, the Christian resistance movement was the only movement that had norms as guided by the bible that fell in line with the norms of the “Universal declaration of human rights and freedom”. The Christians had believes built on love, individual freedom and liberty, as handed by God in the bible, and obviously fought not for any political or economic gain, but for the norms which guide the very existence of their faith in the bible. Moreover,

they were among those social movements whose leaders were hardly detained, except for exceptional circumstances of a few. This enabled their fight to last right to the end. Also, people always believe in men of God, so their voice gave a truthful backing on the ills of apartheid and easily galvanized international anti-apartheid advocacy. More to this, the Christian resistance movement created grounds for the formation of some prominent political parties such as the African National Congress (ANC). And lastly, the Christian resistance movement is a movement that has most often been given little attention by most writers on civil society activists against apartheid, this gave me an opportunity to explore their role and also bring them to the forefront of the civil society fight.

Secondly, I choose the black consciousness movement because of its massive mobilization and sensitization of students, and most especially the blacks. It had a strong link with both national and international networks. Students played a very vital role in student boycotts and strike actions that attracted international attention. Moreover, it was the death of its leader, Steve Biko and six other members in police detention that triggered a turning point in the history of South Africa, as it attracted human right activists both nationally and internationally.

Thirdly, I choose trade unions because they had the strongest confederation during apartheid era. They remained consistent, and even replaced the fight by political parties when most of them were banned and their leaders went on exile. Their leaders were not harassed as much as political activists and their pleas were genuine, based on equal recruitment criteria, pay and working conditions for all. The impact of trade unions in South Africa was strong enough and pulled a lot of crowds, and its foot prints are still felt up till date. Lastly, these three civil society actors could be representative of the South African civil society and the variety will be able to give more validity and reliability to my research results and more strength to my case. Also, they all played an active part in the norm internalization from a constructivism point of view.

To accomplish my goal, I have been using primary sources of data (pamphlets and journals of civil society actors, as well as their web pages) and secondary sources of data, which are journals, articles, books, reports as well as online materials. While theoretically I am working with ‘the global civil society’ from the perspective of Kaldor, the Socialization process and boomerang effect leading to a spiral model. My empirical case and theories have a smooth blend and will be elaborated in my merging of theories. My method as earlier mentioned is to use my theories to answer my first research question, while my analysis will be answering my second research question.

2.5 Limitations and role of researcher

I will obviously be faced with a good number of limitations:

Firstly, I had to use just secondary sources of data including primary sources in written form, without going out on the field to gather direct primary data such as interviews. I am aware that some of the primary data from organizational web pages, journals and pamphlets may be biased because they are mostly written from their organizational perspectives, but these are what I have at my disposal and moreover, I will ensure I also cover varied sources of secondary data from the perspective of several researchers as well. And talking about materials, access was relatively easy as I got several books, journals and articles on South

Africa in general and civil society participation in particular. In order to avoid bias, I will therefore analyze a variety of literature from varied angles related to my study.

Secondly, a study on norms is quite complicated as norms by themselves are immaterial facts, pointing to the fact that they cannot be summarized in a clear statistical data analysis as in quantitative research, and they evolve over time. But with the guiding principles of the “Universal declaration of human rights and freedoms” and also from a constructivist perspectives, it provides a context and setting on which to construct ideas. Thirdly, it was impossible to cover the in-exhaustive list of civil society actors that contributed to the norm internalization process. But the three civil society actors are quite representative of the South African civil society fight, and the variety avoids bias and also makes the research more credible. Also, I am aware it might not be just civil society actors that caused apartheid to crumble; several other combined factors were at play. Even though my focus is on civil society actors, I will also make mention of other possible options in my conclusion. Lastly, this research project has worthwhile goals, but it is important that the pursuit of these goals is moderated by the utilization of only valid, representative data with proper references to data sources (Kimmel 1988). As a researcher, I understand the ethical guidelines and limitations present, and I endeavour to proceed ethically avoiding any form of bias in data selection, while also bearing in mind that the validity and reliability of my results are crucial and will contribute to written literature in this field of study.

3 Background of study

3.1 Apartheid in South Africa: Origin and strength

Located at the tip of the Southern part of Africa, South Africa is blessed with abundance of natural resources such as diamond and several other minerals. Worthy of note is its colonization by the English and Dutch in the 17th century. New colonies were created by the Dutch in the Orange Free State and Transvaal. But with the discovery of diamond in the 19th century, the English enviously invaded the Boer territories sparking up the Boer war. Even after independence from the English, there still existed an uneasy power sharing between both groups that dragged on right till the 1940s when the Afrikaner national party finally gained a majority. Apartheid then came in as an invention by strategists in the National Party (N.P) in a bid to cement overall control on the economic and social system. Originally, it was aimed at maintaining white domination with an extension of racial separation. But the year 1960 saw a complete plan called “Grand apartheid” geared towards an extreme racial program which envisaged both territorial separation and police repression (See Saxena 1992; Dugard et al 1992).

Several racial laws were enacted after the election victory of the N.P in May 1948. The government fully institutionalized and took several steps to maintain its grip on societal life. The department of home affairs was made responsible for the classification of citizens. The forces of law and order were also alert in dealing with culprits caught trying to violate the newly enacted legislation. Pass books were used by blacks for movements from one area of the country to another, these pass books contained their finger prints, photo and permission to enter particular white restricted areas. It is worth noting that the word apartheid originated in the 1930s as a political slogan of the N.P even though the policy itself could be traced as far back as 1652 with the beginning of white settlement in the country. As a word, “apartheid” stems from “apartness”, explaining the nature of a policy in South Africa after 1948 that separated whites from other races in the nation (See U.S. department of state, Oct 1999)

Several acts were passed by the N.P to fully formalize their apartheid policies, making the government to be termed by many scholars as uniquely evil. Homelands or entities were created with heavy penalties to be inflicted on political protests or unrests. The police had the right to detain without any fair form of trial, including other local authorities for up to six months. Many innocent citizens obviously died in custody after being tortured and starved. One of the early opponents to apartheid was Albert Lithuli who also later became president of the well known opposition movement called the African National Congress (ANC). Statistics pointed to the fact that blacks were up to 19 million, while whites were just 4.5 million inhabitants. Despite this fact, they were pushed to inhabit a non arable land of just 13% of the national territory, while whites relaxed on 87% of the most fertile part of the land. General earnings and exposure to medical care and education between blacks and whites had an extremely wide margin as demonstrated by the statistics below:

Apartheid and the People of South Africa		
	<i>Blacks</i>	<i>Whites</i>
Population	19 million	4.5 million
Land Allocation	13 percent	87 percent
Share of National Income	< 20 percent	75 percent
Ratio of average earnings	1	14
Minimum taxable income	360 rands	750 rands
Doctors/population	1/44,000	1/400
Infant mortality rate	20% (urban) 40% (rural)	2.7%
Annual expenditure on education per pupil	\$45	\$696
Teacher/pupil ratio	1/60	1/22

Figure 1: Disproportionate Treatment circa 1978. Source: [Leo80]

(Source of data: Leonard 1980)

History books have it that the year 1948 remains a very significant year for the world at large and South Africa in particular. Firstly, the National Party of white minorities in South Africa won the elections of 28th May 1948 and instituted apartheid, while the general assembly of the United Nations proclaimed the UDRH on the 10th of December 1948. These whole events that happened in the same year could be looked upon as an irony because while the world was busy trying to recognise each individual's rights from birth, and responsibilities of states to protect those rights, South Africa was already a culprit, selfishly violating these same rights.

3.2 Human rights and advocacy networks

From a simple understanding of the word, human rights are supposed to be rights that are due us by virtue of our being as humans. These rights might not cover animals, insects or other forms of living creatures on planet earth. We therefore term it as natural rights endowed in us from the day of our birth. With this thought in mind, these rights are also expected to be universal, cutting across all tribes, races, cultures, nations, countries and continents. This therefore means that what the general assembly proclaimed on the 10th of December 1948 was just a reminder that mind kind was drifting from the fact that we are all human beings and deserve to treat each other fairly. This was also clear indication that something was already going wrong and needed to be corrected in time.

It is also worth noting that South Africa was among the few countries at the time that out rightly abstained from signing this declaration when it was originally proclaimed in 1948. Clearly, the intentions of the UDRH was to act as a bulwark against oppression and discrimination, of which the N.P of South Africa was already breaking down the fabrics built to maintain peace and rights for all humans. Another major aspect is the fact that this declaration came in just after two barbarous wars that the world witnessed, with the Second

World War just ending in 1945. It was therefore necessary for peoples of the world to come together under the banner of the U.N. to correct the errors of the past.

Several scholars point to the fact that the UDRH did not just seem as a document filled with empty words and without any strong political order to back up the contents of the declaration, because it was endowed with extraordinary rights meant to build a strong political foundation. This included rights ranging from partaking in the government of one's country, an international order in which the declaration's right could be easily realised, morality rights, and the welfare expected to exist in democratic societies, not forgetting the fact that the rule of law is paramount (United Nations, 1948).

With conflicts of a greater magnitude, one can assert that domestic actors can hardly act in isolation to realize their goals. In this line of thought, they echo their voices through a globalized cycle known as advocacy. Except for service activities, most NGOs are frequently in alliances with other international actors on a transnational basis in order to better advance their policy goals. This is what most writers refer to as transnational activist networks. Keck and Sikkink explains that "a transnational advocacy network includes those relevant actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services" (Keck and Sikkink 1998, p.2). Moreover, this networks "are most prevalent in an issue areas characterized by high value content and informational uncertainty" (ibid 1998, p.2).

It is important to make mention of the fact that transnational advocacy networks are not meant to act as alternatives to social movements or INGOs, but they are meant to instead contain them in such a loose way that networks contain anything. In this same way governmental agents could also be contained in both official and unofficial capacities. These networks act as shifting informal structures through which NGOs, social movements, international institutions as well as government officials interact in helping poorly resourced domestic actors in a bid to gain leverage in their home societies. At the local level, civil societies form an alliance with international organisations in gaining a stronger international impetus and echo their voices through a wide international dimension. The anti-apartheid civil society of South Africa actually exploited this situation in trumpeting their voices in the international arena for others to empathise with them in their fight against oppression and gain freedom for all.

3.3 Christian resistance movement to apartheid

This movement was founded as a result of combined efforts towards curbing a jinx that developed in South Africa after 1948 called apartheid. The movement established a very significant and transparent force which created a back bone in the South African anti-apartheid civil society struggle. They translated human right norms from varied plat forms in a bid to internalizing these ideas into the South African society.

Church history of South Africa points to the fact that Afrikaner nationalism was championed by the Dutch reformed church. Several blacks and coloured formed a vast majority of protestant churches. Other churches with significant numbers included the Methodist, Anglican, Roman Catholic and several other Pentecostal churches doted all over the national territory. An actual Christian resistance to apartheid was traced as far back as the 19th century in the Cape colony, with ethnocentrism visibly in existence, though it was unconsciously applied in church and community relations.

Most South African Pentecostal churches were pioneered by whites, even though in the end they became predominantly black. It goes without saying that the white led churches were more sympathetic with the ruling party while the predominantly black congregations were ruthless in line with the opposition and also against racial segregation. Anderson termed it the “Swart gevaar”, meaning black danger that was omnipresent, especially in black congregations (Anderson 2000). Unfortunately, the government viewed African nationalism as communist inspired and evil forces that were an extension of an “anti-Christ” system that meant to destroy genuine Christianity. Meaning it was dangerous and its propaganda was bad and communist inspired geared towards brain washing individuals against the gospel of Christ, and seemingly the evil of apartheid was invisible and unrecognised by the government.

Black theology in response to apartheid took a higher dimension in the 1970s. It got the name of contextual theology standing for a theology with the struggle for the liberation of the oppressed. This theology made major strides in white communities, and the name Trevor Huddleston was significant in the black theology anti-apartheid struggle during the 1950s because of his passionate and influential plea for an end to apartheid policies. There was also Bayers Naude who formerly served as moderator of the Transvaal synod but stepped down from his position to form the Christian institute and better present a strong voice against racial discrimination. The institute served as an agency for interracial reconciliation and a melting pot where racial issues were addressed and communicated to the population and the international community.

In a bid to better sensitizing the African communities and congregations, the Christian movements imparted progressive values into the black educated masses, and they gradually got a renewed sense of belonging in the world, and most especially their country, South Africa. Several Christian missions acted as education grounds for the blacks and a breeding ground for new political organisations in the late 19th century in South Africa. To buttress this point, the “South African Native National Congress” (SANNC) which later became known as the African National Congress (ANC) came about as a result of emphasis from Christian resistance movements to anti-apartheid, combined with some liberal politics of the Cape. This political movement left a mark on the anti-apartheid struggle and finally took over power after the first democratic elections of 1994. Several scholars repeated pointed to the fact that white South Africans had no conception of human relationship with the blacks, but for that which was linked to racial domination. Since the Afrikaner invasion, whites have never viewed the indigenous blacks as equals. They were either looked upon as servants to white economic and political interest or perceived as a typical native problem. This therefore meant that racism had been an age old problem that needed not just human strength to break through, but also prayers and prophecies from the Christian community.

Liberal Christianity also posed a radical resistance against apartheid. This could be traced from among both the Anglican and Roman Catholic communities. A noted figure among these freedom fighters were bishop Colenso of natal, bishop Manas Buthelezi, Arch bishop Tutu, Alan boesak, just to name a few. Colenso was among a few theologians that lived and preached the gospel among the blacks community, precisely among the Zulus even though he was of white decent. He adopted the ways of the blacks and out rightly supported their course of action. This “posed a direct threat to white superiority which viewed” the African custom and religion to be inferior and primitive (Thoday 2001). Colenso was later tried by the ruling government for his radical stance on apartheid policies and found guilty of heresy. Most other theologians formed a united front with a conviction that Christianity and the gospel of God had an edge of justice, freedom and liberation of all race and also remained the best option for the poor and marginalized black population. The church movements aligned with international churches and brought constant pressure to bear on the apartheid

government in a bid to gaining freedom and liberty for all. (See Anderson 2000; Thoday 2001; and Elphick et al 1997).

3.4 Trade union organisations and apartheid

The South African workers union can not be underestimated in the fight against apartheid. Through sensitization and mobilization of its members, many people were educated on the ills of the apartheid policies. South Africa had a very vast working force, with a majority of men jobs being undertaken by the black population. Also owing to the settler nature of the country, most of the resources were processed within the national territory in a bid to building the country's industry. Undoubtedly South Africa was and still remains the most advanced industrial country in Africa, equivalent to a good number of lesser European imperialist countries. It is therefore easy to establish the fact that a country with such a massive industrial build up was to have a very massive and volatile trade union activity. And with most of the common labour made up of the African population, the anti-apartheid struggle was also felt among trade unions. Knowing the dangers of a violent labour force, the government always responded swiftly and with an extreme form of brutality on attempts by workers to flex their muscles in riots and boycotts. But the black working class remained very revolutionary as a group right from its infancy and led mass struggles in the past, even before the ANC gained its popularity as a resistance movement.

'The South African Congress of Trade Unions' (SACTU) rose among several other very remarkable unions in South Africa in the year 1955. SACTU came about as a result of several trade unions that broke away from both the racist trade union federation and the Trade Unions' council of South Africa (TUCSA). Aligned with movements in congress and the ANC, SACTU had an approximated membership of about 53,000 members, of which about 39,000 were Africans. Its activities centred on better working conditions for its members and wage equilibrium to work done. SACTU also organised a good number of boycotts including the stay at home boycott of the late 1950s and early 1960s.

Several other trade unions played a very significant role in the fight against apartheid. With large numbers in their members, they had ground breaking strength on the number of people that supported collective actions. They pushed through pleas concerning black workers' rights and general mobilization, making the government to seek for grounds for concessions on apartheid policies. A major aspect was the fact that these trade unions carefully fitted in the gap that was created by banned political activists and their guerrilla groups on exile like the ANC. Their importance was noticed in varied spheres of life, ranging from work related problems to community grievances that members faced.

Another important stride in trade union activities was the formation of the South African Congress of Trade Unions (CUSATU) in December 1985. It came about as a result of unitary talks, mergers and negotiations. This was seen as a major step in trade unionism, and also a plus for the anti-apartheid struggle. CUSATU had a diverse membership comprising of unaffiliated trade unions as well as representatives from the council of unions for South Africa (CUSA) formed in 1980. CUSATU's unitary slogan was "one country, one federation and was viewed as part of the black consciousness trend that promoted black leadership in unions that came from varied industrial sectors with agriculture inclusive.

With a representation that was more or less an advanced form of trade unionism, and also clearly built on political grounds, backed by both a charismatic and an enthusiastic leadership, most Unions that formed the merger brought different ideas and approaches that

assisted the union in their full commitment to freeing the blacks from oppression. Another advantageous aspect was the fact that they faced less harassment from police officials as compared to political leaders, and they also had the advantage of meeting on factory or industrial premises to map out strategies. With this they pulled a lot of community support and also exploited the legislation that gave them a right to strike, even though the government also had a high measure of control over their activities. Though prohibited to openly show sympathy for opposition political parties, many trade unions did not actually comply with this rule. With the establishment of a new constitution in 1984, it sparked off the biggest and longest black up rising within the Vaal triangle. There was a combination of trade unions that organised a very long stay away from work in the history of South Africa. History books have it that in just one year, there were approximately 469 strikes registered which could be said to make up about 378,000 hours of lost economic gain in business and economy. These strikes, boycotts and mobilizations organised by trade unions had an international dimension and affected not only the South African economy, but also its trading partners. It pulled the government into serious international financial crisis, and in essence echoed the voices of suffering and marginalised races in South Africa. (See Cabral and Robeso 1986)

3.5 Black consciousness movement

This organisation had its birth out of student struggles of the 1970s against the ills of apartheid. High school and university students went on rampage, challenging unjust apartheid policies imposed on students in educational institutions. Note worthy was their opposition to the instruction through the Afrikaans language. This language was originally the language of the Dutch, and students of black and other related races saw no point in being instructed through an external language in class. They viewed it as an educational brain wash and the abandonment of their own language, culture and beliefs. They formed groups and took up questions related to views of how to bring an end to apartheid. In this brutal struggle and clashes with the forces of law and order, most of them unfortunately lost their lives or were jailed indefinitely by the state.

Out of the struggle, the black consciousness movement of Azania (BCMA) was formed as a social movement in April 1980. This movement co-ordinated the work of freedom fighters who lived in exile, especially after the Soweto rebellion of 1976. Many activist groups were part of the black consciousness trend that was out rightly directed towards freeing the blacks from white oppressive rule. It was both revolutionary and nationalist in its orientation. The 1980s saw a different phase in the black resistance struggle. Firstly it had come through trade unions, later through the African students' organisation headed by an out spoken and charismatic leader called Steve Biko. Biko was a medical student himself and was among the main forces that saw the growth of the black consciousness Movement. Unfortunately, Biko was killed while in detention for his anti-apartheid activities. Before his death he had drawn a lot of international attention and left behind a legacy that was worthy of emulation as a real patriot.

The black consciousness movement left a mark on the anti-apartheid struggle and the death of Steve Biko was a plus to the fight on the international arena. It opened the flood gates for advocacy with other international networks that had an interest in the liberation fight. This could be better explained with the boomerang effect model that I am going to be exploiting in my theoretical analysis. Pressure is brought to bear from below (Civil society), which goes out in the form of advocacy networks, and returns with pressure from above

(international community), to the ruling government of South Africa, causing a change of policy. Foreign countries imposed serious sanctions on South Africa, trading partners seized ties and the wind of change blew, leaving behind a government that could not be indifferent to the changing world times. All this was thanks to the black consciousness movement and other civil society organisations (See Seidman, 1980).

4 Theoretical framework

4.1 Definitions

4.1.1 What is civil society?

As I mentioned in my introductory chapter, the concept of civil society still lacks a universally accepted definition. Most writers defined it based on group or activities that are organised outside governmental circles in relation to the family, welfare, economy, social activities, as well as activist networks seeking for better living and democratic conditions in a state. In a bid to define or describe the concept, Gyaw presents a picture of some sort of voluntary organised realm of activities or organisations that support themselves both financially and organisationally from the state, having legal rules of operation. The context of this description places civil society actors under organisations that act out of official administrative circles, and with collective autonomous actions, expressing interests, wishes and desires in a bid to achieving mutual goals while also placing demands to the state. He also believes that political and economic rights of organisations are protected under the emblem of civil society, and the skills it fosters in a vigorous way could be said to be the foundation of democracy. (Gyaw 1998).

Hause on his part in 'Beyond Intractability' makes an attempt at sorting through a good number of characteristics of civil society for the British Library. He writes:

- ✚ All observers agree that civil society refers to voluntary participation by average citizens and thus not include behaviour imposed by the state.
- ✚ For some observers, it only includes political activity engaged in through non-profit organisations such as nongovernmental organisations (NGOs). At the other end of the spectrum, some observers include all forms of voluntary participation, whether in the public or private sector, political or apolitical.
- ✚ Civil society includes not just the individuals who participate, but the institutions they participate in sometimes called 'civil society organisations' or CSOs. Thus civil society is strong to the degree that those CSOs are larger and powerful.
- ✚ A civic culture is one in which most people think their government is legitimate and that their institutions (if not the leaders at any particular moment) can be trusted.
- ✚ Social capital is the human equivalent of economic capital. It is an intangible resource accumulated by civil society that can be expanded when a society finds itself in crises, as some argue it occurred in the United States after September (Hauss 2003).

Also, in order to give a clearer meaning to the term in a more universally accepted context, Edwards puts together ideas from different sources to come out with an inner understanding of the concept. He states that:

Civil society means ‘fundamentally reducing the role of politics in society by expanding free markets and individual liberty’(The Cato Institute, USA), ‘the single most viable alternative to authoritarian state and the tyrannical market’ (The world social forum, Brazil), or the missing link in the success of social democracy (central to ‘third way’ thinking and ‘compassionate conservatism’) In academia, civil society has become the chicken soup of the social sciences, and in the world of foreign aid the key to ‘good governance’ poverty reducing growth. (Edwards 2007, pp.13-14.)

His ideas have got more of a political outlook, and he focuses more on the future of civil society in his article.

Also, Whyte of the London school of Economics and Political Science has a more practical perspective to the concept, he states that:

Civil society refers to the arena of un-coerced collective action around shared interests, purposes and values. In theory, its institutional forms are distinct from those of the state, family and market, thought in practice, the boundaries between state, civil society and, family and market are often complex, blurred and negotiated. Civil society commonly embraces a diversity and power. Civil societies are often populated by organisations such as registered charities, development non-governmental organisations, community groups, women’s organisations, professional associations, trade unions, self-help groups, social movements, business associations, coalitions and advocacy group. (Whyte, 2004).

All these definitions gives us a better view of diversity of the concept civil society, but for the purpose of this research, I choose to define civil society as “citizens acting collectively in a public sphere to express their interests, passions and ideas, exchange information, achieve mutual goals, make demands on the state and hold state officials accountable” (Diamond 1994, p.5).

4.1.2 What is norm internalization?

By norm internalization I refer to ways by which people adopt to social norms from birth (‘vertical transmission’), or through a social process instituted by institutions or organisations (‘oblique transmission’), (Gintis 2002, p.1). In my case, I am using civil society actors as organisations working through a social process in the institution of human right norms in South Africa during apartheid rule.

4.1.3 What is Constructivism?

This is the perspective that I am going to basing my views and analysis on norm internalization in South Africa. For constructivist, guns and finances are just objects when they are not endowed with any meaning. But in some contexts, they could mean exactly what realists belief: that materialist politics is all about guns and money which are equal to power, with power determining behaviour. But in another context it might mean a lot of other

different things. Constructivists believe that anarchy is just what we make it to be, and they do not deny the fact that the world is anarchic. Their claim is that they can explain other perspectives of norms in international relations, such as neo-realism and neo-liberalism. They focus principally on the creation and promulgation of norms in the international system.

They also focus on showing the contingency of events in history (i.e how new things happen causing old norms to be replaced by new norms). Constructivists also believe that co-operation might be the norm but this might solely depend on contingencies that preceded the particular situation. Constructivism has often been considered the opposite camp to most perspectives of norms. Scholars such as Wendt (1992), Checkel (2001) or Risse (2004) base their writings on the above mentioned assumptions, and also believe that individuals do not act under rational calculations, but based on the logic of appropriateness, that is, norms distinctively cultures the individual's lives in determining his/her decision making process.

4.2 The global civil society

The Global civil society could be looked upon as a process of helping to constitute and being constituted by a global system of rules, underpinned by over-lapping inter-governmental, governmental and global authorities. Kaldor's explanation points to a new form of politics with the name civil society, which is an outcome and an agent of global interconnectedness. She states that what is new about the concept of civil society since 1989 is globalization. This globally interconnected web is fully illustrated in the boomerang model which I will present below. Pressure is brought to bear on a norm violating state from below (Civil Society) and from above ('globally connected web of pressure') this interconnected web comes back, forming a boomerang cycle of events as I am going to illustrate. Furthermore, Kaldor makes mention of the fact that "new forms of violence, which restricts, suppress and assault civil society, also spill over borders so that it is no longer possible to contain war or lawlessness territorially". The Sharpeville and other massacres in South Africa, police torture and extreme human rights abuses all stand as vivid examples. I also agree with her when she states that "the ambiguity of the term of civil society is one of its attractions", the term could fit in varied contexts and settings. She sub titles her book "an answer to war" because the concept of civil society has always been linked to the notion of 'minimizing violence in social relations, to the public use of reason as a way of managing human affairs in place of submission based on fear and insecurity, or ideology and superstition'. Even though there was a violent wing of most of the anti-apartheid movements, the apartheid victory could be weighted more on the pressure from the civil society movements which brought about sanctions through transnational advocacy networks. But just as she states, the use of the word "answer to war" does not in any way mean that global civil society is the magic wand or some sort of a magic formula, neither is it a ready recipe solution or a permanent alternative to war, but on the other hand 'it is a way of addressing the problem of war, of debating, arguing about, discussing and pressing for possible solutions or alternatives' (Kaldor 2003, pp.1-3).

Kaldor further describes the term 'global politics or 'global civil society' as "domestication of the international" with the international being a "realm of diplomacy, high-level meetings and military strategy and the domestic", considered in democratic states as the "realm of debate, discussion and public pressure". On this premise, global politics is looked upon as "the interaction between institutions of global governance (...) the global civil Society -the groups, networks and movements which comprise the mechanism through which individuals negotiate and renegotiate social contracts or political bargains at the global level".

(2003, p.78). The global civil society is used to denote “actors in global politics, global Social movements, international NGOs (INGOs), transnational advocacy networks, civil society organisations, global public policy networks etc”. In other words it could be put as “the process through which individuals debate, influence and negotiate an ongoing social contract or set of contracts with the center of political and economic authority” (ibid 2003, p.79).

Kaldor describes social movements by categorising them into the old and new social movements with an overall concept as “organisations, groups of people and individuals, acting together to bring about the transformation of a society” (2003, p.82). And from Tarrow’s view point “social movements are an invention of the modern age and an accompaniment to the rise of the modern state”, at the base of which there is “contentious politics”. These are actions by people lacking a regular access to institutions, and “acting in the name of new or unaccepted claims” and who in their style they fundamentally challenge other institutions (Tarrow 1998, p.2). Tilly on his part presents a “contrast in repertoires between traditional and modern protests”. His use of the word “repertoire” is to resolve the tension existing between structure and agency, “between protest as a deterministic response to structural conflict or malfunctions in society”. Protest is looked upon as an expression of human agency of the “will of participants” though constrained by “frameworks inherited from the past”. In his line of thought “repertoire of social movements can be distinguished from earlier forms of protest”. He presents this in three respects:

- Cosmopolitan rather than parochial, meaning their concerns are issues and principles applying to human beings as a whole, not limiting it only on the interests of their localities.
- Autonomous rather than bifurcated, meaning individuals form organisations in which they directly address relevant authorities. This contrasts with pre-modern forms of protests in which individuals address local patron or authorities even in issues which were more than local significance.
- Modular rather than particular, meaning they develop routines of protests in the form of petitions, strike or demonstrations, which are easily transferable to different situations, in contrast to traditional protests like grain seizures or risk burning that varied from issue and locality.

(Tilly 2002, p.65).

The success of social movements lies in their “capacity to mobilize and on the responsiveness of authorities”. Authorities actually permit protests and also seriously take the demands of the protestors, then “social movements are tamed, integrated into the political process and institutionalized”. Taming in this sense involves “adaptation on both sides and not just about access”. Authorities “accept part of the agenda of protest, while social movements modify their goals and become more respectable” (Kaldor 2003, p.83). Walker also states that social movements move, “they come and go, rise and decline, provoke and fuss on the vine. They take the familiar path from charisma to bureaucracy, hierarchy and instrumental reason or alternatively, they fracture, mutate, dissipate, gather no moss. To be in motion is to be at odds with many of the criteria on which serious politics has come to be judged”. (Walker, 1994).

4.3 The process of norm socialization

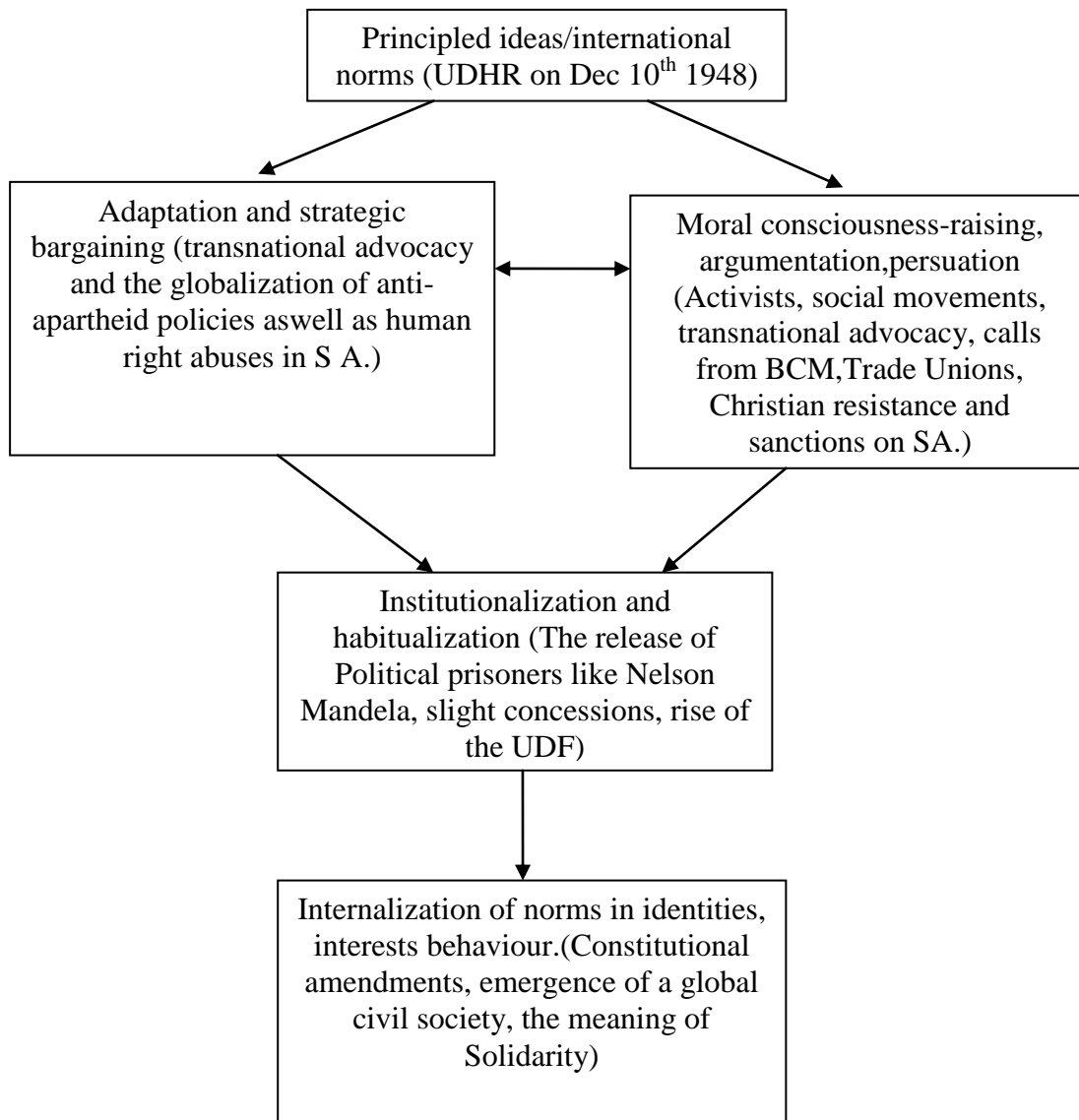
Socialisation from a constructivist perspective of norms, focusing on social movements signify that, “domestic actors such as nongovernmental organisations (NGOs) and trade unions, in cooperation with transnational organisations and networks, exploit international norms to generate pressures for compliance on state decision makers” (Checkel 2001, p.557). Within this framework, norms are often not internalised in a strict sense but rather confine behaviour. The fundamental mechanism is role playing or conformity, which means that agents (individuals acting on behalf of organisations) adapt socially accepted roles in order to avoid conflict and comply with the community norms. “Individuals and states take on roles because it is easier socially, as opposed to only always acting strategically and instrumentally”. These roles may be internalised and will be taken for granted, meaning that agents do not reflect on them anymore (*ibid* 2005, p.811).

As indicated earlier, the norm am using for the purpose of my research is inspired by the ideas from the Universal declaration of Human rights (UDHR). This norm has as its core right, the right to freedom of torture as well as arbitrary arrests including detention. The UDHR is well institutionalized in international treaties ratified by several countries around the world, which obviously being a core right is expected to make a major impact as an international human rights norm. Keck and Sikkink on their part state that “scholars have been slow to recognise either the rationality or the significance of activist networks. Motivated by values rather than norms, they fall outside our accustomed categories. Yet more than other kinds of networks, advocacy networks often reach beyond policy change to advocate and instigate changes in the institutional and principled bases of interactions”(1999, p.1). Risse and Sikkink also present an argument which is linked to internalization of norms: “that the diffusion of international norms in the human rights arena crucially depend on the establishment and the sustainability of networks among domestic and transnational actors who manage to link up with international regimes, to alert western opinion and western governments”. This is buttressed by the fact that value is given to norms through the process of norm socialization. Risse and Sikkink go further on to illustrate three purposes for which advocacy could be applied in a process known as socialization:

- Putting norm violating states on the international agenda in terms of moral consciousness raising, in doing so reminding liberal states of their own identity as promoters of human rights.
- Empower and legitimate the claims of domestic opposition groups against norm violating governments and partially protect the physical integrity of such groups from government repression, thus being crucial in mobilizing domestic opposition, social movements, and non-governmental organisations in target countries.
- Challenging norm violating governments by creating a transnational structure pressuring such regimes simultaneously ‘from above and from below’. The more the pressures can be sustained, the fewer options that will be available to political rullers to continue repression. All these three being understood as the process of ‘Socialization’
(Risse and Sikkink 1999, p.5)

Risse and Sikkink move a step further to explain the socialization process by presenting three ideal types of the socialization process necessary for enduring change in the human rigts arena: ‘Adaptation and strategic bargaining; ‘moral consciousness raising, “shaming”, argumentation, dialogue, persuasion; processes of institutionalization and

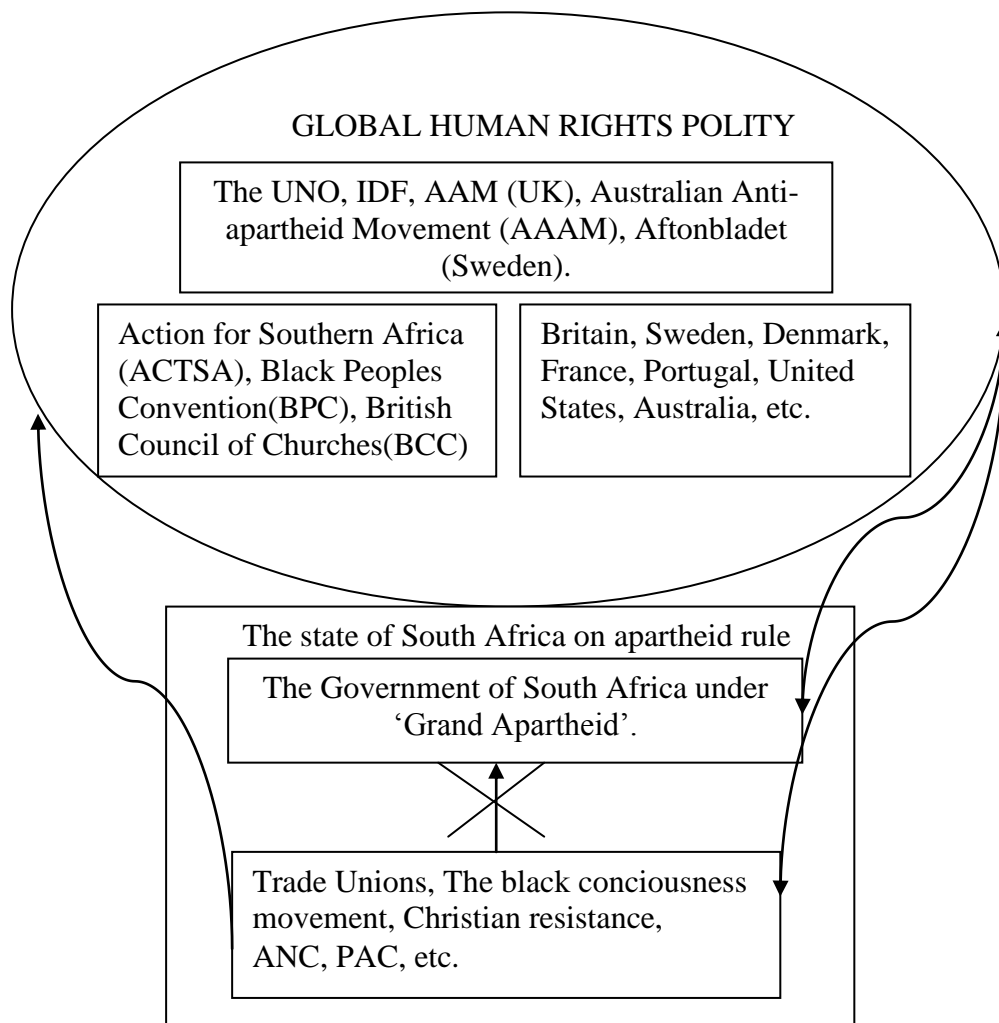
habitualization. (1999, p.11). These models do differ based on the logic mode of social action as well as interaction, and they often take place simultaneously as presented in their socialization process. Below is my Socialization diagram presenting all these processes taking place simultaneously and located on my empirical case.



The original of this diagram was taken from Risse and Sikkink (1999, p.12), Fig 1.1, explaining the process of norm socialization, and in order for me to theoretically locate it with my case study, I have fitted facts from my empirical material to better illustrate the case of South Africa in demonstrating the various stages of the Socialization process from the UDHR norms, right down to the internalization of norms in identities and interest. It must be noted that my diagram is not at all exhaustive but simply an illustration of the Socialization process in the South African context (See appendix for original diagram). More information and dynamics of this process will analysed in chapter six.

4.4 The boomerang effect model

A boomerang in itself explains a sequence whereby something goes out, but returns to affect its origin. The boomerang effect pattern of influence in international relations takes place when domestic groups in repressive states bypass their state and directly search out international allies to try to bring pressure on their states from outside. National opposition groups, NGOs, social movements, and various forms of internal resistance link up with transnational networks and INGOs who then convince international human rights organisations, donor institutions, and/ or great powers to pressure norm-violating states”. In this light “networks provide access, leverage, and information (and often money) to struggling domestic groups”. Actors on the international scene do amplify the demands coming from domestic actors, “prise open space for new issues, and then echo these demands back into the domestic arena. (Risse and Sikkink 1999, p.18)

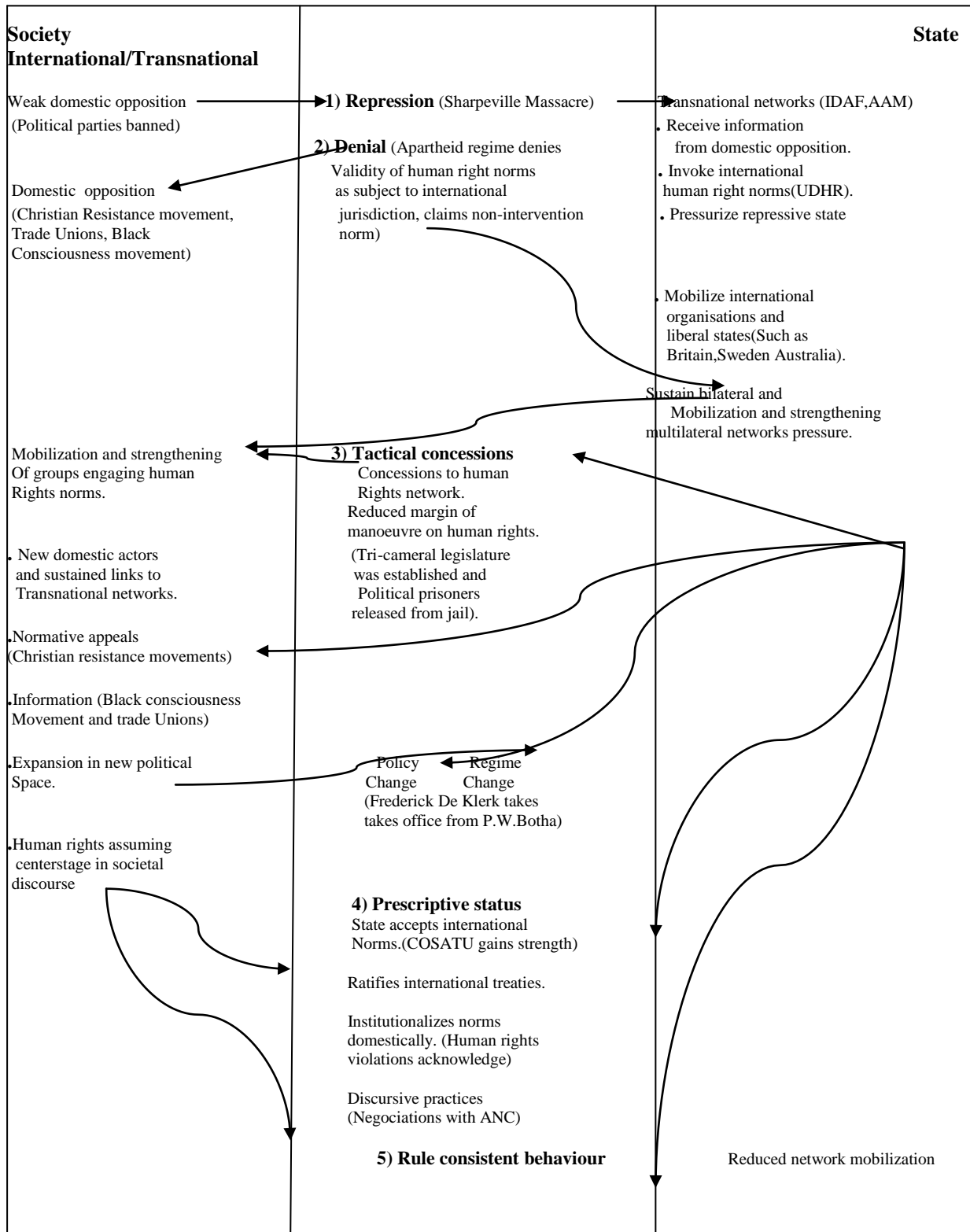


This boomerang effect model is originally taken from Risse and Sikkink (1999, p.19), I have fitted my empirical case of South Africa to illustrate its effectiveness in

this context. This better elaborates the role of civil society in policy change (For original diagram, see appendix).

4.5 The spiral model

The most explicit stage of the socialization pattern of events is explored by Risse and Sikkink in a spiral model of transnational advocacy networks. I earlier discussed the theoretical argument about socialization processes, identifying three ideal types of social action, and exploring the boomerang effect on the process of socialization. In a bid to guide my empirical analysis, I will further explore the five phased spiral model of Risse and Sikkink in order to operationalize these concepts discussed and apply them on the human rights arena more specifically. I start by presenting the spiral model diagram and end up by explaining the theoretical phases of the model.



This model in its original form was taken from Risse and Sikink (1999, p.20) but I have re-drawn the diagram in order to insert practical features from my case study to render it more practical (see appendix for original of model). As mentioned in my previous research, Black (1999) is the only one that had earlier attempted to use this model in describing the phases of

apartheid, but he maintained the same model of Risse and Sikkink and only outlined some events in South Africa in relation to the model. I am going to revisit the process in this model as I explore the norm internalization process in my concluding analysis. The five phases of this model are explained below:

In the advent of crisis there is ‘repression and activation of network’. In this phase, domestic opposition is actually weak and or oppressed to the extent that they cannot actually present any significant challenge to the government. In each country the level of repression varies. For the South African case, it started in the late 1940’s when the National Party took over power. (More details will be given later on the South Africa case in respect to the Spiral model). But what is worthy of note is that most repressive states never make it to an international agenda on transnational advocacy networks because it is often considered more or less as an internal issue. This is known as phase one. Also, the degree of repression can obviously determine the extent to which transnational networks can get information about human rights conditions in the country in question. This falls in line with Klotz’s (1995) in his reconstruction of norms and interest with the change in policy of America towards apartheid in South Africa.

The regime then moves to the denial stage. In this instance the norm violating state has been put on the international agenda of human rights networks to raise awareness and the level of international public attention towards the target state. This is phase two, and it is usually characterized by ‘production and dissemination of information’ on human rights practices in the states being targeted. Lobbying of transnational networks starts with international human rights organisations as well as western states. Denial is actually the first or initial reaction from the norm violating state. In this case ‘a boomerang throw’ as Risse and Sikkink puts it often appears to be counterproductive as it allows the state to solidify domestic support. A transition from this phase to another depends primarily on the ‘strength and mobilization’ of transnational networks in opposition towards norm violating governments to international pressures.

When the state becomes vulnerable and cannot hold on any longer, “tactical concessions” set in on the centre stage. This is when international pressures continue and escalate to an uncontrollable magnitude; cosmetic changes are sorted by a norm violating state in a bid to pacify international criticisms. Situations might be temporarily improved as a mirror show to the international community, (In the case of South Africa, Political prisoners were released, such as Nelson Mandela). This is phase three and does not necessarily result to stability of events but instead its greater permissiveness about domestic protesting activists is very glaring, permitting the repressed domestic opposition to gain some courage and space since minor concessions have started emanating from the state in question. They now mount their own campaign of criticism against the government.

Phase four of the spiral model is known more or less as the ‘prescriptive status’. At this stage, actors involved regularly refer to the human rights norms as a measuring rod in describing and commenting their own behaviour. As depicted by Rittberger in his research on international regimes in Germany, “the validity claims of norms is no longer controversial, even if actual behaviour continues violating rules”(Rittberger 1993, pp.10-11). At this stage governments could be considered as accepting human rights norms when they meet the following criteria:

- ✓ If they ratify the respective international human rights conventions, including the optional protocols.
- ✓ If norms become institutionalized in the constitution and or in domestic laws and practices in the state.

- ✓ If there exists some mechanisms for citizens to complain about human rights violations put in place by the repressed state.
- ✓ If the discursive practices of government acknowledges the validity of human rights norms(domestic or international) irrespective of the audience, they no longer denounce criticisms as ‘interference in internal affairs’, but instead engage in a dialogue with their critics

(Risse and Sikkink 1999, p.29)

Phase five refers to a rule consistent behaviour. Theoretically, ‘Prescriptive status’ is most often a necessary step towards the rule consistent behaviour, but not directly identified as a panacea towards rule consistent behaviour. Governments in this case might accept the validity of human rights norms, but still continue the torture of some prisoners and still go on detaining people without any fair trial. Sometimes national governments might not be in full control of their forces of law and order as well as their military and mass violations of human rights might still be fully undertaken by them in a bid to instil order among the agitating population. Sustainable change of human rights activities can only be achieved at this stage of the process when national governments have been incessantly pushed to meet up or live up to their claims with pressures from both below(domestic actors) and above (International human rights organisations).These actors often push the present government to stabilise the situation by either a change of the constitution, over throw of a leader, or a free and fair elections giving the freedom to everyone to vote for a government of their choice.

4.6 My use of various theories (Merging theories).

My use of a constructivist approach is explained by the fact that this approach to norms in international relations is capable of explaining other perspectives like neo-realism and neo-liberalism. Moreover, a research on norms from a constructivist perspective will not only analyse a phenomena on a surface level, and in essence disregard other important parameters that could influence individuals in a norm internalization process, such as ideologies, colour, culture, religion, history, environment as well as social background. It is not enough for me to base my analysis on a positivistic assumption that A might cause B and B might cause C, because this sounds very simple in my discussion in an international context and many associated factors that might be involved. I therefore choose constructivism as it better explains the creation and promulgation of norms in the international system. And with these facts in mind, I believe a research on norm internalization will definitely fall within the domain of constructivism.

Talking about civil society and norm internalization, I had to situate my empirical materials on civil society in a broader sphere of understanding, hence the need for my use of kaldor’s ‘global civil society’. I used this theory to get a better understanding of how the Christian resistance movement, trade unions and the black consciousness movement of South Africa, operated theoretically, as I explore their advocacy and allies with western governments and international organisations in their bid to seek results for their collective action. It is worthy of note that the Christian resistance movement was backed by the World Council of Churches (WCC) with headquarters in the United kingdom, while the black

consciousness movement and trade unions had their backing from solidarity organisations as well as Amnesty international. In fact, Thorn paints a picture:

That given the number of people that participated in the transnational anti-apartheid movements, as well as its geographical dispersion and its achievement, there is no doubt that it was one of the most influential social movements during the post war era. In addition to South African movement organisations, the transnational anti-apartheid network connected thousands of groups and organisations, including solidarity, unions, churches, women's, youth and student organisations in more than 100 countries (Thorn 2006, p.5).

These civil society movements as Kaldor states were groups or organisations constituted by individuals that acted collectively to bring about the transformation of society, and as they worked together they form international alliances that takes the form of a globalised civil society (2003, p.3). The UDRH was like a handy tool that had been ratified by several countries and used in diverse international treaties and constitutions, and therefore had the strength to push forward their plight.

The civil society was the best means by which the common man of society could make his voice heard. It was capable of even addressing the problem of war, because it provided a means through which actors could debate, argue and press forward ideas and sought possible solutions. As Kaldor puts it in her own words it is "the process through which individuals debate, influence and negotiate an ongoing social contract or set of contracts with the centre of political and economic authority" (Kaldor 2006, p.3; p.79).

Being a global civil society it was clear that it did not limit itself domestically, and with incessant governmental crack down, it operated through a means whereby foreign assistance was sought to better echo their voices and present their plight to the international community. This is what Risse and Sikkink calls advocacy networks. In a realm known as the socialization process, they were motivated by their values which could be said to fall outside normal categories. These advocacy networks are not like other networks, as they go beyond policy change in advocating and instigating change in both institutional and principled basis of varied forms of interactions (Risse and Sikkink 1999, p1). The process of socialization is therefore a necessary stage in advocacy if results are to be attained. Risse and Sikkink made mention of the fact that the socialization process "put the norm violating state on the international agenda (.....) empower and legitimate the claims of domestic opposition (.....) challenge norm violating governments by creating a transnational structure pressuring such regimes simultaneously from above and from below" (Risse and Sikkink 1999, p.5).

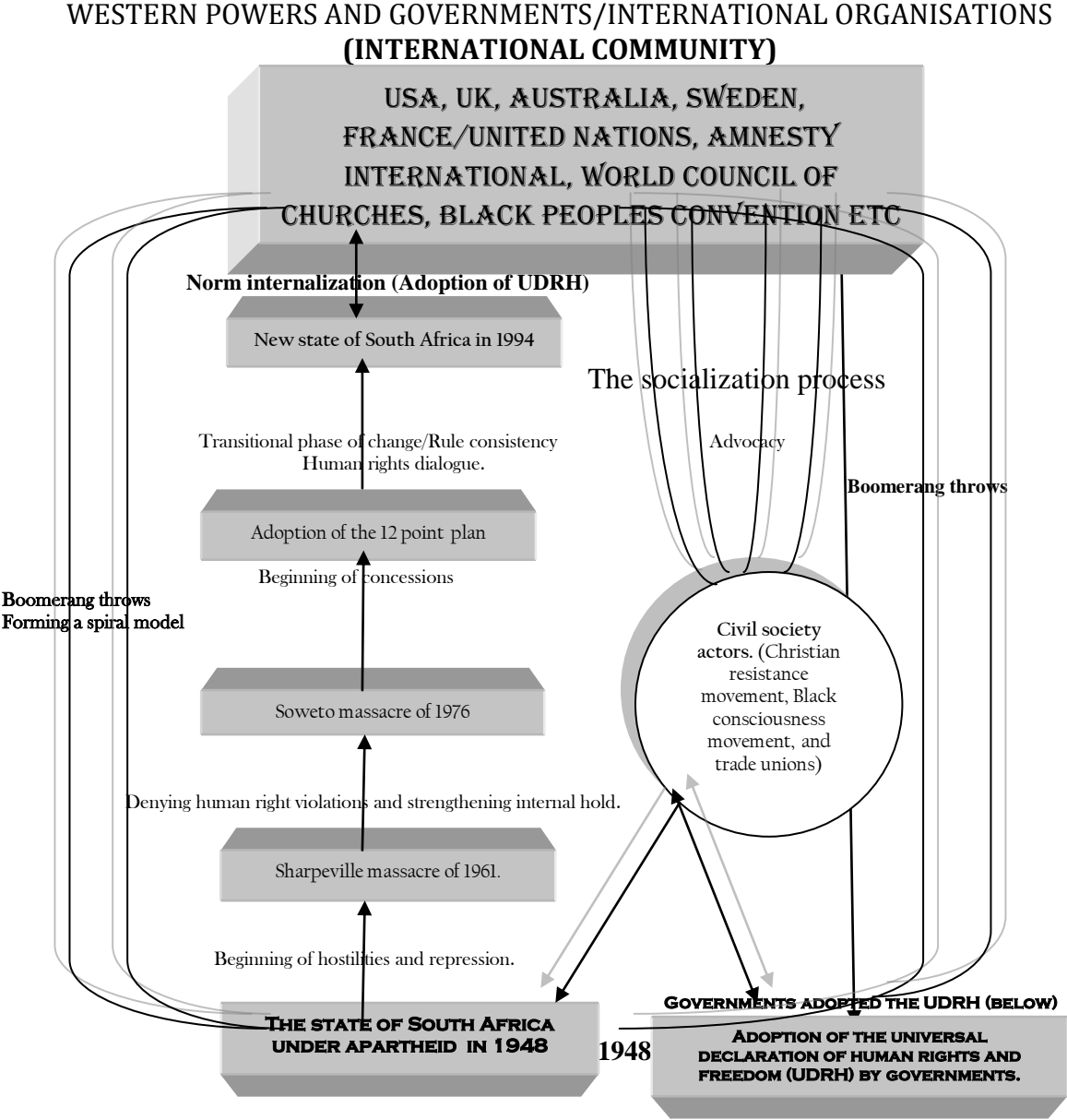
With mounting pressures from below (civil society) and from above (Western government and international organisations), a global circle is formed. This rotating circle going out and coming back to its source of origin is what Risse and Sikkink calls the boomerang effect model. In the boomerang effect model, western governments and international organisations:

Amplify the demands of domestic groups, actors prise open space for new issues, and then echo these demands back into the domestic arena (...) the boomerang model can be integrated in a more dynamic conceptualization of the effects which these domestic – transnational – international linkages have on domestic political change. The spiral model (.....) consists of several boomerang throws with diverging effects on the human rights situation in the target country (Risse and Sikkink 1999, p.18).

In this line of thought, the civil society of South Africa had to be globalised in the form of the 'global civil society', enabling them to socialize in a process known as advocacy (socialization process), and the socialization process creates a circle called a boomerang model, and with several boomerang throws back and forth, the resultant effect is a spiralled

shaped of actions known as the spiral model. As pressure is brought to bear from several angles, the state gives in and moves to the negotiation table causing a shift of policy towards real democracy. This answers my first research question. Below is my norm internalization model:

NORM INTERNALIZATION MODEL OF SOUTH AFRICA.



This is my own model for norm internalization. It is my original invention and constitutes the socialization, boomerang effect and spiral model. It starts from below with the institution of apartheid laws in 1948. In that same year there was also the adoption of the Universal declaration of human rights by western powers and governments. Civil society actors are formed, and the process begins with hostilities and repression on the Sharpeville massacre, after which the government denies any human right violations, strengthening its internal hold. All through these processes, civil society actors remain at the centre of the whole action and act as a global civil society. They open up the socialization process which

links state actions and the international community using human right norms. They impart values and ideas with continued resistance and advocacy. As the process continues, it leads to boomerang throws, these throws go between the state and international community, and as they get repeated, it leads to a spiral model. Also, during this process, the government of South Africa begins to make concessions, pushing the model up to human rights dialogue and transitional phase of change. This phase ushered the nation into the 1994 all race elections and complet internalization of human right norms.

5 South Africa through the steps of norm internalization.

As mentioned earlier, norm internalization refers to ways by which people adopt to social norms from birth ('vertical transmission') or through a social process instituted by institutions or organisations ('oblique transmission'), (Gintis 2002, p.1). My study mostly dwells on the oblique form of transmission. Using the spiral model as my main guide, I am going to trace how South Africa moved through the various phases of apartheid in this chapter. That is, I am going to locate the spiral model in South Africa from the adoption of apartheid in 1948 right up to multi-party elections in 1994. These stages will illustrate the process of norm internalization in South Africa.

5.1 Beginning of hostilities and repression (Phase one)

After the institution of apartheid in 1948, the state of South Africa took firm steps to consolidate its racial laws and maintain white supremacy in all aspects of life. This seemed to be moving on very well with the institution of 'homelands' and other acts instituted into law. But the incident that took place on March 21st 1960 in the township of Sharpeville made the government very vulnerable, drawing the international community to clearly witness the ills that apartheid laws constituted in it self. The cause of the confrontation originated from a protest March by members of the Pan African Congress (PAC) in relation to some unfavourable laws that had been passed by government. This march was joined by several onlookers and the demonstrations were seemingly peaceful until the police opened fire on unarmed citizens killing an approximated number of about 69 blacks and hundreds of others wounded (See Black 1999; Saxana 1992). This marked phase one of the spiral model.

Several protests also break up in major cities of South Africa with various groups coming together for collective action. It actually formed the foundation of several civil society groups who more than ever vowed to collectively stop the "evils" of the apartheid regime. Black writes that what portrayed this government of South Africa as "uniquely evil and liable to increasing international opprobrium and isolation" was its clear denial of equal rights in all aspects, sorely on race basis (Black 1999, p.80).

These events saw the rise of the Movement of South African Students' organisation, a university social movement and also the South African secondary school affiliate, not leaving out the black people's convention which constituted non-students in a bid to reach a broader population. The main goal of the social movements was the emancipation of blacks and other related traces. It out rightly kept whites out of its membership, and finally came to be known as the black consciousness movement. The hostilities were also a push to trade union

activities. SACTU did not only align with movements of congress, but it also worked in collaboration with the ANC even after it was banned. Many clergy and dedicated Christians were also very active in trade union activities.

The foot prints of the events that took place in March 21st 1960 in South Africa has remained visible till date and the United Nations even went further to declare this date as an international day against racism to be celebrated the world over. The hostilities that took place during this period in South Africa could be said to mark phase one of the spiral model. O'Meara states that several rallies against apartheid that took place in London gave birth to the "nascent British Anti-apartheid Movement". (O'Meara 1996, pp.100-101). The truth and reconciliation commission that did findings into the wrongs of apartheid also declared that most of the participants that took part in the march or Sharpeville were apolitical unarmed citizens attending a march as an opposition to newly instituted laws about passes that citizens were expected to carry along in their own country (Truth and reconciliation commission: October 1998, Chp 6).

5.2 Denying human right norms and strengthening internal hold (Phase two).

Even with the Sharpeville incident, South Africa denied any claims related to racial discrimination but instead proclaimed all related demonstrations and confrontations to be an internal affair that did not call for any external concerns. This marked phase two of the spiral model. The civil society of South Africa began laying a foundation for international advocacy despite attempts by the government to cover their wrong doings. This led to isolation policies by the government of South Africa. They withdrew from the common wealth of nations in 1961 and their membership into the Organisation of African Unity was also turned down by member states of the union.

The Christian resistance movement lobbied with the world alliance council of churches and other solidarity organisations. Trade unions took up strikes, bycoots and out rightly denounced their poor working conditions and living standards. While the black consciousness movement along with the banned ANC and PAC allied forces, including several local civil right organisations and writers to form liberation committees. These committees were backed by the moral and material support from Dar-es Salam which was the then head quarters of these liberation movements. Black describes the interaction with the developing world as an "inter-state diplomacy" and with the western world they were "promoting national and transnational networks of non-governmental organisations" which could be said to include church, solidarity associations, trade unions as well as sympathisers to the anti-apartheid fight (Black 1999, p.85).

Another major step in this direction was the restriction or suspension of the state of South Africa from most of the arms of the UN, and then a complet suspension from the UN's general assembly. The UN openly denounced racial discrimination in South Africa and took steps to trigger policy change in the country. It is also worthy for us to note the massacre of June 16, 1976 that became known as the Soweto massacre. In confrontations that that took place in the city of Soweto, 12 students were killed and several others wounded. The black consciousness movement was a key actor during the Soweto uprisings; they presented a strong force that even led to the detention and death of some of their leaders, including the charismatic Steve Biko. His death drew attention from the international community as a result

of gross human rights abuses perpetrated by the government. Trade unions also grew in large numbers and played a more decisive role in the fight against apartheid with their main agenda based on securing equal rights for blacks, just as their white counterparts. These events obviously pushed the government of South Africa towards tactical concessions.

5.3 Beginning of concessions: Human rights dialogue (Phase three).

As a result of the above events, the regime became even more vulnerable, precipitating it to move to phase three of the spiral model. This phase was marked by the establishment of a tri-cameral legislature in 1982. The legislature had separate white, coloured and Asian chambers representing each of the affairs, even though the coloured had a far more subordinate role. The government also created the black local authorities for black affairs. But despite this, there was a clear controversy of power sharing, described as a “controversial theory of power sharing” that safeguarded special group rights. The formation of CUSATU in December 1985 was also a giant step in anti-apartheid and labour fight. CUSATU which was formed as a result of breakups from several national trade unions coming together to form a stronger merger and common voice in channelling their pleas and petitions. This collective voice made a strong impact both on the national and international arena.

Religious leaders also stood as an extremely strong and passionate group against apartheid, especially in the 1980s. Remarkable personalities like Boesak, who was a bi-racial minister, Bayers Naude, and Desmond Tutu who was an Anglican archbishop and general secretary for South African council of churches. These men of God were outspoken and very charismatic both within national and international boundaries, and their voices echoed through the international community making government policies to become more fragile to international pressure. The administration of South Africa that was headed by P.W Botha was already becoming too unpopular, and the economy was also sinking in financial crises. Its partners had abandoned him and there were clear indications that the country was facing both social and financial crises. This actually paved the way for power change from P.W. Botha to Frederick de Clerk in 1989. (See black 1999).

5.4 Transitional phase of change and rule consistency, (Phase four and five).

Looking at the events that took place in South Africa at this period, and the transnational network activities in relation to the spiral model, one could describe phase four of the spiral model to be intermingled with both phase three and five, because the model's application does not exactly fit the setting of each country in the same way. I will therefore describe both part four and five of the spiral model in this sub-section.

In this light, when Frederick de Clerk took over power from P.W Botha, he granted political amnesty to political prisoners and anti-apartheid activists in the year 1990. Among

those granted amnesty was the famous Nelson Mandela who had spent 27 years already in prison still fighting against apartheid. Also, the United Democratic Front (UDF) was founded in 1983 spearheading domestic mobilization with an extraordinary charismatic and diverse opposition that constituted several anti-apartheid organisations. CUSATU too was another force to reckon with. Formed in 1985, it represented a single voice standing for change in working and living conditions. The black consciousness movement also fused with some Christian movements to form black caucuses that some termed 'Africa for Africans', all in a bid to put up a stronger foundation against apartheid. Some other Christian leaders other than Naude and Tutu, like Dr Buthelezi, Alan Boesak and Frank Chikane mounted serious resistance movements against apartheid at a time when most of the guerrilla movements had been banned and its leaders exiled. These Christian resistance movements kept the black resistance against apartheid alive, and continuously gave hope to the marginalized race in the country.

Frederick de Clerk unbanned political parties in 1990, and the ANC took the centre stage on the political arena. Open negotiations began between the government and the opposition forces. This was the only in which South Africa could gain back the confidence of its trading partners and allies. This transitional phase ended with an all race elections that ushered in the first black president of the country, by name Nelson Mandela. Mandela was the same freedom fighter that had spent 27 years in prison without giving up. It was a very big history making event that saw the long difficult road for the marginalized race of South Africa gradually coming to a halt.

The State of South Africa after the 1994 elections pledged to abide by international human right norms, and provided equal and better living standards for all citizens irrespective of race and colour. It was a perfect example that emanated from the spiral model, exposing the strength of civil society actors as well as transnational advocacy networks all bearing in mind a collective agenda. Conflicts did not out rightly come to a halt, but was a gradual process of change. The most important aspect was the fact that human right norms had been internalized by civil society actors through the 'oblique transmission' (Gintis 2002). People had adopted and assimilated a development mindset that was backed by their rights and obligations to the state.

Tracking South Africa through the spiral model, I could conclude that racial laws sparked off in 1948, and in 1960 they got to the international agenda with the Sharpeville massacre. Civil society organisations developed, agitated and advocated leading to a boomerang pattern of events. This led to isolation and sanctions pouring back on the government of South Africa by western powers and international organisations, pushing the state towards policy change. The combination of events is what comes out as the spiral model.

6 The dynamics of norm internalization

6.1 The journey towards stability

In this chapter, I am going to start off by tracing the policy strategy of the National Party pertaining to apartheid, in order to present an idea of how the policy evolved. This will usher me into how human right norms were internalized by civil society actors before answering my second research question. I'll end the chapter with the controversies that arises in human right norm implementation as opposed to economic/ideological interests.

The road towards stability in South Africa was long and windy, full of hiccups and uncertainties. Apartheid was like a gem that had eaten deep into the administrative set up of the nation, and seriously needed more than just a diagnosis. The National Party captured its election manifesto of 1947 with the following words:

In general terms our policy envisages segregating the most important ethnic groups and subgroups in their own areas where every group will be enabled to develop into a self sufficient unit. We endorse the general principle of territorial segregation of the Bantu and the whites (...) the Bantu in the urban areas should be regarded as migratory citizens not entitled to political or social rights equal to those of whites. The process of distribution should be arrested (UNESCO 1972, p.16).

After instituting this policy for about four decades, the results were becoming unpopular within the domestic and international arena, they therefore saw the need to re-energize it and provide a new face lift in policy lines. Botha then came up with a twelve point plan in 1979. This plan was aimed at modernizing the outdated policies of apartheid that seemed to be failing at the time. This twelve point plan was outlined as follows:

- ❖ The recognition and acceptance of the existence of multi-nationalism and of minorities in South Africa.
- ❖ The acceptance of vertical differentiation with the built-in principle of self determination on as many levels as possible.
- ❖ The creation by Black nations of constitutional structures giving them the greatest possible degree of self-government within states which are consolidated as far as possible.

- ❖ The division of power among White South Africans, the coloureds and the South African Indians within a system of consultation and joint responsibility where common interest are at issue.
 - ❖ The acceptance of the principle that each group should have its own schools and communities where possible, as fundamental to happy social circumstances.
 - ❖ The willingness to work together as equals and consult on issues of common concern while maintaining a healthy balance between the rights of the individual and those of the community, and the removal of unnecessary, hurtful forms of discrimination.
 - ❖ The recognition of economic interdependence and the properly planned utilization of man power.
 - ❖ The goal of peaceful constellation of Southern African states respecting one's cultural heritage, traditions and ideals.
 - ❖ South Africa's determination to defend itself against outside intervention with all the practical means at its disposal.
 - ❖ As far as possible, South Africa must follow a policy of neutrality in the confrontation between the super powers and give priority to her own interests.
 - ❖ The maintenance of effective decision-making by state, founded on a strong defence force and police force to ensure orderly government as well as a sound and efficient administration.
 - ❖ The maintenance of free enterprise as the basis of our economic policy.
- (National party 1979)

This twelve point plan summarily captured a renewed set of principles instituted by the national party of South Africa in an effort to re-energize the apartheid machinery that was seemingly breaking down. But it was just a 'mirage', an old dance with new styles. Nothing much changed from the original policy of apartheid that was instituted in 1948; it was simply intended to provide a new way of viewing the administrative set up and policies of the government.

These reforms did not halt the anti-apartheid struggle in any way; it instead gave them a push to fight even harder, believing there were signs of light at the end of the tunnel. The struggle had moved from a domestic to a global concern with 'new social movements' emerging from within and attempting to tackle pressing concerns in alliance with international advocacy groups. Examples of these movements included "solidarity, anti-colonialism, ecology, peace and gender inequality, as well as increased internalization of 'old movements' (predominantly labour and church movements)" (Thorn 2006, p.4)

The fight and resistance that came from the civil society took varied formats. Besides strikes, boycotts and demonstrations, some used songs, videos, protest march, just to name a few. It was the most moving and transformation of black history in the nation of South Africa. It drew an uncounted number of people the world over to fighting towards the end of this 'gem' of apartheid. Thorn writes that "in addition to the South African movement organisations, the transformational anti-apartheid network connected thousands of groups and organisations in more than 100 countries" (2006, p.5).

These major transformations that took place at that period was to an extent thanks to the Christian resistance movement which played a very significant and key role towards the realization of change and policy metamorphosis that later took place in South

Africa. The South African Council of churches contextualized theologians and brought together several groups in partnership against apartheid. The council had charismatic leaders like Desmond Tutu of the Anglican Church who served from 1978-1985, then Beyers Naude from 1985-1988, and later Frank Chikane served from 1988-1995. This council instituted sensitization programs, organised resistance movements on streets and also used the pulpit to condemn the ills perpetrated by the government (See Thoday 2001; Anderson 2000).

The anti-apartheid movement came from different fronts. Some Christian leaders took active part in trade union activities and other resistance movements, trade unions formed a merger like the formation of CUSATU for a collective voice of workers. Church resistance movements and politics of the cape laid foundations for very strong political oppositions. For example there was “the formation of the South African Native National Congress (SANNC)”. This movement later became known as the African National Congress (ANC). The ANC was the same political party that took over power after the 1994 elections (See Thoday 2001). There was also a variety of students that were involved in consciousness movements linking up with external solidarity and internal humanitarian movements and advocating under the banner of the black consciousness movement. Their leader Biko’s death in police detention opened the flood gates for open advocacy and brought together the international community closer to the struggle in South Africa. All these bore fruits when Frederick de Clerk took over power from P.W. Botha and began negotiations with social movements and political parties ushering the first multi party elections in 1994.

6.2 The civil society and norm internalization

The word civil society could be used in several contexts and also could constitute a varied range of activities of organisations. An EU policy document of May 2002 puts together four main characteristics that constitute civil societies. Firstly they are established on a voluntary basis by citizens promoting their concerns, as well as values and identities. Secondly they are organised to promote some interests of some particular set of people in a society or community. Thirdly they have autonomy from the state in order for them to provide credible contribution and safeguard the interests of the society they defend. And finally, their aim is not the optimization of profits, but to provide the services for which they are created for. These characteristics encompass almost all aspects of civil society action, but it does not define civil society per se. For the purpose of this research and as I made mention earlier, I choose to define civil society as “citizens acting collectively in a public sphere to express their interests, passions and ideas, exchange information, achieve mutual goals, make demands on the state and hold state officials accountable” (Diamond 1994, p.5).

This definition no doubt puts the achievement of mutual goals as a main priority of civil society actors, and the issue of collective action as a method through which these goals could be attained. Apartheid as a policy addressed several concerns and various areas of life, meaning there was no doubt that several types of civil society actors addressing issues from different fronts that brought together collective action for the attainment of one goal: eradicating apartheid policies and bringing equal rights to all. The process of norm internalization by the civil society was in phases, just as I illustrated earlier with the spiral model and also presented with my norm internalization model. By norm internalization, I refer to ways by which people adopt to social norms from birth (‘vertical transmission’) or through a social process instituted by institutions or organisations (‘oblique transmission’), (Gintis 2002, p.1). These norms were instituted by organisations which in my case were the

black consciousness movement, the Christian resistance movement and trade unions. The society and political elite did not only adopt these norms but also adopted a development mindset towards reconstruction and building their own society towards a democratic entity that valued the importance of even the most minute or minority race in the nation.

From a constructivist perspective, regimes, ideas and principles all constitute a basis of interaction in the international system. This interaction mitigates self interest as well as power politics dictating individual behaviour. This view is contrary to that of realism, but the puzzle is: do norms as immaterial as they are actually influence decision making to the extent of changing policy? This puzzle is what could stand as ‘a true test to the relevance of constructivist argument’ Klotz states that “transnational anti-apartheid activists’ extraordinary success in generating sanctions against South Africa offers ample evidence that norms, independent of material considerations, are an important factor in determining states’ policies” (1995, p451). In the case of South Africa and human right norms, my argument is that norms were internalized by civil society actors to the extent that people started to think with a mindset steeped in a rights based culture, which had a spill over on the international community through advocacy, and sanctions pouring back as a boomerang on the state, which were strong enough to alter its interest and finally its policies. To buttress my point:

Regimes are part of external environment in which actors pursue their interests; norms, therefore, do not alter actor’s fundamental definitions of their interest or preference ranking. In contrast for constructivists, state interests are determined in part by system level norms that define interest (...) global norms are one form of a more pervasive-constitutive rather than coercive component of the international system. (Klotz 1995, pp. 460-461).

Therefore during “grand apartheid”, the civil society was globalised (linked to varied networks abroad), organized, selfless, and stood between the state, the people and the international community. Finally, they imparted values, ideas, believes and a development mindset, and with sensitization and advocacy on human right norms, they succeeded to push forward their case for policy change. This answers my second research question.

6.3 Human right norms versus economic/ ideological interest

Taking into consideration Waltz “theory of international politics” (1979), in which he conceives the international system on principles of hierarchy versus anarchy and a functional differentiation in the division of labour, and power being a paramount material capability: a norm could comfortably be considered a structural entity if only it influences some of these components presented by Waltz. If we reason in line with Waltz’s conception, then we could comfortably assert that a norm is capable of being strong enough to the extent of creating a sense of hierarchy upon the system, redistributing and over shadowing base material interest. This neo-classical conception by Waltz has remained a dominant paradigm in international relations theory, and while several constructivists’ scholars continue to contribute to this discourse, they do not intend to replace the original ideas, but work in the same line of thought. They suggest the use of constructivist methodology to modify the realist structure and do not deny the fact that the structure of the international interaction is quite similar to the

realist proposal. By so doing, they maintain the original discourse in order for it to still have its actual significance.

Constructivists arguments therefore put forward the idea that interest is reconstituted by factors that are at work within the international system. These factors affect the structure of the system, but do not completely alter it. This idea clearly makes realism and constructivism mutually un-exclusive. While realists' arguments partially admit to the fact that norms and ideas shape interest, they clearly assign a very limited value or interest to these considerations. And constructivists, while accepting the primacy of power and or material capabilities, go a step further to clarify and maintain the impact that international institutions and regimes play in matters of policy. This constructivist argument comfortably moves us into a comfort zone of a research of this nature concerning norms and effect on policy change.

Risse and Ropp move in line with several scholars such as Jepperson, Wendt, and Katzentein 1996 to define international norms as "collective expectations about proper behaviour for a given identity" (Risse and Ropp 1999, p.236). Meaning international norms expose a standard of behaviour that is collectively expected or accepted by group of entities in the international system. In this line of thought, Krasner gives an insight by stating that the procedures for decision making are prevailing practices for making and implementing collective choice. He defines regimes as a "set of implicit or explicit principles, norms, rules and decision making procedures around which actors' expectations could be conveyed in a given area of international relations, with principles being beliefs of facts, causations and rectitude" (Krasner 1982, p.186). If as Donnelly states that the UDRH was a document that provided the most authoritative statement of international human rights norms in the form of laws (1993, p.7), why then does the doctrine of human rights still seem very elusive despite the international consensus behind efforts in universalizing these rights and make them more applicable in varied states and regimes. Moreover, several international conventions and treaties have tailed this document, yet it has more or less posed as an "organised hypocrisy".

If we take for example the realist stand point of economic cost and human right norm violation, the conclusion we would easily draw is that the extent of economic cost incurred by the state would greatly affect domestic human right violation by states. If a state's trading partners out rightly decide to sever their ties with her as a result of domestic human right violations, then it will represent an example of economic cost. Also, if a state's action could be so serious as to warrant multilateral and bilateral sanctions from the international community to the target state, thereby besieging the economy of the state; it could also constitute an important example of economic cost. But despite these examples, how much are states committed to instituting the human rights polity, using the principle of economic cost? The answer is clear, that despite the possibilities for states within the international system to effectively implement human right norms, there still exist several contradictions to this notion.

Let's take for example the US sanctions imposed on Cuba in the 1960s as a result of Fidel Castro's domestic policies. These sanctions dragged on for a very long time as remnants of the obsolete cold war policy and were never fully effective. Cardenas states that it only curtailed extensive mobilization, but human right abuses continued. And the whole twist of the issue was that Castro manipulated the whole circumstance in supporting and sustaining the legitimacy of his regime (Cardenas 2004, p.226). The Castro administration instead used these sanctions as an excuse to castigate the West for the Cuban economy that was seriously crippling at the time. It became clear that sanctions did not solve the human rights problem or change the situation in any way.

Another vivid example is the title of Most Favoured Nation relationship with the United States (US). China has repeatedly won this title, and continues to win the title despite the gross human violations in the country. Amnesty International constantly presents reports and

cites instances of human right violations by the state of China, yet all the US does is to present empty threats of revocation that is never backed by any action. So China continues to win the MFN title every year simply because its population presents a good market for the US, hence despite right violations they prefer their trading ties. With these examples, one could comfortably conclude that in some circumstances like these, a synchronized non-compliance is shared with similar characteristics to the style of compliance that the human right norm strives to achieve. This list of examples of economic interest can go on and on but the essence of this discussion is that it seeks to unravel the question whether norms such as that of human rights can be strong enough to cause policy or regime change? In this line of thought, for a norm to get across, states in alliance must collectively stay on board to see to it that the norm is not only put down in writing, but that it is adhered to. If states collectively agree that a norm is going to be universally ignored, then the norm is meaningless and should be eradicated as a universal norm. This cycle is not in any way a coincidence, but a coordinated effort in which Krasner terms as “organized”, which is all too appropriate. If states simply make verbal agreements to support human rights and they implicitly understand this norm to be somehow empty and lame, then they will all freely violate it at will. Meaning it lacks the force of will and implementation, and other factors are stronger than its existence.

But what makes the South African case different and special was the international force that was channelled through movements, advocacy and determination, all in a bid to end apartheid in South Africa. This achievement remains an emblem that clearly strengthens constructivist arguments, and also acts as a response to both realism and idealism. Looking at the processes in which multilateral organisations and western governments rained down sanctions on the apartheid government of South Africa portrayed a vivid example of how forces other than just material or economic capabilities can collectively act on a system level. The U.S stood as the last, but one of the most major powers to sign up against apartheid simply because the minority rule regime was serving U.S strategic, economic as well as ideological interest. Klotz writes that “access to markets and minerals seemed assured under conservative South African governments since white-minority rule guaranteed an alliance against communist expansion in the region” (1995, p.454). This clearly explains US reluctance, and from a realist point of view stands as a justification for apartheid, as intervening would jeopardize the security of material benefits, and therefore a dismissal of any idea of moral obligation of justice within this region.

Klotz paints a very clear picture showing that there were factors with a potent force at the domestic level, that had a spill over on US politics, creating “an explicit connection between US racial issues and the institutionalized racism in South Africa” (1995, p.466). This was of course the potent force of a determined civil society. This synthesis of movements “demonstrates that global norms can affect reconstitution of interests directly through transnational processes, without interstate interaction or multilateral coercion” (*ibid* 1995, p.462). Nicely put, one could explain that the shift of policy was still grounded on interest, but for the fact that interest had been changed as a result of various pressures and costs that had been introduced into an equation of this nature. American Politicians therefore “recognized the social costs of abrogating this norm of racial equality” and “had become sensitized to the potentially damaging political linkage between tolerance for apartheid and tolerance of racism at home” (*ibid*, 1995, p.477, 467).

I can therefore sum up the facts of this chapter by saying that the human rights regime can not be enforced just by one actor; that is the civil society alone. It needs the commitment of international organisations and western powers to collectively put words in action. It is clear that South Africa stands out as an extreme case viable enough for a case study on studies of this nature, but how far this example can be generalized to other situations will constitute my concluding chapter.

7 Conclusion, revisiting the norm internalization process

7.1 Revisiting the norm internalization process

Grieco presents an idea that with the interplay of the domestic and the international on political issues, structural realism refers to this as relationship of states. States in this sense are the means through which the society is organised and they clearly “pursue the interest of the nation as a whole, and not just those of particular powerful groups within the community” (Grieco 96, p.166). This remains a strong consistent argument behind the realist system, and it fully maintains the interest of states without yielding to any domestic pressure from a fraction of the society, call it civil society or whatever name. This is to say that despite the number of regimes that parade the offices of government the years over, state interest according to realists always remains unshakable, and realist would consider it very detrimental for state interest to ever fluctuate. Certainly in the face of this realist argument, the South African case would be considered a tragic anomaly. Realists do not give any room for influence from domestic entities, and do not even allow to a relegated position for international norms. The ‘diffusion’ of these norms to both the two lower levels of analysis has stayed outside the nature of realism (Klotz 1995, p.477). Obviously realist will not accept the spiral model and will question the validity of my whole norm internalization process, but though rare, a case such as mine (South Africa) in relation to US intervention is a glaring example that such instances are existent and remain unexplainable and out of the scope of realism.

Another major argument which realist will stand by is that: Prima facie, protection remains the responsibility of the state because the state’s prime motive is the protection and welfare of its inhabitants. This brings an important point to bear within the domestic/international distinction about whose auspices does human rights violation fall? Donnelly writes that “human rights are ultimately a profoundly national, not international issue” (Donnelly 1986, p.616). But the internalization of the human rights regime refutes this allegation and claims that no matter within whose boundaries one presides, human are entitled to the same rights, which means they break down any form of primacy. This point could be buttressed by the argument of a husband brutalizing his own spouse and refuting external prosecution on grounds that it’s a domestic issue. But violence is violence irrespective of who orchestrates the violence and where it occurs. And in all cases it warrants prosecution if compliance is expected to be adhered to. This goes a long way to refute the realist institution of sovereignty of state because it provides a certain circle of secrecy with the all round privilege for leaders to act as they deem fit regardless of international norms and standards.

The question that remains unanswered is whether one could use this special case of South Africa to solve future domestic human right violations and a recipe from my norm internalization model? My conclusion is yes, but I will need to revisit my norm internalization process. Firstly a norm as per Risse and Sikkink’s spiral model is internalized as a result of

mobilization and strengthening of groups engaging human right norms and a sustained bilateral and multilateral network. Rightly put “who can force the government to respect human rights? The only plausible candidate are the people whose rights are at stake” (Donnelly 1996, p.617) And as we see in the case of the movement to end South African apartheid, there was a genuine desire by selfless citizens constituting the civil society, backed by a strong moral outrage amongst the people of the world which also motivated governments to act accordingly. But as I revisit the issue of US sanction involvement, the norm of human rights and freedom was blown beyond proportion so much so that it over powered interest and ideology. This is where Risse and Sikkink fail to explain in the spiral model.

Human right norms used by civil society through transnational advocacy networks cannot simply stand as a ready panacea for regime or policy change, but the norm must be strong enough and blown beyond proportion so much so that it overshadows both economic and ideological interest. In this regard there is a twist before the third phase of the spiral model, which might stop the whole internalization process as indicated by the spiral model. Regimes never so easily give in to tactical concessions in as much as they maintain their strong bilateral trade and ideological partners. And other Western governments will hardly sever strong ties just because of laws being violated by their partners; their interest will eventually come first before human right laws, no matter the amount of strength and calls from the civil society. This is what I have been trying to illustrate with examples from China and Cuba. This simply goes a long way to substantiate that South Africa remains an extreme case, but a perfect example for civil society activists to emulate the world over in cases of human rights abuse.

7.2 Conclusion

This research has been able to prove that given time and proper nourishment, the human rights regime can be institutionalized and enforced. But I must be quick to make mention of the fact that it is due to the weakness of the human rights norm that allows for rampant violations in enormous proportions. It becomes obvious that the international community is still to learn from inhumane acts of the past intended at the extinction of a particular proportion of the society such as that of Nazi Germany and fascist Italy. If not how can one explain the massacres of Kosovo and Sudan, and worse still the genocide in Rwanda. There would have been an outcry from the international community at the advent of these atrocities and not forming commissions to right the wrongs of the past only after these atrocities had been perpetrated.

No one can possibly force the government to respect human rights, except the citizens themselves (Donnelly 1986). A strong committed civil society movement produces the voice necessary to draw the international community closer to the center of action. But as I made mention earlier, a necessary ingredient for change is not just a strong united civil society towards a cause, but also the commitment on the part of western powers and regimes to implement human right norms. A simple exposition of the way things are is only minimally useful; what is of utmost utility is driving the discourse in the direction towards the realization of universal human rights protection. But before everyone picks up banners in anger and take to the streets, I must also state here as I made mention in my earlier chapters, that even though

the case of South Africa saw a very genuine moral outrage within the international community which motivated western governments to act accordingly, and hence causing policy change, apartheid might have not crumbled as a result of these factors which I have investigated only. It might have been as a result of several other factors as well. For example leadership change (Frederick de Clerk taking over from P W Botha), or better still a strong political opposition, or simply a weakening economy. But what is of utmost importance is the collective realization of the wrongs of the past in order to amend the future.

Therefore in response to my first research question: the civil society of South Africa had to be globalised in the form of the 'global civil society', enabling them to socialize in a process known as advocacy (socialization process), and the socialization process creates a circle called a boomerang model, and with several boomerang throws back and forth, the resultant effect is a spiralled shaped of actions known as the spiral model. As pressure is brought to bear from several angles, the state gives in and moves to the negotiation table causing a shift of policy towards real democracy. And for my second research question : during "grand apartheid", the civil society was globalised (linked to varied networks abroad), organized, selfless, and stood between the state, the people and the international community. Finally, they imparted values, ideas, believes and a development mindset, and with sensitization and advocacy on human right norms, they succeeded to push forward their case for policy change. This answers both research questions.

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9 Appendix

9.1 MAJOR POLICY ACTS THAT CONSTITUTED THE APARTHEID REGIME:

Prohibition of Mixed Marriages Act, Act No 55 of 1949

Prohibited marriages between white people and people of other races. Between 1946 and the enactment of this law, only 75 mixed marriages had been recorded, compared with some 28,000 white marriages.

Immorality Amendment Act, Act No 21 of 1950; amended in 1957 (Act 23)

Prohibited adultery, attempted adultery or related immoral acts (extra-marital sex) between white and black people.

Population Registration Act, Act No 30 of 1950

Led to the creation of a national register in which every person's race was recorded. A Race Classification Board took the final decision on what a person's race was in disputed cases.

Group Areas Act, Act No 41 of 1950

Forced physical separation between races by creating different residential areas for different races. Led to forced removals of people living in "wrong" areas, for example Coloureds living in District Six in Cape Town.

Suppression of Communism Act, Act No 44 of 1950

Outlawed communism and the Community Party in South Africa. Communism was defined so broadly that it covered any call for radical change. Communists could be banned from participating in a political organisation and restricted to a particular area.

Bantu Building Workers Act, Act No 27 of 1951

Allowed black people to be trained as artisans in the building trade, something previously reserved for whites only, but they had to work within an area designated for blacks. Made it a criminal offence for a black person to perform any skilled work in urban areas except in those sections designated for black occupation.

Separate Representation of Voters Act, Act No 46 of 1951

Together with the 1956 amendment, this act led to the removal of Coloureds from the common voters' roll.

Prevention of Illegal Squatting Act, Act No 52 of 1951

Gave the Minister of Native Affairs the power to remove blacks from public or privately owned land and to establishment resettlement camps to house these displaced people.

Bantu Authorities Act, Act No 68 of 1951

Provided for the establishment of black homelands and regional authorities and, with the aim of creating greater self-government in the homelands, abolished the Native Representative Council.

Natives Laws Amendment Act of 1952

Narrowed the definition of the category of blacks who had the right of permanent residence in towns. Section 10 limited this to those who'd been born in a town and had lived there continuously for not less than 15 years, or who had been employed there continuously for at least 15 years, or who had worked continuously for the same employer for at least 10 years.

Natives (Abolition of Passes and Co-ordination of Documents) Act, Act No 67 of 1952

Commonly known as the Pass Laws, this ironically named act forced black people to carry identification with them at *all* times. A pass included a photograph, details of place of origin, employment record, tax payments, and encounters with the police. It was a criminal offence to be unable to produce a pass when required to do so by the police. No black person could leave a rural area for an urban one without a permit from the local authorities. On arrival in an urban area a permit to seek work had to be obtained within 72 hours.

Native Labour (Settlement of Disputes) Act of 1953

Prohibited strike action by blacks.

Bantu Education Act, Act No 47 of 1953

Established a Black Education Department in the Department of Native Affairs which would compile a curriculum that suited the "nature and requirements of the black people". The

author of the legislation, Dr Hendrik Verwoerd (then Minister of Native Affairs, later Prime Minister), stated that its aim was to prevent Africans receiving an education that would lead them to aspire to positions they wouldn't be allowed to hold in society. Instead Africans were to receive an education designed to provide them with skills to serve their own people in the homelands or to work in labouring jobs under whites.

Reservation of Separate Amenities Act, Act No 49 of 1953

Forced segregation in all public amenities, public buildings, and public transport with the aim of eliminating contact between whites and other races. "Europeans Only" and "Non-Europeans Only" signs were put up. The act stated that facilities provided for different races need not be equal.

Natives Resettlement Act, Act No 19 of 1954

Group Areas Development Act, Act No 69 of 1955

Natives (Prohibition of Interdicts) Act, Act No 64 of 1956

Denied black people the option of appealing to the courts against forced removals.

Bantu Investment Corporation Act, Act No 34 of 1959

Provided for the creation of financial, commercial, and industrial schemes in areas designated for black people.

Extension of University Education Act, Act 45 of 1959

Put an end to black students attending white universities (mainly the universities of Cape Town and Witwatersrand). Created separate tertiary institutions for whites, Coloured, blacks, and Asians.

Promotion of Bantu Self-Government Act, Act No 46 of 1959

Classified black people into eight ethnic groups. Each group had a Commissioner-General who was tasked to develop a homeland for each, which would be allowed to govern itself independently without white intervention.

Coloured Persons Communal Reserves Act, Act No 3 of 1961

Preservation of Coloured Areas Act, Act No 31 of 1961

Urban Bantu Councils Act, Act No 79 of 1961

Created black councils in urban areas that were supposed to be tied to the authorities running the related ethnic homeland.

Terrorism Act of 1967

Allowed for indefinite detention without trial and established BOSS, the Bureau of State Security, which was responsible for the internal security of South Africa.

Bantu Homelands Citizens Act of 1970

Compelled all black people to become a citizen of the homeland that responded to their ethnic group, regardless of whether they'd ever lived there or not, and removed their South African citizenship.

Various segregation laws were passed before the Nationalist Party took complete power in 1948. Probably the most significant were **The Natives Land Act, No 27 of 1913** and **The Natives (Urban Areas) Act of 1923**. The former made it illegal for blacks to purchase or lease land from whites except in reserves; this restricted black occupancy to less than eight per cent of South Africa's land. The latter laid the foundations for residential segregation in urban areas.

9.2 ORIGINALS OF VARIOUS MODELS USED.

9.2.1 SPIRAL MODEL

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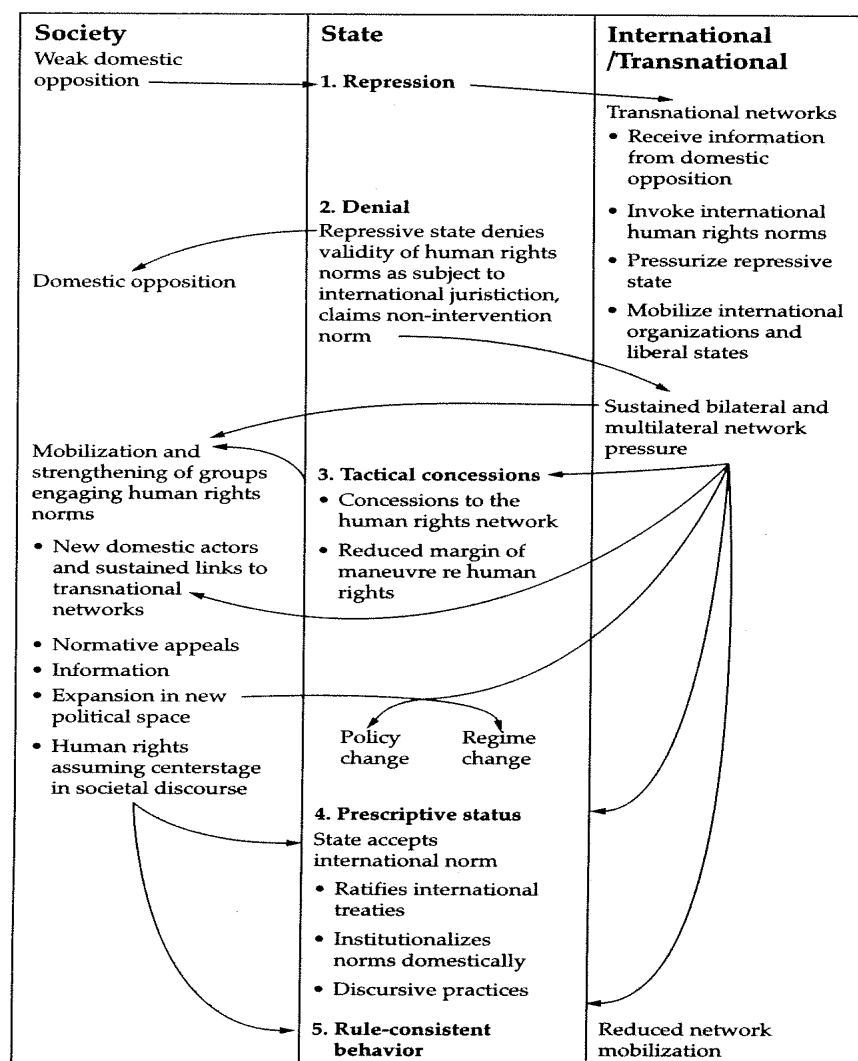
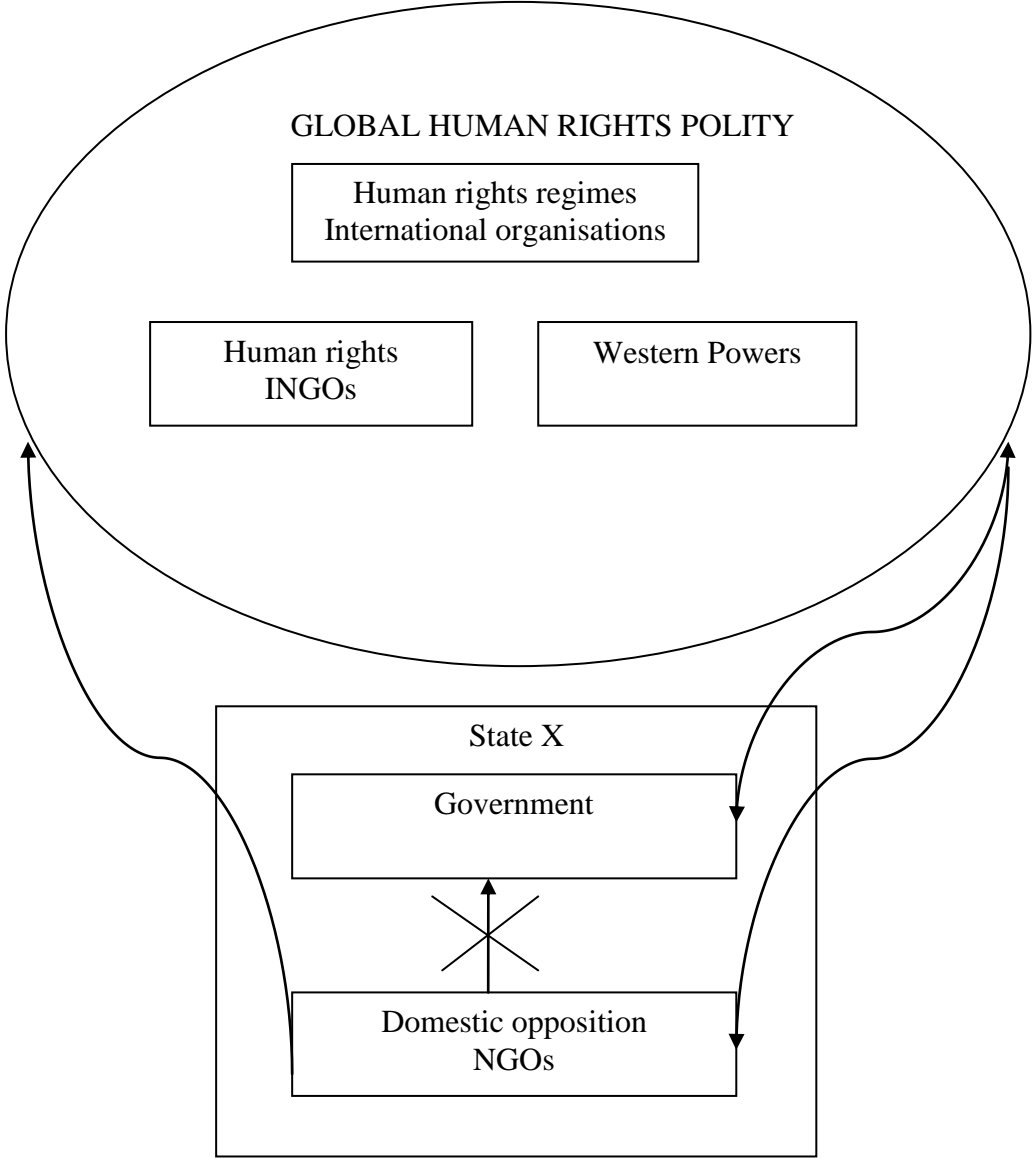


Figure 1.3 The "spiral model" of human rights change

9.2.2 The boomeang effect model



9.2.3 The socialization process diagram

