

WASHTENAW COUNTY COALITION AGAINST APARTHEID

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SEPT./OCT. 1985

ANC STATEMENT ABOUT SA GOVERNMENT'S "STATE OF EMERGENCY"

July 22, 1985: The proclamation of a state of emergency in 36 magisterial districts in South Africa constitutes an open admission by the Pretoria regime that it is losing control and can no longer rule in the old way. It has therefore instituted martial law and ceded to its armed forces the right to govern millions of our people, with unlimited powers given to these armed killers to do as they wish, acting in secret.

This inevitable fascist response to the demand of our people for justice and democracy will solve nothing. All it will do is to raise the level of violent confrontation between the people and the apartheid regime and its instruments of repression. This struggle will also spread to the white areas of our country regardless of enemy efforts to confine it to the black townships.

These new measures of increased repression demonstrate the bankruptcy of the Botha regime whose only answer to the irresistible tide of liberation is resort to greater and more brutal force. They have put paid to all efforts by this regime to present itself as reformist and have shown that like all its predecessors, it is committed to the maintenance of white minority domination by force of arms.

DIVESTMENT AND ECONOMIC SANCTIONS AROUND THE GLOBE

Since July '84 a group of 10 staff have been on strike from a Dublin chain store because of their refusal to handle South African goods. Management of Dunnes Stores say the strikers should leave their politics behind them when they come to work.... Bishop Desmond Tutu described them as allying with South African blacks. Through their action, he said, they shared his Nobel Peace prize and were an example for others in the West. You can write the strikers and obtain further information about their stand by writing: Mary Manning, c/o AFRI, PO Box 1522, Dublin, Eire.

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Los Angeles: The nation's 2nd largest city has approved a 5-year plan to phase out investment of \$4 billion in pension funds in firms doing business with South Africa.

The City Council also voted Tuesday to consider closing the city's harbor and airports to countries or companies with ties to South Africa, and proposed halting the purchase of all city equipment, from cars to computers, from manufacturers doing business with the racially segregated country.

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United Nations, NY: The \$4 billion UN pension fund has rid itself of all holdings in companies that do business in South Africa. The pension fund still had \$100 million invested in 14 companies that do business in South Africa as of August 1985, despite an 11-year policy mandated by the General Assembly to divest. The total sell-off of these investments was a result of the personal intervention of Secretary General Javier Perez de Cuellar, increased press attention to invest-

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U.S. MEDIA: ENGAGED IN MISINFORMATION ABOUT SITUATION IN SOUTH AFRICA

-- John Woodford

The statements of the ANC in response to the apartheid's government have been virtually ignored by the US mass media, which continues to slander the Congress and the African people.

Newsweek magazine's efforts to whitewash South African Pres. P.W. Botha are typical. The Aug. 19 issue's front page posed the question of South Africa as being: "Can South Africa Save Itself?" which boils down to mean can the racist, reactionary regime in Pretoria save itself. This meaning is made clear in the sub-headline: "Black Rage--And signs of White Reforms."

This is white supremacist journalism at its lowest. The heroic struggle of the long-colonized and downtrodden African populace is demeaned as "Black Rage" so Americans can link the events in South Africa to the riots of the 60s, even though those events were not part of a civil or national-liberation war.

Inside, Newsweek repeats the words "rage" and "riot" as often as possible and shows Botha smiling with an African flunky from one of the so-called homelands the racists have set up--homelands that are essentially concentration camps. Next to Botha's photo, a headline reads: "As pressures on him build, Pres. Botha considers reforms that would dismantle elements of apartheid." Headlines like this are fashioned very carefully at Newsweek and other news magazines after long editorial discussion in which the top brass decides whether to make the subject of the coverage look good or bad. The choice is clearly to make Botha look good.

This policy of endorsing, defending and whitewashing apartheid while pretending to cover the news was conducted even more brazenly in Newsweek's Aug. 26 issue. A large flattering, statesman-like photo of the racist leader, Botha, is flanked by a headline that says, "Botha Goes Slow." Our white hero Botha is a cautious man, in addition to being kindly, this graphic layout implies. And if the reader misses that point, the large-type sub-head informs him or her that Botha, in his own words, is trying to avoid leading South African minority groups to "abdication and suicide" because to destroy "white South Africa" would lead the entire country into "chaos and poverty".

What a swell fellow Botha is, Newsweek is telling its readers, just the kind of fatherly leader the wild Africans need in effect whether they know it or not. An accompanying story and photograph of African "looters" repeats the depiction of the Africans who are fighting almost unarmed for their freedom as nothing more than savages or jungle bunnies. "Blacks Against Blacks," the headlines say for a story that attempts to give respectability to the traitorous Black flunky Buthelezi, the quisling who is propped up by the apartheid regime. Does Newsweek ever headline Northern Ireland's troubles as simply a case of "Whites Against Whites"? Or how about the European theater in World War II? Is it common to present that complex political, economic and social conflict as merely an example of violence that whites wage periodically against one another?

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CALENDAR

Thursday, SEPT. 19: Regents Meeting, 4 PM, U-M Admin. Bldg. Regents will decide if they will appeal a recent court decision in favor of U-M divestment from companies that do business in South Africa.

Friday, SEPT. 20: Noon Forum on S. Africa; Thozamile Botha, Admin. Secretary for South African Congress of Trade Unions will speak on the current situation in South Africa. Ann Arbor City Councilperson Larry Hunter and Bob Gillett, Attorney, will be available to discuss resolution on Oct. 7 city council agenda as well as the legal battle over divestment between the U-M and state of Michigan. Guild House, 802 Monroe, NOON.

Saturday, SEPT. 21: WCCAA Benefit Dinner featuring African food and music, and keynote speaker to be announced. Friends Meeting House, 1420 Hill, 6 PM, \$5.00 in advance, tickets available at Collected Works, 325 E. Liberty, or call 668-0354.

Sunday, SEPT. 22: Films: "Generations of Resistance" & "Choosing for Justice", Nat. Sci. Aud., 7 PM, FREE.

Tuesday, SEPT. 24: State hearing on divestment bills HB4770 & 4771, Rm. 420A, Capitol Bldg., Lansing.

Thursday, OCT. 3: Free South Africa Coordinating Committee Meeting, Mich. Union, 7 PM. Call Barbara Ransby at 769-8549 to confirm room no.

Monday, OCT. 7: Protest against George Bush's talk on African Development, Noon. Sponsored by a number of campus groups. Contact Barbara Ransby, 769-8549.

Monday, OCT. 7: City of Ann Arbor City Council meeting, 7:30 PM, 100 N. 5th, 2nd floor, City Hall Council Chambers.

Thursday, OCT. 11: International Day of Solidarity with South African Political Prisoners:

- ** Write to African National Congress (S.A. liberation movement) and South West African People's Organization (Namibia's liberation movement) expressing your concern and support for these liberation movements.
- ** Contribute to International Possibilities Unlimited by purchasing a bracelet bearing the name of a South African political prisoner. Send \$6.50 to: I.P.U., P.O. Box 2542, Ann Arbor, MI 48106.
- ** The WCCAA is investigating the possibility of a surprise guest speaker for observance of this date. Look for announcements or call 662-1139 for further details!

Friday, OCT. 11: Rally in Observance of International Solidarity Day, Diag, Noon.

Thursday-Saturday, OCT. 17-19: U-M Teach-In Against Apartheid sponsored by Free South Africa Coordinating Committee. Speakers will include UM professors, representatives from ANC and SWAPO, student activists from other campuses and experts on Southern Africa.

Thursday, OCT. 24: UN Day! Paquetta Palmer will report on her trip to Nairobi for the UN Decade for Women Conference this past July. Friends Meeting House, 1420 Hill, 7:30 PM.

NOV. 1: National Student Conference Against Apartheid New York City. Free South Africa Coordinating Cmte. is organizing rides for this nationwide conference, call Barbara Ransby, 769-8549 for details.

NOV. 16-17: Midwest Student Conference Against Apartheid and Racism, Univ. of Chicago. FSACC will be organizing rides leaving Sat. AM. Call Barbara Ransby at 769-8549 for details.

DIVESTMENT AROUND THE GLOBE

ments in South Africa and favorable market conditions. Both UN officials and apartheid foes called the divestiture move a victory.

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Phibro-Salomon, the financial conglomerate that trades everything from bonds to gold said Aug. 21 that it would end its operations in South Africa and close its Johannesburg office... Phibro is the biggest American company so far to announce that it would pull out of South Africa. Phibro's South African operations consist mostly of buying precious metals and minerals and exporting them elsewhere.

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Ypsilanti: The Ypsilanti Fire and Police Pension Board committed itself to pulling \$3.6 million out of companies doing business in South Africa. The Board's most vocal advocate, Marguerite Eaglin, said she is satisfied with the board's action despite the fact that it includes no timetable as to what period of time the funds will be divested.

U.S. MEDIA

The attempts to brainwash white Americans, and Blacks, too, against the Africans of South Africa are corporate journalism's efforts to defend corporate industry and corporate mining. Locally, this thought-control journalism can be seen in stories like the Ann Arbor News's front page feature of Aug. 20 headlined: "Jewish Leader Opposes Sanctions [Divestment]". There are far more Jewish leaders who have denounced apartheid, called for divestment and pointed out the simple ugly fact that the living standards and political rights of Africans have worsened as the penetration of the U.S. corporations has gone deeper into the South African economy. But none of these Jews has gained the News's front page.

Why are the opinions of bankrolled flunkies and unprincipled pseudo-religious demagogues receiving such play if not to hurt the divestment movement nationwide and in Michigan?

The Michigan corporations that hide their profiteering in South Africa behind the figleaf of the Sullivan Principles and other such phony anti-apartheid measures are clearly determined to suck out their blood money as long as they can. The fact that the national and local media serve so willingly as their henchmen says a lot about how sincerely the commercial news media respect the principles of democracy and freedom.

Because Americans have been deprived of the opportunity to read what the African National Congress has to say about the state of emergency, we reprint most of its official statement here. The statement and others like it are available to any inquiring reporters who wish to contact the ANC representatives.

NOTE: For a more accurate picture of the situation in South Africa, you can obtain a subscription to ANC News Briefing by writing to their U.S. office: ANC, 801 Second Ave., #405, New York, NY 10017. This publication is issued bi-weekly and synthesizes the media coverage inside South Africa as well as internationally. The cost of a 1-yr. sub. is \$15.

THE DIAMONDS ON LIZ'S BOSOM --by Alice Walker

The diamonds on Liz's bosom
are not as bright
as his eyes
the morning they took him
to work in the mines
The rubies in Nancy's
jewel box (Oh, how he
loves red!)
not as vivid
as the despair
in his children's
frowns.

Oh, those Africans!
Everywhere you look
they're bleeding
and crying
Crying and bleeding
on some of the whitest necks
in your town.

SHOULD THE CITY OF ANN ARBOR DIVEST ITS PENSION FUNDS FROM COMPANIES THAT DO BUSINESS IN SOUTH AFRICA?

-- Larry Hunter

Last year I sponsored a resolution before the Ann Arbor City Council requesting that the city's trustees serving on the Retirement Board to vote in favor of a resolution to divest all funds from companies which do business in South Africa. Unfortunately the resolution failed with the Republican Party majority at that time voting against this proposal.

Fortunately along with this year's newly elected Democratic majority, I plan to reintroduce the divestment resolution for the Oct. 7 Council meeting.

It is important to note that the Retirement Board is established under the city Charter and consists of 9 members, 5 of which represent the city of Ann Arbor. The remaining 4 members represent the employees of the city. Keeping this in mind the resolution is weighted toward those members of the Retirement Board who represent the city of Ann Arbor. In addition, it should be noted the largest union representing 600 of the city's approximately 950 employees, AFSCME local 369, has enthusiastically endorsed this resolution. To date, I have yet to receive a response from the police and fire representatives to the board regarding the divestment resolution.

What can you do to help?

1. Write letters of support to the local news media.
2. Phone or write your council representative indicating support for the resolution.
3. Attend the Oct. 7 City Council meeting, 100 N. 5th Ave., 2nd floor City Hall Council Chambers at 7:30 PM.

STATE OF MICHIGAN DIVESTMENT ACTION ALERT

On Sept. 24 there is a hearing scheduled on HB 4770 and 4771. HB 4770 which Rep. Virgil Smith (Detroit) and Perry Bullard (Ann Arbor) introduced on May 20, 1985 requires the 2 largest pension funds for state public employees to divest of all holdings in companies that operate in South Africa. Companion bill HB 4771 requires that the legislators' own pension fund divest of companies profiting from apartheid.

If you can attend the hearing, it will be held in rm. 420A, Capitol Bldg., Lansing, MI. If you cannot attend, it is crucial that you write to your local representative, especially those whose position is not known. Please encourage your friends in western, central and northern Michigan to write their representatives too. If you receive a response from a legislator, please send a copy of it to Rep. Perry Bullard, Rm. 303, Capitol Bldg., Lansing, MI 48909, ATTN: Jim Burchell. For further information concerning HB4770 and HB4771 contact Jim Burchell at 517-373-0155 or 313-769-5051.

WRITE YOUR LEGISLATORS IN SUPPORT OF DIVESTMENT!!

Because of state and local divestment hearings taking place in September and also because media attention seems to volley the general issue of divestment and economic sanctions back and forth from pro to con, this issue focuses on divestment. The WCCAA supports divestment legislation and bills pertaining to economic sanctions as an effective means of bearing international pressure on the racist South African government. While we read in the papers that such measures would really hurt Blacks in South Africa, spokespeople who represent the legitimate liberation movements in South Africa consistently urge foreign powers to put these measures into operation. Therefore the WCCAA urges our readers to write their Congresspeople concerning the importance of taking such stands. Below is a sample letter that may be used for this purpose.

Dear Representative _____,

I strongly urge you to support House Bills _____ which require Michigan public employee pension funds to divest from companies that operate in South Africa.

I firmly believe that public funds of this state should not be used to support racial oppression in South Africa. U.S. corporations help to shore up the economic and political system of apartheid. U.S. investment there is concentrated in the strategic sectors of oil and energy, computers, and trucks and automobiles. U.S. firms sell equipment to the South African military and police and provide computers to implement the pass laws that control where Africans may live and work. The South African government and many American corporations argue that their presence in South Africa is a force for change, but during the past 25 years, while U.S. investment has tripled, repression against the black majority actually has grown measurably worse.

New and prominent voices are being raised in the U.S. in favor of divestment. Clifton Wharton, Jr., a director of Ford Motor Co., former president of Michigan State University, and currently Chancellor of the State University of New York and Chairman of the Rockefeller Foundation, said: "U.S. firms and corporations should withdraw all personnel and investments from South Africa, and as rapidly as they can. In commerce and foreign policy alike, we must treat the South African government as the pariah it long ago chose to become. What has altered my view? A slow but inexorable tilt in the balance of outrage, as the damning evidence continued to mount."

South African blacks are also increasingly calling for divestment. Nobel Peace Prize winner and Anglican Archbishop of Johannesburg, Desmond Tutu, has recently given his support to the principle of divestment. Many South African workers' organizations, whose members would be most directly affected by corporate withdrawal, also now call for divestment. FOSATU, the largest federation of black trade unions, declared in 1984: "It is FOSATU's considered view that the pressure for disinvestment has had a positive effect and should therefore not be lessened." These South African trade unionists are taking considerable risks to ask for our help, because advocating divestment in the South African police state is a crime punishable by up to 20 years in prison.

Divestment is a viable way that Michigianians can oppose apartheid. Studies by the Franklin Research Co., Chemical Bank, the U.S. Trust Co., and Trinity Investment Management Corp. have found that portfolios that exclude companies operating in South Africa have outperformed those that do not with only a minimal amount of added risk. Massachusetts, Connecticut, Maryland, Nebraska and the District of Columbia are currently enforcing the laws that take public funds out of companies operating in South Africa.

The state of Michigan has been in the forefront of American concern about apartheid. The state already is carrying out legislation mandating that public university funds not be invested in corporations operating in South Africa and that state funds not be deposited in banks making loans to South Africa. I hope that you will maintain this proud tradition by voting for Bill _____. Increased international pressure on the South African government can hasten the day of justice and peace for all in that troubled land.

Yes, I would like to receive the newsletter. Enclosed is my \$5.00 subscription.

I have enclosed \$ _____ donation to the WCCAA

_____ Please add my name and phone number to the telephone tree list so I can continue to be informed of WCCAA events and activities.

Name _____ Phone _____
Address _____ Zip _____

More than 8,000 black miners lost their lives in South African mines between 1970-1980.

ANTI APARTHEID GROUPS WIN VICTORY FOR U-M DIVESTMENT

--Jim Engstrand

Local anti-apartheid groups with connections to the WCCAA recently won a victory over the U-M Regents in the long struggle for divestment from companies doing business in South Africa. Ingham Co. Circuit Judge Carolyn Stell upheld a Michigan law prohibiting U-M from holding stocks (but not bonds) in such companies against the Regents' attack. The pro-divestment organizations participated in the lawsuit by submitting a brief in support of the legislation.

For those not familiar with the lawsuit, it is the culmination of the Regents' resistance to divestment, which dates back at least to 1977. During the 1982-83 school year, pressure from such groups as the WCCAA mounted on the Regents to divest. Adding to the pressure was the passage that Dec. of Public Act 512 (1982), requiring public educational institutions to divest stocks by April 1, 1984. The U-M Administration and Regents promptly took the position that the law was invalid because of their authority over U-M expenditures provided by the state constitution.

For divestment advocates, the law became a mixed blessing: it seemed like a clear victory but it also made the Regents even more stubborn because they didn't want to appear to acknowledge the Legislature's power over their investment practices. The Regents needed a way to save face while doing something to defuse the growing divestment movement.

Their solution, on April 15, 1983, also accommodated their allegiance to Michigan corporations. They resolved to divest stocks, but with these exceptions: 1) in companies headquartered in or employing a "substantial number" of people in Michigan, 2) in companies involved in the University's "Buy-Write" program, and 3) stocks restricted by their donor. This partial divestment allowed the Regents to say that P.A. 512 played no part in their "moral" decision, and retained their "legal" standing to attack the law. They also resolved that day to do just that.

The Regents filed suit on July 15, 1983. Two sets of amici curiae ("friends of the court") entered the case, over the Regents' opposition, to help the Attorney General's office defend P.A. 512. The two leading sponsors of the Act, Perry Bullard of Ann Arbor and Virgil Smith of Detroit, submitted one brief, while the other is by the U-M Black Students' Union (of which WCCAA is an affiliate), the National Lawyers' Guild, the Peace Education Center, the Institute for Global Education, and the National Conference of Black Lawyers. The brief by the Attorney General's office on behalf of the state made the strictly legal arguments fairly thoroughly, allowing the amici to emphasize the policies behind the Act. The question involved is simply whether the Act itself is constitutional. Thus there was no trial, and Judge Stell made her decision solely on the basis of the briefs.

The Regents made four arguments against P.A. 512. Only one of them directly reflects their professed concern with their independence from Lansing, but it is legally one of the weaker ones. They claim that Article 8, Sec. 5 of the state constitution, giving them "control and direction of all expenditures from the institution's funds", also applies to investments. Judge Stell rejected this for two reasons: 1) investments aren't "expenditures", and 2) the constitutional provision protects the Regents' control only over their "educational sphere".

The second argument was based on an obscure constitutional section, but brings out one of the more remarkable features of P.A. 512. The Act was passed as an amendment to the Elliott-Larsen Civil Rights Act (MI Compiled Laws 37.2402(L)(f)) which outlaws discrimination in employment, public accommodations, education, and realty transactions. The divestment provision is part of the section dealing with schools, and works by declaring that investments in South Africa "encourage or condone legally required discrimination against an individual." For people who have been trying to

point out the connectedness of racism as a global institution, this may be a welcome surprise in an enacted statute in the U.S. But the Regents pooh-pooh the idea of any link between apartheid and racism in Michigan, or at U-M. They say that Elliott-Larsen now violates Article 4, Sec. 24 of the state constitution which requires that a law have only one "object", which must be expressed in its title. Elliott-Larsen, the Regents say, is about discrimination in Michigan, but the divestment provision is about U-M finances, or maybe "discrimination" in South Africa.

The brief for the Black Students' Union, et al., in particular, responds by showing the real injury done to blacks in Michigan when a state university invests in apartheid. Judge Stell's response essentially accepts the Legislature's finding that investment in South Africa "encourages or condones discrimination" in Michigan. Prohibiting that is surely within the broad object of Elliott-Larsen.

The Regents' other two arguments were based on the federal constitution. The "Commerce Clause" bars states from regulating interstate or foreign commerce in certain ways. That's just what P.A. 512 does, the Regents argued. Their final claim involved the federal government's implied sole power over foreign relations. So, P.A. 512 is now a sort of "foreign policy" enactment as well, said the Regents.

Judge Stell's opinion defeats these arguments by noting that, according to precedent, the Constitution prohibits only significant burdens on either interstate commerce or the federal government's ability to exercise foreign policy.

An underlying strategy of the U-M brief is to describe the case as an abstract lawyers' dispute about regal vs. legislative power, not really one about the depth of their professed abhorrence of apartheid. Much of the brief of the B.S.U. et al. is devoted to attacking that claim, which the history of the U-M divestment movement shows to be at most half-true.

Attorney Robert Gillett, a co-author of the latter brief, believes that "the amicus briefs really had an impact on the court. The amicus groups' interest in the suit was itself important."

The Regents can now appeal to the Court of Appeals. Gillett feels, however, that "Judge Stell wrote an excellent opinion that will be hard to reverse." The Regents will decide whether to appeal at their meeting on September 19. The WCCAA urges people to attend that meeting, and will be organizing speakers for the "public comment" section of the meeting to tell the Regents that it is time they stopped fighting P.A. 512 and complied with it.

For more details about the case, contact Cindy Poe (995-0365). Also, the file in Ingham Co. Circuit Court can be inspected. The case is entitled Regents of the U-M v. State of Michigan, No. 83-50309-CZ.



Picture taken from post-cards available from International Defense & Aid Fund, PO Box 17, Cambridge, MA 02138

NOTE: This issue deals specifically with divestment, due to the legislative activity that is going on currently concerning this issue. Next issue will deal with South Africa and the Frontline states and will feature a letter received by one of our WCCAA members from Mr. Herman Toivo 'ja Toivo, Secretary General of SWAPO, who pointed out in his letter that the "Free South Africa" Movement should really be changed to the "Free Southern Africa Movement" since it ignores the destabilization policies of the government in Pretoria to the entire southern African region.