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PETROS QAMBUKUSA MAGAGULA - SWAZILAND'S RELATIONS WITH BRITAIN AND
SOUTH AFRICA SINCE 1968

Abstract

This work looks into Swaziland's political, economic, social and cultural relations with Britain (its former colonial master) and South Africa (its big and rich neighbour) in the period since Swaziland's Independence in 1968. The focus is on how Swaziland's relations with Britain and South Africa influence its socio-economic and political developments, and its internal and external security. As a micro-state, with a population of less than 0.7 million people, the assumption is made that Swaziland's progress and security can be reasonably assessed by examining its relations with the two powerful states with whom it has close links. This assumption arises from the fact that (i) Swaziland inherited political institutions from Britain, (ii) there were strong economic links (investments, trade, aid) between it and Britain at Independence and these ties continue today, (iii) there were, and still are, economic links in almost every aspect between Swaziland and South Africa at Independence and (iv) South Africa dominates the Southern Africa region - militarily and economically. The main arguments in the Thesis are (a) that the economic links between Swaziland and the two states provide economic growth for the former, thus helping to maintain stability, although South African domination threatens to undermine Swaziland's independence (b) that Swaziland has pursued a "tightrope policy" in Southern Africa, and that this regional strategy has, on the whole, succeeded in helping the country's survival; and (c) that the political system of Swaziland has an in-built tension in that the traditional institutions exist alongside modern ones and this is a threat to political stability.

SWAZILAND'S RELATIONS WITH BRITAIN

AND SOUTH AFRICA SINCE 1968

PETROS QAMBUKUSA MAGAGULA

DOCTOR OF PHILOSOPHY IN POLITICS

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UNIVERSITY OF DURHAM

DEPARTMENT OF POLITICS

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LIST OF ABBREVIATIONS

1. ACP African, Caribbean and Pacific Countries
2. ANC African National Congress (of South Africa)
3. BLS Botswana, Lesotho and Swaziland
4. CDC Commonwealth Development Corporation
5. CSA Commonwealth Sugar Agreement
6. EAC European Advisory Council
7. EC European Communities
8. HCT High Commission Territories (Basutoland, Bechuanaland
and Swaziland)
9. INM Imbokodv@ National Movement
10. MNC Mbandzeni National Convention
11. NIEO New International Economic Order
12. NNLC Ngwane National Liberatory Congress
13. OAU Organization of African Unity
14. PTA Preferential Trade Area of Eastern and Southern Africa
15. SACU Southern African Customs Union
16. SADCC Southern African Development Coordination Conference
17. SCI Swaziland Chemical Industries
18. SDP Swaziland Democratic Party
19. SNADC Swaziland National Agricultural Development Corporation
(PTY) Ltd.
20. SNC Swaziland National Council
21. SNL Swazi Nation Land
22. SPP Swaziland Progressive Party
23. UN CTAD United Nations Conference on Trade and Development
24. USA United States of America,
United Swaziland Association

GLOSSARY

1. INCWALA: a ritual ceremony held every year in December to January to commemorate the end of the year and to welcome the new crops of the season. It is also a cleansing ritual for the iniquities of the year and symbolises the rejuvenation of the Swazi nation through the Monarch.
2. INDUNA (INDVUNA): an administrative position in Swazi tradition system which is not inherited, as opposed to that of chiefs and the Monarch, but is acquired through appointment taking into consideration an individual's character and intellect.
3. KHONTA: a Swazi word meaning to ask for settlement under new authority to whom you will pay allegiance. This is initially accompanied by tribute gift or fee to the authority from whom one seeks to reside.
4. LIBANDLA: was a body of all male adults involved in the Swazi state affairs. The English name is the Swazi National Council (SNC). Libandla was the main decision-making body in the country. For decisions to be carried there had to be a consensus of Libandla and Ngwenyama. Neither of the two could take major decisions without the consent of the other. Since it was difficult to get all adult male Swazis to meet as often as necessary, a standing committee existed which consisted of all chiefs and senior councillors who took decisions on behalf of Libandla.

5. LIQOQO: an advisory body of a few men drawn from a list of senior chiefs and councillors. It advised the Monarch in all matters of the state policy and day to day running of the country. Liqoqo did not have the power assigned to Libandla, although members of Liqoqo could participate in decision-making when they sat in Libandla. The English word equivalent to Liqoqo is the Inner Council.

6. PITSO: a decision-making body consisting of all male adults. It operated at both chieftainship and national levels.

CHAPTER 1

IntroductionThe Significance and Focus of the Study

Swaziland has been independent for two decades, yet 10 years before its Independence on 6 September 1968 the British Labour Party and the Conservative Political Centre published pamphlets on the smaller colonial territories stating that full sovereignty was not possible for the great majority of them.¹ When British politicians and academics debated the future of these small territories, the main concern was their economic viability and security. It was felt that small states, both in physical and population sizes, could not create economies of scale which would sustain their existence. Small as they were, it was felt, these states would be defenceless and vulnerable to external attack, economic exploitation and/or internal upheaval.

However, no viable alternative to independence emerged. The idea of federation was tried but failed in places as diverse as the West Indies and more pointedly in Central Africa. The federations created in the 1950's were disintegrating in the early 1960's. With regard to the High Commission Territories (HCTs) of Basutoland, the Bechuanaland Protectorate and Swaziland the likelihood of their incorporation into South Africa had become remote although "South Africa, both as a Dominion and a Republic, has looked to the High Commission Territories; their incorporation would be invaluable for the full implementation of the Bantustan policy."² At the same time, and with recent experience in mind, the HCTs' geographical



location, i.e. the fact that they were detached from each other and separated by several hundred miles made it inconceivable to think of bringing them together in some form of federation.

Due to lack of viable alternative solutions to the future of small territories and the pressure to decolonize, Britain decided to give independence to many of them. Swaziland was one of these, and it has been independent for 20 years. It is, therefore, a worthwhile exercise to examine the territory's progress since Independence. Moreover, the international community's concern for the security of small states still persists. In the 1980's the concern was aroused by two events : the Falklands War in 1982 and the invasion of Grenada in 1983. In both occasions the micro-states were defenceless. As a result of these two events the David Davies Memorial Institute of International Studies commissioned a study on the future security of small states.³ The findings of this research group confirmed the fear that small states are vulnerable to both external invasion and internal revolts. They further observed that:

"As the world has so often learned in the past, and at such great cost, wars break out and alliances fall apart, not so often as a result of deliberate decisions by the major powers, but as the result of the inability of the great power system, and the alliance which support it, to cope with the problems of small countries in the faraway parts of the globe."⁴

In view of the fact that Swaziland has been independent for two decades and that the concern for micro-states persists, it is of significance that a study of Swaziland's survival be undertaken in its own right. Added to that, however, is the international importance of Swaziland's regional setting. The micro-state is

situated firmly within the troubled region of Southern Africa, and borders directly into the Republic of South Africa itself.

Because it is a micro-state it was felt that Swaziland's fate can be better examined by looking into its relationship with Britain (the former colonial master) and South Africa (its big and rich neighbour which in the past anticipated incorporating the territory). The *raison detre* for the feeling that Swaziland's survival as a micro-state can be better understood by examining its relations with these two states is that:

- (i) the territory inherited political institutions from Britain;
- (ii) there were strong economic links (investments, trade, aid) between it and Britain at Independence and these ties continue to exist.
- (iii) there were, and still are, strong economic links in almost every aspect between Swaziland and South Africa at Independence; and
- (iv) the shadow of South Africa looms over the whole Southern African region - a region which was dominated by colonial and minority regimes at the time of Swaziland's Independence and which is still bedevilled with security problems arising mainly from the intransigence of these minority regimes.

The focus of the study is on how Swaziland's relations with Britain and South Africa influence or affects development, and internal and external security. Internal security embodies both

economic and political issues, i.e. does Swaziland's economic strategy and political system enhance stability? This is an important question in the study of mirco-states as the David Davies Memorial Institute of International Studies observed:

"But apart from military and diplomatic measures, it becomes apparent that the best guarantee against subversion of mirco-states, from without or within, is the firm establishment of democracy and its buttressing by economic development."⁵

On the issue of external security Swaziland is very vulnerable in that it is sandwiched between two powerful or bigger states of South Africa and Mozambique. The latter was a Portuguese colony, and therefore minority-ruled, at the time of Swaziland's Independence. At that time both the Portuguese and South African Governments were facing opposition from anti-colonial and anti-apartheid forces which used Swaziland as an escape route, a refugee place or an infiltration conduit. Today the problems in South Africa and to a certain extent those of Mozambique continue to spill-over into Swaziland.

The main argument in this work is that:

1. economic links between Swaziland and the two powerful states of Britain and South Africa provide the former with economic growth, thus enhancing internal security. At the same time South Africa's domination of the economy threatens to undermine Swaziland's independence and, therefore, its ability to pursue an independent regional strategy.

2. The political system of Swaziland has an in-built conflicting tendency in that the traditional institutions exist alongside modern ones. This dichotomy is not likely to enhance political stability and is therefore a threat to internal security.

3. Swaziland's policy in the Southern Africa setting and its regional strategy has, on the whole, succeeded in helping the country's survival although Southern Africa has been an unstable region since Swaziland's Independence.

Organisation and Scope of the Work

In order to put the study in a proper perspective it was felt that a historical background of the links between Swaziland, on the one hand, and Britain and South Africa on the other, was imperative. In Chapter 2 this background is discussed and focus is on the development of Swaziland's political, economic, social and cultural links with the two countries since the late nineteenth century. Of particular interest is the type of British rule which evolved during the colonial period and the type of political system that emerged at Independence. The assumption that the HCTs would be absorbed by South Africa is also important at this juncture in that strong economic, social and cultural ties were forged on the basis of this assumption. Hence the importance of South Africa in the study of the pre- and post-Independence state of Swaziland.

In Chapter 3 an assessment of the relationship between the British-designed Constitution (and thus the political structures) and the rulers of Swaziland, viz. the Swazi Monarch and his

traditional supporters, is undertaken. It is shown here that the parallel rule which existed during the colonial period continued after Independence and that the Swazi Monarch did not like the Independence Constitution. Due to the latter, and coupled with growing support of the opposition Ngwane National Liberatory Congress (NNLC) by the electorate, the traditionalists conspired to repeal the Constitution. It is argued in this chapter that the political system which emerged thereafter was not necessarily superior to the one inherited at Independence; that it did not reflect the aspirations of the twentieth century Swazi society. Hence the assertion that the present political system does not enhance political stability.

The point that security of a micro-state, apart from military and diplomatic measures, is rooted in the firm establishment of democracy and its support by economic development is discussed in Chapters 4 to 6. In Chapter 4 a study of British investments and their socio-political effect on the domestic institutions of the country reveal two seemingly contradictory results. The first is that the investments provide revenue for the Swaziland Government and employment for the individual Swazi. This promotes stability and internal security. The second effect is that investments are a source of erosion of the traditional institutions which are the power-base of the present Swazi State. In the 1970's one scholar observed this development in the following words:

"The growth of Swazi involvement in the modern sector must create a new class of managers and capitalists. Where these are not drawn from and identified with the traditional leadership, they will constitute a threat to the traditional system ..."⁶

Workers in modern industries are semi-detached from the chieftaincy institution in that most of the time they are absent from the chiefdoms and earn their livelihood from paid employment.

Chapter 5 examines trade between Swaziland and Britain, but it is not possible to exclude South Africa Swaziland trade from the discussion. Therefore in this chapter the latter trade permeates throughout the discussion. This is due to the fact that most of Swaziland's imports - about 90 per cent⁷ - come from South Africa and a substantial volume of exports go there. It is clear from the examination of the trade pattern that South Africa has gradually become as important a market as Britain for Swaziland's exports. A discussion of this trade pattern and its implications for Swaziland is undertaken. This is related to all the aspects of economic links between Swaziland and South Africa which are analysed in Chapter 6. These aspects are picked up and continued from Chapter 2 where the colonial economy is discussed.

The conspicuous aspects of Swaziland-South Africa economic links are: (i) trade, (ii) the Southern African Customs Union (SACU), (iii) the transport system, (iv) monetary co-operation, (v) tourism, (vi) South African investments and (vii) the migrant labour system. These facets show that Swaziland is more linked, assymmetrically, to South Africa (its big and rich neighbour) than it is to Britain (its former colonial master). This dependence on South Africa above all other countries impels one to ask the following questions : To what extent can Swaziland adopt a policy towards Pretoria which the latter considers to be hostile? What policy options does a micro-state like Swaziland have in the

political uncertainties of Southern Africa? Can it and should it ignore the iniquities of racism? If not, what strategy should it adopt?

Chapter 7 examines the policies and strategies adopted by the Swazi State since 1968. It is maintained that there are six main factors which influence Swaziland's policy formulation in the region. They are:

1. The economic considerations - the important issue being that it is asymmetrically linked to apartheid South Africa.
2. The existence of minority regimes - at the time Swaziland became independent Mozambique, South Africa, Rhodesia, Angola and Namibia were ruled by minority governments. Today only Namibia and South Africa are still under minority governments.
3. The existence of anti-minority regime forces, including guerrillas, in the region who are compelled to use Swaziland as an escape route, a refugee sanctuary, and/or a base for attack on these regimes.
4. The nature of the Swazi State, i.e. the fact that Swaziland is a Monarchy, conservative and a micro-state. The Swazi rulers' fear of communism and left-wing governments in the region is an input in their policy formulation and strategy design.

5. The desire by the Swazi State to maintain internal security vis-a-vis the internal opposition. The Monarchy has always been concerned with internal opposition, mainly the NNLC. For instance, the repeal of the Independence Constitution in April 1973 was triggered by the NNLC's victory in the Mphumalanga Constituency in the 1972 general elections. NNLC was very close to South African movements, particularly the Pan Africanist Congress (PAC).

6. Swaziland's membership of international organizations such as the Organization of African Unity (OAU) and the Southern African Development Co-ordination Conference (SADCC).

In examining how these factors influence Swaziland's strategy in the region certain historical events and themes are analysed. On the whole the analysis reveals that Swaziland evolved a pragmatic policy and a "tightrope strategy" in order to try and satisfy these interests which are more often than not contradictory.

A summary and assessment of the work presented in this Thesis is undertaken in Chapter 8. This chapter provides the Conclusion where a policy for survival of a micro-state is suggested.

Notes and References

1. D.P.J. Wood "The Smaller Territories : Some Political Considerations"; in Burton Benedict (ed.) - Problems of Smaller Territories. The Athlone Press : University of London, 1967, pp. 23-24.
2. Ibid. p. 32.
3. The findings and recommendations of these scholars and other professionals were published in Sheila Harden (ed.) - Small is Dangerous : Micro-States in a Macro World London : Frances Pinter, 1985.
4. Sheila Harden - Op. Cit. pp. 2-3.
5. Ibid. p. 12.
6. David Jones - Aid and Development in Southern Africa : British Aid to Botswana, Lesotho and Swaziland. London: Croom Helm, 1977, p. 250.
7. Sheila Harden - Op. Cit. Annex A.

CHAPTER 2

Historical BackgroundIntroduction

The purpose of this Chapter is to provide background information about the evolution of the present Swazi State, the relations that built up between the Swazis on the one hand and the British and South African Governments on the other. The main areas examined are (a) period of early contact between Swazis and Whites, (b) the economic and social links that emerged, (c) the nature of the British Colonial Administration in Swaziland, (d) the period of nationalism in Swaziland, and (e) the Independence Constitution and nature of the Swazi State at Independence.

Period of Early Contact with Whites

In the first half of the nineteenth century parts of Africa south of the Limpopo River experienced a series of wars of nation-building. These wars are historically known as "Mfecane" in Swazi/Zulu or "Qifaqane" in Sotho/Tswana. Amongst the great names of this period were Shaka, King of the Zulus, Sobhuza, King of the Swazis and Moshoeshoe, King of the Basotho.

It was during the reign of Mswati, Sobhuza's son and successor, that the Swazi society became a well organized government which had central administration as well as decentralised institutions. The power of the monarch was ensured by his prerogative to appoint his representatives to all regions, and also by establishing a system of

regiments which periodically assembled at the King's royal residences and directly paid primary allegiance to him and not to the chiefs, although they were followers of their respect chiefs. The boundaries of Swaziland then extended beyond Barberton and Carolina in the north-west and as far as Pongola River in the south and Lubombo mountains in the east.

It was during Mswati's rule (1839-1868) that the Boers first appeared in large numbers in Swaziland. They came from the west and were looking for an outlet to the sea through Swaziland to Kosi Bay on the Indian Ocean. The Boer approach to Swaziland was initially not hostile, they were "friendly", seeing that Mswati had a powerful army. They asked Mswati to sell them some of his war captives; they asked him to give them some piece of territory to attach to the Lydenburg Republic; and they needed help to suppress a rebellion of the Lydenburg people. To all requests Mswati agreed.

After the death of Mswati there was a succession struggle for about 10 years which weakened the power of the Swazi nation. The ultimate successor was Mbandzeni, one of Mswati's sons who was chosen "less for his exceptional qualities than for his lack of them".¹ Mbandzeni was a compromise candidate and the Boers had played an "advisory" role to the palace during the power struggles.

By the late 1870's the British, who took over the administration of the Transvaal in 1877 were in contact with the Swazis. The British promised the Swazis protection against the Boer's threat to their independence in return for the 1879 Swazi assistance to the British military campaign against Sekhukhuniland.

These years marked the beginning of a period whereby Swaziland was to play the role of "a pawn in the complex struggle between Boer and Britain for hegemony in Southern Africa".² The British and the Transvaal Boers guaranteed Swaziland's independence in the 1881 Convention whereby the British rescinded the Transvaal. However, the boundaries drawn at this time between Swaziland and the Transvaal were not the traditional boundaries of Swaziland and this marked the beginning of the distortion of the borders - an issue which has persisted ever since. (An examination of the border issue in the post-independence period is dealt with in Chapter 7).

In the early 1880's traces of minerals such as gold and tin attracted a large number of both Boers and British to Swaziland. Mbandzeni then granted a series of concessions which led to a dispute between the Swazi authorities, on the one hand, and the white settlers and British Administration on the other. More will be said about these disputes in this Chapter. The inflow of the settlers and the granting of concessions resulted in a conflict of interests amongst the settlers, and between them and the Swazis. Mbandzeni failed to provide an effective administration to control the disputes. He decided to seek advice from the British and requested them to send a resident commissioner to deal with the European settlers affairs. The request was initially turned down, but later Theophilus Shepstone, Secretary of Native Affairs in Natal, sent his son as advisor. Despite Shepstone Junior's presence the concessions granting continued unabated and the chaotic situation worsened. Both the British and the Transvaal Governments were concerned with this deteriorating state of affairs. Their reaction was to issue the 1890 Convention whereby they guaranteed

Swaziland's independence, established a provisional government to replace the Shepstone Junior Committee and set up a special court to adjudicate all disputes involving Europeans and to undertake a judicial enquiry into the validity of all disputed concessions between Swazi authorities and the concessionaries. The court validated most of the concessions.

The guarantee was affected by the inland expansion of the Germans in South West Africa (Namibia) and the western expansion of the Transvaal Boers threatened to block the Cecil John Rhodes long time dream of the Cape to Cairo route. The immediate British priority became that of occupying Bechuanaland to prevent the closure of this route. During the 1893-1894 negotiations the British gave the Transvaal Boers the right to administer Swaziland but not to incorporate it. This agreement went ahead despite the Swazi rulers' objections. In 1895 the Transvaal Boers started to administer Swaziland; they introduced Transvaal laws and taxation into the territory.

Territorial interests between the Boers and the British resulted in increasing conflicts and the eventual outbreak of the Anglo-Boer War in 1899. It was during this war that British troops first occupied Swaziland. At the end of the war (1902) the British appointed a special commissioner to Swaziland who was responsible to the Governor of the Transvaal. The special commissioner who resided in the Transvaal was basically charged with the duty of policing Swaziland, implementing the laws of the Transvaal and collecting tax.

The immediate problem for the British Administration in Swaziland was the control of land - the granting of concessions had caused so much misunderstanding that there were quarrels between Swazis and settlers and amongst the settlers themselves. According to the settlers' view they had bought the land, while the Swazi authorities' understanding was that the settlers were given land to use just like any new comer in the country who comes to Khonta (pay tribute) and that the gifts they gave to the Monarchy were tribute presents or tribute fees. The dispute amongst the settlers was that their claims over some pieces of land overlapped. This situation is not difficult to comprehend given the land tenure system of Swaziland at that time. If some white man came to Mbandzeni and asked to graze his sheep or cattle on plot A, he probably gave him the right; another one came a few weeks later to ask for the same right over the same land, Mbandzeni probably gave the right. According to the communal land use in this particular farming activity in Swaziland, there was no conflict of interests (and that is still the case for the Swazi Nation Land tenure system). Faced with the land disputes the British Administration set up a concessions commission, under the chairmanship of George Grey, with the power to recommend demarcation to solve these disputes. This commission was set up in 1904, after Swaziland had been formerly placed under British rule by the 1903 Order-in-Council.

The Colonial System of Administration

The 1904 Proclamation converted the title of the Special Commissioner, who had been appointed in 1902, into that of Resident Magistrate who continued to report to the Governor of the Transvaal. By Order-in-Council of 1906 the territory was transferred from the

Transvaal Governor's control to the High Commissioner for South Africa. The following year a proclamation was issued which introduced a Resident Commissioner for the first time, abolished the Resident Magistrate portfolio, and appointed a Government Secretary and Assistant Commissioners (the title later changed to District Commissioners). A police force was established whose duty was to keep law and order. Police sub-inspectors also assisted the Assistant Commissioners with clerical work, for example, the collection of native tax.

The head of the Colonial Administration for the territory was the High Commissioner in South Africa and this arrangement only changed after South Africa had left the Commonwealth in 1961. The nature of the changes which took place then was to alter the title of Resident Commissioner to that of Her Majesty's Commissioner reporting to the Colonial Office in Britain and not to the British Ambassador to South Africa. The 1960's changes brought about a degree of relief amongst the senior colonial officers in the territory who had been complaining that the High Commissioner in South Africa was more concerned about his diplomatic work than he was about his colonial duties, that he lacked the understanding of the territory which resident governors had, and that he did not have enough time for the territories (they include Basutoland and Bechuanaland). This dissatisfaction was summed up by one of the senior colonial officers who later became Resident Commissioner/Her Majesty's Commissioner in Swaziland in 1958-1964 when he wrote:

"The High Commissioner's time is not all at the disposal of the affairs of the territories since at least half of it must be devoted to his

ambassadorial functions. Living as he does outside the territories, he cannot hope to have anything but a superficial understanding of those problems in which local knowledge is important, and the sense of responsibility which stems from residence in a territory is lacking. Because of these factors the High Commissioner cannot be compared with a Governor of an ordinary colony".³

Why were the territories of Basutoland, Bechuanaland and Swaziland the responsibility of the British High Commissioner to South Africa? The answer lies in the Schedule to the 1909 South Africa Act, which was an instrument for the creation of the Union of South Africa and gave that Union a degree of independence. The Schedule had clauses which made provision for the incorporation of Basutoland, Bechualand and Swaziland into the Union. At the formation of the Union it was assumed that it was just a matter of time as to when these territories would be incorporated. Hence it made sense to the British Government that the territories should be the responsibility of the Governor/Governor-General/High Commissioner, these 3 territories were then to be known as the High Commission Territories (HCTs).

It is important to note that the British plan was to build an empire in Southern Africa based on the Union as the core. It was mooted in London that Southern Rhodesia would join the Union as well; that it might be possible to bring in Northern Rhodesia and Nyasaland. The empire engineers even thought of buying out the Portuguese in Mozambique, and after the League of Nations mandated German East Africa (Tanganyika) to Britain, these empire architects entertained the idea of exchanging this mandate for Mozambique so that there could be a smoother and neater geographical contiguity of

this empire. Immediately after World War I, the idea of this empire seemed a real possibility to these empire builders because there had been co-operation between South Africa and Britain in fighting the Germans. South African forces had invaded and occupied South West Africa (Namibia) and they had campaigned in Tanganyika.⁴

It was against this background, i.e. that incorporation into South Africa was a foregone conclusion, that the HCTs were governed.

The immediate problem of the British Administration in Swaziland was the land disputes resulting from the concessions granted by Mbandzeni in the nineteenth century. In 1904 the British Administration set up the concessions commission under the chairmanship of George Grey. The commission's report resulted in the promulgation of the 1907 Land Partition Proclamation whose effect was to set aside one third of the territory as reserves for Swazis, to give the bulk of the land to the white settlers, to give the remainder to the Crown and to bring the minerals under the control of the Colonial Administration. This humiliated the Swazi authorities but their protests brought no positive fruits. In the same year Queen Regent Gwamile sent a deputation of five chiefs to London to protest against this demarcation, but they won no favours. However, demarcation remained a major issue in the colonial politics of Swaziland. The Swazi authorities persistently protested against the demarcation. In the 1920's King Sobhuza II made a court application to test the validity of this land partitioning. He lost the application and the judges rule that "... By Order in Council of November 2nd 1907 Section 1 (b) the area in question which had been subjected to the concession, became Crown Land, as having been

expropriated. As Crown Land a portion of it was granted to the Respondent Company as compensation under section 4 (3) of Proclamation 28 of 1907 ... the effect of the Proclamation under such Order extinguished the rights claimed by the applicant over the land of the Respondent Company. The application must therefore be dismissed with costs."⁵

The Swazi rulers did not give up. In 1941 Sobhuza II and the Swazi National Council⁶ petitioned the King-in-Parliament in London on a number of grievances, including the land issue whereby they complained about the taking away of two-thirds of the land from the Swazis and pointed out that the Queen Regent Gwamile had protested against this alienation. The petition stated that "the Administration, however, refused even to pay attention to the protests that were made by the Queen Regent and her Council of the Swazi Nation and apparently took the view that the country should be reserved for the coming white population, the land and all sources of wealth be reserved for them also, while the Swazis are being exposed to the slow starvation and impoverishment in their own country so that they may be forced to work as servants for the White people."⁷ This petition referred to Sir Alan Pim's 1930 report (Command No. 4114) on the land situation in Swaziland. This report had pointed out that there was overcrowding and overstocking on the Swazi Nation Land which was causing serious soil erosion and that 40 per cent of the White land owners were absent from the country at any given time thus resulting in their land being fallow.

The Swazi authorities were further urged to write petitions on this issue by the continuing deteriorating relations between the White landlords and the Swazi squatters. In 1908, when the

demarcation decision had been made, the British High Commissioner said "I want many of the Swazi to stay on the farmers' land and work for them the way they do in the Transvaal".⁸ That Swazis should be squatters had been the intention of the High Commissioner, but this did not work well because the Swazis refused to abide by some of the terms of squatting, especially that of providing cheap labour, and when they did not turn up for labour there were either threats of, or actual, evictions. Sobhuza's case against Alliser Miller and his Company in the 1920's was triggered by these evictions. In this case Sobhuza challenged the validity of Miller's rights over land which he had received through the concessions. The monarch lost the case both in the High Court of Swaziland and the appeal before the Privy Council in London.

As the Swazi population grew, there was a real threat of a breakdown of law and order. Faced with this threat the British Colonial Administration presented the problem to the British Government in London. The result was a decision to purchase some of the alienated land and make it available to Swazis. In the 1940's a grant of £140,000 was approved from the Colonial Development and Welfare Funds for the purchase of land to make it available to 4,000 landless Swazi families resident as squatters on land owned by the White landlords.⁹ The scheme also covered the settlement of the demobilized World War II Swazi soldiers who wished to be accommodated. "Pains were taken to run the scheme within the framework of the tribal system. The settlers must not be allowed to feel that they were no longer Swazi, divorced from their allegiance to the Paramount Chief and their own chiefs and therefore, settlers from another chief's area were obliged to go through the customary

arrangements for changing allegiance."¹⁰ The Colonial Administration controlled the use of land by legislation. The scheme was started in 1943 but in 1947 Mr. V. Liversage who was sent to conduct an economic survey in the Territory, recommended that it should be stopped because it was consuming too much Government revenue. He recommended a general rural development scheme.

Even just a few months before independence the land issue was still a point of disagreement between the Swazi authorities and the British. Sobhuza II instructed the delegates to the final Independence Constitution talks in February, 1968 to raise the issue. They stated the case thus:

"Forty-three per cent of the country was still in the hands of whites, many of whom were absentee landowners with vast acreages for grazing their sheep in winter. Others, as individuals or corporations were engaged in cultivating or ranching on a large commercial scale. But Sobhuza's own people needed land for food; Swazi areas were congested, farm tenants were insecure and the grievance of concessions was kept alive by their discontent."¹¹

At the Independence talks the British position was that the only solution to the problem was that the land should be bought by the Swazis and that UK was prepared to include this in the Aid Programme if the Swaziland Government presented a plan about how it would use the land purchased. Making a statement in the House of Commons on the Swaziland Independence Conference on 26th February 1968, the Secretary of State for Commonwealth Affairs, Mr. George Thomas, had this to say on the issue:

"The Swaziland Government also presented to the United Kingdom Delegation a claim in respect of

the remainder of the land of the Swazi Nation which had been alienated in consequences of Orders in Council empowering such alienation after Britain assumed responsibility for the administration of Swaziland in 1903. The United Kingdom Delegation stated that, as they had consistently made clear in the past, they could not accept this claim. It proved impossible to reconcile the views of the two delegations on this matter."¹²

The "Report of the Swaziland Independence Conference" underscored the disagreements of the Delegations. Paragraph 27 informs us that:

"While it proved impossible to reconcile the views of the United Kingdom and Swaziland Delegations, the United Kingdom Delegation suggested that a practical way of tackling the problems might be for the Swaziland Government to include suitable land settlement projects in the Development Plan they were now formulating, and the question of assistance towards the financing of this Plan could then be discussed with the United Kingdom in the context of future aid negotiations. The Swaziland Delegation, however, stated that their claim for the restoration of the land as of right was an issue separate from a development aid programme."¹³

This debate was continued even after independence and more shall be said later in this work.

The British Administration and Swaziland Status

The British Colonial Administration of Swaziland was not based upon a structure of indirect rule which was introduced in the other British African Colonies. Up to the period of independence all that had managed to evolve was a parallel rule whereby the Swazi traditional system existed alongside the Colonial Administration, albeit subordinated to the latter in many issues, especially

security, law enforcement, taxation, economic production, etc. The Monarchy in Swaziland resisted what he perceived as an intrusion into matters of Swazi law and customs. In his resistance to administrative changes Sobhuza constantly referred to the British and Transvaal guarantees of Swazi independence in the last two decades of the nineteenth century. The significance of this intransigence was observed in the 1950's by B.A. Marwick when he said :

"The Swazi still firmly believe that the guarantee of their independence by the 1894 Convention and previous Conventions still exist and that in any event they have been guaranteed freedom to manage their internal affairs. There has been no authoritative statement of the true constitutional position of the territory, and until this issue is faced there is scope for untold harm through misunderstanding."¹⁴

While the constitutional position of her 2 sister HCTs had been made clear when the British Government took over their administration, that of Swaziland had not. Basutoland had been declared a colony and Bechuanaland a protectorate.

In the 1930's Mr. Alan Pim was assigned by London to make a general survey of the HCTs. Following his reports,¹⁵ which concentrated on the financial and economic situation of the territories, the British Administration effected some administrative changes, amongst other things. With particular reference to Basutoland, Pim had observed that the British policy had been that "of non-interference, of proffering alliance, of leaving two parallel Governments to work in a state of detachment unknown in tropical Africa, while under indirect rule native institutions are incorporated into a single system of government and subjected to the

continuous guidance, supervision and stimulus of European officers."¹⁶ Discussions were made by the High Commissioner and his officers on legislation for "Native Administration and Native Courts" of the 3 HTCs. Following these discussions draft proclamations on native administration and judicial affairs were first introduced in 1932 for Bechuanaland. Discussions on these drafts continued in Bechuanaland until the proclamations were promulgated in 1934. But some chiefs opposed these proclamations until 1941 when the British Administration itself realised that the proclamations could not work - there was too much interference with the internal affairs of the Batswana. A redraft of both the Native Administration and Native Courts Proclamations was made, this time by people with experience in indirect rule in Northern Rhodesia. Proclamations were issued in September 1943 and started working in January 1944.

In Basutoland draft proposals had been made as early as 1929 by Sir John Sturrock, Resident Commissioner. These proposals were rejected by the chiefs. The matter was revived in 1935 following Alan Pim's report, the appointment of a new Resident Commissioner from Tanganyika and the Bechuanaland proclamations of 1934. After long discussions proclamations were finally promulgated in 1938 defining the powers of chiefs and the native courts. The proclamations were effective from January 1939. These proclamations were a result of the cooperation of the Monarch who only consulted a few trusted chiefs. The Basuto pitso* (congregations/community meetings) were informed only after the promulgation.

* see glossary

Draft proclamations for Swaziland were also made immediately following the 1931 general discussions. Sobhuza II and the Swazi National Council (SNC) rejected the draft proposals as completely unsuitable for the Swazi way of life. After the 1938 Basutoland proclamations, further attempts were made and copies were given to Sobhuza and the SNC. On this occasion Sobhuza and the SNC took their time to respond to the documents. When the Resident Commissioner, Mr. Bruton, approached Sobhuza to receive the response of the Swazis, Sobhuza told him that he and his SNC had difficulties with the proposed proclamations. It was during this time that the High Commissioner accused Sobhuza of being obstructive and the latter figured out that these accusations could only have been made by Bruton.¹⁷ B.A. Marwick, then District Commissioner of Hlathikhulu, was asked by Bruton to talk to Sobhuza about this misunderstanding and about facilitating the finalisation of the draft proclamations. Marwick found Sobhuza very upset about the charge of being obstructive and said that he had submitted a memorandum to Bruton which had not been replied to. Marwick tells us that Sobhuza "... added that he was at a loss to understand Bruton who continually brought up the same questions to which he always gave the same replies ... He blamed Bruton for the High Commissioner's censure of obstructiveness on the grounds that only Bruton could have made the charge. He also hinted that he saw no course but to resign and go to live in some place like Laurenco Marques."¹⁸

According to Marwick Sobhuza was in his most disagreeable mood and informed him that he (Sobhuza) was "drafting something". Marwick reckons that "something" was the 1941 Petition sent to the

British King. In that petition Sobhuza objected strongly against the interference of the British Administration with the method of appointment of chiefs and revocation of their appointment and that of the Paramount Chief. He reminded the British Monarch that the British Government guaranteed Swazi independence in the nineteenth century. He argued that:

"If the proposed legislation were to be passed in the form suggested it would mean not only that complete despotic power of deposition of Chiefs, Sub-Chiefs and Headmen would be placed in the hands of the High Commissioner, but also that he would be able to refuse to recognise as Paramount Chief that person who by all rights of native law and custom is the rightful Paramount Chief ... the Paramount Chief will but become the mouthpiece of the High Commissioner and his ancient rights will no longer exist. He will no longer be the sole trustee and representative of his people."¹⁹

The very last sentence of the petition implored the British Monarch "To authorise the definition of the Status of Swaziland under the provisions of Convention of 1894 and the protocol of 1898, such to be a declaration of the position of Swaziland under the Constitutional Law of the British Empire."¹⁹

The resistance of the Swazi Monarch against subjecting his appointment and that of Chiefs to the Colonial Administration proved to be a success. The SNC operated without the control of the British Administration. Hence the description of the administration of Swaziland during the colonial period as parallel rule. The Swazi Monarchy was again to prove indefatigable on his claim of supreme position over the Swazi people during the constitutional talks which led to independence.

Although the High Commissioner had issued the October 1944 Native Administration Proclamation which purported to subject the appointment of traditional rulers under him, in May 1949 the Resident Commissioner reported that it had died "an unnatural death".²⁰

Marwick explained that the contact between the British Administration officers and the SNC or its standing committee was not effective. For instance, the Resident Commissioner used to go to address the SNC standing committee and leave. He would then return after a few days to listen to their responses or hear new issues they wanted to raise. There were no debates between the committee and Government officers on any points raised. Later on the Government created a system whereby the Monarchy had ad hoc representation in the Administration. The Monarch appointed his liaison officers in Mbabane to be attached to the Resident Commissioner's Office where they were assigned to various departments. At districts level there were Swazi liaison officers in the person of indvuna.* These were attached to the District Commissioners' Offices. They assisted with the hearing of complaints brought to the district officers and also helped him in keeping in touch with Swazi thought and opinion in his district. But it should be born in mind that all liaison officers (either at district or headquarters level) were appointees of the Swazi traditional authority and the British Administration had no authority over them as appointees. In other words, the liaison officers were "ambassadors" of the Swazi traditional authority within the framework of British Administration in Swaziland.

* see glossary

The resistance by traditional authorities of the HCTs to have the power of their appointment and revocation of appointment invested in the High Commissioner was partly due to the fear that Britain might be preparing for transfer to the Union of South Africa. In these proclamations there were similarities to the Union Native Administration Act of 1927. In this Act the Union Government reserved the power to appoint and dismiss chiefs. In the eyes of the HCTs traditional authorities the threat of incorporation into South Africa was more real than imaginary. The Union was putting pressure on Britain to transfer the HCTs. Britain had never assured them nor the Union whether or not there would be incorporation, until the 1960's when South Africa became a republic and left the Commonwealth.

While the Union Government was being frustrated by Britain's failure to hand over the HCTs, they were still hoping that Britain would eventually give them the Territories. After all, at the formation of the United Nations Britain did support the South African ambition to incorporate South West Africa;²¹ this support kept the hope alive for the incorporation of the HCTs. The decision to delay the incorporation, in the first place, had been due mainly to the anti-British Afrikaner nationalism and to the increasingly racist ideology of the Union State both of which eventually led to the creation of the Republic and the subsequent withdrawal from the Commonwealth.²²

Although Britain maintained the political control of HCTs, economically and socially they were closer to South Africa than they were to Britain. This shall be examined below when discussing the

colonial economy with particular reference to Swaziland. Swaziland had a substantial white settler community as compared to the other two HCTs. As a result the European Advisory Council was established as early as 1921. This body represented the interests of the settler community to the Administration. The significance of this body is demonstrated in the period of constitutional developments in the Territory.

III The Colonial Economy and Infrastructure

"The economies of Botswana, Lesotho and Swaziland, although ostensibly 'British Protectorates' have always been integrated into that of South Africa and little has changed since independence, although the precise forms that their 'integration' takes has not been the same in all three."²³

This observation by Bush, Cliffe and Jansen cannot be farther from the truth. In this section we briefly examine the nature of the colonial economy in Swaziland and the socio-economic infrastructure. The economy of the Territory during the colonial period had two distinct features : (a) there was the subsistence economy practised by most, if not all, Swazi households. The main activity was the cultivation of sorghum and maize, and the rearing of cattle, goats and chickens. (b) The second feature was the commercial economy practised by the white settler community and a few Swazi households. The main activities here initially were the growing of cotton, tobacco, maize and cattle raising; there was also mining of asbestos and from the 1940's there were established the sugar, forestry, and citrus fruit industries by companies of both British and South African origin.

The economies of the HCTs were conspicuously linked to the South African one through the creation, in 1910, of the Southern African Customs Union (SACU) whose membership was (and still is) South Africa, Basutoland (Lesotho), Bechuanaland (Botswana) and Swaziland. The existence of SACU meant the free movement of goods within the member states. There was a common external tariff at the South African rates. Since South Africa was the only country with access to the sea, she was the main collector of the import duties. The agreement included a specified percentage share of the customs and excise revenue pool to be received by each partner. The calculation of this percentage was based on an estimate of the customs and excise duty content of imports into Basutoland, Bechuanaland and Swaziland of the period 1906-1908. The eventual total percentage for the HCTs was 1.31 and this remained so until 1969 despite the fact that by 1966 the HCTs were accounting for 4 per cent of SACU imports.²⁴ There was no provision in the Agreement for periodic revision of percentage allocations.

Consequent to the Agreement the South African currency became the sole legal tender in the HCTs although there was no specific provision to this effect. The explanation to this was that the British Government initially thought the HCTs would be absorbed into South Africa. The use of the South African currency continued even when South Africa changed from the Pound to the newly decimalised Rand in 1960. It became common to refer to these four countries as the 'Rand Area'. The use by the HCTs of the South African currency over which they had no control, and neither had the Colonial master, meant they were influenced by any fiscal policy changes which the South African Governments made, some times without necessarily paying attention to the State of affairs of the formers' economies.

The commercial economy of Swaziland was largely in the hands of the settler community. Their main activity was farming, having been given the bulk of the land by the 1907 Land Partition Proclamation. They grew cotton, maize and tobacco on a large scale. The market for these crops was South Africa, but maize was sold in Swaziland as well. The creation of this Swazi market was due to the fact that the Land Partition Proclamation gave only one third of the land to the Swazis and according to Alan Booth²⁵ only 15 per cent of these reserves had soils and slopes well suited to crop production. So the Swazis were gradually relying on the White settler maize produce, and this became more so as the population grew. At a later stage maize imports had to come from South Africa to supplement the production in Swaziland. South Africa was the sole market for the settlers' live cattle until 1965 when the Swaziland Meat Corporation was established. This meant the cattle could be slaughtered and processed into different meat products in Swaziland. From that time meat products were sold in Britain and Zambia, in addition to the South African market.

In 1938 the Havelock Asbestos Mine was opened by Newall and Turner, a British company. The mine was to become the biggest private sector single employer and source of government revenue until the establishment and consolidation of the forestry and sugar industries in the 1950s. The mine was one of the world's five largest asbestos mines²⁶ and created 2,340 jobs; but Booth²⁷ points out that nearly 70 per cent of the workers were foreign - South African, Mozambican and Nyasa. By 1940 "about 70 per cent of income tax and almost all base metal royalty receipts were accounted for by the mine".²⁸

There was also mining, on a small scale, of gold at Forbes Reef, tin near Mbabane, beryl at Sinceni Hills, kaolin, barytes, pyrophyllite, silver and diaspore. Altogether these accounted for 1.87 per cent of the minerals sold in 1964, the rest going to asbestos. The mining sector grew larger in the Territory with the opening of the iron ore mine at Ngwenya and the coal mine at Mpaka in 1964. The Swaziland Iron Ore Development Company (SIODC) was formed by a combination of capital from Anglo-American Corporation (S.A.) and Guest, Keen & Nettlefolds (U.K.). Yawata and Fuji iron and steel groups of Japan signed a contract with SIODC to buy the iron ore for a period of 10 years. Capital for the construction of the railway from the iron ore mine to Lourenco Marques for shipment of the ore was provided by the Commonwealth Development Corporation (CDC), about £4 million, Anglo-American, about £1 million, and the South African Mutual Assurance Society, about £4.26 million. Roberts Construction, Murray and Stewart, and Rand Earthworks were the South African firms which constructed the railway. This railway was also to benefit the forestry industry and the coal mine at Mpaka. Mining rights at Mpaka had been given to the Rand Mines Ltd. and the Johannesburg Consolidated Investment Company - both of them South African firms. By 1966 the export earnings of iron ore had overtaken that of the asbestos. In that year asbestos earnings were R4,954,300 whereas that of iron ore were R8,546,800. In the same year coal earned R37,700 while the rest of the minerals earnings totalled R26,900.²⁹ The earnings of the mineral products taken together represented 35.37 per cent of the value of domestic exports of Swaziland in 1966.

The post-war period saw large investments in the forestry and agricultural industries, largely stimulated by the Colonial (later

called Commonwealth) Development Corporation (CDC). In the late 1940's CDC planted eucalyptus and pine trees on large tracts of land. This was called Usuthu Forestry. When the timber was ready for processing CDC and Courtaulds Ltd. (U.K.) formed the Usuthu Pulp Company which established the pulp mill to process the timber into unbleached woodpulp. Mining timber was also produced, mainly for the South African market. At about the same time that Usuthu Forestry was born, Anglo-American established Peak Timbers Ltd. which grew timber in the northern part of the Territory. The combined size of the forestry industries gave Swaziland the second largest commercial forestry acreage in the world.

Another significant development was the establishment of the sugar industry by CDC and other companies. In 1950 CDC bought large tracts of land in the North-Eastern part of the Territory and set up a company called Swaziland Irrigation Scheme (SIS). SIS experimented with a variety of products such as citrus fruit, rice, vegetables and sugar cane. By the late 1950's CDC and Sir John Hullet & Sons (S.A.) had formed a company called Mhlume Sugar Company. This new company bought some of CDC land to grow and process sugar cane. The projects (both for SIS and Mhlume) were successful. In the mid 1960's CDC bought out Sir John Hullet & Sons so that Mhlume Sugar Company became a wholly owned subsidiary of CDC. CDC also had a role in the Ubombo Ranches sugar project, in the south east of the Territory. In this project South African capital was the major shareholder. Ubombo Ranches Ltd. project was also successful. In 1968 Lonrho (U.K.) bought the whole of Ubombo Ranches Ltd. The sugar industry soon became the largest single employer in the Territory. By 1968, "less than 20 years after its

inception, the sugar industry was providing work for 22 per cent of Swaziland's wage-earning population, with 10 per cent of the entire population depending on it for their livings."³⁰

These post-war private investments were stimulated by CDC and the British Treasury's spending on the infrastructure following the Colonial Development and Welfare Acts. Between 1945 and 1963 Britain provided loans for this purpose amounting to £20,180,000.³¹ The Colonial Administration noted the importance of the infrastructure (roads, telephone facilities, training of manpower, etc.) for the purposes of economic development. In their 1964 Report they wrote:

"During the 1950's the Territory saw considerable economic activity with the Administration concentrating on providing the necessary infrastructure. As a result, the private sector began to play, for the first time, a major part in the development of the agricultural resources of Swaziland. In the northern Highveld two forestry companies planted a considerable acreage of pines and eucalypts, and the Malkerns and Big Bend areas saw a dramatic expansion of the irrigated areas ... As a result the economy has become more broadly based; a measure of its development is the steady decline of Swazi tax as a revenue component from 41 per cent in 1936-37 to 5 per cent in 1956-57. Although the contribution of Havelock Mine is still a major importance, Swaziland is less dependent on one single commodity, and the 1962 exports of processed and manufactured goods had overtaken mineral exports for the first time, sugar becoming Swaziland's major export."³²

What should be noted is that this large-scale investment came from both British and South African based companies. The investment challenged the settler based production which almost entirely relied on South Africa for its market. The big companies had the

capability of breaking this tradition and venture into new markets abroad, as was the case with sugar (e.g. UK, USA, Canada markets) and forestry products (e.g. EEC, Middle-east, Zambia markets). Another significant point to note is that British investments exceeded those of South Africa at the time of independence. However, these points do not necessarily mean Swaziland was no longer "integrated" into the South African economy. There were stronger ties which militated against this. Firstly, there was SACU which was discussed above. Secondly, South Africa remained the main source of Swaziland's imports - both foodstuff and industrial production goods. For instance, in 1968 (year of Independence) Swaziland's imports from South Africa constituted 91.2 per cent of the total value.³³ The third element of linkage to South Africa was that of transport and communications. Until the completion of the railway to Lourenco Marques all goods going out to and coming from overseas went through South African ports. The Lourenco Marques port could not be a total substitute - in any case, it could not handle all Swaziland's needs. In any case there was no political motive to make drastic changes because both Mozambique and South Africa had minority regimes. The international telephone system linkage of Swaziland was controlled in South Africa. Swaziland had no international airport and had to use Jan Smuts Airport in Johannesburg.

Linkages of Swaziland to South Africa were further consolidated by the education and the legal systems. Until the 1950's Swazi students wrote the Joint Matriculation Board (JMB) examinations for their school-leaving certificate. This arrangement came to an end when South Africa introduced the Bantu Education system in her

schools and when she announced that she would stop taking secondary school pupils from Swaziland. Swazi students then wrote the Cambridge G.C.E. 'O' Levels examinations. But Swazi students continued to receive training in South African Colleges and Universities. The University of South Africa continued to offer degrees on behalf of Pius XII College - a predecessor of the former University of Botswana, Lesotho and Swaziland which was born in 1964. One interesting aspect of education link was the teaching of Zulu as vernacular in Swaziland schools. This continued until the 1970's when Zulu was replaced by Swazi. The education linkage also had a manpower dimension in that many schools depended on South African teachers. The British Administration did not do much for the education of the Swazi. One observer pointed out that the Government in 1962 spent 9.7 times as much on every white child as on every African child at school, 4.3 times as much as on every Eurafrikan child; and that "Even South Africa, which uses education to maintain master-servant relationship, had in 1959 only 1:8 cash ratio on black:white schooling."³⁴ So the industries and Government used South African personnel in many fields which needed skilled labour.

The legal system of Swaziland was an inheritance from that of the Transvaal. The British Administrator did not change the legal system that had been introduced by the Transvaal Government in Swaziland in the late nineteenth century.

The most glaring and important link between South Africa and Swaziland was the migrant labour of Swazis to the mines of South Africa. There are several reasons for the existence of Swazi migrant labour to these mines. Some were natural causes and others

were man-made. Rinderpest struck Swaziland, killing many cattle, in 1894. In 1902 there was the visitation of the East coast Fever. Together these cattle epidemics killed nearly 90 per cent of the Swazi herd.³⁵ This meant loss of food in the form of milk and meat. But it also meant loss of pulling-power in crop cultivation because by this time harnessed oxen were used to pull ploughs. In addition to these, cattle in Swaziland are regarded as a form of wealth and source of pride and dignity. In order to replace the cattle and to supplement their foodstuffs, some Swazi male adults went to the mines in South Africa. Although before the turn of the century only a few hundred Swazis had been known to go to the South African mines, the figure stood at 4,000 by 1910. Other natural causes for migrant labour were the periodic droughts and infestation of swarm of locusts which devoured crops.

The 1907 Land Partition Proclamation, mentioned above, also resulted in migrant labour. Rather than work as a squatter on the settler's land, many young men preferred to sell their labour in a "free" market. So they went to the South African mines despite the settlers' objections. By 1911 over 11 per cent of the male population of the territory sold their labour yearly in South Africa.³⁶ Swaziland's industries could not absorb all the labour power. The first large industry of any significance was the Havelock Asbestos Mine established in 1938. Moreover, the mines in S.Africa were paying relatively high wages compared to Swaziland's establishments. Hence the lure to the South African mines. It subsequently became a prestige for young Swazi males to have been to the Rand or coal mines of northern Natal. They eventually regarded themselves as "been tos", spoke a certain type of dialect when they

returned home, dressed up in a particular style and generally looked down upon any young men who had never been to the mines. It became fashionable to work in the mines.

The imposition of tax upon Swazis was another cause for migrant labour as the taxed Swazis needed money to pay. There were also the Swazi Monarch's levies on male adults for purposes of the Crown Prince's education, for the expenses for deputations to London to protest against the land partitioning process. The Monarchy also imposed levies for the purpose of buying back the land. Many young men were persuaded to go to the mines and deposit a certain percentage with the royal family to create the land purchase funds. Recruiting agencies also paid capitation fees to the Monarchy so that it could use influence on Swazis to go to the South African mines. Both the royal levies and capitation fees were eventually stopped by the British Administration in the 1920's.

The establishment of big forestry, citrus fruit and sugar industries in the Territory in the post-war period created a problem for the South African mines and the settler community in Swaziland. These industries created competition for Swazi labour and this meant higher wages than before. It also meant that the recruiting agencies were to be more active - at some stage they travelled around the country on recruiting campaigns, even bought free beers for potential recruits. In turn the local industries made recruiting campaigns, provided free transport to new recruits, allowed their workers to go home at least once a month (after pay day) for a weekend. The latter condition became the most attractive condition of service since workers could go home more frequently

TABLE 1 : NUMBER OF PEOPLE FROM SWAZILAND RECRUITED FOR THE SOUTH
AFRICAN MINES

Year	Number
1922	7089
1932	4205
1942	3031
1952	3440
1962	9200
1968	7829

- SOURCES : (a) Alan R. Booth, Capitalism and the Competition for Swazi Labor 1945-1960, paper presented at Free University, Amsterdam, February 1986.
- (b) Swaziland Annual Reports 1961-1964, London, HMSO.
- (c) Swaziland Annual Statistical Bulletin, Mbabane, Central Statistical Office 1971.

than working in the South African mines where they only went home at the end of their contracts which could be 3, 6 or 9 months.

The South African mines' response was to hike wages so that the Swazis continued to migrate as labourers. For instance the 1962 figure (Total) in Table I represented about 18 per cent of the Swazi working age male population actually employed. The most hard hit during this competition was the White settler farmer in the Territory. He could not rely on squatters as most Swazis would not work under those harsh terms. If he tried to enforce them Swazis simply moved out of his land and sold their labour elsewhere or went to squat somewhere else. "It was this relative freedom of movement which gave tenants some bargaining power and severely emasculated the landlord threat."³⁷

The big industries in the Territory responded by recruiting labour from outside. For instance in 1951 the total percentage for all industries employing more than 50 workers was 20.82 per cent foreign labour, in 1960 the figure stood at 22.16 per cent. Foreign workers came mainly from Mozambique, Nyasaland and South Africa. This competition for Swazi labour was being gradually reduced by the population increase whose rate was higher than that of industrial expansion. In the post-independent period Swaziland once again found herself with the problem of unemployment.

IV Period of Nationalism and Constitutional Development 1960-1968

Nationalism and the call for self-determination in Swaziland were sparked off mainly by the events in Central, East and West

Africa where African people had been engaged in the struggle for independence for several years by the late 1950's. Some of these colonies experienced the militant version of nationalism, for example the Gold Coast, and others even took up armed struggle, for example, Kenya. Due to the fear that Swaziland might experience either of these two versions, the European Advisory Council petitioned in the late 1950's, the High Commissioner in South Africa, Mr. Liesching, to have it converted into a Legislative Council. The EAC fears were not unfounded seeing that in 1957 Mr. J.J. Nquku, one of the prominent and educated Swazis, had made an overseas tour of England, the USA and several European countries and came back full of ideas of 'democracy and progress' in Swaziland.

In examining constitutional development what should be underlined is that Swaziland experienced a difficult period of constitution drafting due mainly to two reasons : (a) the position and political strength of the Swazi monarch and traditional institutions, and (b) the existence of a large white settler community compared with that of the other HCTs. The discussion of the Swaziland's constitutional development leading to independence will be concentrated on four main distinct actors : (a) the White settler community through the European Advisory Council (EAC) which was later converted into the United Swaziland Association (USA); (b) the Swazi monarch and his traditional supporters who eventually formed the Imbokodvo National Movement (INM); (c) the nationalist movements - (i) the Swaziland Progressive Party (SPP), (ii) the Ngwane National Liberatory Congress (NNLC), (iii) the Swaziland Democratic Party (SDP) and (iv) the Mbandzeni National Convention (MNC); and (d) the British Government - both in London and in Swaziland.

When the European Advisory Council (EAC) petitioned the High Commissioner to have them converted into a Legislative Council, the latter referred the matter to the Resident Commissioner of Swaziland. The EAC was contemplating a political change in the territory similar to that which took place in Southern Rhodesia in 1923. However, the Resident Commissioner's reply was that that line of political development could not be taken; he argued that Swaziland was, as far as he was concerned, a protectorate, with the undertaking by the British Government to respect the rights and institutions of the Swazis.³⁸ Consequent to this reply, the EAC changed its petition in 1960 to that of a request for a joint advisory council between the EAC and the Swazis. When the idea was communicated to Sobhuza as the native authority he rejected it on the grounds that it would mean a derogation of Swazi power because the Swazi National Council (SNC) already had legislative and executive powers whereas the EAC was only advisory. It should be recalled that the Swazis had no institutional framework which played an advisory role to the British Administration, except that ambiguous role played by the traditional institutions which had not been subordinated to the British Administration by any legislative instrument or proclamation. It is for that reason that the Administration of Swaziland has been described as parallel rule in the section dealing with the Colonial System of Administration.

While Sobhuza rejected the EAC proposals, he could not turn a blind eye to the events happening in Central, East and West Africa and the general mood of the workers and educated Swazis. So in the same year (1960) he condemned militant nationalism in the north, saying that it was foreign to Africans and certainly unwanted in

Swaziland. He then proposed a Legislative Council whereby the White community was to elect its representatives in their own system and the Swazis were to choose theirs in the way they were used to - by acclamation. Sobhuza suggested that this Legislative Council should have no jurisdiction over Swazi custom nor land and mineral rights. This separate ballot based on race and the "federal" Legco became known as Sobhuza's version of "racial federation" resembling that advanced by Sir De Villiers Graaf of the United Party of South Africa. Whether or not Sobhuza was being influenced by the United Party policies is not clear, but what is clear is that he was aware of the major political developments in South Africa.

The Formation of SPP

The views of Sobhuza provided an impetus for the formation of the first political party in the territory - the Swaziland Progressive Party (SPP). SPP was formed in July 1960 by the leadership of the Progressive Association which had first been formed in 1929 by a group of educated Swazis for the purpose of articulating the interests of the educated Swazis. Due to Sobhuza's pressure the Colonial Administration had decreed that the Association should be affiliated to the SNC. This did not cause much serious conflict of interest until the talk of political and constitutional changes in the Territory. Hence the formation of the SPP.

The SPP Manifesto had the following points : (a) it called for a non-racial policy in order to bring about the democratic enfranchisement of all persons in Swaziland - in short they were

demanding a one man, one vote ballot system in a common national voters roll in contrast to Sobhuza's "racial federation" system; (b) it called for a vigorous opposition to the South African continuing attempts of incorporation; (c) it urged that Swaziland adopt the UN Declaration on Human Rights and abide by this document; and (d) it called for a complete integration to be achieved in every sphere of life and racial discrimination in all its forms to be ended immediately.

The SPP leadership was composed of the educated Swazis. For instance its president, Mr. J.J. Nquku had been a school-teacher, then an inspector of schools. His right-hand man Dr. A.P. Zwane was a medical practitioner; Prince Dumisa (Sobhuza's nephew) had been a University student in Roma, Lesotho, before he withdrew to participate full time in the politics of Swaziland, Mr. Arthur Khoza was a university graduate. Nquku had come from South Africa to live in Swaziland in the late 1920's and Dr. Zwane had made acquaintance with black political leaders in South Africa when he was studying medicine in the University of the Witwatersrand. These leaders included Nelson Mandela and Robert Sobukwe. Zwane returned home to practise medicine but because of the institutionalised racism in the territory he suffered discrimination to the extent that he later resigned from Government employment and became a full time politician. The extent of this discrimination is highlighted by Sir Brian Marwick, who was Resident Commissioner, when he wrote to Hilda Kuper:

"You may not have heard of the uproar when Owen Strong as District Commissioner Mbabane allocated a house in the 'European' area to Dr. A.P. Zwane. The Urban Area Advisory Committee

... mounted their high horses and were about to organize a petition and a Press campaign in the Republic to have me removed from office. I summoned them and listened to the expected nonsense about land and social values, etc. Bowman expected to chill my blood by saying that a professor friend of his whom I had met would certainly not now come to settle in Swaziland. I explained to them the facts of life and dwelt on Zwane's professional qualifications after long training at University (I knew none of them had been to University) and the matter fizzled out."39

Marwick goes on to mention that Bowman was later taking him (Marwick) to task for not doing enough to integrate the Swazis and Europeans in the virtues of the 50/50 constitutional solution. This idea of 50/50 constitutional solution was actually the view shared by the EAC with Sobhuza and his traditionalist supporters. The EAC rejected the SPP position, especially the call for one man one vote. They went along with Sobhuza's view of the "racial federation" after having dropped the petition for a joint advisory council.

The First Constitutional Committee

The political mobilization and organization of the late 1950's and 1960 resulted in the establishment of the first Constitutional Committee in Swaziland. In November 1960 the Secretary of State for Colonies authorised the setting up of this committee. Its terms of reference were as follows : (a) to examine the circumstances which militated against common purpose and co-existence, (b) to consider what form of constitution was desirable for Swaziland and to draft accordingly and (c) to consider the need for the development of subordinate or local forms of government in Swaziland, for example, at district level and for urban areas.

The Committee consisted of the EAC, the Ngwenyama ("King") in Libandla (SNC), the British Administration in Swaziland and the Swaziland Combined Executive Association representatives. SPP members were included in the Committee as members of Libandla (SNC) and not as representatives of SPP. However, the SPP members did not stay long in this Committee. The main issue of controversy was their recognition as representatives of SPP. The other representatives refused to recognise them as such and insisted they should be taken as SNC representatives. As a result of this controversy, J.J. Nquku, President of SPP, was expelled. Disagreement continued with the remaining SPP members who resigned less than four months later. At resignation Dr. Zwane said "If we are to be discouraged from speaking out, as in Mr. Nquku's case we will be false to our convictions while giving the public the misleading impression that the Swaziland Progressive Party is having a hand in the shaping of the new constitution when, in fact, the position is quite different."⁴⁰ After their withdrawal, the SPP leadership made a formal request to be represented in the Committee as a movement. The request was rejected by the Resident Commissioner.

Following the rejection of their request by the Resident Commissioner, the SPP drafted a petition to the UK Government in London. The petition contained a wide spectrum of issues. They requested the establishment of a Legislative Council on the basis of a common voters' roll, thus allowing for universal adult suffrage; they wanted the establishment of non-racialism in all aspects of Swaziland's political, economic and social life; and the elimination of the very large number of racially discriminating

laws, some of which had been kept in force since Swaziland was subjected to the jurisdiction of the Transvaal Republic in the nineteenth century. The document asked for the entrenchment in agreed constitution of a Court-enforced Bill of Human Rights including full freedom of political organization (no doubt this was the reaction of SPP to being forced to operate within the SNC). They requested the UK Government to take steps towards the peaceful integration of the traditional chieftainship into modern democratic structures of government. (Here the SPP were venturing into a very sensitive issue because Sobhuza had successfully resisted the integration). SPP also requested that Swaziland should have a democratically elected form of local government, especially in the main townships. The last point was a request to recognise Swaziland as a Protected State and to establish the Paramount Chief's position as Head of State in the form of constitutional monarch. As far as the first part of this last point was concerned, Sobhuza and the SPP agreed : together they believed that Swaziland had never lost independence. Sobhuza's claim that the country be given to him and not to political parties was based on this premise. But to the monarch it seemed illogical for the SPP to want him politically neutralised as the second part of the last request suggested. Historically Swazi kings ruled effectively and were not just political figureheads.

The SPP did not get any response from the British Government which simply awaited the report of the Constitutional Committee from which SPP members were either expelled or had resigned. The absence of the SPP in the constitutional talks did worry the Resident

Commissioner, Marwick. He urged Sobhuza and Carl Todd, leader of the European Community, to include the nationalists in the discussions but did not succeed.

In 1961 the Constitutional Committee made their report which was very controversial on some issues. The first recommendation was to end all the existing racial discriminatory legislation and practices in the territory. The second was the establishment of an Executive Council consisting of a Governor, 3 ex-officio members, 1 official, 4 nominated members, and 4 unofficial members (2 Swazis and 2 Europeans). Thirdly, they recommended the establishment of a Legislative Council consisting of equal numbers of Swazis, chosen by acclamation, and Europeans elected by western methods (secret ballot). This recommendation reflected the idea of a "racial federation". The fourth recommendation was that the Ngwenyama (King) should have a right to withhold his consent to Bills until he had satisfied himself that the legislation would be in the best interest of the Territory. The last recommendation was a call for a Bill of Rights which would lay down personal liberties such as freedom of expression and assembly, but this bill should not allow major changes to the socio-political framework of the Territory. (This qualified freedom of expression and assembly was, no doubt, meant to prevent the formation of political parties, by the Swazi, outside the SNC).

The Resident Commissioner and some official members of the Committee expressed their reservations about the 50/50 "racial federation" and the exclusion of modern political organization (the SPP). In an interview Sir Brian Marwick revealed that he was at

pains trying to point out to Sobhuza that in the modern world it was impossible to prevent people from forming political organizations according to their own persuasion, that if Sobhuza wanted to participate in Swazi politics he could use his supporters to form a political party.⁴¹ On the "racial federation" Sir Brian was to write later (to Hilda Kuper) that "I was convinced that acceptance of the 50/50 principle would be an unforgivable betrayal of HMG's responsibilities as the protecting power and would make even more difficult any attempt to satisfy Swazi grievances over land etc. and the erosion of Swazi institutions in the future ... I felt that the 50/50 principle would further imperil the objective of ensuring that Swazi interests eventually predominated."⁴² Neither did the Secretary of State for the Colonies agree with these two proposals by the Constitutional Committee. He felt that a common voters' roll would undoubtedly be required if the non-traditional elements among the Swazis were to be included.

When the Committee's proposals were not accepted by the Colonial Office in their entirety, Sobhuza decided to test the popularity of the 50/50 principle amongst the Swazis. In February 1962 he convened a meeting of all Swazi men (SNC) at Lobamba royal kraal and addressed them on the Committee's proposals. The recommendations were rejected - the most notorious being the 50/50 principle. The youth so rudely attacked it that Sobhuza was shocked because no Swazi had talked to him like that before. However, he again tested the proposal at a local inkhundla (meeting place) at Mbabane. He did not attend but used his supporters. Mbabane was not the right place for him to sell the 50/50 principle. Here he

received the same rebuff as at Lobamba. Sobhuza was not prepared to accept defeat. On 3 July 1962 a meeting of all adult Swazis was called at Lobamba. When the people turned in large numbers, he and the councillors addressed the people on irrelevant issues, instead of the constitutional proposals. This beating about the bush continued until the following month. As a result people were tired of remaining at Lobamba, with no accommodation nor enough food. Most left. Key people, like the princes, chiefs, councillors, members of the Constitutional Committee and SPP leadership, remained behind. It was at this time that the leaders of SPP were called to appear before the Executive Council of SNC - the Liqoqo - to be interrogated and threatened. The SPP refused to be intimidated and continued with their policies.

To many people's amazement the councillors announced on 9 August 1962 that the Swazi nation had unanimously accepted in principle the Constitutional Committee's proposals. Sobhuza and his supporters had played delaying tactics so that they would fool the people. But many people never accepted the 50/50 principle and Sobhuza was to back-track on this issue later.

Formation of more Political Parties

More political parties were formed during this 50/50 debate. In March 1962 the Swaziland Democratic Party (SDP) was formed. SDP was the first multi-racial party in the Territory. One of the leaders was Mr. Vincent Rozwadowski who had emigrated, after World War II, from Poland to South Africa, but later moved to Swaziland having found South African racism unbearable. Another leader was

Mr. Simon Sishayi Nxumalo, a former school-teacher who had become a businessman; there was Mr. Jordan Ngubane, a former national Vice President of the South African Liberal Party; and there was Dr. Allen M. Nxumalo, a medical practitioner. SDP called for a united Swaziland under the one man one vote democratic principle; they advocated a constitutional monarch similar to the British system - indeed Rozwadowski was a great admirer of the British political system. SDP rejected traditionalism, they accused SPP of being racists and did not endorse Pan-Africanism.

In July 1962 the Mbandzeni National Convention (MNC) was formed. This party argued that Swaziland had in fact never lost its independence. Hence they called for the restoration of its sovereignty, but under the system of one man one vote. The leader of the Party was Dr. George Msibi, a medical practitioner. The party was never really popular because of lack of clarity. For instance, they stated in their Manifesto that all laws should be valid and legal when they bore the signature of the Ngwenyama but did not state whether the Ngwenyama had a right of veto.

As early as 1961 the SPP split into 2 factions: SPP-Nquku faction and SPP-Zwane faction. The Zwane faction accused Nquku as President of SPP of misusing Party funds and also of being dictatorial. This split was to prove costly to the movement because by this time SPP was receiving material support from some independent African countries in the north, for instance, Ghana. These countries did not know which faction to recognise. The split culminated in the Zwane faction becoming the Ngwane National

Liberatory Congress (NNLC) in April 1963. NNLC eventually had the largest following amongst the modern political parties.

The 1963 Imposed Constitution

Because of the continuing constitutional disagreements, the British Government decided to convene a conference in London in January 1963. The Swaziland Delegation consisted of the Resident Commissioner, 4 seats for the EAC, 1 seat for Eurafricans, 6 seats for SNC, 3 seats for the political parties (SPP, SDP and MNC) and one independent member - Dr. David Hynd, who was head of one big Christian mission station in Swaziland which ran schools, a teacher training college, a nurse training college, a large hospital and several clinics. Dr. Hynd was taken to be a representative of missionary opinion in Swaziland. As this conference took place when SPP had 2 factions, the British Administration had problems as to which one to invite. There had never been any polling which might have helped indicate which faction had the majority support. They ultimately invited the Nquku faction on the basis that it was the original SPP.

The London Conference ended on 12 February 1963 without any sign of agreement. One of the major issues of disagreement was that of mineral rights. The British Government wanted mineral rights to be vested in the Legislative Council, while the SNC and EAC wanted Sobhuza to be in control of them, the EAC was in collusion with SNC on this matter due to the 50/50 concession offered by SNC; they also feared the militancy and growing popularity of the nationalist movements. This Conference ended without agreement.

On May 20 1963 the British Government announced the promulgation of the Swaziland Constitution. This is what became known as "the imposed constitution". One of its main features was that it gave the Executive powers to Her Majesty's Commissioner (formerly the Resident Commissioner) who was to be assisted by an Executive Council of 3 ex-officio members plus 5 members appointed by Her Majesty's Commissioner. The Legislative Council was to consist of the Queen's Commissioner, the Speaker, 24 Elected members and 4 official and nominated members. The electoral process was complicated : 8 Swazis were to be elected through traditional methods, 4 Europeans to be elected on the European roll, 4 Europeans to be elected on a national roll, and 8 persons of any race were to be elected on a national roll.

This constitution provided that the Ngwenyama would be entitled to see all papers sent to the Executive Council and would receive a copy of every Bill passed by the Legislative Council. He was also empowered to bring matters before the Executive Council for consideration. Another provision stated that ownership of the minerals was to be vested in the Ngwenyama on behalf of the Swazi nation, but that the Legislative Council was given power over their allocation. In short, the Legco had control over the minerals.

None of the protagonists were pleased with this constitution. Sobhuza, his traditionalists and EAC were unhappy about the minerals issue. On top of that, the Ngwenyama was not given legislative powers - meaning that he was being politically neutralised. On the other hand, the nationalist movements were not happy with the electoral process, especially that of reserving one-third of the

Legco's elected seats for the European community; they also complained about the traditional methods of electing the 8 Swazis. So both sections were protesting against this constitution.

The traditionalists and EAC found a friend in the Conservative Party (UK), Major Sir Patrick Wall, M.P. They asked him to table, on their behalf, in the House of Commons a petition. He agreed, and the contents of the petition were as follows : (a) they asked for recognition of the powers of the SNC to legislate, (b) they asked for the rights of the Swazi Nation (through the Ngwenyama in Council) to control the land and minerals, (c) they petitioned that the Swazi King be given a right to participate in legislation, to be recognized as a symbol of the Swazi nation, (d) they did not like the electoral system, especially the 8 persons of any race to be elected on a national roll - they were still sticking to their 50/50 'racial federation', and (e) they called for a recognition of Swaziland as a Protectorate and not as a colony. This petition received little support in the House of Commons.

It is interesting to note that Wall saw the imposed constitution as favouring Dr. Zwane's party. Later he wrote : "You may recall that the then Commonwealth Secretary, Mr. Duncan Sandys, decided to impose a Constitution on Swaziland which would assist Dr. Zwane and his political party. I presented a petition to Parliament on behalf of the Swaziland Government to oppose this imposition. I visited King Sabuza (sic) and he eventually decided to start his own political party, which as you will know won the subsequent elections."⁴³ Dr. Zwane and his supporters were themselves accusing the British Government of favouring the traditionalist and the EAC,

as stated above. Wall states he presented the petition in Parliament 'on behalf of the Swaziland Government'. It is not clear why he is referring to Sobhuza and his supporters as the 'Swaziland Government'. He certainly would not be referring to the British Administration in Swaziland because the latter was opposed to the 'racial federation'; they had been trying to instill into the traditionalists mind that if they wanted to run the country they should form their own political movement.

Despite the protests and petitions from all directions, the British Government insisted on the application of the Constitution.

Sobhuza's 1964 Plebiscite and Formation of INM

The insistence of the British Government on the constitution made Sobhuza decide to test his popularity vis-a-vis the Constitution. In January 1964 he called for a plebiscite for the Swazis to register their objection to the Constitution. The people were given 2 symbols to vote for : either a Reindeer symbol or a Lion (Ngwenyama). They were told that if they supported their King they should vote for the Lion symbol and if they did not, then they should vote for the Reindeer symbol (a strange animal in Swaziland). Chiefs instructed their followers to vote for the Ngwenyama or else they would be evicted from their chiefdoms. The EAC endorsed the plebiscite, while the political parties rejected the referendum and even tried to persuade the people not to participate. The British Administration in the Territory announced that they would ignore it. In the campaign SNC and the chiefs accused political parties of being ready to cause a civil war/divide the nation (Umbango) since

they were "against" the Monarchy. It was further alleged that the colonial government wanted to perpetuate this civil war because they "supported" the political parties. Amongst the traditionalists it became anathema to be associated with political parties (to be called "uyiphathi" in siSwati was tantamount to being labelled a traitor). The political parties were depicted in the symbol of the reindeer - a strange animal with horns lacking a straight direction. To the illiterate Swazi, this symbol really represented confusion.

The plebiscite was conducted at tinkhundla (traditional meeting places). The results of the elections showed that 122,000 adults chose the lion, out of a total electorate population (i.e. Swazi) of 125,000, only 154 chose the reindeer.⁴⁴ The authenticity of the figures 122,000 and 154 may not be verifiable, seeing that no neutral personnel were involved in the supervision and counting of the votes. But there is no doubt that the majority voted for the Ngwenyama and this boosted Sobhuza's confidence after the humiliating rebuffs 2 years back at Lobamba and Mbabane.

Elections based on the imposed constitution had been set for June 1964 and Sobhuza's plebiscite was held in January 1964. In April 1964 Sobhuza announced he would contest the elections through the Imbokodvo National Movement (INM). This marked the formation of the "King's Party". Different people have been credited with the idea of forming INM. Robert P. Stevens⁴⁵ apportions credit to a South African lawyer, van Wyk de Vries, who was a member of the Broederbond. There is open evidence that the Broederbond did advise Sobhuza during this period of constitutional discussions. Hilda Kuper, who is a great admirer of Sobhuza, wrote in the Monarch's

biography that "Sobhuza made contact with Jan van Wyk de Vries who, as Sobhuza's critics pointed out, had ready access to Verwoerd. But Sobhuza argued that if his advice was sound he would take it; if not, he was under no obligation to follow it nor did it prevent him from hearing or considering other legal opinions". Sir Brian Marwick maintains that he always advised Sobhuza to form a party if he wanted to participate in the politics of modern Swaziland. Sir Patrick Wall indicates in his letter (quoted above) that he gave Sobhuza the advice to form a political party.

All these claims and apportionment of credit do not tell us who exactly convinced Sobhuza. It could have been one or all of them. It could have been none of them as Sir Francis Loyd's opinion indicated in an interview with him.⁴⁶ The question asked was how much influence the South African advisers had on Sobhuza. Sir Francis' answer was that there could have been some influence from them but there was no proof; he pointed out that Sobhuza accepted anybody who came to his office with pieces of advice and did not tell anybody off, so that one could leave the office believing that Sobhuza had taken his word. But at the end Sobhuza made his own decision. There is no intention to debate this issue in detail, but it is perhaps necessary to point out that there is no evidence as to who Sobhuza actually believed in. Of course, if one was his political rival, he could easily capitalise on his association with a Broederbond.

There are two important points which this claim to advice always overlooks. The first one is that the British Government had decided on the elections and were not going to change their mind.

So Sobhuza had either to boycott the elections or participate. But before he made the decision he had a good idea of testing his popularity in the January 1964 plebiscite. This plebiscite is the second point referred to above. It was the result of this plebiscite which gave Sobhuza the confidence. If the results had been disastrous, it is not easy to tell what he would have done. Would he have proceeded to form the INM or would he have threatened to abdicate as he had done in 1941? His decision to participate in the election was based on the results of the plebiscite. Moreover, the influence of experts (whether constitutional, political or economic) on Sobhuza is sometimes exaggerated. He once said "Experts often spend a long time first finding out and then telling us what we already know, but then they put forward their solutions without consulting us."⁴⁷

Having formed the INM the traditionalists used both persuasion and threats to leaders of the opposition to disband their parties and join INM. Dr. George Msibi, leader of MNC, left his party to join INM and was appointed Secretary-General. Two months after the June elections Mr. S.S. Nxumalo resigned from the executive of SDP to join the traditionalists. In March 1965 Dr. A.M. Nxumalo, President of SDP, left his party to join INM at the same time urging his followers to do the same. Both SDP and MNC eventually ceased to exist. SPP and NNLC continued to exist, with the NNLC becoming more popular despite defections of some of its members to INM. One of the defectors was the one time acting Secretary-General of NNLC, Mr. Arthur Khoza who was immediately made Private Secretary to the Prime Minister - designate, Prince Makhosini. Khoza was a University of

Basutoland, Bechuanaland and Swaziland graduate and had been sent for further training in the Kwame Nkrumah Institute of Ideology by NNLC.

The June 1964 Elections and First Legislative Council

In order to contest the June 1964 elections the EAC formed the United Swaziland Association (U.S.A.). However, close links were being forged between the traditionalists and the White settler community. For instance, Carl Todd, former Chairman of EAC ran in the elections as an INM candidate and won. The election results were as follows : USA won 6 White seats; one seat went to an independent White; INM won all the African seats (having polled 85.45 per cent of the votes, NNLC polling 12.3 per cent, SPP Nquku - 0.6 per cent, SPP Mabuza faction polled 0.25 per cent, and SDP got 1.4 per cent); INM also won the 8 seats on a national roll.

The first Legco was formed by USA (6 seats), one independent and INM (17 seats - including that of Carl Todd). Thus the Legco that had been gazetted as far back as 1960 was finally constituted and it met for the first time in September 1964.

Several factors contributed to the humiliating defeat of the nationalist parties. The first one was the nature of the campaign conducted by INM. The INM told the unsophisticated Swazis that political parties (NB - INM was never referred to as a political party by its leaders, it was called a Swazi nation movement) were against the Monarchy; that they wanted to cause a civil war; and the chiefs went to the extent of being hostile to SPP, NNLC and SDP

campaigners. Some chiefs used threats of eviction to their followers if they voted parties. The SPP, NNLC and SDP complained to the Government about this unfair campaign and threats. But according to Sir Francis Loyd the Government did not have prima facie evidence of this, although he did not rule out its occurrence.⁴⁸ No doubt the majority of the people would have voted INM as long as it was associated with the Monarchy, but there is room for arguing that not as many would have done so had the other parties been given a fair chance.

The industrial strikes that hit Swaziland in 1962-1963 also contributed to the SPP and NNLC's bad performance in the 1964 elections. These strikes spread over Big Bend, Mbabane, Usuthu Pulp and Havelock Asbestos Mine and were largely engineered by SPP/NNLC. Prime Dumisa played a major role in arousing the feelings of the workers. During these strikes leaders of the SPP/NNLC were arrested and prosecuted for causing public disturbance. The important point is that at the time of preparing for the June 1964 elections Dr. Zwane, President of NNLC, and Prince Dumisa, its Secretary-General, were in jail for some time. So they did not have all the time they needed to prepare for the forthcoming elections.

The Internal Self-Government and Constitution Talks

In August 1965 a Constitutional Committee was set up following the INM's request for independence not later than the end of 1969. Members of the Committee were drawn from the Legislative Council only. It was during these talks that Sobhuza and his INM changed their mind on the idea of the "racial federation". They then called

for one man one vote in a common voters' roll. Sobhuza had been gaining more confidence since the January 1964 plebiscite. His confidence was boosted by the defections to INM of some leaders of SDP, MNC and NNLC. The USA leaders failed to persuade INM on this change of mind. They then decided to put in their lot with INM.

An important point to note is that no opposition party participated in the constitutional discussions. These parties demanded that they be allowed to participate in this major task of shaping the future of the country, but their demand was not accepted by the Legco and the Government. The explanation to this exclusion by the then Queen's Commissioner, Sir Francis Loyd, was that Colonial Office policy was that only parties represented in the Legco should be involved in the discussions. The rationale behind this policy was that a line had to be drawn somewhere as to who should participate, otherwise one would end up inviting all political groupings who would render the work of Constitutional Committee impossible. What the Swaziland Legco did was to invite the views of the political parties not represented in the Committee.⁴⁹

The report of this Constitutional Committee was published on 24 March 1966. One of the main issues on this report was that which involved the status of the Ngwenyama. The INM felt that the Swazi monarch should be recognised as the King of Swaziland with political and executive powers over all issues. The British officials documented this issue in the following words:

"The fundamental problem with which the Constitutional Committee was concerned was one which has long been at the root of Swazi constitutional thinking, namely the restoration of what the Swazis regard as the original treaty relationship which Swaziland had with Britain in the nineteenth century and the recognition of the kingship of the Ngwenyama (Paramount Chief)".⁵⁰

Linked to this was the mineral rights issue. The Swazis argued that the mineral rights should be vested in the Ngwenyama. The early request to have the Constitutional Committee sprang as much from their dissatisfaction over the previous decision on minerals as from their dissatisfaction with the status accorded to Swaziland and to the Ngwenyama. As per the 1963 Constitution the minerals were under the control of the Government through the Queen's Commissioner.

The British position on the first issue was that the Swazi monarch would become the King of Swaziland as soon as Swaziland became a Protected State following elections after the finalisation of the new constitution. On the second issue, the decision was that the power to dispose minerals would lie with the (Swazi) King who was obliged to act on the advice of the Cabinet when Swaziland became a Protected State.

The new constitution set up an electoral system where a national voters roll was established and Swaziland was divided into 8 constituencies each returning 3 members to the House of Assembly. The executive authority for Swaziland was vested in the King who exercised it through the Cabinet presided over by a Prime Minister. The King appointed the Prime Minister from the elected members of the House of Assembly who appeared to him to be likely to command

the support of the majority of the members of that House. With the advice of the Prime Minister the King would then appoint the rest of the Cabinet from the House. The King also had a right to nominate 6 MPs to add to the 24 elected MPs. The 30 MPs then elected 6 Senators and the King nominated 6 others. Thus the Swaziland Parliament would be constituted : 30 MPs and 12 Senators.

According to this new constitution Her Majesty's Government reserved the right to amend or replace it; Her Majesty was in charge of the external affairs and defence, of internal security, finance and the public service. Where they deemed necessary, the Office of Her Majesty's Commissioner could initiate legislation through the Swaziland House of Assembly.

The Protected State of Swaziland and the Independence Conference

In April 1967 the first general elections without any reserved seats were held in Swaziland. The INM won 80 per cent of the votes and the NNLC about 20 per cent but no seats in Parliament. On April 25, 1967 Swaziland became a Protected State. In the same year the Swaziland Parliament requested the United Kingdom Government to grant independence on 6 September 1968. In November 1967 the UK accepted the request. Arrangements were then made for an Independence Conference of UK and Swaziland Delegations. The Conference was eventually held at Marlborough House in February 1968. It discussed proposals for adopting the Constitution of the Kingdom of Swaziland for the Independence Constitution. These proposals had been approved by the Swaziland Parliament unanimously.

There were a few main proposals in regard to the changes to the 1966 Constitution. The first one referred to the minerals control. The Swaziland Parliament proposed that minerals "should vest in the Ngwenyama as head of the Swazi nation, and ipso facto the trustee of its property rather than in the King as a constitutional monarch, obliged to act in accordance with the decisions of the Government of the day."⁵¹ This was a significant departure from the 1966 Constitution which obliged the King to act according to the advice of his Cabinet. The proposal took away the control of the minerals from the modern government of Swaziland to the traditional authority. This proposal also reflected the continuing parallelism between modern government (which had been exercised by the British Administration) and the traditional system of rule. This time the parallelism manifested itself in the office of the King (in modern government) and the office of the Ngwenyama (in the traditional system) although both were held by one incumbent - Sobhuza. The British Government accepted this proposal. But some British MPs questioned the wisdom of giving the minerals control to the Ngwenyama and not to Cabinet or Parliament during the "Swaziland Independence Bill" in the House of Commons in July 1968. In response the Under-Secretary of State for Commonwealth Affairs, Mr. William Witlock, stated that "Whether wise or not, it is the feeling of the Swazis that the control and disposal of those rights should rest with the person who holds them and not with the Government of Swaziland."⁵² The Swazi nation land, i.e. land not owned by the White community, was also vested in the Ngwenyama and not to the modern Government.

The King was given the power to appoint the Prime Minister, nominate 6 Senators (half the Senate) and nominate 6 MPs. He was made an executive authority acting on the advice of the Cabinet whom he appoints after consultation with the Prime Minister. The King participated in both the modern government and the traditional authority. To ensure that these two were kept distinct the chieftaincy institution was not incorporated in the modern government, the Independence Constitution entrenched the separation of SNC from modern government whereas the SPP/NNLC had proposed that chieftaincy should be gradually and peacefully incorporated in the modern system of government. Sobhuza, and the INM successfully resisted the interference with their power-base.

Sobhuza's power as King was checked by some provisions of the Independence Constitution (and this is why he fought hard to have the land and minerals vested in him as Ngwenyama). In many issues he had to act, as an executive authority, in accordance with the advice of his Cabinet. Article 2 of the Independence Constitution stated categorically that "this Constitution is the supreme law of Swaziland and if any other law is inconsistent with this Constitution, that other law shall, to the extent of the inconsistency, be void."⁵³ It went on to state that the alteration of this specially entrenched provision required a joint sitting of the House of Assembly and the Senate, with a majority of not less than three-quarters of all members and that this decision should be submitted to a referendum of the electorate who must support it with not less than two-thirds of all the votes validly cast. It is only then that the bill could be submitted to the King for assent.

There were several other entrenched and specially entrenched provisions which were cause for concern to the Swazi monarch. He had wanted to be the supreme authority in Swaziland. So all these checks and balances did not please him. However, he had his traditional support base intact, i.e. the chieftaincy and their control of the land, at the time of Swaziland's independence on 6 September 1968.

Summary

This chapter is about the historical background which is essential to the understanding of independent Swaziland and its relations with Britain and South Africa. The period of early contact between the Swazis and people of European origin is significant in three respects. Firstly, during this period (1877-1899) Swaziland's independence was guaranteed by both the Boers and British. This created an understanding amongst the Swazi leaders that Swaziland had its independence even after the British had taken over the administration of the Territory as contained in the Order-in-Council of 1903. This Swazi view was used to resist implementation of indirect rule in the Territory. It also led to the call by the Swazi monarch in the 1960s to hand over the country to him and not subject it to political parties. The second issue was that when Swaziland's independence was guaranteed by the 1881 Convention (by both British and Boers), they also delineated the boundaries between Swaziland and the Transvaal which the Swazis never accepted. This issue persists today. Thirdly, it was during the period of early contact that the land concessions were granted to the Europeans by Mbandzeni. The concessions became one of the

major sources of dispute between the British Administration and Swazi authorities. Even at independence there was no agreement.

The discussion of the colonial system of administration has revealed two important issues : the question of Swaziland's (and the other HCTs) transfer to South Africa and the parallel rule that existed up to independence. When the British Government gave the Union of South Africa independence in 1910, they thought the HCTs would be transferred to the Union. Hence the head of administration of the HCTs was the British High Commissioner to South Africa. The British attitude towards the HCTs was ambivalent. Hence the delay in bringing British personnel who had experience in indirect rule as practised elsewhere in Africa. The second issue, i.e. parallel rule, was due largely to the intransigence of the Swazi monarch who kept reminding the British of their guarantee to Swaziland's independence and their plea to respect Swazi law and custom. As a result Swazi traditional system existed alongside British Administration up to independence.

The purpose of discussing the colonial economy was to reveal the nature of the Swaziland economy at independence. The basic idea that HCTs would one day become part of South Africa contributed a lot to their economies being gradually integrated into the big neighbour's economy. This was reflected in SACU, the use of South African currency, trade relations whereby most of their exports went to South Africa while most of their imports came from there, the migrant labour of HCTs citizens in the gold, coal, platinum mines of South Africa and the transportation system whereby most of (all in the case of Basutoland) their goods travelled through South Africa

to and from the outside world. In the case of Swaziland the nature of the colonial economy experienced some changes in the post-war period due to large investments of British capital, sometimes in partnership with the South African capital. This created a possibility of new markets for Swazi products. Hence the diversification of the export market. It also meant a large British investment capital which surpassed that of South Africa at independence in 1968.

The main objective of writing about the period of Nationalism was to show the evolution of the political structure and type of Constitution which brought Swaziland to Independence. It was pointed out which forces were involved in shaping the nature of the Swazi State at Independence. The main forces were the EAC, the Swazi monarch and his traditional supporters (who ultimately formed INM), the nationalist movements (mainly SPP and NNLC), the British Administration in Swaziland and the Colonial and Commonwealth Offices in London. Finally in this section it was argued that the Swazi monarch and his supporters had mixed feelings about the Independence Constitution. They had won some concessions (e.g. control of minerals by Ngwenyama) from the British Government but were not totally satisfied.

It is against this background that Swaziland's post-independence relations with her former colonial master and her powerful neighbour can be properly examined.

Footnotes and References

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41. Interview with Sir Brian - Op.Cit.
42. Marwick's critique of Hilda Kuper - Op.Cit. p. 8.
43. Major Sir Patrick Wall's letter to me dated 27 October, 1987.
44. Hilda Kuper - Op.Cit. p. 248.
45. R.P. Stevens - Op.Cit.
46. Interview with Sir Francis Loyd, Her Majesty's Commissioner 1964-1968, on 6 November 1987.
47. Hilda Kuper - Op.Cit. p. 209.
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CHAPTER 3

Swaziland's Post-Independence Politics :
Change and Continuity

Introduction

It is argued in this chapter that the post-independence politics of Swaziland largely reflects a legacy of the colonial period in as far as parallelism continued, i.e. the existence of both the modern system of government and the traditional system. The main difference is that the head of both governments now is one incumbent whereas during the colonial period it was the High Commissioner (for South Africa), Queen's Commissioner and the Ngwenyama respectively. It is further argued that later the repeal of the Independence Constitution in 1973 not only entrenched parallelism but also tilted the balance in favour of the traditional political institutions; that this strengthening of traditional institutions alienated many educated Swazis from political participation.

These political changes were welcomed by South Africa because they removed, even if temporarily, the possibility that Swaziland might one day be governed by political radicals. Despite these political changes Swaziland still kept, or attempted to keep, warm relations with Britain; for instance, they continued to invite members of the British Royal Family to major political and cultural occasions, and the Royal Swaziland Constitutional Commission (which sought ideas about a new Constitution for Swaziland) visited

Britain, amongst other countries, in May 1974. Lastly, it is argued that although the traditional institutions were strengthened at the expense of modern political organisations, the basic bourgeoisie tenets, such as rights to private property, were maintained.

Parallel Rule since 1968

It was pointed out in the preceding chapter that the Swazi Monarch and his supporters had mixed feelings about the Independence Constitution which curtailed the Monarch's powers. The Constitution gave every Swazi freedom of speech and political organisation. Hence at the time of Independence there existed opposition parties, albeit unrepresented in Parliament. The Constitution and the opposition parties were the traditionalists' great concern. King Sobhuza II did not like political parties at all. His INM was never referred to as a political party. Instead, it was depicted as a movement for the Swazi nation as a whole, a movement that signified the whole Swazi nation moving towards progress with their King who was a symbol of unity. According to the Swazi Monarch political parties were a source of disunity in many African countries. To emphasise the point that INM was not a political party, its candidates for both the 1967 and 1972 general elections were chosen by traditional regional committees (tinkhundla) and presented to the King for approval. They were then shown to the people in a huge national meeting at Lobamba Royal Kraal. So their key campaign words to the people were : "We are from the Royal Kraal" (Siphuma Esibayeni saka Lobamba).

The Monarch used his office to campaign for INM. At the Incwala ceremony* in December 1971 he told the Swazi warriors to vote for INM and not to abstain or stay away from the forthcoming 1972 general elections. He warned that if they stayed away "... the nation would suffer for there are two ways of electing a person. In Western procedure you go to vote to elect a person. If you abstain from voting, thinking that by staying away you are not electing, you are in fact electing another by increasing his total against the one you really wanted in power."¹

The chieftaincy institution was used by INM as a campaigning base. The chiefs were instructed by the Monarch and INM leaders to tell their followers to vote for INM. The chiefs carried the instructions; some even used threats of eviction to those followers who contemplated voting for "political parties." So the King and INM relied on the traditional system to get them into political positions of modern government. This was largely enhanced by the fact that most of the leaders of INM were chiefs, princes or close relatives of the royal family. Their traditional status meant that they were automatically members of the Inner Council of the Swazi National Council (SNC) which met whenever necessary to take decisions on behalf of the SNC which consisted of all adult male Swazis.

Although Sobhuza succeeded, on the whole to maintain the balance, the parallel rule was not without contradictions. One example of these contradictions was the introduction of a certain

* See glossary for description of this ceremony

law by the Swaziland House of Assembly in July 1967. This was "The Sedition (Amendment) Bill 1967" whose "main purpose is to give the person of His Majesty King Sobhuza II of Swaziland, his heirs and successors the same degree of protection as the law gives to the person of Her Majesty, Queen Elizabeth, her heirs and successors..."² The penalty for the crime of sedition was to be 2 years imprisonment or £100 (R200) fine or both for the first offender, and 3 years for subsequent offenders. One MP, Mr. M.S. Matsebula, spotted the inconsistency between this law and the Swazi customary law on the offence of sedition. According to the latter anyone guilty of a crime of insulting the Monarchy would receive punishment from his Chief-in-Council. This may be a fine or deportation from the chiefdom.² But according to the 1967 Sedition Bill a person accused of the same crime would be committed to modern courts of law; however, this did not necessarily exclude the jurisdiction of the Chief-in-Council. Although this was an important observation by the MP, the Bill was passed without alteration, which meant an individual could be punished twice for the same crime. Indeed, it is not uncommon in Swaziland for a person to receive judgements from both modern and traditional courts. A conversation between me and a chief's runner (umgijimi) in 1985 revealed that his chief's council was strongly advocating for double punishment.

Problems of parallel rule are also manifested in having two bodies with legislative powers: the Swaziland Parliament and SNC. Theoretically the Parliament is supposed to leave issues pertaining to Swazi law and custom to the SNC. But in the twentieth century society it is difficult, if not impossible, to draw a line between

modern issues and issues falling exclusively under Swazi law and custom. For example, in September 1979 a meeting of the SNC (which this time included adult females) was convened at Lobamba to discuss a wide spectrum of national issues, including the concept of dowry (lobolo), types of marriages suitable for Swazis and the wearing of trousers/jeans by women in the country.³ On the last issue, the SNC decided it was unSwazi for women to wear trousers/jeans.

However, women continued to wear trousers/jeans. Thereupon Chief Mlimi Maziya (member of both Inner Council of SNC and Parliament) asked the Minister of Home Affairs, in Parliament, when he would enforce the law which barred women from wearing the trousers. The issue was "rejected as unnecessary and interference with the freedom of the individual by Prince Gabheni, who was supported by the Prime Minister and other MPs."³ This case illustrates the difficulty in identifying which issues were modern and which ones were traditional custom. The Home Affairs Minister and the Prime Minister were defending and upholding a bourgeois right, i.e. the freedom of individuals to live their own lives, whereas according to the MP and SNC it was against Swazi law and custom for women to wear trousers. As a traditionalist, the MP viewed the adoption of 'foreign culture and practices' as the cause for the erosion of the Swazi way of life, amongst Swazi women. When Swaziland attained Independence in 1968, many traditionalists hoped that there would be a halt to this erosion of Swazi culture.

These traditionalists' aspirations were also frustrated by the fact that they lacked the control of the law enforcing institution - the police. Hence the MP's appeal was made in Parliament to a

Cabinet Minister. The police are under the control of modern government. The traditionalists could only resort to chiefs' powers to levy a fine on women who continued to wear trousers in their chiefdoms. But the chiefs' powers could not be extended to the urban, industrial and private property areas where women are more likely to wear trousers, anyway.

The potential conflict between these two systems was avoided by the power and skilful manoeuvre of Sobhuza. He had to assent to both SNC and Parliamentary Bills before they became law. In the case of the former the decision of the SNC (which includes the Advisory Council - Liqoqo) was taken to the Ngwenyama for assent. He would receive detailed explanation from Liqoqo about the SNC decision. If he agreed the decision became law. If he did not agree the matter would be referred back to the SNC for another debate until both the SNC and the Monarch reached consensus. Consensus was the backbone of decision-making in Swazi society. Decision by voting was unknown.

But during Sobhuza's rule the SNC was taken as more of an advisory body than a legislative one. Sir Brian Marwick, Mr. Arthur Khoza and Dr. A.P. Zwane bear witness to this constitutional deviation by the Swazi Monarch.⁴ He was hardly questioned on this constitutional violation due to the reputation he had established in dealing with the Colonial Government on issues which affected the Swazis, viz. land issue, introduction of indirect rule, etc. By the time of Independence he was counted amongst the oldest statesmen and certainly one of the few educated ones. The combination of his age, experience, education, astuteness and being Ingwenyama gave Sobhuza

great stature in the eyes of the SNC. Hence they accepted their relegation from a legislative body to an advisory one. Ironically, section 135 of the Independence Constitution states that the SNC "shall continue to exercise its functions of advising the Ngwenyama on all matters regulated by Swazi law and custom and connected with Swazi tradition and culture." Thus, the relegation of SNC was built into the constitution in such a way that one would be led to believe that its role had always been advisory. One would have expected strong opposition from his own traditional supporters. Instead they acted as henchmen and sycophants.

In modern government the Monarch had (according to the Constitution) to assent to all Parliamentary bills before they became law. He had the power to refuse assent if he did not agree. In that case he had to refer these bills back to the joint sitting of the House of Assembly and Senate, with reasons and suggested amendments. This power to refer the bills back is contained in Section 76 (2) (titled "Reference back of bills by King") of the Independence Constitution. It reads:

"When a bill to which this section applies, having been passed by both Chambers of Parliament sitting separately (that is to say passed without amendments or with amendments agreed by both chambers), is presented to the King for assent, the King, acting in his discretion, may by message refer back either the whole bill or such provisions that he may specify for consideration at a joint sitting of the Senate and the House of Assembly and the provisions of Schedule 1 shall apply."⁵

The relevant proviso of Schedule 1 is section 4 which reads:

"(1) Where a joint sitting of the Senate and House of Assembly is summoned for the purpose of considering a bill referred back by the King in accordance with section 76(2) the following provisions shall apply -

- (a) if the whole bill has been referred back, the joint sitting may deliberate and shall vote upon the bill as presented to the King for assent together with any amendment to any provision of the bill which may be proposed in the joint sitting;
 - (b) if the bill has been referred back for consideration of provisions of the bill specified by the King, the joint sitting may deliberate and shall vote upon the bill as presented to the King for assent together with any admissible amendment which may be proposed in the joint sitting;
 - (c) if the bill is affirmed with such amendments (if any) as are mentioned in the preceding sub-paragraph and are agreed by the joint sitting, it shall be deemed to be duly passed.
- (2) For the purpose of sub-paragraph (1)(b) there shall be admissible only amendments to the provisions specified by the King and such other amendments as are relevant to the matters contained in the King's message, and the decision of the person presiding in the joint sitting as to the amendment that are admissible shall be final." 5

These two provisions (section 76 and Schedule 1. Section 4) on legislative procedure are silent on one major issue : the question of what happens if the joint sitting of the two Houses still feel the bill should be passed as it was originally presented to the King, i.e. if they do not accept the King's suggested amendments. The provisions either assume that they (the Houses) are obliged to accept the King's amendments or that they will accept these amendments. What eventually transpired was that the King's

suggestions carried majority support. In any case consultation between him and his Cabinet would have taken place even before the original bill was presented to Parliament. After all, the ruling INM was his party. In effect the provisions of the Constitution which purported to make checks and balances on the powers of the Monarch were largely ineffective. One former British High Commissioner to Swaziland testified to the contents of the preceding sentence when he wrote, "In any case, Westminster constitution or no, the reality of power lay with the King before the abrogation of the constitution, just as much as it lay with him after."⁶ So in both the traditional system and modern government the Swazi Monarch wielded power that was not necessarily constitutionally granted him. He had the ability to usurp power and his rule was bordering on dictatorship.

The Repeal of the Independence Constitution

In this section the discussion is about the reasons and events which led to the repeal of the Independence Constitution on 12 April 1973, the British and South African reaction to the repeal, the establishment of the Armed Forces of Swaziland and the political detentions, which followed the repeal of the Constitution.

It was mentioned in the preceding chapter that the Swazi Monarch was not totally happy with the Independence Constitution inasfar as he had to act on the advice of government organs, namely, the Cabinet, the Public Service Commission, the Judicial Service Commission, etc. He interpreted this as a restriction to his 'right' to rule. Hence the Independence Constitution became a

target for frequent attack. As early as 1969 he criticised the Constitution in an address to chiefs who had convened at Lobamba. He likened the Swazi Parliament "to a train which is directed by the railway line. A train only goes where the railroad leads it. It is not turned to different directions by needs; where the railroad bends, it also bends. This is the nature of the Constitution we have been given by the British. There are binding and unchangeable rules, which we have to abide by under all circumstances. The Swazi may not agree with what we do but we realise that we are bound by the Constitution ... unless the non-Swazi clauses are changed, we specifying what we want according to our custom and not just take the white man's ways, we shall have hardship."⁷ He pointed out that it was the Swazi Nation that had the power to change the Constitution and not the government in Mbabane. No doubt the criticisms he levelled against the Constitution were a preparation for its ultimate revocation.

After having dissolved the first Parliament on 15 March 1972, Sobhuza invited the Parliamentarians to Lobamba Royal Kraal so that they could make a report to the Swazi Nation for the 5 year period of service. The meeting was held on 26 March 1972 and on behalf of the MPs the Prime Minister, Prince Makhosini, made the report. He complained of the difficulties the MPs had had and blamed the Constitution for this.

It was during this occasion that the Monarch took another opportunity publicly to condemn the Constitution. He said the Constitution "had tried to marry two systems but there was a lot of discord in the union because it was difficult to know what was the

best to select from both cultures ... It is necessary for us to rectify what we considered wrong ... There are things done here which were and are not done even in Britain itself, and some things which were not done even during British rule. When they handed over independence to us they then decided that we should do those things in our country. They tell us to do certain things which they did not do and bound us by working these things into our Constitution."⁸

The Monarch did not spell out "these things" that the British wanted the Swazis to do, which the British themselves did not do. Neither did he spell out those things the British introduced into the Constitution which the British did not do during their rule. However, his address to the Swazi Nation at Lobamba on 19 March 1973 does shed some light to these issues. On that day he said :

"Ask yourselves (a) are we really independent like the British, the French or the Germans? Or are we nominally independent? (b) Do we have a Parliament that is supreme like that of the British, the French and other independent nations? Or do we have a token independence?"⁹

The concern of the Swazi Monarch was the supremacy of the Constitution over him and his Parliament. He felt that this was tying their hands in such a way that they could not act as they wished. The feeling was that the British Colonial Government did not have a Constitution which had the same control over it as that of the Independence Constitution of the Swaziland Government. Hence the complaint that "they tell us to do things which they did not do". While the British Government were concerned about establishing a "democratic" political system at Independence, the Swazi Monarch and his supporters were busy comparing the colonial structure, which

was not a democracy, with the system that was being handed over to them. Jack Halpern made an observation which supports the view expressed in the preceding sentence. He wrote:

"If they (Africans) want a one-party State and a personality cult leader, then that, distasteful as Englishmen may find it, is their business... Certainly if the Government of an independent Swaziland or Basutoland wished to restrict the liberty of the subject, it would not have to pass any fresh legislation. It would suffice to take over the powers previously held - and exercised by Britain's Commissioners. Authoritarianism is no new story in Africa : it applies wherever the white man has ruled or, to an even greater degree, where he has settled."¹⁰

In his speech Sobhuza also compared the status of the Swazi Parliament with that of the House of Commons. The former was subordinate to the Constitution whereas the latter was supreme (the British Constitution being unwritten). It is noteworthy that the March 19 1972 speech was made during a series of Government defeats in the courts in an application to declare Mr. Thomas B. Ngwenya (the case is discussed below in this chapter) a non-citizen of Swaziland.

The repeal of the Constitution was, no doubt, in the pipeline; but it was triggered off by the NNLC's winning 3 seats in Parliament in the May 1972 general elections and the Government's subsequent losses in court actions against Ngwenya.

The first post-independence general elections were held in May 1972. Five political parties contested the elections : the INM, the NNLC (Zwane faction), the NNLC (Samketi faction), the Swaziland United Front and SPP. INM won 21 seats out of the 24 elected seats

and 3 seats went to NNLC (Zwane). This was the first time an opposition had turned in MPs. This was bad news for the King and his supporters, as Hilda Kuper puts it : "This came as a great shock to the King in Council."¹¹ The INM obtained 78.3 per cent of the electorate in the 1972 elections whereas they had polled 80 per cent in the 1967 elections. On the other hand, in 1967 the opposition parties had polled 20 per cent whereas in 1972 they obtained 21.7 per cent of the electorate. This showed the growing support of the modern political parties. Hence the concern of the traditionalists.

The greatest support of the modern parties came from the urban and industrial areas. For instance, the NNLC were voted into Parliament by the Mphumalanga Constituency which straddled the sugar, citrus fruit, rice and ranching complex of Mhlume and Tshaneni in the north-eastern part of Swaziland. The NNLC had continued, after independence to "champion" the interest of the workers and petty bourgeoisie; and they stuck to their policy of curtailing the powers of the Monarchy and Chieftaincy. These policies earned the NNLC a support from the employed and educated youth. For instance, the Swaziland National Union of Students (SNUS) declared an open support of NNLC in 1972.

These political developments scared the Monarch and his supporters. To them it was imperative that they did something before it was too late, i.e. before they lost their majority in Parliament. At the time of nominations Prince Mfanasibili, an INM candidate, had objected to the candidacy of Mr. T.B. Ngwenya on the grounds that he was not a Swazi citizen. The objection was placed with the local Electoral Officer who communicated it to the Chief

Electoral Officer, Mr. Patrick Forsyth Thompson. His ruling was that Ngwenya was a Swazi citizen; Ngwenya had participated in previous elections and other political activities and he had been placed on the CDC's. Vuvulane Irrigated Farms (VIF) Scheme (discussed in Chapter 4 below) as an outgrower on the basis, amongst other things, that he was a Swazi.

Mfanasibili lost the elections, together with two other INM candidates, to Mr. Ngwenya and two NNLC candidates in the Mphumalanga Constituency. But the Monarch and his supporters did not leave out Mfanasibili in the Parliament and Cabinet. The King nominated him to Parliament and created a new ministry for him - the Ministry of Commerce and Cooperatives. Constitutionally the King was allowed to nominate a person who had lost an election. But in the case of Mfanasibili, the event was a negation of the British Government intentions in the constitution. During the final Independence talks the Swaziland Delegation presented a constitutional proposal which said that the Monarch should be barred from nominating someone who had just been defeated in the elections. The British Delegation was concerned about the opposition parties who, although they had polled more than 12 per cent in 1964 and 20 per cent in 1967, had not been represented in the subsequent governments. They then suggested that this barrier be removed, with the whole intention of allowing the Monarch to nominate opposition party candidates who had gained no seats but had shown substantial national voters support at the polls. In the Report of the Swaziland Independence Conference the British Delegation stated that:

"The Swaziland Delegation stated that they were fully alive to the risks which could arise if there were no substantial opposition in the country unable to secure representation in Parliament. They pointed out, however, that the circumstances in Swaziland are such that shades of public opinion can be made known in Parliament, and that in addition, the Constitution would continue to provide for nominated members in both Houses to represent interests not otherwise represented. On this latter point they accepted the suggestion of the United Kingdom Delegation that the provision in the existing Constitution which precludes the appointment as a nominated member of the House of Assembly of a person who had stood as a candidate and failed to secure election, should be dropped from the Independence Constitution."¹²

It is worth noting though that the Monarch never nominated a candidate or supporter of any opposition party. He made a mockery of the constitutional provision by nominating his supporters. In any case, the British Delegation should not have expected Sobhuza to nominate from the opposition parties because he was opposed to party politics; he had formed INM under duress (when the British decided party politics was their card). Once the British had gone, there would be nothing to compel Sobhuza to nominate his opponents.

After the results of the 1972 elections, Prince Mfanasibili took his complaint about Ngwenya to the Deputy Prime Minister(DPM) who was the Minister responsible for Immigration. The DPM declared Ngwenya a prohibited immigrant and deported him to South Africa a day before the opening of the new Parliament. So when Parliament opened Ngwenya's seat was empty. After the deportation, Ngwenya came back to Swaziland, was arrested, charged and found guilty, by a magistrate, of being in the country illegally. He was sentenced to 12 days' imprisonment. In the meantime Ngwenya applied to the High

Court to have the DPM's decision that he was a prohibited immigrant quashed. The case was seen as a serious political case. Ngwenya's lawyer, Mr. Musa Shongwe, instructed a well known South African advocate, David Soggott to appear for his client. (Soggott had represented Dr. Zwane and the other NNLC leaders during the trials connected with the 1960's workers' and Mbabane residents' strikes. After the Ngwenya episode Soggott was declared persona non grata in Swaziland).

The Ngwenya case exposed the vulnerability of INM. Dr. Zwane attacked the Government in Parliament for their treatment of Ngwenya, and he topped his attack by lashing criticisms of the previous and present Governments' socio-economic policies. But what was of more concern to INM leaders was the split the Ngwenya case brought within INM. Some INM MPs and supporters felt Ngwenya was being victimised, that Ngwenya was a Swazi citizen. These INM MPs criticised the DPM for his instant action against Ngwenya although they did not do it in Parliament. This rift between the INM caucus and the feeling of distaste towards Dr. Zwane's speeches in Parliament resulted in many INM MPs boycotting Parliamentary proceedings. Some MPs felt they would not support Government in Parliament over the Ngwenya case; the other MPs felt Government was being soft on Ngwenya by having allowed him to have redress in court; instead of going to Parliament they were operating behind Parliament's backs using the Cabinet and King to act swiftly on the state of affairs. INM leadership had to work hard to bridge the rift within the INM : they had to assure the dissenters that all will be right after Ngwenya, that no one else would suffer; at the same time they had to cool down the impatient supporters.

The extent of the boycott is revealed by the 12 July Parliamentary proceedings. On that day there were only 8 MPs out of the expected 29 (Ngwenya having been suspended) and the House was "adjourned until tomorrow."¹³ But as the majority of MPs continued to boycott Parliamentary proceedings the House was adjourned until further notice.

On 29 August 1972 the High Court of Swaziland delivered their judgment in which they ruled that Ngwenya was a Swazi citizen. This meant Ngwenya could take his seat in Parliament. A meeting of the House of Assembly was called by the Speaker for 11 October 1972. When the Speaker stood up to open the meeting he noticed that there were only 3 MPs - Dr. A.P. Zwane, Mr. Mageja Masilela and Mr. T.B. Ngwenya, all of NNLC, INM MPs had come to Parliament but stayed in their offices, they did not come to the House even when the Clerk to Parliament rang the bell once more. The speaker then adjourned the proceedings to a later date.

While all this parliamentary bickering was going on, the Monarch and Cabinet decided over the establishment of a tribunal to decide cases of doubtful citizenship. The members were to be appointed by the Prime Minister and his decision, on appeal, was to be the final authority on deciding the citizenship cases. The verdict of the PM would supersede any previous court judgements. It was to a tribunal system that the traditionalists wanted to take Ngwenya's case although they had appealed against the High Court decision of 29 August 1972. The DPM presented the tribunal bill before the House of Assembly in November 1972. Parliament was well attended, which showed that the INM, leadership had succeeded in

bridging the rift. Dr. Zwane challenged the constitutionality of the Bill, whereupon the Attorney-General assured the House that the Bill did not change the constitution, nor was there any inconsistency. Within 30 hours the Bill had passed all the 3 readings in both Houses. The King then gave his assent and the Bill became the Immigration Amendment Act 1972. Consequently a tribunal was gazetted.

While the tribunal proceeded with its work of collecting evidence on the background of Ngwenya, the latter challenged the validity of the Immigration Amendment Act 1972. His legal argument was that the Act was ultra vires the Constitution and, therefore, the Tribunal was unconstitutional. In January 1973, a new Chief Justice, C.J. Hill, declared the Act intra vires and that therefore the Tribunal was not unconstitutional. On 29 January 1973 the Tribunal found that Ngwenya was not a citizen of Swaziland. Ngwenya appealed to the Court of Appeal against the verdict of C.J. Hill. The Court of Appeal consisted of the following South African legal practitioners : J.P. Schreiner, J.A. Milne and J.A. Smit (It is common practice that Swaziland draws its judges of the Court of Appeal from South Africa who come occasionally to conduct court sessions and return to South Africa. In other words Swaziland does not have Justices of Appeal resident in the country).

Some time during the hearing of the case by the Court of Appeal a meeting of the Swazi nation was called at Lobamba. The Monarch ordered that the ex-service men (veterans of World War II) arrive at Lobamba earlier than the date of the national meeting. No doubt, this was a mobilization programme although there were no disclosures

on the talks between the King and these ex-servicemen. As the traditionalists followed the case in the Appeal Court, it was becoming more and more clear that the verdict would be against them. It was during this national meeting at Lobamba, on 19 March 1973, that the Monarch took an opportunity to attack the Constitution - this attack has already been referred to above. It is worth noting that the decision of the Appeal Court had been expected to be on 17 March 1973; so that many people came to the meeting expecting some major constitutional changes on that day because the INM had indicated they would not accept defeat. It was during this case and the move towards the constitutional changes that the real decision to establish the army was made.

On 27 March 1973 the Court of Appeal read their judgment which was in favour of Ngwenya. The Court ruled that the enactment of the Immigration Amendment Act 1972, which made it possible to establish the Tribunal, was ultra vires the Constitution, that it did make constitutional changes which could only be made according to section 134 of the Constitution, i.e. the Bill had to be passed by a joint sitting of the Houses of Assembly and Senate, then followed by a referendum of the electorate and finally the assent of the King. Since this procedure had not been followed the Act was quashed. The Tribunal was declared null and void and Ngwenya once more ruled to be a Swazi citizen. It was after this judgment that the Monarch and INM decided they could not succumb to the power of the Courts. To put it in the words of one of the leading INM members : "It was at this stage that the Swazis (sic!) decided that the Constitution which was given to them by the British was not suitable, i.e. the Swazi Nation (sic!) should not and could not be ruled by judges."¹⁴

The decision was made to repeal the Constitution. The INM politicians met with the Council of Chiefs at Lobamba on several occasions to deliberate on the mode to be adopted in abrogating the Constitution and thus making the first major political change since Independence. It was decided that Parliament should convene to declare that the Constitution was unworkable. On the same day a meeting of the Swazi Nation should be called so that after the Parliamentary motion had been passed the Prime Minister would lead the MPs from the Chambers to Lobamba Royal Kraal (a 5-10 minutes walk). At Lobamba meeting the PM would announce the decision of Parliament and the Monarch would make a speech.

In the afternoon of 12 April 1973, Parliament met and the PM, Prince Makhosini, read the motion in the House of Assembly to declare the Constitution unworkable, and that it proved to be the direct cause of many difficult and sometimes insoluble problems in that (a) the safeguard provisions were a derogation of sovereignty of legislature which should normally rest in His Majesty and the House of Parliament, (b) that restrictions were placed on the executive powers of Ministers and the King-in-Council, (c) that the Constitution permitted of particularly undesirable political activities bordering on subversive and incompatible with the normal and peaceful way of life of the Swazis, and (d) that the accumulated effect of the provisions derogating from the sovereign powers of the legislature and the executive rendered the Constitution an ineffective instrument for peace, order and good government. He stated that the restrictions which the Constitution imposed did not

apply even to the British Parliament itself.¹⁵ Having thus spoken he proceeded to read the motion in these words:

"NOW THEREFORE IT IS RESOLVED:

- (a) That the Constitution is unworkable;
- (b) that we call upon His Majesty-in-Council forthwith to consider ways and means of resolving the Constitutional crisis; and
- (c) that the House of Assembly of the Kingdom of Swaziland and the individual members thereof place themselves entirely at the disposal of the King-in-Council."¹⁵

The Minister of Finance, Mr. R.P. Stephens, the Minister of Agriculture, Mr. A.K. Hlophe and the Deputy Speaker, Mr. R.V. Dlamini spoke in support of the motion. Mr. R.P. Stephens made a reference to the U.S. experience in constitutional development. He said "The great Constitution of the United States of America which is perhaps the earliest of all written Constitutions has been altered 25 times. When Abraham Lincoln moved his famous 13th Amendment, he likened the great American Constitution to the pants of a small boy - a comparison which rather shocked the constitutional American experts. He said that as the boy grew, so the pants must be changed to keep pace with his development."¹⁶ Whether or not the Swazi Nation had grown to such an extent (since 1968) that it needed "new pants" is arguable. The Constitution had not been accepted to the traditionalists even at the time of Independence; the Monarch had publicly attacked it as early as 1969, as has been stated above. Perhaps the only growth of the Swazi Nation which earned it the need for "new pants" was their increased support they were giving to opposition parties.

In his speech Mr. A.K. Hlophe, Minister of Agriculture and a long-time outstanding member of SNC, attacked the university students union which had moved towards affiliating with NNLC. He said that he was "amazed at the callous attitude adopted by some of our own university students. They seem to regard people, other than themselves, as imbeciles ... they forget that it is these people, their parents, to whom they owe so much and who are the founders of this country."¹⁷ No one spoke against the motion and hence the motion was deemed to have been passed unanimously. No doubt, the NNLC was against the motion but their MPs dared not speak due to fear of arrest. They had been observing the mobilization of the traditionalists, including the establishment of an army for internal, as opposed to external, security.

The same motion was read in the Senate by the Minister of Justice, Senator Polycarp Dlamini, the motion was supported by Senators Douglas Lukhele, Dr. V. Leibrandt and Dr. G. Msibi. No Senator spoke against it and therefore the motion was declared passed unanimously.

At Lobamba in the Afternoon of 12 April 1973

People had started arriving at Lobamba Royal Kraal in the morning hours. They were used to waiting for the Monarch who always arrived in the afternoon and would not address them until about 3.00-4.00 p.m. On this particular day there was a great atmosphere of anxiety, as many people were aware of the impending major constitutional changes. The crowd was estimated at 7000-8000.¹⁸ A new picture was conspicuous at Lobamba: a modern Swazi army which

few people knew existed. Swazis were only used to seeing the Royal Swaziland Police and the traditional regiments. Therefore, the sight of a modern army was a shock. (The speed with which the Government was able to get personnel into the army was facilitated by the conversion of some youth who were in the National Youth Service which was being run by Israel. This National Youth Service is called GCINA).

After the motion was passed in Parliament MPs walked to Lobamba Royal Kraal. The Cabinet fetched the Monarch from his office and led him to the Kraal where the people were by now assembled. The P.M. read the Parliament's resolution. The P.M. was followed by Chief Sifuba, one of the leading members of SNC. Chief Sifuba addressed the Monarch "on behalf" of the Swazi Nation and told him that the Nation wanted complete sovereignty and independence and that therefore the King should take steps to fulfil the "wishes" of the Swazis.

The King then read his pronouncements. His speech, titled "TO ALL MY SUBJECTS - CITIZENS OF SWAZILAND", was recorded. He referred to the resolution of Parliament and ensured the audience that he had given great consideration to it. He had then come to the conclusions that (a) the Constitution had failed, (b) the Constitution was the cause for the unrest and an impediment to free and progressive development in all spheres of life, (c) it had "permitted importation into our country of highly undesirable political practices alien to, and incompatible with the way of life in our society and designed to disrupt and destroy our own peaceful and constructive and essentially democratic methods of political

activity";¹⁹ (d) there was no constitutional way of effecting the necessary amendments of the Constitution; and (e) he and his people heartily desired at long last to achieve full independence under their own constitution. The King then made the following brave pronouncements:

"Now therefore I, Sobhuza II, King of Swaziland hereby declare that, in collaboration with my Cabinet of Ministers and supported by the whole nation, I have assumed supreme power in the Kingdom of Swaziland and that all Legislative, Executive and Judicial power is vested in myself and shall, for the meantime, be exercised in collaboration with a Council constituted by my Cabinet Ministers. I further declare that, to ensure the continued maintenance of peace, order and good government, my Armed Forces in conjunction with the Swaziland Royal Police have been posted to all strategic places and have taken charge of all government places and all public services." 20

The Monarch went on to decree that the Independence Constitution was thereby repealed, and that all laws with the exception of the Constitution thereby repealed, would continue to be in force. However, there were laws from the Constitution which would be brought back to operation. He called upon the Attorney-General to read those laws.

The Attorney-General read these laws which referred to the continuance of public appointment posts, such as judges, public servants, police and prison service; the section referring to the status of the Monarchy would be preserved (except the sub-section that gave Parliament the power to decide on the amount for the civil list of the Royal Family); the Cabinet would continue to operate but Parliament would not meet; the section that guaranteed the

independence of SNC from modern government remained in force. Political parties and similar bodies were dissolved and prohibited; freedom of assembly was curtailed in that "no meetings of a political nature and no processions or demonstrations shall be held or take place in any public place unless with the prior written consent of the Commissioner of Police."²¹ It was further decreed that for a period of 6 months from then, the King-in-Council would have the power to detain any person for a period of time not exceeding 60 days, but after the 60 days the person could be re-detained if necessary in the public interest, and that "No Court shall have power to enquire into or make any order in connection with any such detention."²²

Some of the decrees announced by the Attorney-General on behalf of the King-in-Council were a contradiction to some of the pronouncements by the Monarch a few minutes earlier. For instance, the Monarch had blamed the Constitution for failing to provide "essentially democratic methods of political activity." Yet the Attorney-General was immediately reading decrees which made it illegal to hold a meeting of a political nature - freedom of assembly and of speech is one of the tenets of democracy. The Attorney-General read the decree which gave the King-in-Council power to detain an individual who was to have no recourse to a court of law. Not only were the courts ruled out, the King-in-Council became both the accuser and the judge in their own case. This was a breach of the two fundamental principles of natural justice which are the basic foundations of democracy. The first one was that no person should be condemned to imprisonment without giving him an opportunity to hear his side of the story (*audi alteram partem*) i.e.

the accused must be given a chance to defend himself. The second principle is that no man should be judge in a case that he had an interest (*nemo iudex in causa sua*). The King-in-Council was given the right to decide on the nature of punishment by this decree.

At the end of the meeting at Lobamba on the afternoon of 12 April 1973 there was jubilation by one section of the population and the gnashing of teeth by the other. The INM supporters commended their leaders for bravery while the NNLC supporters were puzzled by the fact that they were no longer allowed to organize, that their voice had been silenced, and they could foresee a possible incarceration of some of them. The fear of detention was soon confirmed when detentions started in the same month (April). By the end of May 1973 7 NNLC leaders were in detention without trial. They were Messrs. S. Myeni, Dr. Zwane, M.M. Motha, T.B. Ngwenya, J. Groening, M.M. Mathonsi and B. Mbuli. Ngwenya was eventually deported to South Africa, and the act confirmed that the Monarch and INM were not going to be ruled by the judges. The South African Government received Ngwenya who went to the Ka Ngwane homeland.

Implications of Repeal of the Constitution

The constitutional changes which prohibited "political" activity and stopped Parliament from functioning did not totally destroy the modern way of life in Swaziland. The right to private property was not affected, no one was deprived of their property and capitalist accumulation continued. The Cabinet (i.e. modern government) functioned albeit without responsibility to Parliament.

The judicial system was in operation, although it did not have jurisdiction over political detention cases and the Civil Service system, which is the backbone of modern government, continued to operate in spite of the abolition of the Public Service Commission - a body which used to oversee the appointments and activities of civil servants and disciplined them.

The abrogation of the Independence Constitution did not, therefore, mean a return to traditionalism as some people were made to believe. What it meant was the curtailment of some bourgeois rights and powers which the Monarch and INM felt were a hindrance to their rule. It also meant the tilting of the balance between the modern government institutions and the traditional system in favour of the latter. For instance, the Monarch no longer had to rely on Parliament to approve his declaration of a State of Emergency as provided by section 18 of the repealed Constitution. He did not have to wait for Parliamentary Bills to legislate; he did not have to wait for the recommendation of the Public Service Commission before he could appoint or dismiss a Permanent Secretary of a Ministry, or an Accountant-General or Auditor General. However, this tilting of the balance may be more theoretical than practical - one can argue that the Monarch always had it his own way, Constitution or no Constitution, without much ado.

The real changes were the prohibition of political opposition parties and the power of the Swazi Government to detain its citizens at its will. Once the Constitution was scrapped and once the decree to detain without trial was issued, the bridle for the unruly horse no longer existed. Although Swaziland is a haven insofar as human

rights are concerned when compared with many African countries, detention without trial has been used on several people. Without a platform (e.g. Parliament) to question the Government on the question of detainees, it has been very difficult to know how many people were detained at any one time. The report from a local newspaper in 1980 informed that all political detainees had been released and addressed by the Prime Minister, Prince Mabandla. It said that they were 14 and "most of them detained since 1978"²³ Dr. A.P.Zwane had also been arrested in 1978 (9th February) after the King had announced elections under the Tinkhundla system (discussed below in this chapter) but escaped from prison to live in exile in Tanzania. The February 1978 detention was his fourth spell in detention since 1973.²⁴ When he escaped to live in Tanzania he had spent a total of 420 days for his fourth spell.

The Swaziland record on human rights i.e. few detentions as compared to many African States, the non-existence of mysterious deaths in detention and no known cases of torture, has been attributed solely to the good and humanitarian nature of Sobhuza's Government. This view neglects three important factors. The first one is the fact that the only serious challenge to the Monarchy was NNLC which had only 3 seats in Parliament out of 24 elected seats. Secondly, in Swaziland there were no serious internal conflicts, as found elsewhere in Africa, due to the fact that the Swazi nation is largely a homogeneous society. And, lastly, the Swazis, particularly peasants, are basically conservative, and they revere their Monarchy. Therefore there has never arisen a need to be harsh as other African Governments. The contention in this thesis is that the detentions that occurred were too harsh given the conditions

which obtained in Swaziland and also seeing that there was never a real threat to overthrow the Government by force.

The British and South African Reaction to the Repeal of the Constitution

The conservatism of the Swazi ruling class who repealed the Constitution influenced the reaction of both the British and South African Governments. Since Independence in 1968 Swaziland has always been one of the most conservative and pro-capitalist countries in Africa. She has never made any rhetoric statements about the desire to implement socialism or "African Socialism" as many African countries have done at one stage or another. She has never threatened to nationalise foreign-owned industries. In fact, Sobhuza hated socialism, especially the "Soviet" blend of socialism. He warned against the USSR policies as early as 1960 when he addressed a delegation of the Colonial Government and members of the SNC. In his address he referred to Harold Macmillan's 1960 "Wind of Change" speech in the South African Parliament where Macmillan warned against the West engaging in policies that would estrange the Africans and make them join the Eastern bloc. Sobhuza maintained that the intentions of the Eastern bloc would be evil while they claimed to be helping Africans. He put it thus:

"To drive my point home let me make an illustration of what happens among the Swazi. When a man has to reprimand his wife, often there will be found an ill-intentioned man who will come to the wife and say : 'How sorry I feel for you because your husband always scolds you and treats you badly and I would do something better for you'. Such a man is a bad man. And we feel that such a man in the political world is Russia and others like her."25

The Swazi Monarch had a good reason to resent Soviet and Eastern Europe socialism. In that blend of socialism, the Monarchy has no place. Indeed, the Czar of Russia was deposed during the 1917 Revolution which was initiated by socialists.

Despite Swaziland's membership to the Non-Aligned Movement, the country has never established diplomatic relations with Communist States. No Eastern bloc country has had an embassy in Swaziland. Neither has Swaziland sent ambassadors to the Eastern bloc. Instead, Swaziland has allowed Taiwan to open an embassy in the country. To make sure that Swazis have as little contact as possible with the ideas of the Eastern bloc, a law was passed in August 1968, less than a month before Independence, which outlawed the ownership of, the trading in and circulation of Marxist, Leninist, Maoist and other literature or documents considered to be communist, in Swaziland.

The extent to which the Swazi State is conservative is further displayed in the decision to continue diplomatic relations with Israel in 1973 when all African States (except Malawi and Lesotho) decided to sever diplomatic relations with Israel. This was a reaction to Israel's occupation, during the 1973 Yom Kippur War, of the Egyptian territory on the Western side of the Suez Canal, thus invading African soil.

This strong conservative nature of the Swazi State and the fact that real power, Constitution or no Constitution, lay with Sobhuza largely determined the British Government response to the repeal of the Constitution. According to Mr. Simon Sishayi Nxumalo, who was



Minister for Industry, Mines and Tourism at the time, the immediate reaction of the British Government was to express their reservation about the wisdom of the move to make such drastic political changes.²⁶ But the Tory Government reservation did not amount to change of policy. The then British High Commissioner to Swaziland wrote that "after a few days to let the dirt settle I sought, and obtained, instructions to tell the Swaziland Government that Her Majesty's Government proposed 'business as usual'."²⁷ Mr. Nxumalo elaborated, during the interview, that the British did not have grounds to be sceptical since the decision to repeal the Constitution and to hand over the powers to Sobhuza had been done by the Swaziland Parliament. According to him the procedure was democratic and the British themselves respect parliamentary democracy.

There are problems with Nxumalo's contention that the repeal of the Constitution was done democratically and that therefore the British Government did not have reason to be concerned. Firstly, the Constitution specified that if it were to be changed there would have to be a decision by the joint sitting of the House of Assembly and the Senate, this decision to be referred to the electorate as a referendum, and then finally to the King for assent. But the electorate in this case were by-passed. Not that the Swazi authorities were not aware of the necessary procedure. Sobhuza displayed this awareness in 1969 when addressing Chiefs at Lobamba Royal Residence. He said "The Government in Mbabane does not have such powers to change the Constitution on their own. It is only the nation which has such powers."²⁸ The parliamentary democracy to which Nxumalo referred applies in Britain where Parliament is supreme. In the case of Swaziland, the Constitution had been

consciously and deliberately made supreme which meant that Parliament could not legislate ultra vires the Constitution. The last Queen's Commissioner to Swaziland explained this constitutional arrangement in the following words: "In Britain we do not have a written constitution. Hence there is no judicial review. But in the former colonies we had to give a written constitution and safeguards, so that nobody could upset anything even if they felt like doing so."²⁹ He went on to explain that even though the British Parliament can enact as it likes, it would not upset the basic British lifestyle and political system.

So the British Government believed that their independent colonies should be given a constitutional arrangement where Parliament was not supreme. They felt the constitutions should be supreme. Whether or not these independence constitutions lasted is an irrelevant issue : the belief was that they were ideal for those circumstances. So Nxumalo's argument of parliamentary democracy is unconvincing, unless he can prove that the British Government had changed their mind about the supremacy of the Constitution in Swaziland at the time the Swazi Parliament took the decision to repeal the Constitution ultra vires. The real reason why the Tory Government did not react negatively when Swaziland repealed the Constitution was that they did not foresee any radical changes. In addition, British Governments were used to constitutional changes by their former colonies in Africa or Asia.

The South African Government reaction was also largely influenced by the conservative nature of the Swazi aristocracy. The silencing of the opposition parties, especially the NNLC, meant the

continued domination of Swazi politics by the traditionalists who had been friendly with South Africa since Independence in 1968. (The detailed study of Swaziland - South African relations in the context of the Southern African geo-politics is undertaken in chapter 7 below). Although Swaziland did not establish diplomatic relations with South Africa they did have dialogue with her. For instance, in 1971 the Swaziland Prime Minister, Prince Makhosini, led a delegation to Cape Town to talk with the South African Government on matters of mutual interest. The issues ranged from economic cooperation to social and political cooperation.³⁰

By banning "communist" literature in 1968 Swaziland had made a good impression with the South African Government who had also banned communist literature. By not establishing diplomatic relations with Communist countries, Swaziland displayed a foreign policy similar to that of South Africa who had closed the USSR Embassy in the 1950's. The Swazi Monarch had used Van Wyk de Kries, a Broederbond, as one of his advisers prior to Independence. In July 1962 Mr. B.J. Vorster, then South African Minister of Justice, visited Swaziland and was given permission to hunt at Ehlane Game Reserve - this was a royal prerogative. Lastly, the control of the Swazi politics by the oligarchy (through INM) through the Tinkhundla system was in line with what South Africa was promoting in the homelands.

Understandably, the South African Government reaction was that the traditional system of rule in Swaziland was the best democracy, that the Libandla (SNL) was open to all Swazi men or their traditional representatives and that the King gave effect to the

consensus of the Libandla. South Africa welcomed the move to repeal the Independence Constitution.³¹ To the Swazi authorities it was a blessing to have South Africa welcome the constitutional changes, seeing that South Africa is a regional power - economically and militarily.

There was a strong feeling amongst the Swazi and South African people that not only did South Africa welcome the changes, but that the Government also helped Swaziland establish the country's first modern army - the Swaziland Umbutfo Defence Force. The January-June 1973 issue of International Defence and Air Funds for Southern Africa (IDYAF) carried an article which linked the creation of the Umbutfo Defence Force with South Africa. It said that South Africa had been consulted prior to the disclosure that an army was to be established. There was, as there still is, secrecy about Swaziland-South Africa military cooperation. The only country that was, and still is, openly helping Swaziland with the formation of the Defence Force was Israel. Israel did the training of the new army. In fact, she was already involved in the training of the young men who were in the National Youth Service called Gcina. This was a voluntary service and training was mainly in agricultural skills, but lessons were also offered in social discipline and physical fitness. The majority of the first military personnel in the Umbutfo Defence Force came from Gcina.

The Royal Constitutional Commission and its Report

A few months after the repeal of the Independence Constitution the Swazi Monarch issued a Gazette establishing the Royal

Constitutional Commission "to inquire into fundamental principles of Swazi history and culture, as well as the modern principle of constitutional and international law with which they needed to be harmonised."³² Sobhuza announced the formation of the Commission in his speech on the 5th Anniversary of Swaziland's Independence. He urged the Swazi people to co-operate with the Commission which had been given a great task of studying a future suitable Constitution. He implored: "I trust that you will co-operate fully with this Commission bearing in mind that the constitution needed is one which will safeguard our interests and guarantee freedom, justice, peace, order, good government and the happiness and welfare of the entire nation."³³

The commission was given the mandate to solicit views inside and outside Swaziland. In Swaziland people were invited to write to the Commission suggesting the nature of the constitution they would like to see operating. The Commission also travelled to the Tinkhundla to listen to people's views and take oral evidence. It started taking evidence in October 1973.³⁴ The Commission reported that by January 1974 it had received 150 memoranda and had interviewed 100 witnesses.

Outside Swaziland the Commission visited several countries amongst which were Kenya, Malawi, Tanzania, Zambia, Britain, Denmark and Switzerland. It has not been possible to establish what sort of views the Commission received from these various consultants, because its Report was not made public. It was submitted to Sobhuza who probably showed it to his closest advisers only. Several attempts have been made to establish who the Commission met in

Britain but without much success. The Central office of Information, London, admitted having arranged a meeting of the Commission Delegation with some British personnel whom they could not name because their file had been destroyed. Mr. Arthur Khoza, Secretary to the Commission, informed the Research Assistants in Swaziland that the Delegation met the Lord Chancellor and his staff. Historical records revealed that the Lord Chancellor at the time (date of meeting being 13 May 1974) was Elwyn-Jones. An attempt to secure help from Lord Elwyn-Jones was fruitless. He wrote, inter alia, that "I greatly regret ... that I have no recollection whatsoever of having any part in the Swaziland Royal Constitution Commission, or its delegation. I am so sorry that I cannot be of assistance to you."³⁵

Without any access to the Commission's Report and without any discussion with the British consultants, it is difficult to establish what input the British consultants had on the new Constitution (discussed in the next section). However, the nature of the new Constitution will probably suggest how much British constitutionalism may have been incorporated. Also some Swazi politicians interviewed threw some light. Mr. S.S. Nxumalo, who was Minister of Industry, Mines and Tourism at the time the Commission was at work and who was privileged to read the Report, said that as far as the views of the foreign consultants were concerned very little consideration was given and this could be detected from the "present political system of Swaziland which is similar to none in the whole world."³⁶ Mr. Arthur Khoza who was Secretary to the Commission expressed a similar view.³⁷

There might have been very little consideration for the foreign consultants' views by the Swazi authorities, but what is of significance is that the Commission visited Britain, just over a year after having repealed a British designed Constitution. The visit by itself shows a conscious desire to maintain warm relations with Britain. The desire to maintain warm relations with Britain emanated from the fact that (i) Britain was, together with South Africa, the closest economic ally (economic links between Swaziland and Britain are discussed in chapters 4 and 5) and (ii) Britain was the only world power with a renowned Monarchy, although a constitutional one, which still exhibited signs of perpetual survival. If the Monarchy system in Swaziland was to survive, it had to maintain warm relations, and even establish new ones where they did not exist, with other Monarchies.

There is no evidence that South Africa was consulted in this constitution-making task. The Swaziland authorities would not openly consult South Africa due to the apartheid constitutional set-up in South Africa and its cultural boycott by the Organization of African Unity (OAU) and other international bodies where Swaziland is a member. Moreover, the move to repeal the Independence Constitution in April 1973 had been compared by many people, to the Bantustan constitutional structures, particularly the Transkei, where the chiefly element were given a majority over the elected representation. So if there were any consultations between the Swazi authorities or Commission and the South African State, these were secretly done.

The 1978 Constitution and a New Political Dispensation

The repeal of the Independence Constitution had been a result of the Monarch's refusal to share power with modern government institutions and the fear by the traditionalists, including those in modern government, that they might lose their majority in Parliament sooner or later. It was logical therefore that the new Constitution would have no provisions which would require Sobhuza to share power and none that would allow opposition parties.

In this section it is argued that the new Constitution complied with the above logical expectations; that this Constitution caused political alienation amongst many Swazis; that Sobhuza's domination of Swazi politics, coupled with no political participation by the masses, resulted in a power vacuum after his death because there were no political structures which guaranteed continuity when the Lion (Ngwenyama) roared no more. In short the power struggles of the 1980's and the court prosecutions that ensued were struggles to fill this vacuum. Finally the contention is that Sobhuza's sole and "splendid" rule over Swaziland did not affect the warm relations with Britain, while his rule was greatly welcome by South Africa.

As mentioned above the Report of the Royal Constitutional Commission, presented to the King in July 1975, was never publicised. Four months later the Monarch appointed a Constitutional Advisory Committee to read the Report and make definite recommendations for the real Constitution. This Committee's recommendations, also not made public, were presented in July 1976. After the submission of the Committee's recommendation

Sobhuza appointed yet another committee to come up with an electoral system "which does not involve campaigning."³⁸ According to Mr. Mndeni S. Shabalala, Chairman of this committee, Sobhuza informed him that Swazis had indicated that they wanted a parliament but did not like political parties or political hustings. He (Shabalala) and his committee had therefore to find ways of forming a Parliament which did not involve political parties and political campaigns. This committee did come up with an electoral system which has been used 3 times since 1978. Since there is no written constitution, a description of the electoral process as provided by Shabalala during interview in May 1987 and the provisions of The Establishment of the Parliament of Swaziland Order, 1978 will serve as a basis for analysis of the new political dispensation in Swaziland since 1978.

The Shabalala Committee, later known as the Elections Committee, consisted of 7 members : Mr. M.S. Shabalala (Chairman), Prince Gabheni (Sobhuza's most trusted son who later became the mentor of Crown Prince Makhosetive), Mr. Richard Velaphi Dlamini (founder member of INM, former Deputy Speaker of the House of Assembly, later Minister of Foreign Affairs and a personal friend of Pik Botha), Chief Mfanawenkhosi Maseko (a senior police officer and formerly Sobhuza's bodyguard), Mr. Ndleleni Gwebu (Governor of Lobamba Royal Residence), Colonel Mangomeni Nzimandza (Chief of Staff of Umbutfo Defence Force) and Mabalizandla Nhlabatsi (a prominent member of the SNC and a former MP). It appears that all the members but Prince Gabheni had not seen the Constitutional Reports. Prince Gabheni had participated in the previous Constitutional Advisory Committee.

Having been given the mandate to establish Parliament, the Shabalala Committee figured out the appropriate way of conducting elections without political parties and without campaigning was through the Tinkhundla system - the traditional meeting places for discussions, settlement of disputes or criminal trials. It should be noted that the INM had always used the Tinkhundla for the selection of their candidates for the general elections prior to and after Independence. The Committee delineated 40 Tinkhundla (constituencies) all over the country. Each Inkhundla was to have Indvuna (head/chairman) who was to be appointed by the Ngwenyama. Elections on the basis of an Inkhundla were to return members of an Electoral College who in turn would elect Members of Parliament. The elections at an Inkhundla are open, i.e. there is queuing behind a candidate of one's choice. The candidate sits next to a particular gate of an enclosure for every one to see him. As the people move through the gate of their candidate, counting takes place.

The immediate question which comes to mind is : where do these candidates come from because there are no parties or campaigning? Each chief sends a representative to the Inkhundla under which his chiefdom falls. These chiefs' representatives form an Inkhundla Council or Bucopho Benkhundla. It is this Inkhundla Council which nominates the candidates. The Council has to give 8 names of candidates to the Head of the Inkhundla and inform him on the order of preference to the candidates. The Head of Inkhundla submits the 8 names to Shabalala, Indvuna Yeti Nkhundla, who passes the names to the King. The King will approve 4 names as candidates, either in accordance with the recommendation of the Inkhundla Council or using

his own discretion, i.e. he can pick the bottom name to be among the 4 candidates. From these 4 candidates each Inkhundla elects 2 members of the Electoral College using the open voting system. This election in the 40 Tinkhundla will return 80 members of the Electoral College.

The Electoral College will be called to meet the Elections Committee to be briefed about electoral procedure. This College is no longer allowed to mix with the public until their election task is over. The College nominates as many names as possible and debates over them. They finally settle for 60 candidates to the Parliamentary elections. These candidates must have been nominated and seconded by at least 5 persons after the debate. The nominees are not told before their nominations. They are only told after they have become candidates. These candidates will be told about their candidacy by the Chief Electoral officer who is gazetted. The 60 are identified to the Electoral College by the Chief Electoral officer and the Elections Committee.

The actual election of the 40 MPs out of the 60 candidates is supervised by the Chief Electoral Officer and Elections Committee. It is done by secret ballot. Each one of the 80 members of the Electoral College has 40 votes. In short it is a one man 40 votes system. The Electoral officer makes sure that any member who has already voted does not mix with those who have not. When the College has finished voting they return to their respective Tinkhundla where they form a Regional Council (more is said about this body below in this chapter). It has a lifetime similar to that of the Parliament in case a bye-election becomes necessary. The

King nominates 10 MPs to bring the total number of MPs to 50. The Elections Committee nominates the Speaker of the House of Assembly whom the King appoints. The House then proceeds to elect 10 senators from anywhere in the country using a secret ballot. The King adds another 10 senators. The Parliament of Swaziland is then constituted by the 70 MPs.

Using his own discretion the King appoints the Prime Minister from the 70 MPs. The Prime Minister recommends the Cabinet from the MPs and the King appoints them. The "modern" Government of Swaziland is thus constituted.

The Tinkhundla system also introduced Regional Administration in the country. The Regional Administrator was to be head of the Region - there are 4 Regions (or Districts) in the country. According to Shabalala the Regional Administrator is supposed to have taken over all the duties of the District Commissioner. But the Regional Administrator reports to Shabalala as Indvuna Yeti Nkhundla, and not to the Ministry of Local Administration (now Ministry of the Interior). (The problems and confusion arising from these structural changes are discussed below where a general assessment of the Tinkhundla system is undertaken). The Regional Administrator has a Regional Council - a mini Parliament made up by members of the Electoral College in that Region.

Problems of the New Political Dispensation

Problems of the new Constitution and the new political dispensation - the Tinkhundla system - are legion. However, this work will focus on the following : (a) the fact that the 1978

Constitution is not written has left many unanswered questions, (b) the non-existence of political parties coupled with the ban on political campaigning, (c) the open voting system in the election of the Electoral College, (d) lack of ballot papers in Tinkhundla elections, (e) the creation of the Regional Office and the Council, and (f) keeping the Electoral College for as long as the life span of the Parliament.

There is no evidence to suggest that the decision by the Swazi authorities not to write the 1978 Constitution was influenced by British constitutionalism. But they did refer to the unwritten constitution of Britain when they referred to the supremacy of the British Parliament which could legislate as they wished, i.e. without any constitutional provisions restricting them in the same way as the Independence Constitution provisions did to the Swaziland Parliament and the Monarch. The gist of the problem with the unwritten constitution of Swaziland lies in the fact that there is no explanation on the relationship of the 3 main organs of government : (i) the legislature, (ii) the executive and (iii) the judiciary. It is imperative to recall that on that historic afternoon of the 12th April 1973, when Sobhuza repealed the Independence Constitution, he said "... I have assumed supreme power in the Kingdom of Swaziland and that all Legislative, Executive and Judicial power is vested in myself..."³⁹ When he informed the Shabalala Committee that the findings of the Royal Constitutional Commission were that the Swazis wanted Parliament, he did not expatiate upon the nature of power-sharing between those organs. For instance, it was not clear whether the 1973 Decree which established the Tribunal Court to preside over cases of citizenship

still had power over ordinary courts in deciding on citizenship issues. It was not clear whether the Judiciary had power to review acts of Parliament. It was not explained whether the Cabinet was answerable to Parliament or to the Monarch. Neither did he publicly renounce his assumption of legislative, executive and judicial power when the new Constitution and new Parliament came into being. In effect the Declaration of a State of Emergency and Decrees issued on 12 April 1973 are still legally enforceable. Hence the 60 Day-detention without trial continues today.

The lack of clarity about the functions of these 3 main institutions of the Government was not necessarily a serious handicap to the functioning of the Government. The fact that Sobhuza could legislate by Orders alongside Parliamentary enactments did not cause much disruption within Government. Sobhuza had to agree to all Parliamentary legislation. So nothing could be done without him. In fact there was a feeling in some quarters that Swaziland did not even need a written Constitution "as long as Sobhuza is with us".⁴⁰ Sobhuza was capable of controlling the distribution of the powers/functions amongst these organs although the Attorney-General, Mr. Douglas Lukhele, did mention the potential conflict resulting from this dual legislative system.⁴¹ In short the political system of Swaziland relied on the person, Sobhuza II, to fill a major constitutional gap in the modern Government of Swaziland. But the demise of the not-so-immortal Sobhuza in August 1982 proved to be costly to the political system of Swaziland - as the discussion of the power struggles below in this chapter will show.

The second problem the Tinkhundla system carries on its back is the non-existence of political parties and the ban on political campaigning. It was mentioned in chapter 2 that the Swazi Monarch did not like political parties at all. He wanted the British Government to hand over the country to him. He loved to think of himself as the only one capable of coming to the rescue of Swaziland if the country was to escape the numerous political troubles being experienced by the newly independent African States in the north. B.A. Marwick, who was the Queen's Commissioner in 1958-1964, observed that Sobhuza's self portrayal was that of Charles de Gaulle's role in the troubled France after World War II.⁴² In fact, Sobhuza's admiration of de Gaulle was revealed in a meeting of some members of SNC, some representatives of the White settler community and Colonial Government representatives held on 23 April 1960. In this meeting Sobhuza addressed the meeting on what he felt should be the direction for Swaziland's future. Speaking on the concept of democracy as understood in the West, he said it was irreconcilable with the Swazi way of life which he considered democratic. He said:

"I don't see how we can try to adopt European ways of doing things which we don't know. Yes it is quite true that we should copy those good practices that the Europeans have, but when we come to consider what is this democracy of which they speak you ultimately get lost in the idea ... Let us regard this as a practice, as a European practice, because to speak of democracy, I don't think would be the correct word, because democracy is not there... I think it would be better democracy if people went into it in the same way as de Gaulle took up his position in France. He was called by the people to come to their rescue as they were in difficulty...He came with that mandate. There's nothing that he has promised the people that he would achieve for them. Actually I appreciate it was the people that suggested that he would be appointed. I thought that was a good format."⁴³

Indeed on 12 April 1973 the Swazi Parliament called on Sobhuza to come to the "rescue" of Swaziland.

The Tinkhundla system was based on the philosophy that political parties which went around the country making promises to people were not genuine. They were there to get into power for the purpose of serving their own, and their clienteles' interests. Hence there was no resurrection of political parties in 1978, and there was the ban on campaigning - the philosophy being that the genuine leader (be they members of the Electoral College or MPs) would get the people's mandate without having to ask for votes or make any promise. One old Swazi saying goes: "To be entrusted with a position of great responsibility is tantamount to being killed" (Kubekwa Kubulawa). Therefore who, in their right senses, would go around campaigning to be killed". On the basis of this philosophy, we are persuaded to believe the people who go around campaigning do not really want to represent the interests of the nation, but want to use political positions to further their interests.

The non-existence of political parties, coupled with no campaigns, has had criticism from the educated section of the population. The argument is that political organizations are a platform whereby people diagnose the problems of the country, advance and articulate their views and offer solutions to adopt. Also it is from political organisations that individuals emerge as potential leaders. During the hustings political parties and individuals address the people and people are given an opportunity to make their judgement about the suitability of candidates. In the no political parties-no campaigning situation the electorate are not

given a chance to choose their candidates. Instead, it is the chieftaincy and the Monarchy that choose candidates. The people who criticise the Tinkhundla system are mostly those who hold Western views of a system of Government. They are former leaders and supporters of the banned NNLC, SPP, etc. Hence a few, including Dr. Zwane, were detained after the announcement of the Tinkhundla elections in 1978. It was obvious that chiefs would not choose people, as their representatives at Tinkhundla, who showed sympathy with opposition parties like NNLC or SPP. The doomed fate of the modern political parties, especially the NNLC, was sealed by the Tinkhundla electoral law which excluded any person who had been or was detained under the 60-Day detention order from eligibility for election.

The open voting system in the election of the Electoral College was anathema to many people. They did not think that their choice should be a matter for public exposure, they felt that secret ballots was appropriate if people were to exercise their right without fear or favour. It is not a good electoral process to require person A to openly display his choice of candidate B as opposed to candidate C, especially if candidate C is A's boss. Hence many people, mainly civil servants, teachers, professionals, stay away from the Tinkhundla elections. The Swazi oligarchy cannot justify this voting by profile on the basis of Swazi law and custom because the traditional system was not based on voting. It was at all times based on acclamation and consensus - this has been stated above in this chapter.

This open voting is done without any ballot papers. This causes many doubts about the authenticity of the results. If any results were to be challenged, there would be no ballot papers to fall back to; the nation has to rely on some civil servants who did the on-the-spot counting of human faces passing through a gate. This anomaly has been pointed out in Kenya in February 1988. Kenya is the only country which has adopted an open voting system for candidates to Parliament and, under certain conditions, the actual election of MPs themselves. Whether or not Kenya was influenced by the Swaziland experience is not clear, but their first open voting system (February 1988) has brought an outcry in the country. In one of the queries about the authenticity of the no ballot system results one Kenyan observed that:

"Figures for Tinderet, where a lot of canvassing was done by a clique that came to be known as 'power brokers', indicate that Kosgey thoroughly trounced his rival, Sego. In fact, the figures gathered by the clergy from polling station to polling station indicate that Kosgey got about 2/3 of the votes cast. Yet the final figure that was given by the DC (District Commissioner) was not only inflated in favour of Sego, it did not even indicate anything regarding what transpired in the polls. The figures were imaginary."⁴⁴

There is nothing to suggest that "DCs" in Swaziland are immune from producing imaginary figures. Attempts to rig the election of 10 Senators were made in the November 1987 elections. In this election, three MPs nominated and elected the 10 Senators, 5 of whom came from the 7-member Elections Committee (formerly referred to as Shabalala Committee) which supervises and oversees the elections. By the time other MPs raised their hands to nominate candidates of

their choice, the clerks chairing the meeting informed them that the nominations and elections were closed. However, the election of the 10 Senators were invalidated on the grounds that they had been done prior to the appointment of the Speaker (who is appointed by the King)⁴⁵ who must chair the MPs meeting to elect the 10 Senators.⁴⁶ This was an attempt to give jobs to friends in the 5 Elections Committee members and their friends - just like in the case of Kenya the DC gave a job to a pal and the Government's favoured candidate.

The establishment of the Regional Administrator's portfolio and the Regional Council resulted in a duplication of functions and confusion. Prior to Tinkhundla system Swaziland was divided into 4 districts and the District Commissioners were head of district administrations. The DCs were civil servants who reported to the Ministry of Local Administration (now Ministry of the Interior). The administration at district level was coordinated by a body called District Team which met regularly under the chairmanship of the DC. Other members were representatives of all ministries operating at district level, e.g. health officers, veterinary officers, welfare officers, education officers, etc.

When the Tinkhundla system was introduced the post of Regional Administrators and Regional Councils were announced. The Regional Administrators were supposed to be political appointees but would take over all the duties done by District Commissioners. They would not report to the Ministry of the Interior but would report to the Office of Tinkhundla Headquarters. The Indvuna Yetinkhundla would then channel issues to various Cabinet Ministries, or to the Prime

Minister or to the King.⁴⁷ The Regional Administrators worked with Regional Councils (constituted by members of the Electoral College) who operated as a mini Parliament. The basic confusion was whether the Ministry of the Interior would be abolished. If not what would be its role? There was no clear explanation of how the Regional Administrator, a political appointee, would work with the local civil servants who had previously been linked to the District Commissioner.

Although the Regional Administration was announced at the time Tinkhundla system was established in 1978, the actual announcement of the appointment of the Regional Administrators was made in 1982, after the death of Sobhuza but the announcer, Mr. M.S. Shabalala (Indvuna Yetinkhundla) said the appointment had been done by Sobhuza. The delay was largely due to the confusion mentioned above. Although announced in 1982 the Administrators did not take office until after the sacking of Prime Minister, Prince Mabandla, in March 1983 by the Supreme Council of State - Liqoqo. (More is said about Mabandla's sacking below in this chapter). Prince Mabandla, a former NNLC sympathiser, was appointed as Prime Minister in 1979 after Colonel Maphevu Dlamini's death. It was well-known that Mabandla had no love for Tinkhundla system, just as he did not entertain the idea of the land deal with South Africa (discussed in detail in chapter 7). Word went around in the country that he would not let the Regional Administration system take off. When asked in an interview why the Regional Administration had not been working for so long, Shabalala avoided the question and started talking about different issues.⁴⁸

The keeping of the Electoral College as Regional Councils is costly to the Treasury. The taxpayer has to pay 70 MPs plus 80 Electoral College members whose duty is not clear. Since 1978 the Regional Councils have not functioned as Regional Parliaments. Why burden the Treasury then?

The Regional Councils and the Tinkhundla Administration as a whole have not found unqualified support from the Chiefs. The chieftaincy sees it as a system likely to take away their powers and functions. For instance, if Regional Councils would make decisions to be communicated to the Indvuna Yetikhundla, who in turn takes these to the King, it would mean Chiefs would lose their prerogative to communicate directly to the Monarch. In the previous parallel system of rule, Chiefs had direct access to the King. If they felt they did not want to talk to the DC, they would not heed his call to the DC's office. The Regional Council system, although situated within the traditional, and therefore chieftainship structure, was threatening to steal the limelight from the Chiefs. In short, Regional Councils are a challenge to the Chiefs' traditional authority and their prerogative to communicate directly to the Monarch. The Chiefs are more concerned because neither the Regional Council members nor the Indvuna Yeti Nkhundla are chiefs by birth. But they are elected and appointed "politicians". The ambivalence of the Chiefs towards the Regional Council system cannot be overlooked by the Swazi Monarchy because its power base is rooted in the chieftaincy institution.

With all these complicated problems it would be romantic to hope that Tinkhundla system will ever be fully operational. Sobhuza is dead and it is too early to establish whether the new authorities

are intent on continuing with this problematic novel constitution although the 1987 elections were conducted under the auspices of Tinkhundla. Indeed, S.S. Nxumalo maintained that when the system was introduced Sobhuza made it clear that it was on a trial basis, that some politicians now wanted to push it too far even though it appeared the system had problems.⁴⁹

Reaction of Britain and South Africa to the New System

There is no indication that the introduction of the Tinkhundla system has had any effect on the Swazi-British relations. The system was intended to consolidate conservatism, it was not a move to the left. On the basis of the vow by the Swazi State to maintain capitalism, private enterprise, as the foundation of the mode of production, the Tinkhundla system could not adversely affect the relations between the 2 States. After all, Britain was used to seeing its former Colonies changing the inherited Independence constitutions, thus affecting the whole political system. In the case of Swaziland, there was no threat to nationalise private property. Instead the Swazi State guaranteed the right to private property and it created conditions for capital accumulation, namely by discouraging trade unionism (discussed in the next chapter) and offering tax incentives to investors.

Granted, the size of Swaziland and its docility on international issues have meant that Swaziland features least on the British political agenda. But incidents do occur which show political interaction continue unabated. For instance, the Swazi Monarchy invites the British Monarch in all important ceremonies in

Swaziland. In 1981 Queen Elizabeth was invited to Sobhuza's Diamond Jubilee.⁵⁰ The programme for the Coronation of King Mswati III in April 1986 was prepared with the help of the British personnel and King Mswati attended school at Sherborne, Dorset from 1982 to 1986. Sobhuza II was invited to Prince Charles' Wedding and he was represented by Prince Gabheni. Britain continues to issue visas on behalf of the Swaziland Government where the latter have no diplomatic missions or consulates - a service Britain provides to many Commonwealth countries who do not have diplomatic missions in certain countries.⁵¹ In other words, the British policy of 1973 i.e. "business as usual", pronounced when the Independence Constitution was repealed, continued after the introduction of the new political dispensation in Swaziland.

On the other hand, the South African Government welcomed the Tinkhundla system because it consolidated the control of the Swazi State by the traditional element in the country. The NNLC was not appreciated by the South African State because it had Pan-Africanist slogans and the Nkrumahist ideology to a large extent. The traditionalists' domination of Swazi politics meant that South Africa had a friendly neighbour who was also anti communist. The introduction of the Tinkhundla system in 1978 was timely as far as South Africa was concerned. This was the period when the ANC started to intensify its guerrilla attacks following the 1976 South African schools uprising and the killings that followed. Moreover, the minority Governments of Angola and Mozambique had been defeated in 1975 and Leabua Jonathan's Government in Lesotho was changing its policy - it had started inviting the Eastern bloc countries to establish diplomatic missions in Lesotho and the Lesotho Government

was publicly denouncing and attacking the apartheid policy. So the South African State was becoming more and more isolated regionally. Hence the traditional conservative Government of Swaziland, as consolidated in the Tinkhundla system, was welcome (The detailed analysis of the Southern African region is undertaken in Chapter 7. The foregoing was mentioned just to enhance the point that the introduction of Tinkhundla system was welcomed by South Africa).

The Consequences of Sobhuza's "Splendid" Rule

As early as the beginning of the 1950's Brian A. Marwick, then District Commissioner (he later became Her Majesty's Commissioner) in Swaziland, made an historic observation about Sobhuza's domination of decision-making on matters which should have involved Liqoqo and Libandla (SNC). He wrote :

"This (domination) was liable not only to destroy the initiative of members of the Iqoqo and Ibandla, but it also prevented them from obtaining that training and experience in handling national business in modern times which was their right and duty. Also if so much reliance was placed in one man in defiance of the Swazi constitution, would not chaos develop if he were suddenly removed by death or incapacity?"⁵²

This domination continued after independence and was extended to modern government. The contention made here is that the Lion's (Ngwenyama's) domination of Swazi politics denied Swazi people the necessary experience they needed to ensure continuity of political stability when the Lion roared no more; it is argued that Sobhuza's Tinkhundla system alienated many Swazi people from political participation, thus denying them political education which is

necessary for a nation if it is to progress and stand on its own; that this lack of political culture, except the personality cult of Sobhuza, resulted in a power vacuum when the Monarch died in August 1982 and that the political struggles which ensued were struggles to fill the power vacuum that had been created by Sobhuza's death.

The general feeling amongst Sobhuza's supporters and advisers was that as long as Sobhuza lived Swaziland's problems would always be solved amicably. He was figuratively referred to as "The Mouth that Speaks No lies" (Umlomo Ongathethi Manga) - meaning literally that he never tells lies, the deeper meaning was that he never commits a mistake. In other words he was infallible. The praise singer used this phrase quite often when saying Sobhuza's praises. This attitude of his supporters made them hardly question Sobhuza's decisions and policies; it made them hardly bother to take initiative to do things independently of Sobhuza. Hence Sobhuza's domination of Swazi politics and the lack of training and experience to the future inheritors of political power.

On the other hand, the leaders of opposition parties were silenced with effect from 12 April 1973. The banning of political parties and "political" activity resulted in the official absence of opposition views. It resulted in lack of political education to the masses. There is no platform to criticise the Government activities, or to point out their mistakes. If any opposition voice out their criticisms they are detained without trial. These conditions have resulted largely in the politics of silence and apathy in the country.

The Tinkhundla system did not allow opposition. Political parties and campaigning for votes were not allowed under the system. The voting by queuing alienated many people, especially the educated, from participation in the Tinkhundla elections. Although the percentage of the electorate who participated in the 1987 elections was not given to the press, "The Times of Swaziland" (7 November 1987) pointed out that few people voted and that the Chief Electoral Officer admitted this fact. We should remember that there are no ballot papers to prove the authenticity of the figures which may be released. This low turnout, even in rural areas where chiefs order their followers to go to the polls, was said to be due to lack of transport to the polling stations and flooded rivers. Be that as it may, the other fact is that the majority of rural illiterate people hardly understand the whole concept of voting. When political activity was still legal, political parties and campaigns acted as agents for politicisation and educating the masses. Since the closure of that chapter in 1973 it had been back to political ignorance insofar as modern politics is concerned. They were taken back to traditional politics, i.e. politics through the chieftaincy. Because Chiefs are born but not elected, it became difficult to comprehend the concept of elections. Therefore, the Chiefs had to order their followers to go to the polling stations. The people did not necessarily go out of their own volition. The contention is that many illiterate people who participate in the Tinkhundla elections are doing so blindly, they do not fully understand the whole concept. The Tinkhundla system is responsible for the political bankruptcy of many Swazis.

The lack of mass political participation in the country was bound to have negative consequences at some stage. Future political stability could not be guaranteed by one man, Sobhuza, who was just like any other human being, not immortal. His domination of both modern government and the traditional system which had no clearly defined powers and functions did not guarantee future political stability. Hence the power struggles that ensued after Sobhuza's demise. To give substance to the contention that the parallel system and the domination of Swazi politics by Sobhuza resulted in the power struggles, it is imperative to undertake a brief history and analysis of the political events in Swaziland since August 1982. The analysis will focus on the following major events : (a) the ousting of Prime Minister, Prince Mabandla and dethroning of Queen Regent Dzeliwe by the Supreme Council of State (Liqoqo), (b) the struggle between Liqoqo and some Cabinet Ministers, (c) the internal struggles within Liqoqo resulting in the expulsion of the Authorised Person (who was Chairman of Liqoqo and the Regent's senior adviser) and (d) the ascendance to the throne of King Mswati III and the subsequent prosecutions of some former members of Liqoqo, some Princes and Princesses (including the former Prime Minister, Prince Bhekimpi, who succeeded Prince Mabandla) and a few dignitaries associated with Liqoqo. The struggles that ensued were struggles to fill the power vacuum, they were not based on forces of modernity against traditionalism.

Sobhuza II, the long reigning Swazi Monarch (having been enthroned in 1921) died on 23 August 1982. By Swazi law and custom the reigning Queen (indlovukati) Dzeliwe became the Queen Regent,

the Head of State, with most of the powers accorded to the King. Queen Dzeliwe immediately took this responsibility without any squabbles.

It was soon revealed that before his death King Sobhuza had issued a decree formalising the advisory roles of Liqoqo to the Queen Regent. Up to this time Liqoqo as a body had not been formerly gazetted and this was in line with Sobhuza's policy of keeping out of modern practices any matters pertaining to Swazi law and custom. Perhaps at this time he foresaw some problems if he were to die without having formalised the role of Liqoqo. The decree defined Liqoqo as the Supreme Council of State with the function of advising the King or Queen Regent on all matters of state concern. The Liqoqo was to have a chairman who, in the event of the Monarch becoming incapacitated and unable to fulfil his functions, would become the Authorised Person vested with the powers to sign and assent to all laws in the country. In short, the Authorised Person would become the Acting Head of State.

In pursuance of this decree the Liqoqo was established by the Swazi oligarchy and it was composed of 15 members. Hardly 6 months after Sobhuza's death there was already an open conflict between Liqoqo and the Prime Minister, Prince Mabandla. The hostility between Mabandla and the traditionalists can be traced back to the 1960's when Mabandla used to be an NNLC sympathiser. When Sobhuza appointed him PM in 1979 many INM leaders were unhappy and a substantial number of the Cabinet Ministers he inherited were hostile to him. This hostility was aggravated by the work of the Commission of Inquiry into Corruption (in Government circles)

Mabandla set up soon after his appointment. Some of the Cabinet Ministers were subpoenaed to appear before the Commission. When some of them refused to attend, they were coerced into attending (It is alleged that Mr. Polycarp Dlannini, then Minister of Justice, and a founder member of INM, was handcuffed and forced into the Commission's office). The Ministers filed an objection to the manner Mabandla's Commission was conducting its business. Sobhuza took his time to respond, he was probably giving Mabandla enough time to shake up the old establishment.

Things changed when the Commission began to venture into Tibiyo Taka Ngwane Fund. Tibiyo is discussed in detail in chapter 4, but for the purposes of this section it will suffice to mention that the Fund belongs to the Royal Family, it runs their businesses and derives its money primarily from mineral royalties. There is an unclear relationship between Tibiyo and the Swazi Government - sometimes the Government is ordered by the Monarchy to guarantee loans to Tibiyo or even bail it out in cases of financial difficulties. Hence Mabandla extended the terms of reference of his Commission to Tibiyo, Mr. S.S. Nxumalo, then Managing Director of Tibiyo and Sobhuza's Roving Ambassador, formerly Cabinet Minister in 1968-1978, informed Sobhuza that Mabandla was daring into Tibiyo (demanding its files), a Royal prerogative affair. Nxumalo persuaded Sobhuza to stop the Commission, the Monarch then disbanded the Commission. By the time of Sobhuza's death Prince Mabandla had not had a chance of choosing or recommending a Cabinet of his choice. But he did get on well with some Ministers, e.g. his deputy Senator Ben Nsibandze and Dr. V.S. Leibbrandt, Minister of Works, Power and Communications. Mabandla was very popular with the civil servants.

The most imminent conflict lay in the failure of the decree which established Liqoqo to define its relation with the Cabinet. Liqoqo was adviser to the Monarch. So was the Cabinet (as the discussion above has shown). As long as Sobhuza was around, there probably would not have been any problems. He was capable of controlling both bodies. But now that he was gone, there was no one to play a unifying role. It is not clear what triggered the open conflict but it was reported that Prince Mfanasibili and Chief Mtanawenkhosi Maseko, both members of Liqoqo, told Queen Regent Dzeliwe in February 1983 that Mabandla was planning a coup d'etat with the help of the police. This allegation was never proven. What transpired was that at the time of the coup report, Mabandla had succeeded in persuading Dzeliwe to send Polycarp Dlamini (Minister of Justice, and a staunch member of INM) abroad as ambassador. This was no doubt an attempt by Mabandla to get rid of the hostile elements within the Cabinet. The coup allegation was therefore seen as an attempt by the traditionalists to protect Dlamini and smear Mabandla to instigate his removal. The Liqoqo was also not happy that both Mabandla and Regent Dzeliwe had by-passed them in reaching the decision to demote and transfer Dlamini.

In March 1983 Mfanasibili and Maseko were arrested and charged with sedition. The charge was related to the alleged coup attempt. During their internment the Liqoqo called a meeting of Chiefs to mobilise them against the "modern" element as depicted by Mabandla (But the contention in this thesis is that the struggles were not necessarily between the forces of traditionalism and those of modernity, it was a struggle to fill in the power vacuum). The Liqoqo asked the Queen Regent to sign a decree sacking Mabandla.

Dzeliwe initially refused but she was eventually coerced into signing the decree. The accusation against Mabandla was that he was plotting to usurp power from Lobamba (seat of the Monarchy and traditionalism) to take it to Mbabane (seat of modern Government). In March 1983 Mabandla was dismissed and Prince Bhekimpi, a staunch traditionalist, was appointed as Prime Minister. However, the Queen Regent seems to have trusted Mabandla, she did not sign the sacking document willingly. The trust could have emanated from the fact that Mabandla was appointed by Sobhuza; old Dzeliwe did not then want to revoke Sobhuza's appointments, she was not yet ready to say Sobhuza had been wrong.

After the sacking of Mabandla the struggle for State control continued between Liqoqo and Dzeliwe. When Liqoqo realised that Dzeliwe would be a brake to their intended changes, they drafted a decree which in effect authorised the Authorised Person of Liqoqo, Prince Sozisa, to have power, to assent to some decrees and legislation. This meant Dzeliwe would not be the only authority to validate laws, and this was not in line with the Swazi constitution, the Authorised Person could only sign on behalf of the Regent when she was incapacitated, but as things stood at the time Dzeliwe was not incapacitated.

Mr. Arthur Khoza, Sobhuza's long serving interpreter and Permanent Secretary in the Ministry of Agriculture was summoned by Dzeliwe to explain the implications of Liqoqo's draft decree. Khoza explained and advised her not to sign it. Dzeliwe's reaction was to announce the dismissal of the entire Liqoqo, Polycarp Dlamini (Minister of Justice) and Patrick Makanza (Attorney-General, and a

Tanzanian national employed on contract by the Swazi Government). Dzeliwe's announcement did not have an effect as Liqoqo countered it by announcing her deposition. After Liqoqo's announcement there was a more serious rift within the Royal Family and oligarchy. Some opposed Dzeliwe's dethronement, while others supported Liqoqo. Prince Gabheni, Sobhuza's most trusted son during his lifetime and Crown Prince Makhosetive's mentor, opposed the deposition. The Gabheni faction and the deposed Dzeliwe tried to call a Swazi Nation meeting to Lobamba which the Liqoqo faction thwarted by announcing over the radio that the meeting was illegal, that it was called by contenders to the throne, that Sobhuza's own sons should refrain from participation in the present misunderstandings and that anybody who attended the meeting would be arrested. Gabheni was physically prevented by security forces from entering the Swaziland Radio and Television studio where he wanted to make an announcement to counter the Liqoqo's announcement to depose the Regent. He was later expelled from Liqoqo (He had been one of the sons of Sobhuza to be included in Liqoqo).

In the meantime Dzeliwe made an application to the High Court to contest her deposition. An affidavit signed by a number of chiefs, led by Chief Dambuza Lukhele, was filed in the High Court in support of Dzeliwe's application. The Liqoqo reacted by issuing a decree - Decree No. 1 of 1983 - signed by the Authorised Person which ordered the High Court to dissociate itself from the matter of the removal of the Regent on the grounds that this was a matter for Swazi law and custom and therefore the High Court had no jurisdiction over the matter. In the morning of the day when the Court hearing was due, the Regent's lawyer, Mr. Douglas Lukhele and

Arthur Khoza were arrested by the police under the instructions of Liqoqo. When the Court convened the Chief Justice, Justice Nathan announced that he accepted the instructions of the decree and his Court would not adjudicate over the matter.

Liqoqo proceeded to appoint Inkhosikati Ntombi, the Crown Prince's Mother, as Regent. This appointment bewildered many Swazis because they viewed it as unconstitutional. The constitutional convention was that the Crown Prince's mother only becomes Queen when her son is crowned. It is only after her son's death, as King, that she can become Queen Regent. Hence Ntombi's appointment as Regent was interpreted by some Swazis as an attempt to sabotage the ascendancy of Makhosetive to the throne.

It was at this stage that the students at the University of Swaziland and the Institute of Health Sciences took to the streets to demonstrate, demanding the re-instatement of Dzeliwe and the release of the detained Lukhele and Khoza. Their message was that Dzeliwe's deposition was unconstitutional and could only be interpreted as a coup. However, not many Swazis were involved in these power struggles. It was mainly the Royal Family and the oligarchy of Princes, senior chiefs and Cabinet Ministers who were involved. The masses in general suffered as witnessed by police and army road-blocks, body searches and from the growing tension that was building up in the country. Some foreign investors panicked and started transferring funds to the homelands in South Africa. Liqoqo tried hard to assure the investors that all was well. But investors were not easily convinced. This was due to the fact that the unrest did not stop. Liqoqo stepped up the detention strategy. For

instance, Princes Sulumlomo and Thunduluka were detained under the same order which included Prince Gabheni. But the police were not prepared to touch Gabheni. As a result he remained outside prison for the rest of the period of the power struggles although he was the strongest opponent of Ligoqo. The arrests continued and by the end of 1983 about 20 people were serving under the 60-day detention order. In 1984 top police officers Anthony Dlamini and Sotsha Dlamini (who was appointed Prime Minister by King Mswati III in 1986) were sacked.

In 1983 elections were conducted under the Tinkhundla system. Except for 3 names all the Cabinet Ministers were new faces. This was obviously calculated by Ligoqo to get their own men and remove the old stock which might have absorbed Mabandla's policies. In the same year (1983) Ligoqo pushed the notorious Sedition and Subversive Activities (amendment) Bill to Parliament. In essence the bill provided for the establishment of a tribunal to hear cases of sedition and subversive nature; the accused before the tribunal might not be represented by a lawyer; and the maximum sentence was 20 years or a fine of E20,000, or both (Ironically the perpetrators of this law, viz. Mfanasibili, Maseko, Bhekimpi were sentenced to 15 years, together with 4 others in March 1988 under the same law. The details of the case are provided below). The intention was to use the Act against their opponents but they hardly succeeded in convicting anyone.

In spite of the fact that Ligoqo tried to get their men in the Cabinet, they were not capable of controlling it in toto. There were individuals in the Cabinet who did not feel they could be

directed by Liqoqo. Prominent amongst these was Mr. Simon Sishayi Nxumalo - a former Cabinet Minister from the time of Independence up to 1979, Sobhuza's Roving Ambassador from 1979 till Sobhuza's death in 1982, the mastermind of Tibiyo businesses since 1968 and its Managing Director by the time he was taken out of Tibiyo by Liqoqo in February 1984 after having been given the portfolio of Minister of Finance in Government. Nxumalo had held Cabinet posts while at the same time he managed Tibiyo businesses. He liked political appointments but his most important power base was the running of Tibiyo. He did not like his removal from this capital base for power. On the other side, Liqoqo's strategy to remove him was for the purpose of getting control of this most important domestic capital. So Nxumalo was intent to hit back at Liqoqo - some of its members were his old political rivals, anyway. As Minister of Finance Nxumalo publicly attacked corruption in public offices; for instance, he attributed the collapse of the Swaziland Chemical Industries (SCI) company, liquidated in 1984, to the corruption on the part of one of its directors who was Swazi, but now holding a high political position. It was inferred that this accusation was directed to Dr. George Msibi, one of the powerful members of Liqoqo, who had been the only Swazi on the Board of Directors of SCI.

When Nxumalo was busy attacking corruption, Prince Mfanasibili, by this time he had earned himself the code name of "Liqoqo strongman", revealed that he had confronted a "Gang of Four" at the Regent's Royal Residence at Phondo who were attempting to wrest executive power from the Monarch. This revelation was followed by the decision by Liqoqo to give Prince Dumisa, a former NNLC leader and veteran opponent of the traditionalists who had lived an exile

life since 1967, an option of either going to self-exile once more or of serving 60-day detentions. Dumisa chose the former and was escorted by the security police to Matsapha Airport to fly back to Britain where he lives. But there was no proof of the coup attempts. (Mfanasibili's alleged coup attempts have never been proven).

The power struggles continued between Liqoqo and the Nxumalo faction. The Nxumalo faction, which incidentally included Prince Dumisa and Princess Mnengwase (Sobhuza's sister and the only woman member of Liqoqo), prevailed temporarily in the face of Regent Ntonbi. She agreed to a proposal to announce the removal of Prince Mfanasibili and Dr. George Msibi from Liqoqo. The Press was summoned at Lobamba and the Governor of Lobamba, Mr. Vusumuzi Bhembe, flanked by Mr. Titus Msibi, Commissioner of Police, and Colonel Mangomeni Ndzimandze, Army Chief, announced the decision to sack the 2 Liqoqo men. But within a few hours the Regent denied it. The explanation for this situation by informed sources was that the Mfanasibili faction had learned about the Regent's decision promptly; they rushed to her and convinced her, either by persuasion or coercion, that she should reverse the decision. The "Times of Swaziland (5 June 1984) carried the Regent's message which said it was a misunderstanding to say she had sacked the Liqoqo men.

On 8 June 1984, "The Times" carried the news of the dismissal of S.S. Nxumalo, Richard Velaphi Dlanini (Minister of Foreign Affairs) Titus Msibi and Mangomeni Ndzimandze from their posts. The reason given was that the 4 had forced the Queen Regent Ntombi to

dismiss the 2 Liqoqo gurus. If she refused, so it was alleged, the 4 had said the Regent would face a bloody revolution. During the press announcement to sack the 4, one Liqoqo member, Mr. Abednego Kuseni Hlophe, boasted : "If you try to undo Liqoqo, Liqoqo will undo you".

Even after the sackings Nxumalo continued his attack on corruption. He revealed a customs fraud by a company where Mfanasibili was one of the shareholders. This company illegally avoided payment of import duties. The fraud infuriated the other members of the Southern Africa Customs Union (SACU - South Africa, Botswana and Lesotho). South Africa demanded a full explanation. Nxumalo went ahead to reveal that some Liqoqo members were receiving double salaries. Dr. Msibi denied the allegations and threatened that "heads will roll". He and Robert Mabila, Liqoqo Secretary, made counter charges in the form of fraud against Nxumalo.

By this time Liqoqo itself was sharply divided into various factions. In August 1984, a letter was despatched to the Authorised Person, Prince Sozisa, which suspended him from Liqoqo and banned him from entering the Royal Residences at Lobamba and Phondo (home of the Queen Regent). Charges against the Authorised Person were that (a) he had issued instructions to the armed forces in June 1984 to overthrow legally constituted authority, (b) he had attempted to usurp power of signature from Queen Regent Ntombi and (c) he had signed a letter saying Ntombi's appointment as Regent was illegal. As usual the allegations were never proved; but the significance of the expulsion of the Authorised Person is that it shows, once more, that the power struggles were not necessarily the struggle between

forces of modernity and those of traditionalism. Neither was the struggle signifying the royal faction vis-a-vis the commoner faction. The struggle was that of filling the power vacuum left by Sobhuza. The constitutional set up was incapable of sustaining a smooth political continuity. The constitutional arrangement was flawed. It had been so during Sobhuza's rule; the only difference was that he had been in a position to fill this constitutional handicap due to his authoritarian populism and his skilful ability to communicate to the people.

The division within Liqoqo itself was conspicuous by the disappearance in public addresses of most of the members. Out of the now ±12 members, about only 5 maintained a constant appearance. These were strongman Mfanasibili, Dr. George Msibi, Chief Mfanawenkhosi Maseko, Prince Tsekwane (not so prominent) and Mr. A.K. Hleophe (but he later retreated). These worked closely with Prime Minister Prince Bhekimpi and Mr. Mhambi, Mnisi, Foreign Minister who replaced R.V. Dlamini in June 1984. Mnisi was Sobhuza's liaison officer. Within the Liqoqo, power was wielded by the triumvirate of Mfanasibili - Msibi - Maseko.

Arrests of opponents continued unabated and the list included the sacked S.S. Nxumalo (former Minister of Finance), T. Msibi (former Commissioner of Police), Edgar Hillary (former Deputy Police Commissioner), Colonel Mangomeni Ndzimandze (former Army Chief), Major Barnabas Dlamini (former Army Chief of Logistics). They were charged under the Sedition and Subversive Activities (amendment) Act 1983. When they appeared in Court they were granted bail, but as

soon as they came out of the courtroom, they were picked up and detained under the 60-day detention order. They were in a no win situation.

The arrests and detentions included some princes (including Sobhuza's sons), their relatives and their wives (including Gabheni's wife). But the role of Liqoqo, or rather the triumvirate, was gradually facing a growing opposition from the Royal Family and the oligarchy. Some of the princes and princesses who had supported Liqoqo when they sacked Prince Mabandla (P.M.) and Queen Regent Dzeliwe, had changed their minds by the end of 1984. Prince Gabheni maintained his constant contact with Crown Prince Makhosetive in Britain. On his occasional visits to Swaziland, Makhosetive consulted with the deposed Dzeliwe and word went around that he regarded her as the rightful Queen Regent, not his mother, Ntombi. The triumvirate decided to withdraw Gabheni's passport to prevent him from travelling to Britain. But as long as he was outside prison, Gabheni represented a force of opposition, he was an inspiration to the members of the Royal Family to resist Liqoqo. Early in 1985 Sobhuza's widows registered their opposition to the rule of Liqoqo with the Prime Minister, Prince Bhekimpi. They marched to the Houses of Parliament to see him. In Swaziland that gathering was illegal, but the widows told Bhekimpi he could arrest them if he wanted to - they were prepared for it.

The escalating power struggles precipitated the decision by the Royal establishment to install Crown Prince Makhosetive as soon as possible. By the second half of 1985 it had been decided to crown him early in 1986. The decision to crown Makhosetive was made by

the Gabheni faction with the support of the forces opposed to the Mfanasibili faction. This showed that the Gabheni faction had already gained an upper hand in the power struggles. In any case, the Mfanasibili faction could not openly oppose the coronation for fear of antagonising even those who still supported them within the Royal Family, amongst the Chiefs and the oligarchy. (It was, of course, widely rumoured amongst many in the country that the Mfanasibili faction intended to (i) turn the country into a Republic with Mfanasibili as President and (ii) that ultimately Mfanasibili would declare the country an Empire and crown himself an Emperor - the same style former Emperor Bokassa of Central Africa crowned himself in the 1960s). After having decided to instal Makhosetive the Gabheni faction, under pressure from Makhosetive, decided to oust Mfanasibili and George Msibi from Liqoqo, and Majaji Simelane, the Police Commissioner appointed by Liqoqo after having removed Titus Msibi in June 1984. These 3 gentlemen were dismissed in October 1985 and the Gabheni faction sent Prime Minister Prince Bhekimpi, who was appointed by the Liqoqo, to announce this. When people heard the news there was jubilation and dancing in the streets of Mbabane. In December 1985 the detainees by Liqoqo were released. Prince Mfanasibili and Majaji Simelane were soon arrested and charged with perjury. They were later convicted. Mfanasibili was sentenced to 7 years imprisonment and Simelane received 5 years. Dr. Msibi disappeared from Swaziland while he was being investigated.

Makhosetive was crowned in April 1986 as King Mswati III. In a move to purge the Swazi Administration of the elements who had earned themselves a bad name during the power struggles, a decision

was made to sack some more personnel at the top. Liqoqo was dissolved and the Prime Minister, Prince Bhekimpi, was sacked in October 1986. It was alleged that Bhekimpi, was frustrating young Mswati's Commission which was conducting an inquiry into the activities of the former Liqoqo. He had also ordered the police to release Dr. George Msibi and Mr. Robert Mabila's passports which had been confiscated under Mswati's orders. Hence Msibi managed to disappear from Swaziland easily. The dismissal of Bhekimpi was a humiliating experience as it was done during the meeting of the Ministers of Agriculture of the Southern African Development Co-ordination (SADCC) countries in Mbabane. The Ministers were later invited to the Royal Residence at Ludzidzini to get an explanation. The former Assistant Commissioner of Police who had been sacked by Liqoqo and Bhekimpi, Mr. Sotsha Dlamini was appointed Prime Minister.

In mid 1987 11 princes and dignatories were arrested and charged, together with Prince Mfanasibili who was already serving 7 years for perjury, with high treason (2 charges) under the 1983 Sedition and Subversives (Amendment) Act. The 12 are: Prince Mfanasibili (former Liqoqo strongman), Prince Phiwokwakhe (Sobhuza's son and former Health Minister in the 1983-1987 Government), Prince Bhekimpi (former P.M. 1983-1986) Princess Tfobhi (Sobhuza's daughter), Chief Mfanawe-nkhosi Maseko (former Liqoqo member, previously Sobhuza's bodyguard with rank of Superintendent of Police, and Deputy Indvuna Yetinkhundla), Councillor Khalalempi Mndzebele (former Governor of Mahlanya Royal Residence), Princess Mnengwase (Sobhuza's sister and the only woman member of the defunct Liqoqo), Robert Mabila (Secretary of the defunct Liqoqo), Prince

Mahlaba (Sobhuza's son), Prince Dabede (WWII veteran and one of the senior princes in the royal establishment), Chief Masenjana Nsibandze (member of the defunct Liqoqo) and Prince Lusekwane (one of the senior princes). Only 2 (Prince Mahlaba and Phiwokwakhe) were acquitted when the case was finalised in March 1988. Seven were each sentenced to 15 years imprisonment for the deposition of Queen Regent Dzeliwe in 1983, and the remaining 3 were sentenced to 8 years, 5 years and 3 years. Prince Mfanasibili was accused No. 1 in this case. He got 15 years to add to the 7 years for perjury. The trial was conducted by a tribunal chaired by Chief Justice, Justice Nicholas Hannah (a British subject brought to Swaziland under the Aid Programme). The accused were not represented by legal practitioners in the Tribunal's court - this was the Monarchy's desire as provided by the Sedition and Subversives Act of 1983 designed by Liqoqo. The Act had been passed by some of the present victims to settle a score with their opponents. Unfortunately for them the Act was now being used against them.

On 7 July 1988 King Mswati signed an Order of Release of all the convicts of the treason charge in exercise of his prerogative of mercy. All but one of the convicts were released on 12 July 1988. Former Liqoqo strongman, Prince Mfanasibili, was the only one who was returned to custody. He had to go back to finish the 7 years for perjury which is not related to the treason trial although it is connected with the power struggles.

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Implications of the Power Struggles with Regard to Relations with
Britain and South Africa

The struggles to fill the power vacuum in Swaziland resulted in a certain degree of instability. This instability was a concern for businesses that had interests in the country. Because some British companies (e.g. Lonrho, Courtaulds, Tate & Lyle) and the Commonwealth Development Corporation (CDC) have substantial investments in Swaziland, the British Government was concerned about the consequences of the power struggles. According to one British Government official,⁵³ Britain followed the events very closely because the political instability was not conducive to economic development. The British Government was not happy with the deposition of the Queen Regent Dzeliwe and they were relieved when the new King, Mswati III, was installed. However, the British Government did not want to interfere in the internal affairs of Swaziland.

The British Government concern was political instability which would affect the economic interests. The violation of human rights (the series of detentions without trial) did not become an issue. However, the USA Government and the European Communities (through the Italian Ambassador) expressed concern of the detentions without trial. In Britain the concern about the violation of human rights was mentioned by Amnesty International and Inter-Parliamentary Union. The failure by the Tory Government to express concern over the violation of human rights in Swaziland can be compared with their policy towards the Kenyan Government. For instance while the USA, Swedish and Norwegian Governments expressed concern about

detentions without trial in Kenya, Mrs. Margaret Thatcher praised Moi's Government. One British newspaper put it thus : "She is reported to have assured President Moi that she feels Kenya's human rights record is good, and that she had faith in the President's assurance that any abuses will be corrected."⁵⁴

Britain's non-interference policy seems to have been tarnished by the behaviour of their High Commissioner to Swaziland, Mr. Desmond Kerr. During the power struggles Kerr met quite often with the then Prime Minister, Prince Mabandla. It is not clear what they discussed but when Mabandla was dismissed, Liqoqo felt Kerr should go as well. They put pressure on the British Government to withdraw him. He was subsequently replaced.⁵⁵ The Swazi authorities' feeling was that Kerr was becoming too much involved in the internal affairs. An attempt to get Kerr to tell about his departure in Swaziland was futile. In his letter of 29 January 1987 he wrote : "I appreciate the importance of your area of research but I am afraid that I feel inhibited from discussing these matters freely with you because of the need to honour the trust which many people placed in me when they spoke to me in confidence. This applies particularly to the period after the death of His Majesty King Sobhuza which is of especial interest to you..."⁵⁶ The foregoing appears to indicate that Kerr did have confidential talks with some faction in the power struggles. So the accusation of getting "too much involved in the internal affairs" was not unfounded. But there is no evidence to suggest that his involvement affected the relations, at State level, between the 2 countries.

The South African Government was concerned about the credibility of the traditional authorities rule which it was promoting in the Bantustans. The South African regime had praised and approved of Sobhuza's assumption of absolute power in April 1973. However, the power struggles of the 1980's rendered the credibility of such system of rule doubtful. The struggles showed the unsuitability of traditional institutions in 20th century societies in Southern Africa.

But the South African Government did not come out in favour of any faction (at least initially) because each one of them wanted to be closer to South Africa so that their security could be guaranteed. An exception to playing closeness to South Africa was Mabandla who was ousted before the struggles became intense. He, however, shocked everybody in Swaziland when he left Swaziland to live an exile life in South Africa. (Mabandla's policy towards South Africa is discussed in detail in chapter 7). The subsequent faction displayed overt gestures to win South Africa's favour. For instance, the Mfanasibili faction actively arrested and deported ANC cadres and their supporters, and also went to the extent of opening a "Trade Mission" for South Africa in 1984. On the other hand, the Nxumalo faction maintained its close relations with South Africa. R.V. Dlamini, then Foreign Minister (dismissed together with Nxumalo) was Pik Botha's personal friend and together had been at the forefront of the land deal negotiations (Details of the relations of post-Sobhuza Swaziland and South Africa are discussed in chapter 7). After Sobhuza, South Africa was not sure if it would be prudent to hand over Kangwane homeland and the Ngwavuma area to Swaziland. South Africa was not certain whether the post-Sobhuza

Swazi State would guarantee the degree of security that Sobhuza would have done if these chunks of land were handed over. The power struggles confirmed their fears and a few weeks after R.V. Dlamini (Pik Botha's personal friend) and S.S. Nxumalo (the darling of big business in Swaziland - he had attracted foreign investment when he was Minister of Industry, Mines and Tourism and also boss of Tibiyo) were dismissed, the South African Government dropped the land deal issue and told the Swazi Government that if they wanted those lands they should talk to the Kagwane and Kwazulu authorities. The Swazi State did not want to stoop that low.

The South African State became even more concerned when the power struggles continued after the installation of King Mswati III. A few weeks after the arrest of 11 of the 12 treason trialists in 1987, Pik Botha flew into the country. Word went around that he had come as an arbiter to try to persuade the protagonists to solve their problems peacefully. The South African Government had become used to working with the Mfanasibili faction. This faction had done all they could to wipe out the ANC in Swaziland, it had invited South Africa to establish a "Trade Mission" in the country and Prime Minister Bhekimpi had told the Annual Conference of SADCC Council of Ministers in January 1985 that there was nothing wrong with Swaziland's policy towards South Africa. Prince Bhekimpi was one of the 11 arrested and Mfanasibili was already serving 7 years for perjury.

The South African State had real cause for concern. When the South African "Trade Mission" invited the Swazi Cabinet to the celebrations of Republic Day in June 1987, not a single Cabinet

Minister turned up. There was a feeling that the new Swazi Government was changing the policy towards South Africa. A Gemini News Service Swazi correspondent wrote in 1986 that "A British diplomatic source here suggested that there were indications that the authorities were aware that South Africa's minority government was not permanent, and that as a result Swaziland was relaxing its tough line against the ANC. There have been suggestions that Swaziland would like to give the ANC similar status as is accorded in Lesotho, Mozambique or other countries in Southern Africa."⁵⁷ Later the same correspondent wrote : "A change of attitude to South Africa is taking place in Swaziland and missions are expected to be despatched to black Africa soon to explain the new policy. Swazis have been unhappy at the way their country has recently appeared to condone apartheid and even been responsible for the deaths of ANC members. Now the new King has changed prime ministers and ... is also changing the policies."⁵⁷ The South African apartheid regime was concerned about the seemingly reversal of policy by Swaziland. Hence Pik Botha's visits to try to use a "carrot" to keep Swaziland as a client state. If Swaziland did not respond favourable to the "carrot", then a "stick" was to be the next alternative (details of the South African policy of using "carrot and stick" are provided in Chapter 7).

Summary and Conclusion

The work presented in this chapter has shown the continuing parallel rule in Swaziland as a legacy of the colonial period. The main difference between the colonial period and the post-independence system of parallel rule was that the Swazi

Monarchy was the Head of both the modern (Western) type of Government and the traditional system, whereas during the colonial period the former system of Government was headed by the British High Commissioner to South Africa, and later Her Majesty's Commissioner, while the latter was headed by the Swazi Monarch.

The argument advanced was that the repeal of the Independence Constitution and the subsequent types of rule, i.e. Sobhuza's rule by decree and the Tinkhundla based Parliament, not only entrenched parallel rule but also tilted the balance between modern and traditional institutions in favour of the latter. The submission was that the Tinkhundla system alienated many Swazis, especially the educated from participating in the body politic of the country. Further, it was submitted that the domination of Sobhuza's Swaziland politics meant that when he died there was no constitutional structure to guarantee political stability and continuity; that the power struggles that ensued were neither class struggles nor struggles between forces of modernity and traditionalism. Rather they were struggles to fill the power vacuum created by Sobhuza's death.

It was observed that due to their economic interests the British Government was concerned about the political instability but did not interfere in the internal affairs of Swaziland. South Africa was naturally disturbed by the power struggles within the State with whom they were very friendly and with whom they share borders. They too did not interfere in favour of any of the contending factions because none of them appeared to be hostile to her, at least until the coronation of King Mswati III. This policy of the contending factions towards S. Africa confirms the argument

that the struggles were not ideological, they were not a result of differing world views; but they were struggles which emanated from the bankruptcy of the Swazi political culture which epitomised the personality cult of Sobhuza. This brings us to the question of where Swaziland is moving, politically, after the coronation of King Mswati III.

The argument presented above is that the Tinkhundla system and the domination of Swazi politics by the Monarchy are not compatible with 20th century Swazi society. Sobhuza had managed to maintain political stability due to his authoritarian populism in the country. He had earned popularity over a long period while dealing with the British Colonial Government. He was a living authority of the political history of colonial and post-colonial Swaziland.

Now, is it logical to expect an 18 year old (at the time of Coronation in April 1986) King to fill the power vacuum created by the death of his 83 year old (in 1982 when he died) father? Seeing that the constitutional structure of Swaziland, as discussed above, is very weak and has so many loop-holes, it seems logical to conclude that there is a remote possibility that the young Monarch will satisfy this mammoth constitutional task. Writing about problems of small states and their need for foreign assistance, a study group under the auspices of the David Davies Memorial Institute of International Studies observed that:

"... apart from military and diplomatic measures, it becomes apparent that the best guarantee against subversion of micro-states, from without or within, is the firm establishment of democracy and its buttressing by economic development."⁵⁸

The study group was cautious about prescribing a particular type of democracy for these micro-states but they did indicate the yardstick which can be used to determine whether a micro-state has a system which is likely to enhance stability. They wrote:

"Although we do not advance any specific political system, we believe that a state is more likely to remain politically stable under a system where there is : first, freedom of speech and assembly, including some means of voicing criticisms of the government, whether at public meetings, or through the media; secondly, some form of democratic process enabling political leadership to be changed by peaceful means; thirdly, respect for human rights..."⁵⁸

The Tinkhundla system lacks some of these qualities, e.g. people are not allowed to choose candidates, there is no freedom of speech and assembly, no freedom to criticise the Government and there still exists detention without trial. There is no indication yet that the Swazi State intends to decentralise power from the Monarchy. It seems they still believe that kings rule by divine right. This view is reflected in the statement read by Mswati's agent, Mr. Zonke Khumalo, when he announced the pardon of the 10 treason trial convicts. He is quoted as having said "You must also know that Kings are God's people and no ordinary human hand should interfere with them without seeking God's advice."⁵⁹

The first submission in this conclusion is that whilst the investments, mainly South African and British, have maintained a high standard of economic growth in Swaziland, political performance has not matched this growth. The replacement of the British sponsored Independence Constitution by the Tinkhundla system was not

a move to a superior political system suitable to 20th century Swaziland. The Independence Constitution might not have been an ideal political instrument for Swaziland. But the Tinkhundla system was not a better substitute.

The second submission is that sooner or later the Tinkhundla system and the domination of Swazi politics by the Monarchy will crumble. The Swazi State may contain the opposition forces within the country for some time, but as political changes continue to take place in the Southern Africa region, i.e. minority regimes being defeated, the Swazi Monarchy becomes more and more vulnerable.

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CHAPTER 4

British Investments in Swaziland :
Their Socio-Economic and Political Effect

Introduction

"But apart from military and diplomatic measure, it becomes apparent that the best guarantee against subversion of micro-states, from without or within is the firm establishment of democracy and its buttressing by economic development."¹

In the previous chapter it was argued that the Swaziland political system is fledgling; that it is not irrational to expect it to undergo a transformation. The above quotation suggests the importance of economic development of a micro-state, amongst other measures, if it is to sustain stability. The authors feel that economic development is necessary to reinforce a properly designed political system which goes a long way to satisfy the aspirations of the citizens.

This chapter examines the role played by British investments in Swaziland since Independence (investments prior to 1968 were discussed in Chapter 2 to lay the background). More often than not, British firms are in partnership with other companies who are predominantly South African and Swazi. Wherever this partnership occurs mention will be made and an analysis done.

Due to the importance of British investments in Swaziland, it is argued in this chapter that observable socio-economic and political effects can be drawn from their study. An examination of

these effects is undertaken to determine whether or not they (investments) support the political system "against subversion ... from without or within ..."²

The General Investment Policy of the Swazi State

Since Independence Swaziland has advocated a capitalist road to development. The strategy is to let private enterprise flourish with the minimum State intervention. Speaking in a ceremony to open officially a new factory late in 1987, King Mswati III reiterated this long standing policy of Swaziland. He said:

"I would like to assure all present and prospective investors that Swaziland will continue to pursue its policy of a free market economy in which private ownership and the right to make profits on your investment are completely guaranteed. We believe that private investment must play an important role in our national development process. We are convinced that Swaziland needs a steady flow of foreign capital into the country to help establish industrial projects ... in order to expand our national economy and to create job opportunities for our young citizens."³

The Swazi State has devised several strategies to attract foreign capital. The main strategy currently used is the tax incentives. Tax incentives come in various forms, including generous allowances in calculating taxable income plus a 5 year holiday for new manufacturers, an initial allowance for industrial buildings used in manufacturing an allowance for costs incurred in erection of houses for employees, training (of Swazi citizens) allowances, losses may be carried forward indefinitely and set off against income in later years, etc.

Another incentive available to Swaziland firms is the tariff protection the State can impose against imports. It can only impose this tariff after consultation with the other members of the Southern African Customs Union (SACU), namely, Botswana, Lesotho and South Africa, the third incentive the country uses is the "good record" of industrial relations in Swaziland. (However, this allegation is tested below where mention is made of several industrial disputes within a few years.) The Swazi authorities always portray a good image of a Swazi worker who does not resort to strike action, but is docile so that disputes are solved peacefully with the employer. In the occasion referred to above, the young Swazi Monarch alleged that "The existence of cordial industrial relations is an important factor in the success of our efforts to attract foreign capital investment into Swaziland."⁴

Because of 2 basic reasons Swaziland has been compelled to adopt strategies for attracting foreign capital. The first one is that the country lacks enough domestic capital (including technology) to tap and fully utilise the natural resources in order to realise "economic growth, social justice, self-reliance and stability" as its goals.⁵ The second reason is that the size of Swaziland (a population of less than .7 million (700,000)) does not attract big business. The smallness of the country means very little economy of scale. This fait accompli is being aggravated by the fact that she is submerged between 2 big neighbours - viz. Mozambique and South Africa - with the latter being an economic giant not only over Swaziland but over the whole Southern African region. In view of these basic reasons Swaziland adopted a strategy of creating incentives for foreign investments.

British Investments

I An Introduction

The intention of this chapter is to examine major British investments in Swaziland and the socio-economic and political effect they have had, domestically and internationally, over the years since Independence. The organisation of the work is, first, to give a brief description of the extent of investments, and then to examine the effect of these.

The presumption from which the discussion is founded is that due to the extent of British investments in Swaziland, one can draw an observable impact they have had on the nature of Swazi politics and economy, and on the latter's relationship with South Africa. The British investments examined here are those directly related to economic growth, from private investments and the Commonwealth Development Corporation (CDC). Although a British Government agency, CDC will be treated as a source for investment capital because they invest in profitable projects, in many cases in partnership with private capital. Moreover, CDC has a duty to operate commercially in order to pay its way.⁶ In addition to CDC the following 6 British firms will be discussed : (i) Turner and Newall Ltd., (ii) Lonrho, (iii) Tate & Lyle, (iv) Courtaulds Ltd., (v) Barclays Bank International and (vi) Standard Chartered Bank. This is not necessarily an exhaustive list of British firms in Swaziland; rather they represent what is by Swazi standards substantive individual company investment. For convenience sake the

discussion format adopted is based on the nature of economic activity performed by these firms rather than following a company profile format.

Three points which were raised in Chapter 2 when discussing the colonial economy need be reiterated here. They are:

- (a) that large scale British capital investments started in the post-War period,
- (b) that these investments stimulated other potential investors (mainly from South Africa) to come to Swaziland, and
- (c) that despite huge South African investments that ensued, British capital still dominated the Swaziland economy at Independence in 1968.

The 5 sectors of the economy where these 6 British firms are conspicuous are (i) mining, (ii) forestry, (iii) the sugar industry, (iv) the citrus fruit industry and (v) commercial finance.

II A Brief Description of the Investments

(a) The Mining Sector

The 2 areas of mining in which British capital has been significantly involved are Havelock Asbestos Mine and Ngwenya Iron Ore Mine. The Havelock Asbestos Mine was opened by Turner and Newall in the 1930's. The mine soon became one of the world's 5 largest asbestos mines and Swaziland's biggest private sector single employer, providing 2340 jobs by the 1940's. It also became

Government's main source of revenue accounting for about 70 per cent of total receipts in the 1940's.⁷ The mines importance as an overriding source of revenue in the country was curtailed by the establishment of agricultural and forestry based industries which were started in the 1940's and 1950's. But it still remained one of the important sources of revenue for both Government and workers after Independence. For instance, the export value of asbestos in 1968 and 1975 was R6,007,100* and E*9,269,200 respectively. These figures represented 39.2 per cent and 42.8 per cent of the total export value of minerals and 15.3 per cent and 7 per cent, respectively, of the total value of all exports of the country. In 1968 the 15.3 per cent value of asbestos was the third largest after sugar and iron ore. In 1975 the 7 per cent value was the fourth largest after sugar unbleached woodpulp and iron ore earnings.⁸

In 1974 the Havelock Asbestos Mine Ltd. changed its character when Tibiyo Taka Ngwane Fund** acquired 40 per cent shares. The

* R stands for the South African rand/s which was the sole legal tender in Swaziland until 1974

E stands for Emalangenani (singular - Lilangeni) a Swazi currency introduced in 1974 and circulates alongside rands.

R1 = E1

** Tibiyo Taka Ngwane Fund was established in 1968 from a Swazi royal bank account which had been created out of a certain percentage of mineral royalties, which the Colonial Government gave to the Swazi Monarch. The Fund has embarked, over years since 1968, on establishing large agricultural projects and buying shares from big businesses in Swaziland. Tibiyo is depicted by the Royal Family as the "Fund for the Swazi Nation". But contrary to this depiction the Fund is the property of the Royal Family, it is not accountable to Swaziland Government. The Fund is presently the largest base for domestic capital accumulation.

company was no longer 100 per cent British owned but was shared in the 3:2 ratio of British to Swazi capital.

For 2 reasons the productivity of the mine started to decline in the 1980's after having reached a peak of E19,535,100 export earnings value in 1983 when it represented 90.2 per cent of total mineral earnings and 6 per cent of total exports earnings of the country.⁸ As a result of asbestosis the market started shrinking; asbestos was no longer in high demand in the world market and prices dropped causing loss of incentive to mine asbestos. The second reason was internal operational problems of the mine. A local paper provided the following piece of information: "Asbestos production declined for the fifth consecutive year, by eight per cent from 25,130 tonnes in 1985 to 23,093 tonnes last year. The decline in production is attributable to a fall in fibre content of the mined ore. Other factors include lease negotiations and the greater depth of the mine."⁹ The paper pointed out that studies were going on to identify new ore zones for more profitable production.

The latest development in the Mine was the withdrawal of Turner & Newall in the latter half of the 1980's. By this time Turner & Newall had sold some of its shares to Credo International Asbestos, so that at the time of withdrawal Havelock Asbestos Mine was owned as follows: Tibiyo - 40 per cent, Credo - 40 per cent and Turner & Newall - 20 per cent. When Turner & Newall withdrew they handed their shareholding to the "Swazi Nation" as represented by Tibiyo without any compensation.¹⁰ Tibiyo were not in a position to fill the gap created by the departure of Turner & Newall. So the Swaziland Government is presently looking for new investors to fill

the gap. In the meantime Government has contracted Msauli Asbestos Beperk of South Africa to manage the company. At the same time Government has guaranteed the company (i.e. Havelock Asbestos Mine) a loan of E10 million to keep it going until new investors are found. Havelock Asbestos Mine's liquidity problem has been revealed by the lay-off of some of its employees. But the company hopes that new ore zones will be found and that new investors will be found.

The withdrawal of Turner & Newall from Havelock did not mean total retreat from Swaziland. They now own Beral Swaziland (PTY) Ltd. since 1986. Beral's prime concern is in manufacturing of friction materials for the automotive industry, viz. heavy-duty brak linings for trucks, buses, motor cars and light-duty motor vehicles. Beral represents a considerable part of the Swaziland high-technology manufacturing industry. The company was previously owned jointly by the Swaziland Government, the West German Government and Beral Bremsbelage of West Germany.

The mining of iron ore at Ngwenya which began in 1964 was made possible by a combination of British, South African and Swaziland capital. The Swaziland Iron Ore Development Company (SIODC) was formed by a combination of capital from Guest, Keen & Nettlefolds (British), Anglo-American (S.A.) and Swaziland Government. Anglo-American was the major shareholder and controlled SIODC. Yawata and Fugii Iron and Steel Groups of Japan signed a contract to purchase the ore. SIODC did the mining but the railway to transport the ore from Ngwenya to Lourenco Marques (now Maputo) for shipment was financed with loans from CDC (about £4 million) Anglo-American (about £1 million) and the South African Mutual Assurance Society

(about £4 million). Roberts Construction, Murray & Stewart, and Rand Earthworks were all South African firms who constructed the railway.

The importance of the mine continued until the late 1970's when it became no longer profitable to mine the quality of the ore that remained. In 1980 the mine ceased operation. For 10 years (1966-1975) iron ore was the highest mineral export value. For instance, its export value in 1968 and 1975 was R9,023,100 and E11,943,700 respectively. (Compare with R6,007,100 and E9,269,200 for asbestos for the corresponding years.) These figures represented 59.5 per cent and 55.2 per cent of the total export value of minerals. When the mine closed down in 1980 several hundred employees lost jobs and Government had to forego revenue. Swaziland was then left with a hole in the ground and a half decommissioned railway.

(b) The Forestry Industry

In the late 1940's CDC planted eucalyptus and pine trees for commercial purposes in western Swaziland. At the same time Anglo-American Corporation established Peak Timbers Ltd. and planted timber forests in the north. The combined size of the forestry industry in Swaziland gave it the second largest commercial forestry acreage in the world with a total area of over 100,000 hectares.

In the 1950's CDC came together with Courtaulds Ltd. (British) to form Usuthu Pulp Company which built the Usuthu pulp mill to process timber into unbleached kraft woodpulp for brown paper and

cardboard. Usuthu Pulp also produced mining timber mainly for the South African market. Production at Usuthu Pulp Mill started in 1961. By 1986 Usuthu Pulp Co. was Swaziland's largest single company employer and a major export earner.¹¹ The company boasts for 70 million trees in a plantation area of 65,000 hectares. CDC went ahead and founded the Shiselweni Forestry Co. Ltd. in 1968. This firm is a wholly-owned subsidiary of CDC and it owns 9,091 hectares of eucalyptus and pine trees. It produces eucalyptus oil and timber.

The extent to which the forestry industry is important to Swaziland is revealed by its export earnings. In 1968, at Independence, the combined value of wood, wood products and unbleached pulp was R7,269,000 and this represented 18.5 per cent of the total value of exports. In 1975 the figure stood at E18,911,000 and this was 14.3 per cent of the total value of exports. Even in the 1980's the forestry industry is still an indispensable sector of the economy. Its export value in 1984 was E89,476,800 (26.9 per cent of the total value of exports). This percentage (26.9) was only surpassed by that of the sugar industry earnings which towered at 42.4 per cent of the total export value.

Unfortunately, with the data at hand it is not possible to distinguish the export-earnings attributable to British based firms (CDC and Courtaulds) and the South African One (Peak Timbers Ltd.). However, looking at the forestry acreage and nature of processing (i.e. unbleached pulp) by CDC and Courtaulds it is safe to presume that the British capital is the major contributor to export earnings in this sector.

(c) The Citrus Fruit Sector

CDC started citrus fruit projects in the 1950's when the Swaziland Irrigation Scheme (SIS) company was formed. SIS also started cattle ranching, rice and sugar plantations. The sugar industry became the most attractive so that it became the main activity although oranges and grapefruit are still grown.

The fruit industry in Swaziland is one of the most lucrative industries of the 1980's. It has grown since Independence. For instance, the export value of citrus fruit and canned fruit has risen from R2,449,300 in 1968 to E8,048,800 in 1975 and E38,876,600 in 1984. These figures represent 6.2, 6.0 and 11.7 per cent, respectively, of the total export value.

However, the British capital is not dominant in this sector. Most of the plantations are owned by South African based estates and White Swazi land titleholders. The only fruit processing factory, the Swazi Fruit Cannery (PTY) (formerly Libby Swaziland) is owned by the South African Zululand Fruit Producers since 1984 when they bought 89.54 per cent of the shares from the British based subsidiary of Nestle. The other shareholders are the Swaziland Government (8.4 per cent) and CDC (2.06 per cent) since 1969 the products of the cannery are the most profitable in the fruit industry. Hence the growing importance of this sector for the Swaziland economy. But British capital participate as junior partners in this lucrative industry. Moreover, in 1982 SIS sold 50 per cent of their shares to Tibuyo Fund. Nevertheless, due to the growing importance of the fruit industry is it imperative to mention British capital participation in it.

(d) The Commercial Finance Sector

Barclays Bank and Standard Chartered Bank are 2 British commercial banks which have dominated the finance sector in Swaziland for a long time. Prior to 1965 they were the only commercial banks operating in the country.

Prior to the inauguration of the Central Bank of Swaziland (then known as the Swaziland Monetary Authority) in 1974, Barclays Bank acted as the Swaziland Government banker. However, the importance of Barclays, together with Standard, has remained because of their long experience. Many businessmen operating in Swaziland keep their accounts with these banks in Swaziland rather than as in the past in South African branches.

The 2 banks have been moving in step with the changes in monetary arrangements between Mbabane and Pretoria. A recent example is a response to the decision by the 2 countries to delink the Lilangeni from the Rand as from 1 April 1986, which meant Swaziland no longer had an obligation to hold a specified Rand backing against Emalangeni currency in circulation in the country. The corresponding move by Barclays and Standard was to improve foreign exchange services. In the case of Standard Bank they took on lease the Reuter's International Monetary Service facility. Barclays established Swaziland Foreign Exchange Centre (SWAFEX) which also uses Reuter's facility. These moves in effect mean that these banks can act as agents for monetary transfers between Swaziland and other countries. For instance, the Midland Bank plc (British) uses Barclays Bank as their agent for monetary transfers between Britain and Swaziland.

The Swaziland Government now has 40 per cent shares in both Barclays and Standard. The chairmen of the boards of directors are Government appointees.

(e) The Sugar Industry

By far the most important sector of Swaziland economy is sugar. Since Independence it has always been the largest contributor to foreign exchange earnings for the country. In 1968 its export value was 23 per cent of the total value of exports; in 1975 it surged to 54.2 per cent and in 1984 the figure stood at 42.4 per cent. The sugar industry is the largest private sector employer with a figure of 16,000 employees and their families getting health and schooling facilities from the industry. In fact Swaziland is the second largest sugar producer on mainland Africa (after South Africa).

The industry's largest estates are owned or managed by 3 British firms, namely, Lonrho, CDC and Tate & Lyle. The oldest estate is Ubombo Ranches Ltd. which was established in 1949 as an irrigated crop and cattle ranching enterprise. It was established by the united effort of Dr. H.J. van Eck (South African), Mr. G. Loyd (a British Conservative Party M.P.) and Mr. R.P.W. Adeane. The planting of sugar cane began in 1957 and the following year a sugar mill was operative. In 1968 Lonrho took over the whole of Ubombo Ranches Ltd. They were the sole owners until the mid 1970's when Tibiyo Fund purchased 40 per cent of the shares. But Lonrho manages the enterprise.

There are several individual sugar estates such as Big Bend Sugar Estate (owned by the Todd family - Carl Todd was leader of the White settler community in the 1950's and 1960's) and Crookes Plantations which sell their sugar to the Ubombo Ranches for milling. Recently Tibiyo have established Sivunga Estate whose sugar cane is sold at Ubombo Ranches.

In 1950 CDC bought over 100,000 acres of land in the north eastern part of Swaziland. It then set up a company called Swaziland Irrigation Scheme (SIS) which experimented with sugar cane, citrus fruit, potatoes, rice, etc. Sugar cane became their main interest. So by 1958 CDC and Sir John Hullet & Sons (South African) formed a company called Mhlume Sugar Company (MSC). In this company Sir John Hullet & Sons held 60 per cent of the shares and CDC had the remainder. MSC acquired 13,000 acres from CDC and planted sugar cane. The company also built a sugar mill to process the sugar cane. The first crushing season was in 1960. In 1966 CDC bought out Hullet & Sons, thus becoming the sole owner of SIS and MSC. However, in 1977 Tibiyo Fund became an ownership partner of MSC when they bought 50 per cent shares. In 1982 they acquired 50 per cent shares at SIS.

The MSC mill became a purchaser for sugar cane from estates which later emerged around the area. One such estate is Tambankulu Estate owned by a South African magnate, who also runs a citrus estate and cattle ranching enterprise. The most important and problematic individual suppliers to the MSC mill is the Swazi farmers of the Vuvulane Irrigated Farms (VIF). More will be said about VIF when examining the socio-economic and political effects of British investments.

CDC has a wide range of investments in Swaziland. In the forestry industry they have shares in the Usuthu Pulp Co. Ltd. and they are the sole owners of Shiselweni Forestry Co. Ltd. They have shares in the Swaziland Fruit Cannery (Pty) Ltd., in Neopac (Swaziland) - a South Africa controlled firm. Their other interests are in the National Textile Corporation of Swaziland Ltd. (a company controlled by a South African tycoon, Natie Kirsh, who has wide range of business interests in Swaziland), in the Royal Swaziland Sugar Corporation Ltd. (RSSC) - popularly known as Simunye - which has 9 shareholders. CDC also has 14 per cent shares in the Langa National Brickworks (Pty) Ltd. - a company established in the 1980's with the help of London Brick Engineering Ltd., but Tibiyo has a majority shareholding (46 per cent). On their SIS land CDC established Mananga Agricultural Management Centre in 1972. The Centre offers post experience management courses for agriculturalists and others concerned with natural resources projects in developing countries. The intake is from all over the world but most of the participants come from Southern Africa.

The third large estate of the sugar industry in the country is the Royal Swaziland Sugar Corporation Ltd. (RSSC), popularly known as Simunye (meaning that "we are one" or "we are united"), which was established in the late 1970's. The following are the shareholders : (1) Government of Swaziland (32.4 per cent), (2) Tibiyo (32.4 per cent), (3) Federal Government of Nigeria (10 per cent), (4) Tate & Lyle (8.7 per cent), (5) DEG - German Finance Co. for Investments in Developing Countries (5 per cent), (6) Coca-Cola Export Corporation (4.2 per cent), (7) Mitsui and Co. Ltd. (3.8 per cent), (8) CDC (2.5 per cent) and (9) International Finance Corporation (1 per cent).

To help establish Simunye the Swaziland Government and several firms advanced loans to the company. The Swaziland Government provided E29 million, Tibiyo - E20 million, CDC - E3 million, DEG - E2.1 million, International Finance Corporation - E7 million, European Investment Bank - E10 million, Industrial Development Corporation/Credit Guarantee Insurance Co. (South African) - E20.5 million and Barclays Bank/ECGC (British) - E6.6 million. Because RSSC was established by the combination of many different national funds King Sobhuza named it Simunye. Simunye is a classical example of Swaziland's move towards diversification of dependence rather than the limited dependence on British and South African capital.

Tate & Lyle Engineering is a dominant partner at Simunye in that they conducted the feasibility study of the project and they are presently managing the Corporation, which gives them greater involvement than their shareholding suggests.

Simunye grows and processes their own sugar cane. The idea of RSSC came when the sugar boom was at its peak in the early 1970's. The Swaziland Government foresaw a chance of riding on "king sugar" to realise optimum economic growth. But in the late 1970's and in the 1980's the sugar prices at global level have suffered stagnation. Big markets like the U.S.A. have developed high fructose corn sugar (isoglucose) from maize and may not need imported sugar in the near future. The European Communities' (EC) Common Agricultural Policy (CAP) has resulted in huge surplus of sugar in the EC. This surplus is being dumped in the world market which leads to the suppression and even decline of world sugar prices.

Both U.S. and Britain are important markets for Swazi sugar. As with the U.S., the British market for imported sugar is shrinking. For instance, Tate & Lyle, the only refiner of cane sugar in Britain, closed their refinery in Liverpool in 1981. If the US and British sugar markets continue to shrink, Swaziland's 3 sugar mills may soon become white elephants.

Apart from providing management for Simunye, Tate & Lyle Engineering has conducted feasibility studies for irrigation schemes under the Usuthu and Ngwavuma Rivers. The studies are aimed at placing Swazi peasants so that they can be engaged in profitable agriculture. The recommendations were compiled in a document called Reconnaissance Study : Usuthu and Ngwavuma River Basins, and were submitted to the Swaziland Government and Tibiyo at the end of 1982. The basic recommendation are that smallhold areas be delineated whereby families will be placed and supplied with irrigation water by a constituted Authority. The main crops recommended are cotton, maize and vegetables, during the summer season. The winter crops should be wheat, dried beans and vegetables.¹²

No action has been taken by the Government or Tibiyo on this project and no reason has been given for the impasse.

Tate & Lyle have been involved in many other projects in Swaziland as consultants and project managers. They have been consultants of Mpaka Brickworks, and project managers of Hotel/Casino construction, Swaziland National Textile Plant, various office, factory and block of flats buildings. Tate & Lyle Engineering feel they have a long future in Swaziland, as the

manager (Mbabane) K. Hopkins' correspondence indicates: "We have progressed with Swaziland over the past ten years and it is our sincere wish that we continue to help develop this wonderful country. Therefore, we see our Swaziland office as being permanent."¹³ In their work of consultation and project management, Tate & Lyle Engineering draw the expertise and manpower from the International Tate & Lyle Group. So most of the highly qualified personnel are not part of the team based in their Office in Mbabane. The Office in Mbabane has only 1 Briton who is the Manager, 5 Swazis (an Architect/Construction Supervisor, a Secretary, and Office Clerk/Driver, a Receptionist and a Messenger) and 1 Swazi Resident (?)¹⁴ who is the Engineer. From the foregoing, Tate & Lyle can be seen as a non-resident multinational in Swaziland, not in the sense that firms like CDC and Lonrho can be categorised.

The VIF Scheme

The Vuvulane Irrigated Farms (VIF) scheme was inaugurated in 1962 by CDC. CDC had wanted to involve some Swazi peasants in some of CDC's projects. Hence the establishment of VIF as an outgrowers scheme in CDC's sugar industry. The first 30 Swazi settlers were placed in 1963 on CDC land.

Placement, Terms of Contract and Organisation of VIF

CDC set aside land in delineated plots of several acres (today the range is 8 to 16 acres) to be occupied by Swazi families. Candidates were to be Swazi men of good health and character. They must have shown high enthusiasm in farming at their places of abode.

The man should preferably be married so that he could live with the family to help him with labour on the plot. CDC preferred Swazis who were not well-off and non-professionals - the rationale behind this being that the well-off and professionals could look after themselves.

The actual selection of individuals involved the cooperation of the chief under whom he resided. The recommendation of the Chief went to the District Commissioner and the Swazi National Council (SNC). The DC sent the list, after screening, to the headquarters in Mbabane. Both the Ministry of Agriculture and SNC made the final recommendations to CDC who made the final choice. Later there was also a number of vacancies (2 or 3) to be filled by the Swazi Monarch's selection.

The basic terms of the contract and the organization of the scheme were as follows:

- (i) CDC owned the land and the settlers were tenants;
- (ii) on at least 70 per cent of the land, the outgrower farmers had to plant sugar cane. On the remaining land they grow crops like potatoes, cotton, vegetables, fruits;
- (iii) All the sugar cane grown on the land must be sold to MSC - a wholly owned subsidiary of CDC;
- (iv) the leasehold might not be assigned to another person without the prior consent of VIF management;
- (v) the leasehold was for an initial period of 20 years and was renewable;

- (vi) farmers had to adopt certain standards of agricultural practice; if any farmer failed to live up to this standard, CDC (VIF management) could evict him; and
- (vii) VIF management was provided by CDC. This management provided certain services to the farmers, viz. land clearing and preparation, ploughing and planting, weeding, cane cutting, insecticide, water supplies and haulage to the MSC mill. The initial arrangement was that VIF would deduct all expenses incurred at the end of the harvesting season, except those related to land clearing and preparation which would be recovered over several years. If farmers needed the above enumerated services in subsequent years VIF would accept their application and deduct the expenses at the end of the season.

The scheme operated under this arrangement until 1982 when CDC handed over the scheme to the "Swazi Nation" while they (CDC) remained managers under contract. By the time CDC withdrew there were 263 settlers. The initial plan was to place 415 farmers by 1978.

Prior to the hand-over to the "Swazi Nation" VIF already had problems, but when the transfer was being implemented the problems became complex and acute, so much so that 14 farmers were evicted in 1986 and another 2 in 1987. It is to this socio-political implications of VIF that the discussion now focusses.

The Social Problems of VIF

The socio-political dimension of the scheme reflect interaction between the farmers and CDC, the farmers and the Swazi State, and the Swazi State and CDC. This tripartite interaction will be discussed simultaneously because it usually occurs at the same time and is therefore inseparable.

Although considered a success by both CDC and the Swazi State,¹⁵ VIF has had some social and political problems for years. Some of these "problems" may be imaginary, i.e. they are just in the minds of the parties concerned, but as long as the parties think they exist, then the imaginary problems are bound to affect the operation of the scheme.

CDC feel the scheme could have been more successful if the farmers were more organized. They say the indication of an unorganized farming community is the failure by farmers to form a cooperative to help them in marketing of cotton, potatoes, vegetables, maize and fruit products. Due to lack of cooperation the farmers' costs of transport to buyers is high and the farmers place the blame on CDC when they do not reach a break-even point.¹⁶ The feeling among CDC management is that some farmers, especially the poor ones, are lazy. These farmers also blame CDC for their poverty. CDC management also regretted the fact that some farmers repatriate their income to extended families where they originally came from, instead of ploughing the money into the farms for improvements or more profits. Management's view was that these problems were largely responsible for CDC's inability to recover all

the initial capital for land clearing and preparation. Lastly CDC felt that the Swazi State's occasional intervention is sometimes irrational, for instance, when they stop an eviction process, or when they reinstate the evicted farmers.

On the other hand, the farmers problems with VIF are (i) that they pay VIF for the haulage of sugar cane as per weight of the cane whereas the farmer's cane sugar is bought, at the mill, at a per sucrose tonnage; this means, the farmers reckon, they pay even for the waste that is not going into the sucrose; (ii) the farmers feel that the yearly increment of haulage charges is not fair because this might not be the case with the sucrose price as this price is largely determined by the world market; (iii) they feel that the handling charge of fertilizers, insecticide, hand tools, etc. at 17 per cent is too high; (iv) the system of deducting all advances of the season at once, i.e. at the end of the harvest season, is not fair since it sometimes leaves farmers without working capital; (v) they complain that some plots are too small (range is from 8 to 16 acres) and that some plots are not on good arable land; and (vi) they think it is unfair to charge them a flat charge rate for costs of water distribution system on top of the charge for quantity used; they feel that the charge for the distribution system should be commensurate with the quantity used.

Against this background of problems based on contractual and operational terms lie the major political ones. As has been stated above VIF was established during the colonial period. It was seen by the farmers as a colonial establishment for colonial exploitation. So when Independence came they expected some changes

- even if VIF was not taken over by a Swazi institution, they expected the terms of the contract to improve. This attitude towards VIF was made worse by the fact that they are on a leasehold - a new phenomenon to the Swazi way of life. At Independence the farmers expected this leasehold to cease. A summary of the attitude of the VIF farmers is found in the former general manager's report where he wrote, inter alia, that:

"The legal complexities associated with the leasing of freehold land to small-holders have already been considered and mention has been made of the shortcomings in the present legal provisions for controlling settlers ... it no longer seems sensible to leave the regulation and control of land settlement and farming practice in private hands without the support of government statutory regulations and authority. Also the leasing of land, although progressive and entirely beneficial in modern terms, is still regarded with mistrust by the majority of settlers because the provisions of the leases are beyond their experience and the private landlord principle is strongly associated with colonial exploitation."¹⁷

This feeling of colonial exploitation was implicit in the interview the author of this Thesis had with some of the evicted farmers.¹⁸ They alleged that CDC owed them some money and that this should have been paid to them before CDC withdrew in 1982. When asked how CDC came to owe them this money (E33 million was the figure quoted), they retorted that how can one work for more than 20 years on a leasehold like VIF and then at the end he is told that he has not saved a single cent.

Therefore both CDC and the farmers were living on different planes : the former feeling that some farmers were not working hard enough to make the scheme a success, whereas the latter felt VIF was

exploiting them. It was felt by VIF management that due to the farmers attitude, the farmers, once established strove to escape from domination of CDC, which they saw as the continuation of the political struggle for independence. In view of these political problems, Mr. Tuckett suggested that "the transfer of full control over VIF to a central statutory government authority is the right step."¹⁹

The process of transfer ended in 1982 when CDC withdrew from VIF. There are a few other developments in the operation of CDC at SIS and MSC which need mentioning because they are directly connected with VIF. At MSC Tibiyo Fund acquired 50 per cent shares in 1977 with a loan of E6.25 million from CDC. When VIF transfer negotiations were conducted, Swazi rulers offered to buy 50 per cent shares at SIS. They also negotiated for the transfer of land ownership from CDC to Swaziland. CDC agreed to both proposals, so that when they withdrew from VIF, CDC land (SIS, VIF and MSC) belonged to the "Swazi Nation" and Tibiyo had 50 per cent shares in both SIS (at a loan of £10.5 million from CDC) and MSC.

The decision was made by the Swazi authorities to turn VIF land into a Swazi Nation Land (SNL).^{*} A committee was to be set up to

* There are basically 2 types of land tenure in Swaziland. (i) There is SNL tenure whereby the land is held by the Monarch in trust for the Swazi Nation. On this land families are allocated land for home building and ploughing. Grazing is done communally. No family has a title deed over the land. (ii) There is private ownership of land whereby individuals have title deed. This dates back to the period of land concessions (discussed in Chapter 2). The majority of private owners are White Swazis and absentee landlords (either British or South Africans).

oversee the operation of the scheme while CDC was requested to provide management for 5 years. Tibiyo Fund personnel were highly involved in these negotiations. When the decisions were communicated to the farmers, the latter objected to the land becoming SNL. The political implications of VIF falling under SNL were that the scheme would be controlled by Chiefs or a Chief. There was fear that Chiefs would use this land control power to exercise leverage on the farmers; there was also the feeling that SNL tenure was not viable for commercial farming. For instance, how can one commit his capital for land improvement when he had no security over the land? Some farmers thought they should be given title deed over the land while others (and these were the ones who could not foresee the Swazi State giving them title deed) felt the land should revert to the Swaziland Government and the scheme would be in better hands with the Ministry of Agriculture than with the so-called Swazi Nation.

Another major complaint by some farmers, (most of them were those settled in the 1960's) was that CDC should not withdraw before settling their debt with the farmers. The debt was quoted to be E33 million, although it was not made clear how CDC accumulated this debt. CDC denies that she owes farmers any money.

When the farmers objected to the scheme being turned into SNL, Sobhuza decided to suspend the decision with the intention of reviewing it. It was during this period of suspension that the Monarch died. As has been stated in Chapter 3, after Sobhuza's death there was a prolonged period of instability due to the power struggles. The Mfanasibili faction of Liqoqo decided that Tibiyo

Fund should control the scheme. They then decided to form a Tibiyo corporation by the name of Swaziland National Agricultural Corporation (PTY) Ltd. (SNADC) to run the scheme. They used threats to get farmers sign a new contract with SNADC, while at the same time maintaining that the land would revert to SNL tenure. The majority of farmers signed the new leasehold. Others refused. Amongst those who refused there were farmers who had their original 20 year lease expired. These were eventually evicted in 1986 following a court order issued after CDC management had instituted a court action. The evicted farmers stayed on an open veld for more than a year awaiting final ruling by the Swazi Monarch to whom they had appealed. In October 1987 they were reinstated. No doubt this decision angered CDC management who had said they do not want the Swazi State to intervene on behalf of the evicted farmers. The latest news is that their dispute with CDC management is continuing.²⁰ Once again, the farmers are refusing to pay management for the services offered because they still claim CDC owes them money. The General Manager of Tibiyo is quoted as having said "We have failed to solve this. We just don't know what to do about these farmers."²¹

The gist of the matter is that the Swazi authorities are trying to get control over the farmers who have managed to be highly independent of the Swazi traditional institutions. When the farmers join VIF they escape from the control of chiefs, they become economically detached from SNL. Hence the Swazi authorities decision to revert VIF to SNL tenure and their use of Tibiyo Fund - a Royal economic power base - to control the scheme. The Monarchy did not even want the Ministry of Agriculture to run the scheme.

Socio-Political Effects of British Investments

The discussion in this section will centre on the effects of British investments, together with their partners, on (i) the socio-political system of Swaziland and (ii) Swaziland's economic relations with South Africa. In the examination of both (i) and (ii) the following points will be raised:

1. the effects of VIF scheme and the attitude of VIF farmers towards the Swazi leadership;
2. the changes employment has made to Swazi workers' political outlook;
3. investments as a source for Government revenue and how the existence of Tibiyo is a hindrance to this process; and
4. an analysis will be undertaken to establish whether or not British investments have been enhancing closer Swaziland-South Africa economic relations and with what political consequences.

One British scholar observed the consequences of an emergent Swazi capitalist class in the following words:

"The growth of Swazi involvement in the modern sector must create a new class of managers and capitalists. Where these are not drawn from, and identified with the traditional leadership, they will constitute a threat to the traditional system, yet if they are drawn from the traditional elite, the distance between them and the common people will tend to increase, and the old relationship of mutual trust may disappear."²²

The Swazi State fear of the farmers' attitude towards the Swazi leadership is not unfounded. In 1972, the Mphumalanga constituency,

where VIF is, voted for 3 NNLC candidates. One of the 3 NNLC MP's, Mr. Thomas Bhekindlela Ngwenya, was a VIF farmer. So the farmers, together with employees of SIS, MSC and VIF, displayed support for modern political parties. In other words, the effects of British investments, together with other modern investments, are to undermine the political leadership of the Swazi traditional elite. Workers permanently employed in modern industries are semi-detached from the chieftainship institutions. In Swaziland almost every peasant homestead has at least one of their members who earns a livelihood, and supports his family, from paid employment in modern industries.

The extent to which the forces of modernity are challenging the legitimacy of Swazi traditional institutions are reflected in various occurrences. The workers' strikes of the 1970's and 1980's indicate this. The Swazi Monarch and rulers are against industrial strikes. They have labelled strikes as "un-Swazi". This is what they have been telling workers since the early 1960's. Hence the Swazi State's decision to discourage formation of trades unions in the country. (They were eventually forced to let them mushroom in the 1980's due to a series of strikes.) The Swazi Monarch also provides his representative - Ndabazabantu - in major industries for the purpose of solving disputes among workers and between workers and management. However, during the 1963 Havelock Mine strike the workers called for the dismissal of Ndabazabantu and this was a challenge from the commoners the Swazi Monarch had never experienced before.

Between 1977 and 1983 there were about 8 serious industrial disputes/strikes. When the Ndabazantu, Indlana ye Nkhundla and Labour officials intervened in some of the disputes, they were either told off or threatened with violence. Hence the establishment of the industrial institutions (including the Industrial Court) in 1980 to settle industrial disputes or to provide machinery for negotiation between employers and employees.

The giving in of the Swazi rulers to the modern industrial machinery is a sign of the erosion of the Swazi Monarch's power to control workers. The illusion that he could shout instructions at workers from Lobamba Royal Residence had been shattered. The general submission made here is that while British investments, as well as other investments, provide a sound economic base for Swaziland, the Swazi people engaged in this modern economic activity have become partially disengaged from the traditional political economy institutions. They have displayed this by voting NNLC in 1972. These investments act as a catalyst, albeit indirectly and probably unconsciously or even unwillingly, for the undermining of traditional government in the country.

The investments are also a source of revenue for modern government in Mbabane. The sugar, forestry and fruit industries are very important sources of foreign exchange, as has been stated above. Not only has British investments been an important source of revenue, they have also offered shares to the Swazi Royal Family Fund - the Tibiyo Taka Ngwane Fund. In Havelock Asbestos Mine, Tibiyo bought 40 per cent shares from Turner & Newall, at Ubombo Ranches they bought 40 per cent of the shares from Lonrho, 50 per

cent was acquired at MSC and another 50 per cent purchased at SIS. In these major industries of Swaziland the Swazi Royal Family is in partnership with British capital. (N.B. - Turner & Newall withdrew from Havelock in mid-80's). In this partnership British firms manage the enterprises.

The partnership between foreign investments and Tibiyo is resented by some Swaziland Government officials, especially the technocrats. In fact they are critical about the status of Tibiyo in general because the Fund is exempt from paying tax. So when the Fund buys shares in the major industries the Government loses some revenue. And when the Fund establishes projects using some of the important resources of the country, Government is denied that revenue which would normally accrue to it if some other capital had been involved. The Government is also denied revenue from mineral taxation in that this accrues to Tibiyo.

Tibiyo have also been criticised by Government technocrats for impinging upon budgetary allocations by requiring the Government to finance operating losses, often without prior appropriation or notification to Cabinet or Parliament. In the Fourth National Development Plan not less than 4 critical references are made to Tibiyo Fund and parastatals. In one such reference the technocrats observed that:

"... parastatals and the National Trust Funds have tax exemption status as they fall outside the Companies Act. Over the Plan period there has been a substantial growth in the number of parastatals and Tibiyo Taka Ngwane Fund has been involved in a substantial expansion programme. In many incidences these expansions have been at the expense of the private sector and therefore, at the expense of actual and potential

government revenue ... Mineral tax, which is a conventional source of government revenue in most countries, is the property of the Swazi Nation (Tibiyo) and therefore, is not part of the Government's fiscal measures nor of government revenue."²³

It is unusual to hear civil servants criticise the property of the Monarch in Swaziland. But the frustration of technocrats by Tibiyo's unaccounted for monopoly of resources and unplanned demands to be bailed out by Government, and the malfunctioning of some parastatals must have made it irresistible for them to write in this way. Also the period of commissioning of the Development Plan, i.e. it was prepared at the beginning of the 1980's after former Prime Minister, Prince Mabandla has subpoenaed Tibiyo files, meant that they had permission to be as objective, and therefore critical, as possible.

The central argument here is that while foreign capital enjoy the climate of the conservative Swazi State and invite the Royal Family to partnership, many officials of the Swaziland Government in Mbabane regard this alliance as not particularly holy because this means Government has to forego revenue that would have accrued to it if Tibiyo were not involved. The Swazi Monarch might have foreseen this potential conflict when he decided to involve some Government Ministers in Tibiyo. For instance, Mr. S.S. Nxumalo was given the responsibility of running Tibiyo when he was Cabinet Minister. Prime Ministers were eventually appointed Chairmen of Board of Directors of the Fund (this include Prince Mabandla who was regarded as hostile to traditionalism). The strategy was, presumably, to bridge the rift.

British investments have had 2 seemingly contradictory effects in as far as the domination of Swaziland's economy by South African capital is concerned. We observed in Chapter 2 how the CDC investments stimulated other firms - both British and South African - to come to Swaziland. South African capital prospered in the forestry, citrus fruit and sugar industries and later started new manufacturing industries (.e.g. cotton ginning, meat processing, maize milling, etc.) prior to Independence. However, at Independence British investments were still the largest foreign investment. But in as far as this British investment was a stimulant to South African capital, it acted as an agent for bringing closer economic relations between Mbabane and Pretoria. Conversely, another line of argument can be advanced. It can be argued that the continued existence of British investment in Swaziland operates as a check-mate against South African capital's total domination of the Swaziland economy. No doubt, South African capital has increased substantially in Swaziland after 1968 (more detailed discussion is in Chapter 6) to surpass that of Britain - in fact South African capital has expanded since the late 1960's in the whole Southern African region. But the existence of British capital, as well as other foreign capitals, deny it (South African capital) the single domination of Swaziland's economy and the political price Mbabane would have to pay e.g. blackmail. The non-South African investments in Swaziland have prevented the relegation of the economic status of Swaziland, and the resultant political control, to that of the South African homelands.

Summary and Conclusion

The contents of this chapter have shown the extent of British investments in Swaziland after 1968. In the major industrial sectors - sugar, forestry, fruit, mining and commercial finance - British Capital have played a key role although the South African capital have successfully challenged it in mining and fruit industries. It was argued that British capital, as well as other foreign capitals, have provided a base for economic growth for Swaziland. One conclusion that can be drawn from this continued British investments is that there are closer economic relations between the 2 countries than is the case with political links. Chapter 3 revealed how the Independence Constitution was repealed and a new political system introduced, although this did not mean that there was total departure from the inherited institutions. The policies of the Swazi rulers have, on the whole, not contradicted the interests of British firms. Hence continued investments.

It was argued in this Chapter that while British investments have buttressed political and social reproduction in Swaziland, they have also acted as a base for forces of opposition to the Swazi traditional rulers. For instance, the Mphumalanga voters supported NNLC in the 1972 general elections. The display of NNLC support triggered the repeal of the Independence Constitution and the subsequent political changes discussed in the previous chapter. So far the rulers have succeeded in keeping in check these opposition forces.

More than 2 decades ago one academic observed, with respect to the power of the traditional rulers in Swaziland, that

"The fragmentary nature of the nationalist opposition to the dominant conservative chiefly element, allied with a majority of the white group, has inevitably complicated Swaziland's constitutional progress ... nationalist prospects may improve as the territory makes economic progress and tribal inhibitions break down under the pressure of an industrial environment."²⁴

While the traditional power base is still strong, there is evidence of its erosion. As yet it would not be prudent to predict a date for major political changes, but there is no doubt that opposition forces to rule by the traditional elite are being manufactured daily in industries and classrooms.

The observation made with regard to Swaziland-South African relations was that first of all the British capital stimulated investments from South Africa, and, secondly, that the continued investments from Britain have protected Swaziland from being relegated to the economic status of South Africa's homelands whose only major "foreign" source of investment is South Africa. This strong British-Swaziland economic link is confirmed by trade between the 2 countries, which is discussed in the next chapter.

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CHAPTER 5

Trade Between Swaziland and BritainIntroduction

In the previous chapter it was noted that Swaziland's strong economic links with Britain was confirmed by the volume of trade between the two countries. The volume of trade stimulated by British investments (which began in the late 1940's) in new products such as sugar, citrus fruit, timber, pulp, etc. meant Swaziland needed new markets in addition to the traditional South African market which was serving mainly the interests of the White settler community in commodities like tobacco, cotton and live animals. Prior to the 1950's South Africa was almost the sole source of Swaziland imports as well.

In this chapter it is argued that Britain remains a major destination of Swaziland exports even after about 2 decades of Independence; that this link was marginally disturbed by Britain's joining the European Communities (EC) in 1973. However, South Africa remains the only major source of Swaziland imports. It is further maintained that the continued British investments, and other sources of capital investments, resulted in Swaziland aggressively seeking to utilise the South African market within the Southern African Customs Union (SACU) context, and that, reciprocally, South African firms have located in Swaziland within the SACU regime so that they could gain access to other market not normally available to Pretoria (at least not under the same concessions as the Swaziland products), namely the EC market. It is strongly contended

that Swaziland's economic stability depends to a large extent on the availability of markets for her products. This argument concurs with the assertion that

"Micro-states in the process of development tend to be very much more dependent on international trade than larger ones. The scope for creating an internal market of a size large enough to benefit from economies of scale is obviously limited. Costs would be higher if they attempted to be self-sufficient and meet domestic requirements internally; they therefore need to export to achieve scale economies."¹

In examining the above themes the discussion will focus on:

- (i) trade between Swaziland and Britain after Independence but prior to British membership of EC;
- (ii) Britain's joining the EC, the emergence of the Lome Conventions and their effects on trade between Britain and Swaziland;
- (iii) a comparison of Swaziland's trade figures with Britain and South Africa will permeate the discussion;
- (iv) South Africa's use of Swaziland as a base in order to have access to outside markets, with particular reference to EC and its facilities; and
- (v) South Africa's sabotage of some Swaziland industries.

Trade before British Membership to EC

At Independence Britain bought 29.3% of Swaziland's exports and in 1973, when Britain joined the EC, Britain took 23.6% of the exports. (Figures for exports for the period 1968-1984 are provided

in Table 2). These percentages register the importance of the British Market to Swaziland products. The main product sold to Britain during this period were cane sugar (semi-processed by CDC and Lonrho in Swaziland), asbestos ore (produced by Turner & Newall), frozen and canned meat (processed by the Swaziland Meat Commission - a South African owned firm), and citrus and canned fruit (produced by CDC, individually owned estates and Libby Swaziland - a subsidiary of the British branch of Nestle). On the other hand, the South African market took 16.4% of Swaziland's exports in 1968 and 25.6% in 1973 - more than 23.6% share. This was the first time since Independence that South Africa bought goods worth more than the British market absorbed. However, the South African percentage dropped to 14.5% in 1974 while the British figure was 21.3%. The British market percentage remained higher than the South African one up to 1980 when the South African percentage rose to 29.6%, beating the British which stood at 20.2%. Since 1980 the South African market takes goods valued higher than those that go to the British market.

An important point to observe is that the combined British and South African markets are crucial for Swaziland. Since 1968 the 2 markets have been taking Swazi exports valued more than 40% of the total value - the exception was 1974 when the 2 absorbed only 35.8% of the total value. In 1968 the 2 markets absorbed 45.7%, in 1973 the figure was 40.0% and in 1984 they took goods valued at 55.2% of the total value of exports.

In contrast Britain is much less important in terms of goods it supplies to Swaziland. The percentage share of British goods in the Swaziland market was so insignificant that it was not shown by

Swaziland official records, viz. the Swaziland Government Annual Statistical Bulletins. Instead the British figures were included in the "Other Countries" column until 1981 (see Table 3). The degree of significance of the British market as source of Swaziland imports can be seen by examining the figures of Swaziland imports from South Africa. For the 15 years after Independence (1968-1984/5, excluding 1971 and 1976) the average percentage supply of South African goods is 91.0% of the total value of imports. The percentage has been below 90% in only 3 years - 1981, 1982/83 and 1983/84. In 1968 South Africa's supplies were valued at 91.2%, in 1973 the figure was 92.1% and in 1977 it reached a record of 95.9%.

These figures show a disturbing dependence on the South African market for imports. While this is not the case with exports, the import supply makes Swaziland vulnerable to changes that may obtain in the South African market. The sanctions debate is going on and if they were to be comprehensively applied Swaziland would suffer before she re-adjusted her trade pattern. For instance, 100% of Swaziland's fuel comes from South Africa, although most of Pretoria's oil is imported.

Despite the establishment of the Southern African Co-ordination Conference (SADCC) in 1980 (one of its objectives being to lessen dependence of its member-states on South Africa) and in spite of the creation of the Preferential Trade Area for Eastern and Southern Africa (PTA) in June 1982, Swaziland still depends on South Africa for more than 80% of her imports. Swaziland is a member of both SADCC and PTA. This trade pattern may continue in the foreseeable future for several reasons. The first is that none of the SADCC and

PTA member-states can replace the South African market, viz. the supply of capital goods such as industrial machinery, spare parts thereof and foodstuffs. Zimbabwe's manufacturing industries cannot satisfy the SADCC and PTA requirements, neither can her agricultural sector satisfy the needs of these markets. (Zimbabwe is the only country in the 2 groupings which normally produces excess grain that can be exported). Secondly, it is not easy to change from traditional markets. South Africa has been the major source of imports for the Swaziland Governments and firms since the turn of the century. The third point is that there is a belief within the Mbabane Government circles that South Africa is their best option for imports; they feel that even countries like Hong Kong, Taiwan or South Korea cannot be the best option since the freight charges would render the goods more expensive than in the neighbour's market, and that it would take longer to get the goods to Swaziland - this may be at the expense of production in a case of spare parts for industrial machinery that has broken down.² However, this does not mean that there is consensus on this trade policy. Some officials moot the view that more diversification is necessary because sanctions on South Africa cannot be ruled out.³ But the official Government policy has been opposition to comprehensive economic sanctions and Pretoria (this point is discussed in detail in Chapter 7).

The dominance of South Africa as supplier of Swaziland import needs overshadow the importance of any other supplier, including Britain. For instance in 1982/83 the U.S.A. was the second largest supplier (6.5% of total value) and Britain ranked third, with only 3.2%. In 1983/84 the U.S.A. percentage was 7.0% while the British

was 2.3% and finally in 1984/85 Britain moved to second position with 2.1% while the U.S.A. took third place scoring 0.26% of the total import value. The main imports from Britain have been machinery for making or finishing cellulose pulp, paper or paperboard; medicinal and pharmaceutical products; machinery for various industries; and iron and steel.

Trade Under the Lome Conventions

In January 1972 Britain, together with Denmark, Ireland and Norway (the latter withdrew in September the same year), signed the Treaty of Accession and in January 1973 the 3 joined the European Communities (EC) whose membership was increased from 6 (Belgium, France, Italy, Luxembourg, the Netherlands and West Germany) to 9. Britain's membership of the EC meant there would be significant structural changes in her economic relations with other countries. These changes would be clearly marked in the trade relations within the Commonwealth, which had trade preference arrangements - including the Commonwealth Sugar Agreement (CSA) established in 1951. The special links Britain had with her empire were congruous with the French links with her empire and for colonies, for which she made special arrangements in the Yaounde Conventions when the EC was inaugurated in 1958.

While the view of Westminster was, at the time they decided to join the EC, that their major interests lay within the EC rather than outside it, there were concerns about the fate of the least developed countries of the Commonwealth; there was also the concern for the interests of British firms which had capital investments in

these countries and whose products were processed and sold in Britain. Hence they negotiated for a special arrangement, with particular reference to trade, for the poor countries of the Commonwealth. The position taken by Britain was supported by France. In addition to these imperial concerns there was the co-ordinated call for the New International Economic Order (NIEO) which started in the 1960's whereby the Group of 77 met and decided to channel NIEO through the United Nations. By 1972 the United Nations Conference on Trade and Development (UNCTAD) had met at least 3 times to deliberate on the problems of the under-developed countries. The gist of NIEO is the call for better terms of trade for the under-developed regions of the world.

The Lome Conventions' existence can be seen against this historical background. The first Lome Convention, signed on 28 February 1975, brought 46 (now 66) African, Caribbean and Pacific (ACP) countries together in a special relationship with 9 European countries. The Lome Conventions cover areas of co-operation, namely, trade, agriculture, industry, finance, technical co-operation, the establishment of commodities earnings stabilisation system (commonly known as STABEX) and the promotion of the mining system (SYSMIN) in the ACP.

Since the focus of this chapter is on trade the other areas are generally not discussed, unless they impinge or influence trade. The central argument here is that despite the existence of the EC-ACP agreements, trade between Swaziland and Britain has not been significantly altered. In other words, Britain has remained the traditional market for Swazi exports, albeit within the larger EC

market; that there is no tangible evidence to suggest that EC market has significantly opened up for Swazi exports by virtue of having been influenced by the Lome regimes.

The main objective of trade co-operation is spelt out in Article 129 of the ACP-EEC Convention, signed at Lome. The provision of the Article read:

"In the field of trade co-operation, the object of this Convention is to promote trade between the ACP States and the Community, taking account of their respective levels of development, and also between the ACP States themselves.

In the pursuit of this objective, particular regard shall be had to securing effective additional advantages for the ACP States' trade with the Community and to improving the conditions of access for their products to the market in order to accelerate the growth of their exports to the Community and to ensure a better balance in the trade of the Contracting Parties."⁴

In pursuit of this objective the EC States agreed to import products from ACP free of customs duties and charges having equivalent effect. However, this agreement was qualified by the proviso on the products falling within the Common Agricultural Policy (CAP) of the EC. In order to maintain security of supplies, amongst other things, the EC established the CAP which had the effect of creating a unified market for agricultural products by setting a common price for these products. A preference system for these products was created and they were protected from outside competition by subjecting imports to levies in order to ensure that these imports did not undercut EC prices. A system of support to the farmers was made available through the Agricultural Guarantee and Guidance Fund

(FEOGA) which, inter alia, is used to purchase surplus products of the EC farmers.

Some of the important Swazi products sold in Britain fall under the CAP regime. These are cane sugar and beef products. It has already been stated that sugar and beef are some of the leading foreign exchange earners in the British market. The fact that the EC market was already saturated with (beet) sugar and beef meant there was no natural market for these products. The solution was to design quota allocations applicable to ACP States. The quota system operates on guaranteed prices and duty free entry into the EC.

A major commodity which operates under the quota system is cane sugar. Several ACP States' economies are highly dependent on cane sugar. For instance in 1974-1976 sugar accounted 83% of Mauritius export earnings, 61.3% in the case of Fiji, 43.3% for Guyana and 41.3% in Swaziland's case⁵ (it was 42.4% in 1984). When the first Lome Convention was signed the Sugar Protocol was promulgated which allocated quotas to the main ACP producers - viz. Mauritius, Fiji, Guyana, Jamaica, Swaziland, Barbados, Tanzania, Belize and others. This also meant that "quantities delivered by the ACP ... provide European refiners with a guarantee that they can continue with their activities."⁶ The largest refiner of cane sugar in Europe is Tate & Lyle in Britain where most of ACP sugar finds its way. All Swaziland's cane sugar quota in the EC goes to Britain since there is no natural market for it in the other member-states' markets.

There is no evidence to suggest that EC-ACP Conventions have opened up new markets for Swazi products. Within the EC market sugar and beef still find their market only in Britain. Granted,

there are several commodities which Swaziland sells to West Germany, France, Belgium, Denmark, Italy, the Netherlands, Greece and Ireland. These are asbestos, citrus fruit, canned fruit and unbleached wood pulp. But these products were being sold in these countries prior to the creation of the Lome regimes. So it can be argued that the existence of the EC market for Swazi commodities was not necessarily created by Lome. An important point to note is that the main exchange earner - sugar - is regulated under the quota system. The central argument is that due to EC policies, especially CAP, there is no natural market for the most important foreign exchange earner in the EC. Therefore Britain remains the traditional market for many of Swaziland's agricultural products, under the quota system of the Lome Conventions. In other words trade promotion has not been realised. Even at global level Swaziland has tended to maintain the same trading partners since Independence. At Independence she was trading with \pm 50 states and this was the position in 1984. The only thing that has changed is a slight diversification of her products to her traditional markets. There has also been an increase in the traditional products, e.g. sugar and canned fruit.

The British sugar market is not totally safe. The EC has a surplus of sugar which it exports at a subsidised price, thus contributing to depressing the price at global level. The sugar surplus in EC means a shrinking market for cane sugar. Tate & Lyle had to close down their cane sugar refinery at Liverpool in 1981 because it had become uncompetitive. In spite of the closure of the Liverpool refinery, Tate & Lyle still found it uncompetitive to refine cane sugar and has indicated that they seriously consider

closing their refineries at Silverton on the Thames and at Greenock in Scotland, which would mean a loss of more than 2,000 jobs. They complained about the EC processing cost margins which discriminate against cane sugar. They recommended that "the Government should by negotiation with the other member states of the Community make every endeavour to ensure that the cane refining margin is increased and put on a basis that allows Tate & Lyle to compete effectively with the sugar refined from beet."⁷ The final outcome was a subsidy by the EC Commission to Tate & Lyle for the year 1 July 1988 to 30 June 1989 which could be worth more than £3 million.⁸ This huge subsidy tells the story of an unsafe market for cane sugar in the EC. The fact that now the EC market can hardly absorb the ACP sugar quota is confirmed by EC's re-exporting of 1 million tonnes of Lome sugar ever year. The existing Sugar Protocol provides for about 1.3 million tonnes per year as quota for the ACP.

Swaziland as a Base for South African Firms

It has already been stated that the capital investments by British firms in the late 1940's and throughout the 1950's stimulated South African firms to invest in Swaziland. It was further pointed out that the investments for various commodities - sugar, citrus fruit, timber, minerals (asbestos, iron ore and coal), beef, etc. - led to the diversification of the export market for Swaziland. Previously South Africa had been the sole market for 2 of Swaziland's major export products, viz. cotton and live animals. The only other major export was asbestos and was the only one which was sold in several countries outside SACU. It was further stated that South African investments in Swaziland now surpass British -

this is practically seen in its dominance of the mining sector, the fruit industry, the cotton industry, the retail sector, the beef industry, tourist industry and several manufacturing and commercial industries in the country. This dominance of South African capital in the Swaziland economy, which is largely export-oriented, means that South African companies have access to markets which would not be normally available to them due to the boycott of South African goods by some countries, mainly African States. For instance, Gencor has a controlling interest in the mining of coal at Mpaka. Kenya is the major buyer of Swaziland coal, but she would not purchase coal from South Africa, at least not openly.

South African firms based in Swaziland also have access to the EC market. In general under the Lome Conventions, Swaziland goods enter the EC duty free. Citrus fruit, canned fruit and beef are controlled by South African companies and enter duty free in the EC market - in the case of beef, under the quota allocation. The fruit industry in Swaziland is 90% controlled by Anglo-American subsidiaries and the meat processing firm was wholly owned by the Swaziland Meat Commission (a South African firm) up to the 1970's when Tibiyo acquired 50% shares. Out of the total value of E38,876,600 citrus and canned fruit exported, E35,525,500 worthy of fruit was sold in the EC in 1984. In the same year Swaziland exported frozen and canned meat to the world market valued at E3,274,700. Unfortunately, the Swaziland statistics (Swaziland Annual Statistical Bulletin) do not show the EC share, they only indicate the British share which is valued at E756,500. Another example of a break-through for a South African firm into the EC is Swazi Pine which produces furniture. Swazi Pine specialises in the

production of dining room tables and chairs, kitchen units, beds, refectory tables, breakfast nooks, cupboards, box benches and room dividers, most of which are exported. In 1985 the value of furniture and parts thereof exported to Britain was £869,000.⁹

Under the Lome Conventions South African firms based in Swaziland have benefitted from commodities earning stabilisation system (STABEX). Under STABEX certain products of ACP states receive compensation for loss of earnings if the State concerned was not directly responsible for the loss of earnings. For instance, if Swaziland's timber earnings were substantially lower than the average earnings for the past 4 years due to unpredictable fire hazards or to a fall in prices, STABEX would pay compensation. This STABEX arrangement applies generally to selected products sold in the EC and ACP markets. Swaziland products covered by STABEX are timber and hides.

However, a special arrangement was made for 13 ACP countries to bring some products under STABEX even though they are sold outside EC-ACP markets. Swaziland was one of the 13 and the product concerned is cotton. The only cotton ginnery in Swaziland, the Swaziland Cotona Cotton Ginnery, is South African owned. Since the firm can claim loss of earnings from STABEX, South African purchasers can depress prices without inflicting damage on their brother in Swaziland. Swaziland has in the past claimed for loss of earnings. So "South Africa manipulates and the EEC compensates."¹⁰

Therefore, SACU has been advantageous to the South African firms in that they can locate in any member-state and use markets and facilities not normally available to them in South Africa. This

advantage is now being considered, and has been taken, by some Western transnational corporations who move their regional headquarters from the Rand to one of the 3 SACU members in order to stave off boycotts of their products, as the call for disinvestment intensifies. For instance, in the latter half of the 1980's Coca Cola (U.S.A.) decided to move her regional headquarters from South Africa to Swaziland in order to supply all African States south of the Equator without a South African stigma.

The SACU advantages for South Africa are theoretically equally available to Botswana, Lesotho and Swaziland (BLS), i.e. the free movement of capital and benefits from the larger South African market for their products. In real life this is not the case, especially where BLS goods tend to compete effectively with South African products. The asymmetry is revealed by trade statistics which show that more than 85% of BLS imports come from South African while less than 25% of their exports go there.¹¹

Swaziland is the only BLS State which has used SACU for her exports to make the common market appear a success. But Pretoria soon intervened and sabotaged the industries so that it is only a partial success. In the 1970's and early 1980's several foreign firms set up businesses in Swaziland with the view of selling in the Rand market as opened up by SACU. A Taiwanese firm established Swazi Metalware to sell the ware in South Africa, a Finnish firm established Salora in 1976 to assemble TV sets for sale mainly in South Africa. The Taiwanese firm was later lured to Bophuthatswana by Pretoria's incentives used in pursuit of her decentralization policy which is intended to promote bantustanism. In the case of

Salora South Africa simply did not open up the market and the Finish firm was forced to sell the factory to a South African company which turned Salora into Swaziland Television and Radio (STVR). But STVR also closed down in 1984.

Other companies in Swaziland which tried the South African market were Swazi Carpets which manufactured rugs in the style of Persian carpets - the firm closed down in 1983; there is the YKK (Japan), which makes zip fasteners - still operating; the Swazi Scene, which engaged in the production and export of ladies outfits - went to one of the bantustans; and the Swaziland Chemical Industries (SCI). This mushrooming of manufacturing industries in the 1970's and early 1980's raised the share of Swaziland exports to South Africa from 20% to 37%. This percentage rise largely explains the high percentage intake by South Africa of Swazi exports compared with Britain for the period late 1970's up to 1984 (see Table 2). For instance, in 1983 SCI's fertilizer export sales (all to South Africa) had accounted for 13% of Swaziland exports, making it the second after sugar, and ahead of canned fruit and wood pulp. Ironically within a year SCI went into receivership and was doomed to liquidation.

The fate of SCI was not decided in its boardroom in Mbabane but was decided in South Africa. SCI "was put out of business by a combination of monopoly, government, and railway pressure"¹² inside South Africa. SCI was established in 1975 by Messrs. Hill, Haln and Hanhill of South Africa. Previously they owned Sable Chemical Industry in Rhodesia. Ian Smith declared it an essential industry during the intensification of sanctions and of armed struggle and

his government bought it. These South Africans then established SCI and concentrated on producing fertilizers and explosives out of imported ammonia from outside SACU. The Swaziland Government allowed SCI to get the raw materials duty-free and this meant SCI products were cheaper than those produced by S. African firms. SCI's largest market was South Africa. Therefore there was an immediate conflict of interests as SCI undercut fertilizer prices in the Rand. Pretoria was persuaded to act.

A combination of measures by Pretoria, its firms and South Africa's parastatals - the South African Road Transportation Board and the South African Railways - dug SCI's grave. A traditional supplier of fertilizer in Swaziland was Farm Chemicals owned by Natie Kirsh (a South African magnate) but Farm Chemicals was also affiliated to Triumph and Fedmics - 2 South African fertilizer giants. When SCI was established Farm Chemicals reduced the price of fertilizer in Swaziland and the firm was backed by the 2 Goliaths in South Africa, who themselves enjoyed high prices in their country because the fertilizer industry was protected there. The result was to outprice SCI in Swaziland. But SCI still had the advantage of the South African market. In 1978 the South African Road Transportation Board refused to transport SCI fertilizer to South Africa whereas the South African Railways service was only willing to take SCI fertilizer within a specific radius from Matsapha where SCI factory was situated. This meant that SCI fertilizer could not reach all South African destinations without the firm incurring higher transport costs and thus forcing them to increase their price.

In 1982 Pretoria entered the scene. In that year SASOL started producing fertilizer, thereby increasing the supply of fertilizer in South Africa and decreasing the demand. The following year Pretoria allowed her companies to import fertilizer inputs from outside SACU duty-free so that they could reduce their prices. The final result was to outprice SCI in both Swaziland and South Africa. By 1983 SCI was in debt and in 1984 it was being liquidated because it had accumulated a debt of E35 million. The major creditors were Barclays Bank (E22 million), Standard Bank (E9 million) and the National Industrial Development Corporation of Swaziland (NIDCS) - a parastatal (E2 million). The credit advanced to SCI was guaranteed by the Swaziland Government which meant that the Government had to settle these debts at liquidation of SCI.

The SCI experience is a classical example of Pretoria's reaction to industries being established in BLS which she views as a threat to her own industries. Salora, the Finnish firm discussed above was given permission to operate in Swaziland provided 40% of the TV production was South African components. The Finnish sold Salora to a South African company because it was not profitable as Pretoria did not open up the market. The South African company closed down the factory in 1984 to reduce TV set competition and the company established itself in a bantustan for non-TV production activity. In 1971 Pretoria rejected a Japanese offer to Lesotho to establish a car assembly plant with the purpose of selling mainly to the South African market.

South Africa does not want a "Hong Kong" within its economic circumference; this applies especially to Swaziland which has been the most aggressive amongst BLS to try and utilise the offers of larger SACU market.

The important point to observe at this stage is that Swaziland's exports into South Africa are deliberately discouraged, and even sabotaged, by Pretoria if the latter thinks they are a threat to its industries. SACU is not a guarantor of free market to Swaziland produce. On the other hand, South African firms have taken advantage of Swaziland's memberships of SACU and ACP-EC Conventions to sell their produce in the ACP-EC countries, and abroad, and to claim compensation from the STABEX regime.

Summary and Conclusion

This chapter provided an analysis of trade between Swaziland and Britain and Swaziland and South Africa since 1968. In the whole analysis the Swaziland-South Africa trade links coloured the discussion. The discussion of trade between Swaziland and Britain necessitated the synopsis of British membership to the EC which was one of the reasons for the economic agreement between 9 European countries and 46 (now 66) African, Caribben and Pacific (ACP) States in 1975 formalised in the Lome Convention. There has been 2 more Lome Conventions. It was argued that the Lome regime hardly affected the pattern of trade between Britain and Swaziland in that Britain has remained the traditonal market for Swaziland exports; that there is no evidence, primary or circumstantial, which suggests that the Lome Conventions have opened up other markets in the EC for

Swaziland produce. The Swaziland commodities presently sold in the other members of the EC found their market there before the signing of the first Lome Convention.

A brief examination of the CAP of the EC revealed that there was no natural market for some of Swaziland's agricultural produce; that this was particularly so in the case of sugar. Hence the lack of export diversification within the EC. It was further submitted that the British sugar market is not safe, that this is confirmed by the fact that Tate & Lyle have had to receive a subsidy from the EC Commission to alleviate her cane sugar refinery costs in order to be competitive with beet sugar.

It was interesting to observe that Swaziland trade agreements within the Lome Conventions have been beneficial to some South African firms who have investments in Swaziland. These firms have had access to markets (e.g. Kenya) and facilities (e.g. STABEX) which would not be normally available to other South African companies operating from inside the country. In this way, SACU is beneficial to South African firms. But SACU does not extend equivalent blessings to companies operating from BLS, due to the fact that Pretoria is not prepared to nurture the births of "Hong Kongs" or "Singapores" within the SACU orbit, even though this was part of SACU agreements.

From this study several points can be made pertaining to Swaziland's trade relations with Britain and South Africa. The first one is that the EC policies, particularly CAP, have a tendency to fix rather than promote Swaziland exports to Britain. The best

example is the case of cane sugar which competes with beet sugar. This tendency to fix trade does not guarantee British Market for Swaziland sugar and this is confirmed by Tate & Lyle's closure of their refinery at Liverpool in 1981 and the subsidy they are now receiving from the EC Commission for the period 1 July 1988-30 June 1989.

It can also be observed that the South African attitude towards the industrialising programme of Swaziland hinders the growth of exports to the South African market. While both Britain and South Africa are Swaziland's leading trading partners (due to history), there are hic-cups which function as a brake to the growth of exports to these countries.

Having concurred earlier with the view that micro-states need to export to achieve scale economies, the submission now, therefore, is that if Swaziland products do not find markets in SACU, EC and elsewhere economic stability and, by deduction, political stability will be threatened. It is clear that if there are no export markets for a micro-state, there will be no investments; if there are no investments, there will be no jobs for the growing population, and high unemployment would result into social problems and political instability. The contention is that the Swazi State in its present form would be threatened. This contention is contrary to the view held by Ronald T. Libby¹³ who says that the weakening of the modern sector in Swaziland would be a disadvantage to the opposition factions while being manna to the traditional leadership. Libby's contention has far-fetched logic because he alleges that the

unemployed would leave the urban areas and go back to the land (there is crowding in the rural areas already) or make an exodus to some neighbouring country (a romantic ideal which is not backed by any historical evidence). The submission in this thesis is that mass unemployment in Swaziland, without social security and land to fall back to, would cause social and political instability which the opposition could capitalise on.

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CHAPTER 6

Swaziland's Economic Relations with South AfricaIntroduction

There is an abundance of literature on the economic links between BLS and South Africa. Most of the scholars hold the view that BLS are part of the South African Economy or that they are, as Jack Halpern put it in the 1960's, South Africa's hostages.¹ In view of the existing body of literature in this area, this chapter does not purport to venture into new avenues. Instead It is a summary of views that have been widely documented and debated, which show the strong economic links between Swaziland and South Africa. The main objective of this chapter is therefore to create a linkage between the contents of the preceding chapters, especially the argument that South African investments have surpassed British investments over the post-Independence era and that Swaziland has now more economic links with S. Africa than with Britain, and chapter 7 where an analysis of the Southern Africa regional policies of Swaziland, Britain and South Africa is undertaken.

The main areas which reveal close economic links between Swaziland and South Africa are : (i) trade, (ii) South African investments in Swaziland, (iii) the Southern African Customs Union (SACU), (iv) the transport system, (v) tourism, (vi) monetary co-operation and (vii) migrant labour. Because trade was discussed in detail in chapter 5, the discussion in this chapter will concentrate on the other 6 areas.

The argument in this chapter is that due to the size of Swaziland and its level of industrial development, economic relations between it and Pretoria are asymmetrically in favour of the latter. An example of this was made in chapter 5 when discussing the attempts by Swaziland to industrialise and export to the South African market. In those cases South Africa undermined the industrialisation process in Swaziland when Pretoria felt that was not in their interest.

The South African Investments

It was shown in chapter 1, and reiterated in chapter 4, how the South African investments in Swaziland grew since the late 1940's after having been stimulated by British investments in the forestry, citrus fruit and sugar cane industries. South African investments have increased tremendously since Swaziland's Independence. A brief identification of some of South Africa's companies which have increased their investments will enhance the preceding point. However, it is not an easy task to identify them because "detailed data on investment are harder to come by than on trade and are not consistently reliable."²

(a) Natie Kirsh

Kirsh industries are a household business name in Swaziland. Natie Kirsh is a South African magnate who was granted a permit to be the sole maize miller in the country in the early 1960's. Today he features amongst the giant investors in Swaziland, namely, CDC, Lonrho, Anglo-American, Tate & Lyle and Sun International. He

established the Swaziland Milling in the 1960's and this company became the base for his operation. He widened his scope of operation when he later joined the retail, wholesale, finance and car sale sectors. In the 1970's Kirsh introduced Metro Cash and Carry, one of the largest wholesalers in the country which supplies foodstuffs and a variety of household utensils. He established Swaziland Warehouse which controls the supply of agricultural machinery, tools, building materials and hardware. Kirsh also moved into the car sale industry when he established Tracar Ltd. which is one of the largest motor vehicle suppliers in Swaziland. He then formed the Finance Corporation which is a source for car and bus loans.

In the 1980's Kirsh industries initiated the formation of Swaziland Kirsh (SWAKI) which is a conglomerate of companies; but Kirsh has a controlling interest. Some of the companies that merged to form Swaki are Farm Chemicals Ltd (this is the company which started the trade battle against SCI discussed in chapter 5), Finance Corporation Ltd, Industrial Agencies Ltd, Sugar Sales Ltd, Swaziland Investment & Development Corporation Ltd, Swaziland Milling, Swaziland Warehouse, Mtimane Forests (Pry) Ltd, Prepack Swaziland Ltd, Tracar Ltd, Polyplas Ltd and the National Textile Corporation of Swaziland. The diversity of Swaki is reflected in the management's recent comment that "In fact, each day, in some way, the products and services offered by the Swaki group touch the lives of each and every Swazi."³

In the latter half of the '80's Swaki moved into partnership with the Swaziland Industrial Development Company (SIDC) when some

shares were sold to SIDC. SIDC is a Swaziland Government owned company which was established in response to criticisms made by technocrats against parastatals (including Tibiyo Fund discussed in chapter 4). SIDC took over the assets of the National Industrial Development Corporation of Swaziland (NIDCS), a parastatal which was viewed as a liability to the Swaziland Government. The idea of establishing SIDC was that it would generate income for Government because it should invest in profitable projects and abide by rules of private sector operation. So when Swaki agreed to go into partnership with SIDC Mbabane viewed this as a potential break-through.

(b) Anglo-American Corporation

The first major investment in Swaziland by Anglo-American was in the late 1940's when they formed the Peak Timbers Ltd to invest in the forestry industry. Peak Timbers is one of the two largest timber companies in the country (the other being Usuthu Pulp Co. owned jointly by Courtaulds and CDC). The main products of Peak Timber are mining, timber (exported mainly to South Africa and Zambia), wood pulp (marketed mainly in Britain), structural and industrial timber (consumed locally and some sold in South Africa) and wood preservation plants. The company is also the main supplier of wood to a Dutch company, Interboard International, which has a chipboard factory in Swaziland. Peak Timbers employs about 1700 people and by Swazi standards is a major employer.

Anglo-American was a major shareholder in the Swaziland Iron Ore Development Corporation (SIODC) which mined iron ore from 1964

to 1980. The other shareholders were Guest, Keen & Nettlefolds (UK) and the Swaziland Government. Mining ceased in 1980 when it was no longer profitable to mine the quality of ore that remained.

Anglo-American controlled the mining of coal at Mpaka which also started in the 1960's. This interest was sold to Gencor - another South African firm - in the 1980's. But the importance of Anglo-American in Swaziland was maintained because they control about 90% of citrus production. In the 1980's the citrus fruit industry has become a major foreign exchange earner in Swaziland.

In 1984 the Zululand Fruit Producers bought Nestle's shares (89%) at Libby Swaziland (PTY) Ltd and changed the name of the company to Swaziland Fruit Cannery (PTY) Ltd. Zululand Fruit Producers is a subsidiary of Anglo-American and the Swaziland Fruit Cannery are the only fruit processing firm in Swaziland. Hence Anglo-American controls the production of fruit in the country. The largest market for the processed fruit is the EC and what is interesting to note is that since the South African firm took over Libby's, some pineapples are being shipped from South Africa to be processed in their factory in Swaziland.

(c) Gencor, Trans-Hex and Msauli Asbestor Beperk (in Mining)

Gencor bought Anglo-American interest in the Mpaka coal mine in the 1980's; Trans-Hex was given the permit to mine diamonds and started the operation in 1984; whereas Msauli was contracted by the Swaziland Government to manage Havelock Asbestos Mine when Turner & Newall (UK) withdrew in 1986. The withdrawal of Turner & Newall

meant the total control of the Swaziland mining industry by South African firms. Trans-Hex is part of South Africa's Rembrandt Group and the diamonds mined in Swaziland are sold through the De Beers Central Selling Organization.

(d) The Swaziland Brewers Ltd.

This is the sole producer of beers in the country. Prior to the purchase by Tibiyo Fund and Andreas B.V. in 1971, the brewery was owned by the South African Brewers (SAB) and operated under the name Swaziland Associated Brewers (SAB). Presently Tibiyo has 40% of the shares in the company.

(e) Swaziland Cotona Cotton Ginning

The ginnery is owned by a South African firm and the cotton seeds and lints that are produced are sold in South Africa and locally. It was mentioned in chapter 5 that South Africa sometimes depress prices and the Swaziland Government has to apply for compensation from the EC STABEX arrangement.

(f) Sun International

This company is controlled by Sol Kerzener of South Africa and operates a chain of hotels and casinos in several Southern African countries. In Swaziland it owns 4 luxury hotels and the country's 2 casinos. It is estimated that two-thirds of the visitors (tourists and business men) stay in these hotels every year.

(g) Barlow Rand

This South African company bought Swaziland Plantations in 1984. Swaziland Plantations is the fourth largest forestry firm in the country. Also under the control of Barlow Rand is NEOPAC which produces packaging materials widely used by the fruit industry.

The list of South African companies operating in Swaziland is long and there is no intention to exhaust it. Suffice it to say that S. African investments have grown tremendously since Independence and have overtaken British investments. Most of the supermarkets and department stores in the urban areas are South African owned.

The Southern African Customs Union (SACU)

The Customs Union came into existence in 1910 when the Union of South Africa was formed. One of the reasons for the 3 High Commission Territories of Basutoland, Bechuanaland and Swaziland to join SACU was that Britain contemplated transferring them to the Union.

Under the 1910 SACU terms there was a common market of the Union and the 3 Territories, with a common external tariff administered by South Africa. The arrangement was that the Territories received 1.31% of the total annual revenue derived from customs duties. This percentage share remained unchanged until Independence of the 3 Territories who became Botswana

(Bechuanaland), Lesotho (Basutoland) and Swaziland. But there was concern among the Territories government officials that the 1.31% revenue no longer reflected the true nature of economic activity within SACU. A study by Joseph Hanlon⁴ revealed that by 1966 Botswana, Lesotho and Swaziland (BLS) imports accounted for 4% of SACU imports and yet they still received 1.31% of customs revenue.

In view of this discrepancy negotiations were started between SACU member-states which culminated in the 1969 Agreement. This Agreement changed the previous terms substantially. The contents of the Agreement are enumerated below and they reveal that it was more comprehensive than the 1910 Agreement.

Contents

(a) There was a provision for the free movement of goods within SACU. However, this aspect of the agreement was qualified by a proviso which stated that if any product was introduced in a member state's market in such a quantity and condition that it would cause or threaten serious injury to local producers, the Government of the receiving state has a right to require that a solution be found.

(b) There was agreed a common external tariff and co-operation in the application of any import legislation in any country in the common customs area. This agreement has proved to be expensive to BLS because Pretoria has a range of protected industries. South Africa uses import duties to protect the industries which means that the corresponding goods from outside SACU will be more expensive than the South African ones. Studies have revealed that BLS could buy some cheaper goods from outside SACU but for the South African

import duties. Hanlon argues this point and makes reference to a previous research.⁵

(c) There is provision for protecting some BLS industries as infant industries. In this protection BLS can impose additional tariffs for a period not exceeding 8 years. However, it seems BLS have not been in a position effectively to utilise this opportunity and Pretoria is partly to blame. For instance, the experience of the SCI in Swaziland referred to in chapter 5 confirms the latter contention. It was the Farm Chemicals Ltd. (of S. Africa), supported by Triumph and Fedmics (the two S. African fertilizer giants) which started to manipulate prices in the Swazi market to try and push SCI out of business. This was followed by other measures (elaborated in chapter 5) to seal the fate of SCI.

(d) The revenue distribution formula was altered to increase BLS's share with an estimated 2.58% and that of Swaziland was 0.95%⁶. For all BLS countries the customs duties are an important source of revenue, although it is debatable whether this revenue actually compensates BLS for the economic advantages Pretoria derives from having them in SACU. The degree of importance of this revenue was underwritten in the Fourth National Development Plan of Swaziland where the officials noted:

"Receipts from the Southern African Customs Union pool have been the largest source of income over this period (1978/79-1982/83)... In most years of the Plan, customs union receipts accounted for more than 50 per cent of total revenue and grants. The actual percentages have varied from a low of 46.7 per cent in 1981/82 to 64.6 per cent in 1982/83. The level of receipts more than doubled from E54.1 million in 1978/79 to E117.6 million in the last year of the Plan (1982/83)."⁷

The argument that the revenue accruing to BLS from the customs is not enough is advanced by both academics (e.g. Hanlon, 1986, and Lindell-Mills, 1971) and BLS Government Officials. In October 1981 both BLS and S. African officials agreed on a renegotiated version of the customs agreement whereby there would be an increase of 10% revenue to BLS, amongst other things. But Pretoria simply rejected the version without giving a reason. (There is speculation to the effect that Pretoria has been pestering BLS to include the "independent" homelands in any future negotiations of SACU and it was presumed that Pretoria's rejection of the 1981 version was a means of applying leverage on BLS to accept the homelands into SACU). BLS's suggestions in this version also included the removal of the two-year time lag in payments of the revenue. They felt this was unfair because Pretoria keeps the money for 2 years for which the latter uses to solve her economic problems.

(e) It was agreed that there would be freedom of transit of goods within SACU, that there would be no transport-rate discrimination and that there would be no discrimination on the basis of place of register of the transport operator. Perhaps this provision did not cover enough grounds because S. Africa favour their operators in issuing transport licences.⁸ Moreover, the South African Road Transportation Board and the South African Railways discriminated against SCI when they refused to carry SCI fertilizer to certain destinations in the Republic (see chapter 5).

(f) The sixth point was that if any SACU member state entered into a trade agreement with a non-member state, there should be no duty concessions offered by the SACU member state without the prior

concurrence by the other contracting parties. South Africa was therefore obliged to obtain concurrence by BLS before amending her trade agreements with Rhodesia and Malawi. Likewise Lesotho and Swaziland had to seek Pretoria and Gaborone concurrence when they joined the Preferential Trade Agreement of Eastern and South Africa (PTA) formed in 1982.

(g) Finally the Agreement established a Customs Union Commission comprising representatives of all the parties concerned. The Commission meets at least once a year to deliberate on the issues affecting SACU. This body symbolises the fact that SACU is no longer an exclusive domain of Pretoria whereby it could take decisions unilaterally.

As stated above the BLS states are not satisfied with the existing terms of SACU. Neither are they happy with some of South Africa's decisions which affect the operation of SACU. Sometimes South Africa unilaterally imposes import duties which have an effect of raising prices of goods in BLS as well, thus raising the cost of living. For instance, in 1977 Pretoria imposed a 15% import surcharge on imports, later reduced the surcharge at intervals until it was abolished. They re-imposed it in 1982 at 10%, abolished it in 1983 and reimposed it in 1985. This is a clear example of economic bullying of BLS by their Big Brother Pretoria. Hanlon has observed the effects of this South African game in the following words:

"All this is without consultation with BLS, and has a yo-yo effect on BLS economies. When the regional economy is doing badly, South Africa imposes a surcharge, which immediately makes BLS

imports more expensive and thus raises their cost of living, purely to solve a South African economic problem. And the additional revenue earned through SACU surcharges stays with South Africa for two years, helping it rather than BLS through the financial crisis." 9

BLS is not convinced that at the moment their interests lie outside SACU although they are not satisfied with the terms and Pretoria's unpredictable behaviour. There are concerns of the administrative costs if they pulled out of SACU. BLS is not a geographical contiguity. So it would be difficult to create their own customs union and pool their resources, e.g. manpower. Moreover, there are concerns about Pretoria's reaction if they were to pull out because South Africa's transport system carry the bulk of BLS exports and imports. Even the non-existence of big import houses, due to the size of their economies, may make it difficult to find some big companies prepared to locate in BLS rather than in South Africa.

The Transport System

Swaziland's transport links with South Africa are very strong. More than 85% of the country's imports come from/through South Africa and above 70% of the exports go through and to the Republic.¹⁰ It was pointed out in chapter 5 that most of Swaziland imports come from South Africa. The transport used to ferry the goods from, to and through South Africa is mainly the South African Railways and S. African trucks. Pretoria always favour their nationals when considering applications for transport licences.

Most of the exports and imports shipped through South Africa go through the port of Durban and this link has been strengthened since the mid-1970's. Immediately after Mozambique's Independence Swaziland signed an agreement with South Africa to construct a railway line, the south link from Phuzamoya to link with the South African one at Golela. The idea was to transport goods from Swaziland to Durban via Richards Bay. The reason for making this link was the Swazi State fear of a Marxist government in Mozambique. The only alternative outlet (to the S. African ports) was Maputo. The conservative Swazi State did not feel safe with the Marxist neighbour and therefore wanted to reduce economic dependence on it. Hence the decision to construct the South link although Richards Bay is twice the distance to Maputo.

However, as things turned out, Swaziland did not have to switch from Maputo to Richards Bay. The two Governments became friendly and since it was cheaper to use Maputo, no changes were made. This meant that the running of the South Link was uneconomical. Pretoria and Mbabane decided to construct the North Link to connect the South Link to the South African railways in the eastern Transvaal. Construction started in 1984 and was completed in 1986. The completion of this link meant that South Africa was in a position to cut short the detour from Durban via Johannesburg to the north and eastern Transvaal. They diverted some of the goods from Durban through Swaziland to the eastern and northern Transvaal. There is no evidence yet as to whether the line is paying its way.

It is interesting to note that Swaziland's decision to create the North Link is contrary to one of the objectives of SADCC, namely, the intention to lessen dependence on South Africa.

However, Swaziland can argue that they constructed the North Link to defray the losses of the South Link which was constructed before the inauguration of SADCC. On the other hand, this link is in line with Pretoria's "Total Strategy" of the late 1970's which includes the use of economic incentives, inter alia, to lure the states in the Southern African region to close co-operation with it. In building this link Pretoria offered a loan to Swaziland. In addition, South Africa has taken over from Canada the role of providing management for the Swaziland Railways. Top managers are now seconded from Pretoria and train wagons are also supplied by South Africa.

Tourism

The Swaziland Government regards the tourist industry as an important sector of the economy and in their post-Independence Development Plans they devise strategies to be adopted in order to promote it. About two-thirds of the tourists are South African or people resident there. For instance, in 1973 they constituted 61.4% of the total number of tourists, in 1978 the percentage was 82.9 and in 1984 the figure was 62.3%.¹¹ The majority of the rest, i.e. the one-third, stay in Swaziland on transit to South Africa. This South African connection was underscored by the Swaziland Government officials when they wrote:

"Visits by international tourists consist mainly of those on package tours, passing through Swaziland en route to, or from, the Kruger National Park, with overnight stop-overs in Mbabane or in the adjacent Ezulwini Valley holiday complex. Such tours are usually part of the popular Johannesburg-Kruger Park - Durban circuit. To date, the overnight stop in Swaziland has essentially been a matter of convenience." ¹²

Despite using Swaziland as a stop-over to destinations in South Africa, the main tourists attractions into the country are the beautiful scenery and the gambling facilities which are not available in South Africa. However, the "independent" homelands have opened gambling centres, for instance, the Sun City of Bophuthatswana, which have become a real pleasure periphery. Competition from these homelands has contributed to the decline of the tourist industry in Swaziland. Statistics indicate that between 1978 and 1982 the industry in Swaziland experienced an annual decline of approximately 7 to 8 per cent.

Monetary Co-operation

Prior to 1974 there was no monetary agreement between Pretoria and BLS although the 3 countries used South African currency. When in 1921 the South African Reserve Bank was established, the South African pound became the sole circulating legal tender in SACU. In 1960 South Africa replaced the pound with the rand and BLS adopted this currency. The use of S. African currency continued after BLS Independence. It was a strange situation (perhaps reflecting the dependence of BLS on S.A.) where three countries used a foreign currency as legal tender. BLS did not have control over monetary policy. As a result it was impossible to have credit allocations, say, to the less competitive sectors of their economies such as peasant agriculture. Pretoria made unilateral decisions about the exchange adjustments without necessarily paying attention to the economic conditions in BLS. Interest rate structures were set by South Africa.

In 1973 BLS negotiated with Pretoria on the need to consult before they made any monetary policy changes which would affect the parties concerned, and also on the need for compensation for the use of the rand by the three countries. They requested to have access to the South African capital markets and exchange control matters.

While these negotiations were continuing Swaziland expressed a wish to establish a monetary authority to issue currency for local circulation. It was agreed that both the rand and the lilangeni (emalangeni is plural) should circulate in Swaziland and be exchangeable at par. The Swazi currency was to be 100% backed by rand holdings and an interest bearing deposit was to be held by the South African Reserve Bank. Swaziland issued her first currency in 1974.

The negotiations which began in 1973 between South Africa and BLS ended with a formal agreement on monetary co-operation between South Africa, Lesotho and Swaziland. (Botswana had pulled out, indicating that they intended to issue their own currency which would be independent of the rand. They eventually issued it - the pula - in 1976 to coincide with the celebrations of the 10th Independence Anniversary). The agreement between the remaining SACU members, concluded in December 1974, created the Rand Monetary Area (RMA). The basic terms of the agreement were as follows:

1. The contracting parties recognised that each party was responsible for its own monetary policy and the control of financial institutions operating within its area;

2. It was agreed that S. Africa was responsible for the management of the rand currency and the gold and foreign-exchange reserves of the RMA as a whole;
3. They allowed the issue of local currencies in Lesotho and Swaziland;
4. There was to be no restriction of movement or transfer of funds except those resulting from investment or liquidity requirements prescribed for banks and financial institutions;
5. The agreement guaranteed access by Lesotho and Swaziland to the South African capital and monetary markets;
6. Lesotho and Swaziland were to be compensated for circulating and holding the rand; and
7. The RMA Commission was established to deliberate on monetary issues and to meet at least once a year.

In spite of this Agreement there was still Swazi dissatisfaction with the RMA arrangement. South Africa continued to make financial changes without proper consultation. For instance, in 1978, South Africa introduced the General Sales Tax (GST) without consulting the other parties. Lesotho and Swaziland were reluctantly drawn into GST.

The problem of monetary co-operation has worsened in the 1980's as the South African economy declined due largely to the internal political conflicts and external pressures on Pretoria to dismantle the apartheid system. The weakening of the rand affects Lesotho and Swaziland, but this is not necessarily a reflection of the state of the economies of these two countries. Hence Swaziland has embarked on a programme of slow de-linking the lilangeni from the rand.¹⁵ In

1986 a decision was made to allow a person in Swaziland to insist on being paid in emalangeni and not in rands, if he so wished. This would have an effect of reducing the amount of rands circulating in Swaziland. This is a cautious move to de-link lilangeni from the rand so that if there was to be any further decline of the rand in foreign exchange markets, lilangeni would be floated independently.

Migrant labour

In chapter 2 it was shown how a system of labour migration from Swaziland into the gold, coal and platinum mines of the Union evolved. The factors which led to this migration were (i) the drought and cattle diseases which killed more than half of Swazi livestock at the end of the nineteenth century, (ii) the 1907 Land Partition Proclamation which gave two-thirds of the land to the White settlers and the British Crown, (iii) the demands of the Swazi Monarch that Swazi male adults should contribute money to the fund to buy back the land, to pay for the Crown Prince's education and for fares for several Swazi delegations to London to present cases against the manner in which the British Administration was treating Swazis; and (iv) the encouragement by the Swazi Monarch that young Swazi men should go and work in the mines in return for capitation fees which she received for supplying Swazi labour.

Since the turn of the century many Swazis have worked as migrant labourers in the Rand mines and coal mines of Natal. Table 4 indicates the importance of the South African labour market to Swaziland. Out of the 9 years which show percentages only in 3 years (1973, 1974 and 1983) has the migrant workers percentages of

the total Swaziland employment dropped to below 15%. The average for the 9 years is 16.1%. Since the late 1970's unemployment has become acute in Swaziland. So there is no natural labour market for the migrant workers. This dependence on the South African labour market is disturbing although it is not as bad as the sister BLS states (For Lesotho the figure was 69% of the wage labour force and Botswana was 18% in 1984. In the case of Mozambique it was 5% and Malawi it was 8% for the same year.¹⁴

What is clear from the table is that the migrant labour system has basically maintained the same position since 1969, i.e. the figures remain between 10% and 20%. Only in 1975 did it rise to 21.4%. This dependence on South Africa was noted by SADCC at its formation. Hence they inaugurated the Southern African Labour Commission with the purpose of finding ways of breaking the dependence of the member-states on the migrant labour system. But 4 years after the establishment of SADCC, the trend of Swazi migrant labour has not changed (see Table 4). This is not only applicable to Swaziland within SADCC. Mozambique, for instance, negotiated for their quota of migrant workers to be increased when they signed the Nkomati Accord (a peace pact with Pretoria) in 1984. Perhaps it is too early to judge SADCC a failure in this area but so far there is no evidence to suggest that dependence on South Africa for labour is being reduced.

Miscellaneous

Swaziland's economic links with South Africa is also evident in the fact that most of the main rivers of the country originate from

South Africa. These rivers supply Swaziland with water for human consumption, for industrial consumption (e.g. irrigation and manufacturing industries) and for hydro-electric schemes. There is a need to negotiate with Pretoria to allow enough water to flow into Swaziland.

In the post-Independence period links seem to have strengthened. South Africa is gradually becoming an important source of aid to Swaziland. Generally, aid given by South Africa is for specific projects. For instance, Pretoria supplies Swaziland with some professional personnel such as veterinary practitioners and magistrates paid by South Africa; they second personnel to manage the Swaziland Railways; Pretoria gave a loan to Swaziland to construct the North Link and the Nsoko-Lavumisa road. The South African Trade Mission in Mbabane, established in 1984, has made several donations, namely, support to the Cheshire Homes (a rehabilitation centre for the crippled), youth organisations, a donation to the Manzimi Industrial Training Centre (an institution involved in vocational training of youth in carpentry, agriculture, motor vehicle repair, skills in building and other things); they have given support to one of the most popular vocal music groups in the country - Asihlabelele Choral Society, and they have made donations to build houses in the Malolotja Game Reserve and they gave some elephants and rhinos to the Reserve itself. This diversity of aid draws Swaziland closer to Pretoria.

Summary and Conclusion

This chapter gives a short account of economic links between Swaziland and South Africa. Most of Swaziland's imports come through South Africa and are brought into Swaziland by S. African trucks. The majority of tourists are South African or people resident there. Since 1921 Swaziland has been using South African currency, although in the 1980's there is a gradual move to de-link lilangeni from the rand. South African investments have increased tremendously, and have eventually surpassed the British. The Southern African Customs Union keeps Swaziland within the South African economic sphere and this relationship is "no free lunch"¹⁵ for Swaziland. The problem of unemployment in Swaziland is alleviated by migrant labour to the South African gold, coal and platinum mines. Pretoria's offer of aid to Swaziland brings the two countries into closer economic and political co-operation.

What can be concluded from this wide spectrum of economic links is that Swaziland needs South Africa more than it does Britain in order to survive. Although Swaziland sells more goods (in value terms as shown in Table 2) to Britain than to South Africa, the other aspects indicate that South Africa is more important as Swaziland's economic partner than Britain. Hence the tightrope policy adopted by the Swaziland Government towards Pretoria. This policy is discussed in the next chapter.

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CHAPTER 7

Swaziland's Regional Strategy : Its Convergence
and Divergence with British and South African Policies

Introduction

The purpose of this chapter is to discuss the evolution of Swaziland's strategy in the Southern Africa region since Independence in 1968 and to show some elements of convergence and divergence with both the British and South African policies in the region. The contention is that Swaziland's policy within the Southern African setting has mostly been pragmatic since Independence and that the Swazi State adopted a tightrope strategy in order to survive. The main factors that have been at play in shaping the country's strategy are:

- (i) economic consideration;
- (ii) the existence of minority regimes in the region;
- (iii) the existence of liberation movements fighting
against these regimes;
- (iv) the nature of the Swazi State;
- (v) security considerations against internal political
opposition; and
- (vi) Swaziland's membership to international organizations
like the Organization of African Unity (OAU) and
SADCC.

In trying to satisfy the variety of interests that arise from these factors, it is argued, Swaziland has adopted a tightrope

strategy which at times appears to be so ambivalent that in the eyes of some Swazis and protagonists in the region Swaziland is running with the hare and hunting with the hound. It is further argued that in pursuit of these interests Swaziland's policy has sometimes converged on and, at other instances, diverged from both British and South African policies in the region. In adducing evidence to prove these contentions a selected list of historical events and themes since 1968 are discussed within the context of the 6 main policy considerations mentioned above.

The Strategy in the 1968-1975 Period

The contention is that all the 6 main considerations were applicable in this period. When Swaziland became independent there were 5 countries (South Africa, Mozambique, Rhodesia, Namibia and Angola) in the region ruled by minority regimes. Swaziland was sandwiched between two of them - South Africa and Mozambique. As a micro-state and because of economic relations with both of them (in the case of Mozambique it was mainly the use of Laurencu Marques port for Swaziland's imports and exports) Swaziland adopted a co-operative strategy with these governments. For instance, Swaziland did not allow Mozambican combatants against the Portuguese Colonial Government to use Swazi territory. Under Portuguese pressure many were asked to leave; some left under threats of deportation to Mozambique and there were allegations that some activists were actually deported to Mozambique. Mozambican combatants who lived in Swaziland in the 1960's included the first president of independent Mozambique, the late President Samora Machel. In the case of South Africa, the Swaziland Government did

not allow activists or refugees who Pretoria considered to be a threat to its security. In co-operating with Pretoria in this was, Swaziland was following a policy adopted by the British Colonial Government which banned South African refugees from the High Commission Territories unless they signed an undertaking that they would not take "an active part in the politics of this territory or of either of the other High Commission Territories or of any other territory bordering on any of the High Commission territories."¹ In the early 1960's the British Colonial Government asked Mr. and Mrs. Hodgson to leave Bechualand and banned Mr. Joe Slovo and Mr. J.B. Marks from the territory in pursuit of this policy.

The policy adopted by Swaziland towards refugees from the neighbouring states reflected an interest of a micro-state to survive within the tentacles of two powerful states. The deportation of refugees who threatened the interests of these minority regimes was co-operation with them. However, there was a divergence of interests in that Swaziland supported the call for decolonization and removal of apartheid in the region. At its Independence Swaziland joined the OAU which championed, inter alia, the total liberation of Africa from colonial rule. Perhaps to compensate for the co-operation with the minority regimes, Swaziland sought to assert its membership in the OAU by being one of the most regular contributors to the OAU Liberation Committee Fund. Swaziland is rarely in arrears whereas the majority of member-states, including leading states like Tanzania, are quite often in arrears.

Swaziland's dislike of minority rule was in line with the British policy in the region. Britain adopted a policy of

decolonisation so that when it withdrew from Swaziland in 1968, Swaziland was the last British colony in the continent except rebellious Rhodesia under Ian Smith. In 1960 British Prime Minister Harold Macmillan addressed the South African Parliament. He spoke about the need for majority rule in Africa and the possible consequences if the peaceful transfer were not effected gradually in his "Wind of Change" speech. Macmillan warned that if peaceful change was denied the Africans, they would turn to the communist countries for help. By the time of Swaziland's Independence liberation movements in Angola, Namibia, Rhodesia, Mozambique and South Africa had turned to the communist bloc for the material support to fight these regimes. This link between the potential future governments of five states of the region and the communist countries was a concern for the Swazi State. The Swazi State, being a Monarchy and conservative, did not like communism. The degree to which Sobhuza hated communism was demonstrated in the quotation from Hilda Kuper (1978, pp. 212-213) made in Chapter 3. Swaziland hoped that the African movements would not adopt communist ideology, just as much as the British Governments wished. Another example of convergence of policy was that both the Swazi and British Governments renounced the use of force or violence as a solution to the region's political problems.

The British concern about the dilemma of the micro-states in the region, especially BLS was made clear in the Commons at the time of their Independence. The feeling was that substantial aid should be given to BLS so that they could maintain a degree of independence, particularly from South Africa. For instance on 19 November 1968, the Conservative MP, Major Patrick Wall asked the

Minister of Overseas Development if he would make a statement on financial assistance to Swaziland for the first 3 years of Independence and the Minister's reply was that discussions on this issue were due to begin in London on 25 November 1968;² and on 20 October 1972 Mr. Judd, MP, asked the Secretary of State for Foreign and Commonwealth Affairs whether he would make a statement on the level of official aid flows to BLS with special reference to future UK aid and development policy in Southern Africa. The answer gave a breakdown of aid in the form of development loans and grants to BLS which amounted to £21.42 million for the period 1970 to 1973. The share of Swaziland was £6.395 million.³ So the British Government adopted an aid policy to help Swaziland maintain its Independence.

The adoption of a tightrope policy by the Swazi State was also influenced by internal security consideration. At Independence there was no opposition representation in Parliament. So there was no official voice in Parliament to criticise the King's Party - the Imbokodvo National Movement (INM). However, in the 1972 general elections the Ngwane National Liberatory Congress (NNLC) won 3 seats and for the first time there was official opposition in Parliament. As shown in Chapter 3 this upset the Swazi Monarch and his supporters. As a result he abrogated the Independence Constitution, declared a State of Emergency, banned political parties and assumed all executive, legislative and judicial powers. The Monarch's reaction showed the extent to which he feared the opposition by modern political forces. There was close co-operation between South African Movements - ANC and PAC - and Swaziland modern political parties - NNLC, Swaziland Progressive Party (SPP) and the Swaziland Democratic Party (SDP) - at the time of formation of the latter.

This co-operation continued even after Independence, especially between NNLC and PAC. More over, the rhetoric of the NNLC was that of African Socialism and Nkrumahism which Sobhuza detested. He therefore established the modern army - the Umbutfo Swaziland Defence Force - to secure his position. It was alleged that Pretoria helped Swaziland establish the army but no evidence is available to prove this. Having adopted a tightrope policy Swaziland would not disclose this information; the only known country which helped inaugurate the army is Israel.

However, there were cases of open co-operation between Swaziland and South Africa which aimed at consolidating the power of the Ngwenyama. Firstly, Mr. Thomas Bhekindlela Ngwenya, whose case triggered of the 1973 major political changes was deported by Swaziland to South Africa. Pretoria readily accepted Ngwenya and dumped him in KaNgwane homeland. Secondly, there was co-operation between South Africa and Swaziland police and Pretoria gave equipment to the Royal Swaziland Police.

But Swaziland did not establish diplomatic links with any of the minority regimes and this was in accordance with the OAU policy. However, it had political meetings with some of them. For instance, in 1971 Prime Minister, Prince Makhosini led a delegation to Cape Town where they discussed matters of mutual interests with the Pretoria delegation. No details of these discussions were disclosed but it was reported that they were concerned with general co-operation. In the case of Mozambique, the Portuguese offered Swaziland technical assistance in the form of training young Swazis in their university in the "province". A few Swazis went there

immediately after Independence but did not complete the courses due to the language problem. They were withdrawn and some went to the University of Botswana, Lesotho and Swaziland (UBLS).

The Changing Balance of Forces since 1975

The downfall of the Portuguese empire in Angola and Mozambique in 1975 shifted the balance of forces in the region in that only 3 countries (Namibia, Rhodesia and South Africa) remained under minority rule. This change had a direct impact on Swaziland and South African strategies. Swaziland's reaction to Mozambique's Independence was double-edged in that it wanted to be friendly, seeing that Swaziland's nearest outlet to the sea is Maputo, while at the same time Swazi rulers feared a Marxist government in the neighbourhood. The gesture of friendship was displayed when Swaziland gave the newly independent state bags of grain and opened a diplomatic mission in Maputo, one of the only two Swazi diplomatic missions in Africa (the other is in Nairobi). In turn, Mozambique opened their mission in Mbabane. In 1976 a meeting was held between King Sobhuza and President Machel at which the policy of friendship was sealed.

However, the Swazi Government did not trust the Marxist Government. When Frelimo took over, Swaziland decided to construct a railway to the south - the South Link - linking its system with that of South Africa at Golela, then to Richards Bay, as an insurance against unprecedented action by the Frelimo Government. As it turned out, Swaziland did not have to divert her goods from Maputo port and the South Link was being under-utilised until the

North Link was constructed, in the 1980's, which links Swaziland with the eastern Transvaal. South Africa now uses this link instead of the detour from Durban via Johannesburg.

South Africa's reaction to Angola and Mozambique's Independence was to tighten security, especially on the Namibia - Angola border. They even went to the extent of supporting the rightwing UNITA to fight the MPLA Marxist Government. At the same time Pretoria continued their policy of detente, started in 1974, to try and reach accommodation with the black states in the region. The detente policy was affected by, first, the 1975 invasion of Angola by South African troops, and, secondly, the 1976 school children uprising. In the latter event South Africa used repression and the result was that the neighbouring states criticised Pretoria for using such force. Dialogue between Pretoria and a number of African leaders was, therefore, suspended. The 1976 uprising also resulted in an inflow of young South Africans into Swaziland and other neighbouring states. These countries became fertile grounds for the S. African liberation movements to recruit for training.

After the Independence of Mozambique and Angola Swaziland allowed South African liberation movements (ANC and PAC) official representation for the first time. This was a shift of policy. Swaziland was trying to reach accommodation with the liberation movements in view of the fact that it would have to do business with a future majority ruled South Africa. There was some degree of understanding between the Swazi rulers and these movements, although officially Swaziland declared that it would not allow its territory to be used as a springboard for attack against its neighbours.

Officially, Swaziland advocated a peaceful solution of the regional problems. But it became an open secret by late 1970's that Sobhuza had told officials of these movements that if he closed his left or right eye, their guerrillas could pass through Swaziland. Swaziland did become an important conduit for ANC guerrillas from Mozambique. In the late 1970's and early 1980's Pretoria complained that the Swaziland frontier was leaking. To pre-empt the situation Pretoria started clandestine raids into Swaziland to kidnap guerrilla suspects or South Africans whom Pretoria suspected of abetting the guerrillas. For instance, early in 1981 a South African refugee teacher, Mr. Joe Pillay, was kidnapped by the Resistance National Movement (MNR) of Mozambique and handed over to S. Africa. Swaziland arrested the MNR people involved. But negotiations between Mbabane and Pretoria resulted in the release of both Pillay and the MNR people.

The Independence of Zimbabwe in April 1980 further shifted the balance of forces and encouraged Swaziland to give a high profile of the ANC (PAC was expelled from the country in 1978 allegedly for their in-fighting). Joseph Hanlon and John Daniel remark that "...the independence of Mozambique and then Zimbabwe gave King Sobhuza an opportunity to move away from South Africa, while the unrest and crackdowns of 1976-1978 inside South Africa gave him increased motivation to support anti-apartheid forces."⁴

The appointment of a non-traditionalist prime minister, Prince Mabandla, in 1979 also gave Swaziland an impetus to pursue an independent policy. Prince Mabandla had been a supporter of the NNLC before he was "converted" to accept the Monarch's rule. During

his premiership (November 1979 to March 1983) there was a marked shift of policy. For instance, Swaziland rejected South Africa's proposed Constellation of Southern African States (CONSAS) - a proposed economic grouping of States in the region whose membership now consists only of S. Africa and its homelands. Instead Swaziland joined SADCC. In February 1980, Mabandla visited President Machel and, amongst other things, they discussed matters of security. Consequent to this meeting, Swaziland detained a number of MNR men and expelled people involved in recruiting Mozambicans in Swaziland for training in South Africa as MNR cadres. In April 1981 the Swazi Prime Minister hosted a meeting of Presidents Quett Masire (Botswana), Samora Machel and Lesotho's Prime Minister, Chief Leabua Jonathan. A communique was issued at the end of the meeting which condemned South Africa's destabilization policy. In a speech delivered at the UN General Assembly in 1980, Mabandla spoke critically of racism, declared support for the struggle for self-determination of the people of Western Sahara and condemned the Camp David Accord. The Swazi premier used this august body to announce a policy shift by his Government: he was the first Swazi leader to openly speak against Pretoria and Israel (who have an embassy in Swaziland and are training the Swazi army) and he also openly supported violence as a solution to political disputes, especially violence against a Monarch in Morocco.

In the economic front Mabandla wanted to lessen dependence on South Africa. For instance he started a second power generating station - the Luphohlo Hydro-electric Power Station and he banned the importation of fruit and vegetables under the pretext of preventing the spread of cholera from South Africa into Swaziland.

A E3 million earth station for satellite telecommunication links was constructed to delink from Pretoria. In 1981 Swaziland blocked CDC and Courtaulds' plan to sell their Usuthu Pulp Company shares to South Africa's Mondi Company, a subsidiary of Anglo-American Corporation. During Mabandla's premiership Swaziland kept its farthest distance from Pretoria. However, Many people were shocked when he want to live in exile in Bophuthatswana after his downfall in March 1983.

South Africa's Total Strategy

The changing balance of forces in the region, coupled with the shift of policy by the usually co-operative or controllable states like Lesotho and Swaziland, and the deterioration of internal security arrangement both within South Africa and at its borders compelled Pretoria to revise their regional policy and strategy. In the late 1970's Pretoria came up with what is commonly known as "Total Strategy" and some of its elements forced Swaziland back to a more co-operative stance. Total Strategy meant the mobilisation of economic, political and psycho-social, as well as military resources, in order to defend and advance the interests of the apartheid state both at the regional and internal levels. At the regional level South Africa sought to offer economic benefits to the majority ruled states. Hence the idea of CONSAS. However, none joined CONSAS but reacted by forming SADCC, Pretoria to offer economic incentives by giving bilateral aid to the more conservative states - namely Malawi and Swaziland. Writing about Pretoria's economic incentive Robert Davies and Dan O'Meara observed that:

"The most striking example was that of Swaziland. Among the incentives offered and accepted by the Swazi regime were assistance in building a railway line through Swazi territory linking the Eastern Transvaal with the port of Richards Bay and a supplementary R50 million payment in 1982 under the customs union agreements."⁵

Pretoria continues to give Swaziland aid for specific projects and these were identified in chapter 6.

In addition to economic incentives South Africa adopted a military strategy in the region. They continued to back up UNITA in Angola, tremendously increased their support of MNR after Ian Smith's government had gone, supported surrogate armies like the Lesotho Liberation Army (LLA) of the Basotho Congress Party (BCP) and "super-ZAPU" in Zimbabwe. They also conducted commando raids into Mozambique, Lesotho and Swaziland where they hit at ANC men as well as local civilians. "Action against the neighbouring states now seemed to be designed to force these states to withdraw support from the ANC and perhaps even become forces pressurising the ANC to dampen down its armed struggle."⁶ The South African Foreign Minister, Mr. R.F. (Pik) Botha is quoted in the Rand Daily Mail (13 October 1983) as having said "Out - they (ANC) must get out. There is no compromise on this one." For instance, in Swaziland Pretoria organised the kidnapping of a South African refugee school teacher in February 1981; in December 1981 South African commandos killed two ANC men. Pretoria complained that Swaziland's frontier was not well guarded and threatened Mbabane that if the security situation was not remedied, it would turn Swaziland into another Lebanon. Under this pressure Swaziland police arrested several ANC men and charged them with illegal possession of firearms.

The Land Deal and the Crackdown on ANC

In the early 1980's Pretoria came up with the land deal carrot to win Swaziland's collaboraton in tightening security. South Africa offerred Swaziland parts of its homelands land - namely Ingwavuma (which is part of Kwazulu) and Kangwane homeland. Pretoria made this offer on the pretext that people who live in these areas were Swazis who wanted to be joined with their own people in Swaziland. However, the ulterior motives were (i) to put pressure on Kwazulu and KaNgwane to opt for "independence"; (ii) if they still refused to become independent, then to denationalise close to a million South Africans who would then work in South Africa as migrant workers because Swaziland's economy would not offer them enough employment; and (iii) to use the land deal to buy the Swazi State's co-operation in expelling the ANC from Swaziland. Answering a question by one MP as to what the South African Government intended to do with homelands which did not opt for independence, President P.W. Botha did imply the first two motives. He said:

"In my opinion it is a tragedy that in the entire planning for Southern Africa, an agreement was not reached earlier in our history between Britain and the then Union of South Africa with regard to the arrangement of borders in Southern Africa ... I believe that if we have a proper understanding of the economic welfare and the distribution of wealth which has to take place in Southern Africa, we should accept a second principle, viz. that we shall not stand in the way of nations who wish to unite with one another anew in cases where they have predominantly common pasts, cultural ties and a common future. This Government will not be slow to respond as far as encouragement it's concerned when nations wish to think in this direction..."⁷

This was an indication that even other states (apart from Swaziland) and homelands could enter into border adjustments with Pretoria if they so wished. The effect would have been to de-nationalise several million black South Africans by handing them over to the small and economically weak states who in turn would be drawn closer to South Africa. This was in line with the aims of the "Total Strategy".

On the other hand, the Swazi Monarch approached the land deal from a different angle and he probably did not understand the full implications, economic and political, of receiving these pieces of land which are of poor fertility. King Sobhuza saw a chance of his old time dream being fulfilled, i.e. a desire to reunite the Swazis, create a greater Swaziland and have access to the sea through Kosi Bay. The Swazi authorities grievance over the distortion of boundaries dates back to the nineteenth century and this is mentioned in chapter 2. At Independence the Swazi leaders raised the issue of the lost land. For instance Prime Minister, Prince Makhosini told the Swaziland Parliament that he would raise the border issue with the British Delegation during one of their final conferences before Independence. He stated that "It is the intention of this Government to consult with the British Government on the boundary dealings she had with the neighbouring states."⁸ Although the border adjustment was an old dream of the Swazi leadership, to carry it through in the 1980's under Pretoria's terms would have brought Swaziland closer to S. Africa and relegated it to a status closer to that of homelands.

Attached to the land deal package was the requirement by Pretoria that Swaziland sign a security pact with it and expel the ANC. On 17 February 1982 Sobhuza agreed to a secret security pact with Pretoria. The pact was kept secret until the signing of the Nkomati Accord between Pretoria and Maputo in March 1984 when the Swazi leadership felt proud to disclose that their pact preceded the Nkomati Accord by 2 years. Amongst other things, the secret pact called for individual and collective action by Pretoria and Mbabane to eliminate the use of force in or from their countries. In essence this was an agreement to use the other party's security forces to eliminate what was considered to be evil elements. Thus Pretoria could be allowed to come to Swaziland to eliminate the ANC if Swaziland so desired. Consequent to this agreement Pretoria demanded that the ANC's chief representative, Mr. Stanley Mabizela, leave Swaziland and the Swazi leadership agreed. But within a short time, in June 1982, Mabizela's deputy, Mr. Petros Nzima, was assassinated by a car bomb at his flat. Anti-apartheid activists pointed their fingers at Pretoria.

The Death of Sobhuza and Intensification of Crackdown on ANC

Six months after the signing of the secret pact King Sobhuza II died. The death of Sobhuza resulted in uncertainty in South Africa's policy. Firstly, it called into question Swaziland's internal security because Sobhuza had held together the Swazi nation, including forces opposing each other. When the power struggles (discussed in chapter 3) began, Pretoria's fears were confirmed. Pretoria also doubted if the Swazi speaking South African leaders who had indicated that they would like to join

Swaziland would still be interested now that Sobhuza was dead and a civil war was looming over the country. Due to this consideration Pretoria decided to delay the proceedings of the land deal. It engaged itself in court battles with the homelands leaders (Chief Gatsha Buthelezi and Enos Mabuza) who were against the deal. When Pretoria lost the court battles they set up the Rumpff Commission to study the historical and legal implications of the deal. Before the Commission had finished its work, it was disbanded by the Government which announced in 1984 that if Swaziland wanted the land deal to go ahead they should negotiate with the Kangwane and Kwazulu leadership. This decision can be understood in the context of Pretoria's policy considerations, after Sobhuza's death, mentioned above and the security situation in the region which is discussed below.

After the death of Sobhuza in August 1982 there was a power struggle to fill the vacuum left by the Ngwenyama (lion). As stated in chapter 3 the Supreme Council of State (Liqoqo) became de facto rulers although constitutionally they were supposed to be advisers to the Queen Regent. This body came closer to Pretoria than any previous Swazi government, and the relationship between the Liqoqo government and the ANC plunged to its lowest ebb ever. Liqoqo lacked the diplomacy which Sobhuza had acquired in dealing with all the protagonists in the region.

Tough action against the ANC began late in 1982. It was during this period that Pretoria informed Swaziland that it would turn the country into another Lebanon if the Swazi Government did not tighten up on the ANC. Swaziland understood this message more clearly when

South Africa made commando raids into Maseru in December 1982, killing ANC men and Lesotho civilians. Swaziland's reaction was to round up ANC members and expel them. In December 1982 there were incidents of border shoot-out near Lomahasha between ANC cadres and the Swaziland Defence Force. Despite the tightening stance adopted by the Liqoqo Government Pretoria was not satisfied by the security situation. Hence the occasional raids into the country by S. African security forces. For instance, in November 1983 a Swazi national, Keith Macfadden and an ANC refugee, Zwelakhe Nyandar, were murdered and the anti-apartheid forces blamed Pretoria. The Liqoqo regime made no protests. To put more pressure on Swaziland South Africa closed borders on two important holiday weekends from which Swaziland would earn substantial revenue from tourists - an economic leverage by Pretoria.

Security deteriorated further at the Swaziland frontier after the Nkomati Accord between Maputo and Pretoria in March 1984. This non-aggression pact committed the two parties to forbid any forces fighting their respective governments to operate from each other's territories. Pretoria undertook to stop supporting MNR while Maputo promised to expel ANC from Mozambique and that ANC would maintain only an office manned by not more than 10 officials. When Maputo expelled ANC cadres, many entered Swaziland and this caused tension in the country, Swaziland and South Africa's reaction was to tighten security.

In April 1984 the Swazi State issued an official general expulsion order to the ANC. In the same month shootings started between ANC cadres and the Swaziland security forces. There were

allegations that South African security men helped the Swazi forces. For instance, some witnesses to the 15-hour battle at Ngwane Park (in Manzini) on 19-20 April 1984 vowed that they saw white men in camouflage uniform on the Swaziland side and that their number was more than the existing Israeli and British officers training the Swazi army. Another allegation was by arrested ANC activists that they were interrogated and tortured by South African security men in Swaziland custody. There were also several allegations that Swaziland Government handed to South Africa some ANC cadres and supporters.

In 1984 Swaziland almost became "another Lebanon". There were South African forces in the fighting, there was the ANC, the MNR (its presence increased after the Nkomati Accord as S. Africa pretended to have stopped supporting them when in fact it trained them in the remote mountains of Swaziland), there were shoot-outs between the Maputo security forces and the MNR across Swaziland border; and there was the home security forces. The situation was so confused that at some stage there would be an unintended exchange of fire between Swazi security forces and MNR, and in December 1984 the Swaziland forces erroneously killed a 12 year Swazi boy in Manzimi during their operations which ended with the killing of a S. African suspected to be an ANC cadre.

But by the end of the year more than 100 ANC activists had been arrested and deported. Some went underground in Swaziland. The situation was so bad that it called for the intervention of some leaders of the Southern African States. For example, President Kenneth Kaunda of Zambia urged the top leadership of the ANC to go

to Swaziland to solve the problem. Oliver Tambo, President of the ANC, was expected to arrive in the country in mid-1984. He did not turn up and there was much speculation about this. One version was that there was a South African plot to assassinate him with the connivance of Swazi authorities. The other version was that the ANC leadership felt that there would be no point in talking to Lisofo because of their present relationship with Pretoria. (ANC leadership used to discuss issues of security with Sobhuza whenever a need arose after ANC was allowed to establish itself in the country in the mid-1970's). Kaunda prevailed and a meeting was held in August 1984 between the Swazi delegation and the ANC leaders in Lusaka. The host was Kaunda. However, shootings, arrests and deportation of ANC continued after that meeting, which indicated that not much had been achieved by the meeting.

The close relationship between Swaziland and South Africa was consolidated by the establishment of the South African Trade Mission in Mbabane in 1984. The head of the Mission, Mr. Sam Sterban, is a career diplomat and the Mission does work that is normally handled by an embassy - viz. administration of South African aid to Swaziland; the head of the Mission was invited, together with foreign diplomats, to the reception of the January 1985 SADCC conference hosted by Swaziland. In the opening of that meeting the Swazi Prime Minister, Prince Bhekimpi, said that he wanted to assure the SADCC delegates that there was nothing wrong with Swaziland's policy towards South Africa. Ironically, Swaziland Broadcasting Service had announced that morning that the South Africa's surrogate army, MNR, had blown up the Swaziland Railway to Maputo. Bhekimpi's Government sent several delegations to Pretoria to discuss "matters of mutual interest".

Now there were 4 factors which influenced the Swaziland regional strategy during Liqoqo regime. The first was the land deal and the fact that a promise had been made to rid Swaziland of the ANC. The traditional oligarchy did not want to be seen to be a failure in this sphere after Sobhuza's death. Hence an open crackdown on the ANC, coupled with their invitation to South African security forces where they deemed necessary. The second factor was the power struggles within the ruling elite in the country. There was instability in the higher echelons of government and each faction wanted their position to be secured. They reckoned that South Africa as a powerful and friendly neighbour could guarantee their security. Therefore in the power struggle all factions threatened to undermine Swaziland's independence by moving to close to Pretoria. This is why there was a drastic shift of strategy vis-a-vis Pretoria and the ANC. Thirdly, the influx of the ANC cadres into Swaziland after they were pushed out of Mozambique in honour of the Nkomati Accord of March 1984 threatened the security of the Swazi State. Lastly, South Africa's threats of turning Swaziland into "another Lebanon" was conceded, more so that Pretoria demonstrated its seriousness in Lesotho and Mozambique by conducting several commando raids between 1981 and 1983.

The fact that Sobhuza was dead, the looming civil war in Swaziland, the fact that the ANC was largely pushed out of Mozambique and Swaziland, internal opposition (anti-apartheid forces, certain factions with Pretoria Government itself,⁹ KaNgwane and KwaZulu leadership), and external pressure especially Pretoria's allies in the Western bloc, all combined to make South Africa re-consider the land deal. Hence their announcement in 1984 that

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Swaziland should negotiate with Chief Gatsha Buthelezi and Enos Mabuza if they wanted the deal to go ahead. But how can Swaziland negotiate with them when they do not want to be seen to be giving credibility to the homelands?

British Policy in the 1980's and the Sanctions Issue

As stated earlier, British policy since the 1960's when they withdrew from the region was that majority rule is necessary. But this did not happen in the Portuguese colonies, apartheid South Africa, Namibia and rebellious Rhodesia. Change in the Portuguese colonies and Rhodesia had to come under pressure of guerilla warfare and international calls for change. South Africa still maintains apartheid and occupies Namibia in defiance of the UN resolutions.

Because of the intransigence of the South African regime the anti-apartheid forces (both internally and externally based) have intensified their opposition to Pretoria. A section of the international community has demonstrated its solidarity with the victims of Apartheid in South (now in Southern) Africa by giving material support, calling on Pretoria to dismantle apartheid and even calling for sanctions. The call for sanctions on minority regimes, including South Africa, dates back to the 1950's. Some types of sanctions have been imposed on South Africa, for instance, sports boycott, no supply of military equipment, and cultural isolation. But the real pressure for comprehensive and mandatory economic sanctions has intensified in the 1980's in international platforms like the UN meetings and Commonwealth summits.

The main target of the call for the more comprehensive and mandatory sanctions is the Western bloc countries which are major investors in and trading partners with South Africa. Britain is one of these countries. In essence these countries are asked by a section of anti-apartheid forces inside South Africa and Britain, the external South African anti-apartheid activists and a section of the international community to disinvest and stop trade in key products which would have an effect of weakening South Africa economically and militarily. There is serious disagreement about the effects and ultimate outcome of comprehensive economic sanctions. This disagreement is basically between the supporters of sanctions and the target states. It is not the purpose of this chapter to venture into the general debate. This chapter focuses on the British position and that of Swaziland.

The British Government position on comprehensive economic sanctions is basically that they do not work; that instead of softening the Afrikaner's attitude they will harden them and cause them to retreat inside their "old laager"; that sanctions will hurt blacks more than the white South Africans; and that sanctions will affect the economies of the neighbouring states, thus damaging the whole regional economy. There is also the concern of loss of jobs in Britain although this point is not frequently mentioned in public debates. These points form the cornerstone of the argument advanced by the present Tory Government, on both international and domestic fora, against sanctions on South Africa.

In the 1985 Nassau Commonwealth summit the British delegation raised these points. However, in that conference limited sanctions were agreed upon by the heads of State and Government, viz. (a) a

ban on all new government loans to the Government of South Africa and its agencies; (b) no Government funding for trade missions to South Africa; (c) a ban on the sale and export of computer equipment capable of use by South African military forces, police or security forces; (d) a ban on new contracts for the sale and export of nuclear goods, materials and technology; (e) a ban on the sale and export of oil; (f) a strict and rigorously controlled embargo on imports of arms, ammunition, military and para-military equipment from South Africa; (g) an embargo on cultural and scientific events except where these contribute towards ending of apartheid; and (h) they proclaimed their readiness to take unilaterally what action might be possible to preclude the import of Krugerrands.¹⁰ The Commonwealth states leaders agreed to that they would assess the situation in South Africa in 6 months and if there were no significant progress other measures would be considered.

These agreed measures were seen by some heads as too little whereas Mrs. Margaret Thatcher, British Prime Minister, proclaimed that she had not conceded and yet had conceded. When interviewed by the press she said "Well, they have joined me now" and later when asked if she had shifted she answered "Just a tiny little bit. A tiny little bit".¹¹ Perhaps it is true that there is no zero-sum game in the process of negotiations in politics.

The Tory Government frequently refers to the potential suffering of black South Africans if comprehensive sanctions were to be imposed. Mrs. Thatcher used this defence in the House of Commons in July 1988 when answering questions on the issue from the Labour Party leader, Mr. Neil Kinnock. She retorted:

"Unlike you, I am not prepared to stand here comfortably in this House and impose starvation and poverty on millions and millions of black South Africans and black children. You are prepared to do that."¹²

She reiterated this point on her visit to Australia in August 1988. Answering a question by a Sydney Television journalist on sanctions, Mrs. Thatcher said sanctions would add to the little suffering by the Blacks in South Africa whereby the interviewer interjected and told her that the suffering is not little.¹³ The debate on sanctions in British itself is sometimes a heated one but the Conservative Government have maintained their stand, publicly using the abovementioned points as the cornerstone of their anti-sanctions argument. The Tory Government allege that change in South Africa has to come through peaceful negotiations. Hence they tell the ANC to renounce violence, lay down their arms and negotiate with Pretoria. However, there is presently no clear-cut policy of the Tory Government towards the ANC. The Prime Minister constantly says that her Government will not talk to the movement as long as it refuses to renounce violence whereas the Foreign Secretary, Sir Geoffrey Howe, has said:

"We shall keep open our channels of communication with all the representative black opposition organisations ... The ANC are one of those organisations. We acknowledge their role in any negotiations and we shall maintain contact with them as well as with others."¹⁴

There seems to be lack of consistency of policy towards the ANC within the Tory Government.

Britain's alternative policy to sanctions is economic and military aid to the states neighbouring South Africa, and educational or training facilities to Blacks in South Africa since 1979. This aid to Southern Africa goes to SADCC as a body and to individual members (9 in all) of the organisation. "Over the five years 1982 to 1986 Britain has provided an estimated £540 million in gross bilateral aid to the region."¹⁵ To SADCC Britain had, as at January 1988, committed £35 million Britain is expecting to spend some £21 million over 5 years from April 1987 in the educational or training schemes to benefit black South Africa.¹⁶ A large sum allocated to SADCC is used to rehabilitate the infrastructure, namely railways, cable lines, electric pylons and roads, most of which were, and still are being, destroyed by opposition forces like MNR and UNITA. In some countries British aid is used to train their armies, viz. Mozambique, Zimbabwe, Lesotho and Swaziland. Some of it goes to general economic projects. Besides military assistance Swaziland receives aid for purchase of alienated land (historical background of this is in Chapter 2), for providing safe drinking water to homes in rural areas, technical personnel seconded by London and the training of Swazis in various skills in Britain.

Britain argues that their extension of aid to the region serves as "A Force for Peaceful Change and Development" in that it will reduce SADCC dependence on South Africa.¹⁷ However, the anti-apartheid activists who call on Britain to impose comprehensive sanctions on South Africa argue that aid should not be used as an alternative to sanctions. Pressure is still exerted on Whitehall.

Until the Lisofo regime, Swaziland was always quiet on the sanctions issue in international fora. Although they imposed

sanctions on Smith's government, when the discussion shifted to Portuguese East Africa (Mozambique) and South Africa, Swaziland immediately kept quiet. (The point to note is that Swaziland had little or no trade with Rhodesia. In any case Swaziland's sanctions on Rhodesia was an inheritance from the British Colonial Government). In international bodies like the UN, OAU and Commonwealth, Swaziland either abstained or absented themselves at the time of voting. This neutral policy was adopted for economic reasons. Swaziland was sandwiched between the two minority ruled countries and all its exports and imports went through them. So Swaziland reasoned that to support sanctions would be tantamount to committing political suicide. At the same time Swaziland paid its dues to the OAU Liberation Committee Funds, and at some stage allowed ANC official presence in the country. This is a clear case of a tightrope strategy. Even after the changing balance of forces when Angola, Mozambique and Zimbabwe became independent, Mbabane maintained their silence on sanctions. It is worth remembering that this change in the balance of forces did influence Swaziland's policy towards the ANC, at least until Pretoria came with a carrot (the land deal) and a big stick (the threats of turning the country into another Lebanon).

During the Lisoqo period - the era when Swaziland was closest to Pretoria - the Swaziland Government stood out against sanctions. In the 1985 Commonwealth summit at Nassau, there was a rapport between the British and Swazi delegates and an understanding was reached that sanctions would hurt Swaziland more than they would hurt South Africa itself. Subsequent to the 1985 Commonwealth summit Sir Geoffrey Howe, representing the European Community went

on a working tour of some Southern African states, including Swaziland. In Swaziland the Prime Minister, Prince Bhekinpi, told him in no uncertain terms that the Swaziland Government's view was that sanctions on South Africa would kill Swaziland. In August 1986 he repeated the message to a group of visiting West German Parliamentary deputies when he said "Sanctions will adversely affect our economy..."¹⁸ So during the Liqoqo period Swaziland was Britain and South Africa's vocal ally on the issue of sanctions.

Swaziland's Strategy since 1986

Towards the end of 1985 two key members of Liqoqo, Prime Mfanasibili and Dr. George Msibi were dismissed. This marked the dwindling power of Liqoqo and the ascendance of the forces which opposed it. These forces had prevailed in deciding to instal Crown Prince Makhosetive early in 1986. He was eventually crowned in April 1986 as King Mswati III.

The new government of Swaziland made a regional policy shift - they moved away from Pretoria. The new Government seemed to have been embarrassed by Liqoqo's very close relationship with South Africa. A move was made to put Swaziland back on a tightrope policy and re-establish its credibility in Africa. This point was demonstrated in Chapter 3 and reference No. 57 illustrates it clearly. The shift away from South Africa was further demonstrated by what happened on 1 June 1987 when the South African Trade Mission in Mbabane celebrated the 26th anniversary of Republic Day. The Mission invited the Swaziland Cabinet and senior Governments officers but no one turned up. A local paper remarked that:

"One notable aspect of the celebrations was the absence of any senior government officials. Even foreign mission heads based here sent juniors to the function. The head of the Trade Mission, Mr. Sam Sterban disclosed that an invitation was extended to the cabinet. But no Minister showed up."¹⁹

The present Government protests heavily against South African raids into Swaziland. For instance, in December 1986 South African agents raided several houses in Mbabane and Manzini, abducted 5 people and killed two. The new Swaziland Prime Minister, Mr. Sotja Dlamini, immediately called a press conference accusing Pretoria for the raids. Eventually a meeting was held in Mbabane between Pik Botha and the Swaziland Prime Minister. It was understood that in that meeting there were serious disagreements. When he left the meeting and was interviewed by the press, Pik Botha said "No comment".²⁰ When interviewed back home by the press Botha admitted that there was no agreement on the raids, killings and kidnapping but he was so defiant that he retorted:

"They (those who were abducted) planned devilish plans ... They were personally responsible for the killing of South Africans ... They were in any event illegally in Swaziland ... We would have taken them even if it had been in London ..."²¹

However, 3 (2 Swiss and 1 Swazi nationals) victims of the kidnap were released and returned to Swaziland.

The attitude of the present Swazi Government towards the ANC seems to have changed as well. In spite of the mass expulsion of 1984, ANC once more uses Swaziland as their main conduit. For instance, The Independent reported in May 1988 that "Western

intelligence sources estimate that there are 8,000 to 10,000 ANC guerillas in Angola and Tanzania. Their main infiltration routes are through Swaziland and Botswana. One might want to argue it is not a question of Swazi Government attitude towards the ANC, but the fact that the Swazi security system is not efficient enough to stop the infiltration. But that point is matched by the fact that Swaziland officials have been heard talking in defence of the ANC in cases where somebody smeared the ANC for some criminal activities in the country. During the Liqoqo period this did not happen. They took this as an opportunity to castigate and deport ANC cadres. In contrast the new Commissioner of Police, Mr. Sandile Mdziniso, defended the ANC on two criminal incidents which occurred in July 1987, whereby the perpetrators of the crimes claimed to be ANC. He said "They are definitely not ANC. They are just making that claim to cover their real identities."²²

As a result of this more sympathetic attitude towards the ANC Pretoria has increased its incursions into Swaziland. For instance more than 10 ANC cadres were killed by South African agents in Swaziland in 1986 alone.²³ The figure was the highest ever recorded in one year, except perhaps in 1984 when there was a general shoot-out.

However Swaziland does not officially allow the ANC to operate from its territory. In public Mbabane still declare that their policy of peaceful change in the region has not been altered. But the Trade Mission is still there and continues to disburse aid. On the sanctions issue the present Swazi Government seems to have shifted back to its old position of neutrality and silence on public platforms.

Summary and Conclusion

The discussion of Swaziland's regional strategy has revealed that at some stages and in some areas Swaziland's policy converges upon and at others diverges from both the British and South African policies. For instance, Swaziland agrees with Britain on the need for change in South Africa, but Britain condemns violence by any protagonist, whereas Swaziland pay their dues to the OAU Liberation Committee Fund, and Sobhuza was known to have told the ANC that if he had closed his left or right eye, they should pass through. In the case of South Africa there was little convergence except when Swaziland was offered a carrot (e.g. land deal) and a stick was applied (e.g. raids and threats to turn the country into a common battle ground).

It is argued that there are 6 main factors which influence Swaziland's policy and regional strategy, namely

1. Economic consideration, i.e. the fact that the country's economy is asymmetrically linked to that of South Africa, as shown in Chapter 6.
2. The existence of minority regimes in the region, viz. Angola and Mozambique under Portuguese rule up to mid-70's; Rhodesia under Smith and South Africa, and the fact that Swaziland, a micro-state, was sandwiched between Mozambique and South Africa. All her goods pass through the two countries.

3. The existence of liberation movements fighting these regimes; for instance, Frelimo in Mozambique and the ANC in South Africa. These movements, on the one hand, and the Portuguese and South African regimes on the other, were (the ANC and Pretoria still are) breathing down the Swazi Government's neck.
4. The nature of the Swazi State, i.e. the Monarchy and conservatism. There was fear of Marxism in the region, particularly neighbouring Mozambique. This is why Swaziland rushed a decision to build a railway to link with South Africa in the South at Golela when Frelimo took power.
5. There were security considerations against internal political opposition. The NNLC was close to South African movements, the PAC in particular. In fact, when Dr. A.P. Zwane escaped from detention in 1978 he stayed with PAC in Dar es Salaam. This fear of internal opposition forced the Swazi Monarch to establish an army and it is alleged, though not proven, that Pretoria had a hand in the formation of this army. This army was formed for internal conflicts as it was revealed in Chapter 3 when discussing the repeal of the Independence Constitution.
6. Swaziland's membership to international organisations like the OAU and SADCC. The country honours some OAU membership obligations. For example, it pays its financial dues to the Liberation Committee although it does not officially offer sanctuary to the ANC guerillas.

The work has shown how Swaziland adopted a tightrope strategy during the 1968-1975 period. The Independence of the Portuguese colonies, especially Mozambique reduced pressure on the Swazi leadership when they found that they could trust a Marxist Government. This trust, coupled with the idea that in future they may have to live with a majority ruled South Africa, persuaded Swaziland to accept an official presence of ANC and PAC (initially in the case of the latter). The Swazi Monarch even turned a blind eye to ANC cadres in transit to and fro South Africa. This worried Pretoria.

Due to changes in the region Pretoria initiated a "Total Strategy". As a result of this strategy Swaziland was offered both carrot and stick which eventually forced the country to swing back under Pretoria's wing up to 1985. However, since 1986 there has been an attempt to come out of this.

From this study it can be concluded that Swaziland's regional policy has, on the whole, been pragmatic; that it walks on a tightrope, trying hard to balance so that it does not fall on one side or another. It can be said that Swaziland adopts a policy and strategy for survival because it is a micro-state largely dependent on South Africa and, to a certain extent, on Britain as well.

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CHAPTER 8

Conclusion: Towards a Policy for Survival
of a Micro-State

This chapter provides a summary of the work already presented and the Conclusion. The study is about the examination of Swaziland's relations since Independence in 1968 with two powerful states : Britain (its former colonial master) and South Africa (its neighbour which until the 1950's anticipated that it would absorb Swaziland). The main focus is (a) Swaziland's political and economic links with Britain and South Africa, (b) the effects of these links on Swaziland's political system and (c) Swaziland's policy in the Southern Africa setting and its regional strategy. In the regional context account is taken of the fact that Swaziland is a micro-state in the troubled Southern Africa region.

Chapter 1 introduces the issues at stake and suggests their significance. It is pointed out that up to the late 1950's the British Governments and academics did not think it feasible that small territories, including Swaziland, would become independent states. Now that Swaziland has been independent for more than two decades it was a worthwhile academic exercise to conduct research on how far it has progressed or retrogressed as a micro-state. It was alleged that this assessment can be better understood in studying the territory's relations with its former colonial master and its powerful neighbour.

It was felt that in order to understand Swaziland's relations with the two states, it was necessary to give a historical

background of the links including the economic, political, social and cultural links since the late nineteenth century. These were examined in Chapter 2. The significant points which came out were:

1. That the British rule over Swaziland since the turn of the century was parallel rule, i.e. British colonial institutions existed alongside the Swazi traditional ones. Britain did not practise indirect rule as experienced by its colonies elsewhere in Africa.
2. That economic and social ties between Swaziland and South Africa during the colonial period were very close. The reason for this was that Britain had contemplated the incorporation of the High Commission Territories by the Union of South Africa. The conspicuous economic and social linkages were (i) the existence of the Southern Africa Customs Union (SACU), (ii) trade (especially imports from South Africa) between Swaziland and South Africa, (iii) the use of South African currency by Swaziland (and the other High Commission Territories (HCTs)), (iv) the transport system, (v) South African investments, having been stimulated by the post-war British capital investments, (vi) migrant labour to the South African mines, and (vii) the existence of a large white settler community in Swaziland compared with the other HCTs. About 60 per cent of these were born in South Africa¹ and sometimes made gestures of appeals to South Africa if they felt their interests were threatened in Swaziland.²

3. That the post-war British and South African investments in various sectors - viz. sugar, fruit, forestry, manufacturing and mining - resulted in the diversification of Swaziland's trade compared with the other HCTs.

In the discussion in Chapter 3 of the post-Independence politics of Swaziland, an effort was made to show that parallel rule continued. Modern institutions (e.g. Parliament, the Cabinet, the Civil Service, the Judiciary) existed alongside traditional ones (e.g. Ngwenyama, the Swazi National Council - Libandla, the Inner Council - Liqoqo, and the Chieftaincy). The difference between the colonial and post-independence parallel rule is that the Swazi Monarch became a key decision-maker in both governmental systems whereas during the colonial period the British High Commissioner to South Africa, and later Her Majesty's commissioner, was the key decision-maker in the Colonial Administration. It was argued that the Swazi Monarch usurped, to a certain extent, the powers of decision-making from the Swazi National Council (SNC). In spite of this he was not satisfied with the Independence Constitution which restricted his powers. Hence his occasional attack of the Constitution and its ultimate repeal in April 1973.

The repeal of the Independence Constitution meant a shift from the political system inherited from Britain. Political parties were banned, Parliament was suspended, freedom of assembly restricted and detention without trial introduced. The King ruled by decree. However, some basic tenets of modern government as inherited from Britain remained. The Civil Service, the Police, the Judiciary (albeit excluded from cases of detention and citizenship), the

Cabinet, the Prison Service, all continued to function. This is why this period was referred to as a period of "Change and Continuity".

But it was observed that the repeal of the Independence Constitution, the rule by the King's decrees and the subsequent introduction of Tinkhundla System marked a shift in the balance of parallel institutions in favour of the traditional ones. The fact that political parties and political organization were banned, and the fact that Tinkhundla System operates within the chieftancy and the Ngwenyama structures meant that modern political opposition was severely curtailed. The personality cult of Sobhuza characterised Swazi politics until he died in August 1982. It was argued that Sobhuza's domination of Swazi politics denied the State the development of a political culture which would ensure continuity and permanent political stability. This point was illustrated by the brief discussion of the power struggle which ensued after Sobhuza's death. The submission in this work is that Swaziland has not developed effective domestic political institutions which will ensure political stability for the twentieth century Swazi society. It has less success in this than it has in developing a regional policy for survival. (The regional policy is assessed below.)

Despite these constitutional and political changes, relations between Swaziland and Britain remained close. A few days after the repeal of the Constitution, the British Government proposed "business" as usual, seeing that "... Westminster constitution or no, the reality of power lay with the King before the abrogation of the constitution, just as much as it lay with him after."³ On its part, Swaziland did not wish to have strained relations with

Britain. This is particularly seen in the fact that the Swazi Monarch continues to invite members of the British Royal Family in important events (e.g. Independence Anniversary celebrations and Sobhuza's Diamond Jubilee in 1981) and the fact that the Swaziland Constitution Commission included Britain in their itinerary when seeking opinions for a new constitution.

South Africa's reaction to the 1973 changes was to welcome the move. Pretoria was happy when the co-operative government of the Swazi Monarch was entrenched. It endorsed the rule through Libandla (SNC) because according to Pretoria it was rule by consultation and consent.⁴ Another reason for Pretoria to be happy was that it was promoting inside South Africa the homeland's policy, with the view to granting "independence", using the chieftancy or traditional institutions. So these changes in Swaziland enhanced its determination on this policy.

In Chapter 4 a discourse on British investments in Swaziland was undertaken. It revealed that the post-war British investments demonstrated a diversification of the economic activity of Swaziland. For instance, new sectors which were established were forestry, sugar industry, fruit, commercial sector and the mining of iron ore. This diversification of economic activity necessitated new markets outside SCA for the products. Thus Swaziland avoided total economic entanglement by South Africa. One academic observed this diversification process in the following words:

"... while an increasing degree of economic integration with a richer and larger neighbour may be a prudent course for many small states, political considerations may dictate a search

for more distant and perhaps less lucrative markets. Recent developments in Swaziland exemplify this tendency for certain of its products."5

Swaziland's new industries increased their sales to Britain and started selling to European countries, the Far and Middle East, North and South American states.

It was observed that while British investments helped to diversify Swaziland's economy and exports markets, it also stimulated South African investments in areas like sugar, fruit, mining and manufacturing. At Independence South African investments were quite substantial although they did not surpass the British. However, over the period since Independence South Africa has grown to be the largest single investor in the territory. But the British investments still act as a check against total domination by South African capital. It was also argued that in terms of economic links, in the form of investments and trade, Swaziland are closer to each other than they are in terms of political links - Swaziland having moved several steps away from a "Westminster Model constitution".

The final observation made on British investments, and other investments, is that the economic activity and employment patterns which result from them act as a catalyst to undermine traditional institutions. An example is that of Mphumalanga constituency which voted for 3 NNLC candidates who were returned as MPS in the 1972 general elections. Mphumalanga straddled the sugar industry, citrus

fruit and Vuvulane Irrigated Farms (VIF) complex. It was also shown that during strikes, workers tended to ignore the voice of the Monarch and traditional rulers.

A discussion of trade between Swaziland and Britain in Chapter 5 showed that (a) at Independence Britain was the largest single market for Swaziland produce, (b) that over time South Africa has become equally important, and even more so in some years (see TABLE 2) and (c) that South Africa supplies Swaziland with 90 per cent of its imports (see TABLE 3). It was argued that British membership to EC and the Lome Conventions did not necessarily open up the EC market for Swaziland's products. Rather British membership meant the fixing of the terms of trade in the form of quota allocations for Swazi products, and STABEX for compensation in case of loss of earnings. The discussion revealed that South African firms use Swaziland as a base to gain access to markets and facilities not normally available. For instance, the Mpaka coal mine is operated by a South African company but Kenya is the major market for this coal. Kenya does not have open trade with South Africa.

When the industries in Swaziland make use of SACU market effectively and Pretoria thinks they are a threat, South Africa use subtle ways of undermining their expansion. The experience of the Swaziland Chemical Industries (SCI) is a good example of sabotage of Swaziland's industrialisation programme. This point leads to the argument that in order for Swaziland to maintain economic growth, the micro-state needs foreign markets. The population is so small that the domestic market cannot satisfy the ambition of firms. Small states need foreign markets to achieve economies of scale. In

this light it was observed that the shrinking market of cane sugar in Britain is cause for concern to the sugar industry in Swaziland.

By far the most important economic links Swaziland has are those with South Africa. This is due to two main reasons. The first is that Swaziland is geographically linked with its big and rich neighbour. Secondly, the assumption that the HCTs would be incorporated into the Union resulted in the creation of economic and social structures which linked them to South Africa. The most conspicuous structures are (i) SACU, (ii) South African investments in Swaziland, (iii) the transport system - most of Swaziland's goods go through South Africa, (iv) tourism - the majority of tourists in Swaziland are either South African or people resident there, (v) monetary co-operation - Swaziland used South African currency as the sole legal tender until 1974 when lilangeni was introduced to circulate alongside the rand, (vi) migrant labour - between 10 and 20 per cent of the total employment figure in Swaziland, in any given year since 1968, work in the South African mines (see TABLE 4), and (vii) trade - about 90 per cent of Swaziland's imports come from South Africa and it is a major market for Swaziland products.

These economic links are a major factor which influence Swaziland's policy and strategy in the Southern Africa region. Although the Swaziland Government is against apartheid, it cannot openly provide material support to anti-apartheid activists. The contention here is that Pretoria has it in its power to strangle Swaziland's economy as retribution for what it regards as hostile attitude. This contention is not far-fetched if one were to recall the experience of Lesotho in 1986. In that case South Africa simply

closed the borders and stopped the movements of goods. The result was a military coup which overthrew Chief Leabua Jonathan's Government. Granted, Swaziland is not as vulnerable as Lesotho in that it is not totally surrounded by South Africa and that Swaziland's source of revenue is more diversified than that of Lesotho. But this does not mean that Mbabane is insulated against the possible punishment by the racist regime in Pretoria. Most of its imports come from South Africa, most of its exports either go there or pass through South Africa to the outside world, between 10 and 20 per cent of the total employment figure get work in the Rand and coal mines of northern Natal, etc. These economic factors feature prominently in Swaziland's policy formulation towards Pretoria. It is true that South Africa also benefits from these economic links. But this does not mean the big neighbour cannot use economic blockade to punish the micro-states of the region if it thinks their behaviour has become wayward and intolerable. The relationship is not of equal partners as one academic observed in one of the treatises on small states : "It has been suggested indeed that in some cases the degree of concentration may be so great that the small country is in an essentially satellistic position vis-a-vis the large country to which it sells the bulk of its produce."⁶

The other factors which influence Swaziland's policy and strategy in the region are: (i) the existence of anti-apartheid forces and liberation movements, (ii) the existence and demise of minority regimes other than South Africa and Namibia (iii) the fact that Swaziland is a Monarchy and is conservative, and its fear of left wing and Marxist governments, (iv) Swaziland's internal

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security consideration, and (v) Swaziland(s membership of international organisation like the OAU and SADCC. All these factors were examined in Chapter 7. Suffice it to say these factors are pregnant with contradictory interests both for Swaziland and for protagonists in the region. A micro-state like Swaziland needs both ingenuity and dexterity to accommodate all these interests simultaneously. The contention in this thesis is that Swaziland has, on the whole, been ingenuous in its policy formulation for the region by following a "tightrope strategy". However, there has been occasions when the country moved too far to please the minority regimes. For instance, Liqoqo shifted from the "tightrope strategy" in its efforts to please Pretoria. The Land deal was also a strategic blunder. But since 1986 there seems to have been a correction of the Liqoqo's faulty policy and there is no more talk of the land deal. Hence the contention that Swaziland's strategy has largely been that of balancing its interests and convictions (against apartheid and minority regimes) in the troubled Southern Africa region. The submission in this thesis is that this is essentially a policy for survival of a micro-state in a troubled area. Swaziland has concluded that arrogance and recklessness towards any side of the protagonists in the region could turn it into "another Lebanon".

This policy for survival has been reinforced by the economic relations Swaziland has with other countries, especially Britain. British investments, aid and trade between the two countries provide Swaziland with breathing space in that it is not 100 per cent tied to its big neighbour. The political changes of 1973 did not affect economic relations between Britain and Swaziland. These relations,

therefore, continue to be an insurance against possible domination of Swaziland's economy by South Africa capital and this enhances the political options for a "tightrope strategy" so that Swaziland can survive. This strategy has to be played within severe limits and with great subtlety for it has implications within Swaziland itself as well as in relations with neighbouring states and the international bodies to which Swaziland belongs. In the period covered by this study the overall judgement must be that the policy has been pursued with reasonable success.

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Sir Brian Marwick of Castletown, Isle of Man.

Sir Francis Loyd of Aldeburgh, Suffolk.

Mr. James Johnson, retired Labour MP.

Mr. James Dunlop of Foreign and Commonwealth Office, London.

Mr. B. Moorhouse of the Overseas Development Administration, London.

Mr. J.P.M. Mhlanga and Mr. A.M. Dlamini of the Swaziland High Commission in London.

Mrs. Diana Eccles of Westminster.

II In Swaziland

Six of the fourteen evicted farmers (in 1986) of the Vuvulane Irrigated Farms (VIF) Scheme.

The General Manager and Project Accountant of VIF.

One VIF farmer who wanted to remain anonymous.

Mr. Mndeni S. Shabalala, Indvuna YetiNkhundla, Mbabane.

Mr. Sishayi S. Nxumalo, a businessman in Mbabane, also former Cabinet Minister in Swaziland governments, former King's Roving Ambassador and former Managing Director of Tibiyo TakaNgwane Fund.

Mr. D.D. Mtetwa, Deputy General Manager of Tibiyo TakaNgwane Fund.

Mr. M.V. Simelane of Swaziland Fruit Cannery, Malkerns.

Mr. V.M. Simelane, Registrar, University of Swaziland, Kwaluseni.

Mr. Simon Nkambule of the University of Swaziland, Kwaluseni.

Mr. M.G. Dlamini, Deputy Governor of the Central Bank of Swaziland,
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Miss Anne Pledsted of University of East Anglia.

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Mr. P. Gautrey of Surrey (former British High Commissioner to
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Mr. D.M. Kerr of Foreign and Commonwealth Office (former British
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Dr. S.J. Baynham of the Royal Military Academy, Sandhurst.

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