

# From Apartheid to Democracy in South Africa

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## I. Introduction and Historical Background

South Africa's transition to democracy in the early 1990s can be described as a complex transition. It was not only a transition from a dictatorship and an oppressive regime to a democratic dispensation. It was, first and foremost, a transition from apartheid (a deeply entrenched system of racial oppression) to a democratic system based on universal rights, the rule of law, and freedom. It was also a transition which was, in a sense, South Africa's long overdue joining of the process of decolonisation that began several decades earlier for the rest of the African continent. On top of that, the transition also coincided with the end of the Cold War and the fall of the Berlin Wall, thus prompting a repositioning of the liberation movements, notably the African National Congress (ANC) and its alliance partners, the South African Communist Party (SACP) and the Congress of South African Trade Unions (COSATU). In short, the end of apartheid brought not only democracy to South Africa, it also required this new democracy to find its place in a fast-changing international dispensation that was no longer a somewhat simple binary of "East" and "West".<sup>1</sup>

It is perhaps because of the fact that South Africa managed a relatively peaceful transition, in a complex world in flux, and with little outside assistance, that the South African transitional model is still celebrated internationally, even while there is growing domestic (and international) scepticism about the viability and integrity of this transition and the fledgling "New" South Africa.<sup>2</sup> There was also the remarkable contrast between South Africa's year of liberation, 1994, when the country's first democratic elections were held and Nelson Mandela was sworn in as the country's first Black president, and fellow African country Rwanda, which was almost destroyed by a horrific genocide in the same year (and month) of South Africa's celebrated first democratic elections.

The complexities of South Africa's transition must also be analysed against the backdrop of the internal debates in the broader anti-apartheid movement (and the

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<sup>1</sup> *Peter Bouckaert*, "The negotiated revolution: South Africa's transition to a multiracial democracy" (1997), *Stanford Journal of International Law* 375, pp. 378–380.

<sup>2</sup> For a critical assessment, see: *Heinz Klug*, "Decolonisation, compensation and constitutionalism: Land, wealth and the sustainability of constitutionalism in post-apartheid South Africa" (2018), *South African Journal on Human Rights*, pp. 469–491.