BOOK REVIEWS

H. Van Vuuren, *Apartheid, Guns and Money – A Tale of Profit* (London: Hurst & Company, 2018), 611pps, £25, hardback

Reviewed by Andrea Durbach

... [P]eople [are] cheering and ululating while four military helicopters cross the sky above them. The helicopters are camouflaged green ORYX helicopters and below them hanging on thick wires are four ... new South African flags. It's the 10th of May 1994. Nelson Mandela is being inaugurated as President of South Africa. ... What most people do not know is that ... [t]hey are watching the corruption of apartheid seamlessly being carried across the sky into the new South Africa. Because the helicopters carrying the [South African] flags are ... modified versions of French Super Puma helicopters bought illegally under apartheid to oppress the South African people.¹

In February 2018, a number of South African civil society organisations, including Corruption Watch, Foundation for Human Rights and Open Secrets, convened a People's Tribunal on Economic Crime. Over five days, the Tribunal, presided over by prominent South African and international legal experts and human rights activists, heard evidence and arguments on the creation and maintenance of a 'labyrinth of devious structures and routes'² employed by foreign governments, banks, corporations, private sector individuals and their middlemen for more than four decades to circumvent the arms embargo imposed by the UN Security Council against apartheid South Africa in 1977.

The UN General Assembly and Security Council had consistently condemned apartheid as contrary to the UN Charter and, in 1966, the General Assembly declared apartheid a crime against humanity. In 1977, in response to the increasing violence executed by the apartheid state against the majority of its citizens, in particular the crushing of the 1976 Soweto student uprising, the Security Council imposed Resolution 418, a universal mandatory arms embargo against South Africa. The Resolution prohibited the provision of 'weapons and ammunition, military vehicles and equipment, paramilitary police equipment' to South Africa and any grants of licence 'for [their] manufacture or maintenance'.³

The Tribunal was evidently the first such people's tribunal 'anywhere in the world to explicitly set out to hear allegations of economic crime and corruption'.⁴ Although the Tribunal had no formal judicial authority or powers, the rationale

underlying its establishment was to ‘generate an evidence-based public record of these crimes . . . which citizens [could] use . . . to demand accountability’ against those who underwrote and facilitated an ‘elite criminality’ (7). This practice of patronage, crime and corruption was not only devised to thwart and exploit the arms embargo but was also directed at propping up apartheid. This further necessitated brutal state intervention in the form of the suppression of black labour resistance and the unlawful detention, torture, abduction and murder of thousands of predominantly black South Africans. Indeed, the final report of Tribunal found that the apartheid ‘regime’s conduct would have been more difficult to sustain had it not been for the illegal trade in arms during this period’.⁵

Apartheid, Guns and Money, written by one of the architects of the South African People’s Tribunal on Economic Crime, Hennie Van Vuuren, is an exhaustive account of the brazen, egregious violations of the UN embargo aided and abetted by countries that ‘had officially supported sanctions against South Africa’s racist regime and, in certain circumstances, openly funded the liberation movements’ (4). Despite their apparent endorsement of South Africa’s transition to a non-racial, inclusive democracy, these countries and their operatives ‘bust sanctions, [sold] guns and oil and other goods [which] required ideological affinity, race-based sympathy and money – in vast quantities’ (4). And there were enormous profits to be made by the executioners of this duplicity.

The magnitude, reach and exposure of this subterfuge are the core focus of Van Vuuren’s bold project. He and his researchers (Michael Marchant with Anine Kriegler and Murray Hunter) combed through over 2 million pages of documents, many of them reluctantly declassified and released by state agencies pursuant to applications brought under access to information legislation. They amassed 40,000 documents from 25 public archives and various collections held in countries that include the United States, Switzerland, Belgium, Germany and the United Kingdom. Their detailed investigations of the sustained, multi-pronged complicity of governments (including all five permanent members of the UN Security Council), banks, defence corporations, intelligence officials and private individuals in sanctions-busting activities are distilled in stark infographics peppered throughout the book. These ‘treasure maps that accompany the text’ (513) vividly demonstrate the intricate and enduring covert deals in arms, oil and weapons technology that were perpetrated by those intent on entrenching apartheid rule, supporting right-wing regimes more broadly and securing exorbitantly lucrative kick-backs in the process.

Although the bulk of the book illustrates how the apartheid regime constructed and relied on international networks as ‘accomplices in economic crime’ via the state-owned arms company, Armscor,⁶ *Apartheid, Guns and Money* cracks open the corporate collusion of the domestic private sector in ‘responding to sanctions

through covert initiatives of their own' (70). While not strictly in breach of any sanctions provisions, the South African private sector was critical to the establishment of the country's military-industrial complex, a pressing enterprise in the face of the arms embargo. Many business leaders would argue that, despite their profitable participation in the militarisation of the South African economy, their collusion with the government to counter sanctions – primarily for private gain and to fortify the state – was either 'apolitical' or 'part of a deeply political and patriotic project of protecting South Africa against external aggression and the supposed impending total onslaught of communism'⁷ (72).

Private sector malfeasance was often simply reduced 'to acceptable tales of cunning business people who outsmart rivals' (96). These accounts, argues Van Vuuren, were not, however, 'a tale of petty crookery. They inform the very nature of economic crime that was common in the late-apartheid period and that stubbornly persists today' (96). As South African economist Nicoli Nattress observed a few years after the country's transition to democracy in 1994:

From propping up and supporting apartheid, [private sector businesses] became the engines of growth for the new democracy. Armscor, the vilified armaments producer, rose from the depths of moral culpability to the elevated status of 'national asset'. Armaments, which once repressed pro-democracy activists in South Africa, are now being exported to Indonesia where they are being used against activists in East Timor.⁸

The absence of accountability for these apartheid-era crimes and the persistent presence of the cloak of impunity that concealed embargo-busting deals and their backers are failures that Van Vuuren convincingly claims underlie the inequality of economic power in post-apartheid, democratic South Africa.

Whatever the justifications for leaving past corruption and economic crime 'to lie; like fat, rich sleeping dogs' (3), Van Vuuren's call to 'dismantle the criminal networks that thrived under apartheid' (504) is essential to excavating the 'grand corruption' that has 'seamlessly' permeated – and is now at risk of economically crippling – the new South Africa. He reminds the reader that, almost 25 years ago, the South African Truth and Reconciliation Commission (TRC) convened a special institutional three-day hearing on the business sector's collaboration with the apartheid regime, including the supply of goods and services used for repressive purposes. Although the TRC found that 'most businesses benefitted from operating in a racially structured context',⁹ it had little focus on 'specific acts of complicity, such as sanctions busting, by the most powerful corporations and business leaders' (69–70).

A clear objective underlying this extraordinary compilation and analysis of the deep layers of state crime is the resounding call to the nascent South African

democracy to deal with its past ‘as a prerequisite for ensuring that those involved in [current and] future economic crimes are held to account’ (501). The exhaustive exploration and documentation of these economic crimes subsequent to the TRC’s deficient business sector hearings via mechanisms such as the People’s Tribunal on Economic Crime,

Recognising the limitations of social and economic change at the point of political transition post-conflict, Van Vuuren cogently argues for an ongoing process of transition that allows for residual issues of injustice to be revisited in the interests of disrupting a culture of impunity and redressing the enduring systemic harm suffered by millions of South Africans. Against the current national backdrop of massive corruption and ‘state capture’ by a handful of individuals and firms whose rapacious interests threaten South Africa’s political and economic future, *Apartheid, Guns and Money* offers a formidable contribution to this critical task.

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Notes

1. Extract from a radio programme, *South Africa – Freedom for Sale*, May 2018. The programme was produced in collaboration with Open Secrets, a South African NGO that exposes, and seeks accountability for, private sector economic crimes. Hennie Van Vuuren is the Director of Open Secrets.
2. Interim findings of the People’s Tribunal on Economic Crime, 7 February 2018, p. 4, para. 7: <https://corruptiontribunal.org.za/site/wp-content/uploads/2018/02/Peoples-Tribunal-Preliminary-Findings-1.pdf>
3. UN Resolution 418 (1977), 4 November 1977, <http://unscr.com/en/resolutions/418>
4. Open Secrets, ‘Op-Ed: The People’s Tribunal on Economic Crime – holding power to account’, *The Daily Maverick*, 6 February 2018: <https://www.dailymaverick.co.za/article/2018-02-06-op-ed-the-peoples-tribunal-on-economic-crime-holding-power-to-account/>
5. Interim findings of the People’s Tribunal on Economic Crime, n. 2 above.
6. Armscor’s mission was to procure, develop and produce weapons for domestic consumption by the South African Defence Force.
7. During the special institutional hearings on the role of the business sector, the TRC queried assertions by South African arms producers that their products would be used against an external aggressor. ‘Certainly, given the extent of government propaganda about Communism and the “total onslaught”, it is possible that many people did hold this opinion. However, once the army rolled into the townships in the 1980, the scales should have fallen from the eyes of all perceptive South Africans’. TRC, *Truth and Reconciliation Commission Report*, 1998, vol. 4, p. 37, para. 78.
8. Nicoli Nattress, ‘The Truth and Reconciliation Commission on Business and Apartheid: A Critical Evaluation’, *African Affairs*, 98 (392), July 1999, p. 390.
9. TRC, *Truth and Reconciliation Commission Report*, 1998, vol. 4, p. 58, para. 161.