
THE CONGRESS PROJECT

Anthony Madonna
March 2, 2021

Background Section Instructions

For their legislative history project, students are required to complete a “Background Section” that answers a specific question or set of questions assigned by the instructor. Typically, this will necessitate contextualizing either the political climate the legislation was considered in or provide a history of the policy. Ideally, it will demonstrate why the legislation was needed. The background section is due on **Sunday, March 14th** at 11pm. The background section is worth 10% of the final course grade for both POLS 4105 and POLS 4790H.

You have been assigned a specific question to focus on in your background section in your prompt sheets. **PLEASE READ THESE!** So you shouldn’t be following the exact Background Section format from the “Writing a Legislative History” slides. Again, pull up your prompt sheet, find the number assigned to you (under Assignments) and locate that number on the Background Questions section. Then answer those questions as best you can.

You don’t need to answer all of the questions provided. Especially if one or two of them jump catch your eye and necessitate a lengthy answer. The long-term goal is to combine your background section with those of your “bill buddies” (this is not something you need to worry about). Ultimately, a good background section should provide the reader with enough information to understand the congressional debate. It should contextualize the political situation and the issue.

A good background section for this assignment will likely run between six to ten paragraphs long. There’s no maximum length on it. My preference would be for you to submit the Background section via ELC as a Microsoft Word document. I do understand if you have to submit it via pdf however.

Please provide a Work Cited page and follow the Footnote and Citation guidelines.

An example of an excellent summary section can be found below. Additional examples can be found on the Congress Project Website here:

- <https://www.thecongressproject.com/anti-drug-abuse-act-of-1986>
- <https://www.thecongressproject.com/twenty-first-amendment/>
- <https://www.thecongressproject.com/standard-time-act-of-1918>

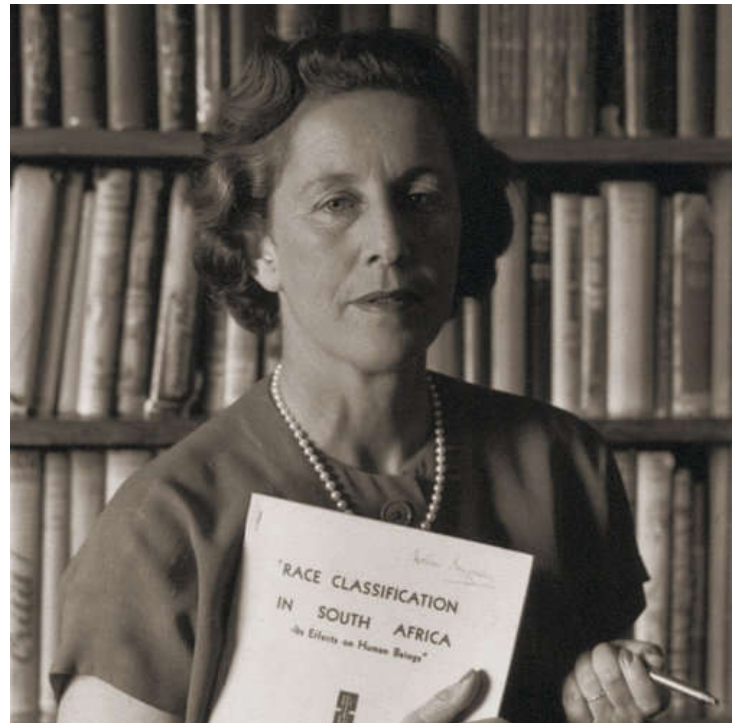
Background

The 99th Congress was elected in 1984 and sat from 1985-1986. While President Reagan was overwhelmingly returned to office, his coat tails did not extend to Congress. Republicans held a majority in the Senate of 53-47 (reduced from 55-45 during the previous Congress), and Senator Bob Dole (R-KS) was the majority leader.¹ In the House of Representatives, Democrats retained a large majority – 71 seats – in spite of losing 16 districts. The Speaker of the House of Representatives was Tip O’Neill (D-MA).

The 1980s were a difficult time for American foreign policy as Soviet influence was still a worldwide phenomenon and the fight against communism remained a major American battle. Africa was one of the centers of the Cold War (Dunning 2004), and South Africa remained fastidiously anti-Communist with a strong military and spy network, making it a sensible American ally (Bowman 1982). On top of that it was a vital U.S. trading partner, exporting many minerals and agricultural items (Hopkins 1985), which lessened U.S. reliance on communist nations that offered similar products. U.S. farmers were also happy with the cash trade of the South African market for agriculture, which was also one of the few nations that showed a positive trade balance in this industry.

At the same time, however, the whites-only South African government had implemented a social policy named apartheid, which divided the country along racial lines. Only white citizens, who made up less than 10% of the citizenry were allowed to vote, which, according to a 1960 census, excluded the 68% of the population that was black, 9.4% that was classified “coloured”, and 3% “Asiatic” (Steinberg 1967). Although apartheid was described by its supporters as an almost “separate but equal” idea, it stripped all other race groups of basic human rights, including voting, movement, expression and organizing, education, healthcare and more (Mandela 1995). Marriages between races were made illegal (Pogrand 1981), and the infamous Suppression of Communism Act (Clark and Worger 2011) gave the government authority to act on spurious charges within loose legal constraints. Non-white South Africans were forced from their homes into areas designated for them, while 80% of the country’s land, including where those homes were, was restricted for white people who made up less than 9% of the population. Thousands of people were murdered fighting the system (Gibson and Gouws 1999), and others perished because of the conditions in which they were forced to live, which white South Africans never came into contact with.

Although this policy had been in place since the late 1940s, and some individual members of Congress had moved to pass legislation pushing South Africa toward reconciliation due to numerous protests in the U.S., and



Above: Helen Suzman was a long-time member of the South African whites-only parliament, and, at times, the only MP opposed to apartheid. Her constant arguments against apartheid meant she received a good deal of criticism, and she was harassed and spied on by security services.

¹ Freshman Mitch McConnell (R-KY), elected in 1984, was to play a significant part in the passage of the Comprehensive Anti-Apartheid Act of 1986.

divestment from South Africa by some high-profile institutions, nothing saw real traction until 1985, the beginning of the 99th Congress. Then, Congress' aims were quelled by President Ronald Reagan convincing the legislature to shelve a sanctions bill (S 995), with both a veto threat and twelve executive orders containing fewer targeted, sanctions to push South Africa toward democracy.² There was much American business in South Africa at the time, which was to form a large part of the debate, with many accusing US businesses of complicity in apartheid. Most notably, Representative Adam Clayton Powell (D-NY) said in the previous decade that the US had defeated the Rome-Berlin Axis in World War II, and was now duty-bound to defeat the "Cape Town-Washington, DC Axis."³

One year after Reagan convinced Congress to abandon sanctions legislation, violence and state repression in South Africa continued to occur. This time Congress disregarded a presidential veto threat, which it then overrode, and enacted tough sanctions that contributed to the eventual crumbling of the apartheid system. The president, reading the mood of the legislature, did not accompany this veto threat with specific executive orders as he did in 1985.

The nuts and bolts of the policy included barring the South African national airline, South African Airways, from operating in the U.S., forbade import of any goods produced by government-owned enterprises (also known as parastatals), banned import of agricultural and mineral products, prohibited exports of petroleum products, forbade export of munitions to South Africa, cut government cooperation except in cases of intelligence, and rescinded a tax agreement providing businesses did not have to pay dual taxes (CQ Almanac 1987).

As the *New York Times* reported later that year: "Many of the provisions of the law take effect immediately, while others will be gradually introduced over the next few months. For example, the import of iron, steel and agricultural products is banned immediately, while a similar ban on uranium, coal and textiles will take effect in 90 days. The ban on new investments takes effect in 45 days, and the law directs Mr. Reagan to stop all flights within 10 days" (Roberts 1986).

Sanctions were not an easy solution to the complicated problem of apartheid. There was a notable lack of unanimity coming out of South Africa, which meant both sides of the U.S. debate had South Africans to quote, and did so at length, notably leaders and associates of the African National Congress (ANC), who were for sanctions, leaders of the white parliamentary opposition (most often Helen Suzman) who were against anything that could harm the economy, and Inkatha who were against it.⁴ Suzman, at one point, said: "Unpalatable as it

² In the first session of the 99th Congress, Gray introduced HR 1460, which imposed more modest sanctions on South Africa. That bill, considered under an open rule (Hres 174), passed the House 296-129 on June 5, 1985. 56 House Republicans joined 240 House Democrats in support, while six Democrats joined 123 Republicans in opposition (Voteview 99th House renum 130) (Poole and Rosenthal 1997). Lugar's Senate bill, S. 995, was even more limited. HR 1460 passed the Senate in lieu of S 995 on July 11, 1985, 80-12. The conference report was agreed to in the House on August 1, 1985, 380-48 (considered under Hres 251). Before the report was adopted in the Senate, Reagan imposed a number of sanctions on South Africa via an executive order. This led Senate Republicans to pull their support for the conference report, Cloture on a motion to proceed to the report failed 11-88 on September 12, 1985.

³ Cape Town is one of three capitals of South Africa, and is the location of parliament. Members of Congress more commonly refer to Pretoria as the capital, and it is where most nations have a diplomatic presence.

⁴ Helen Suzman was a long-time member of the South African whites only parliament, and, at times, the only MP opposed to apartheid. She was also often the only English and female member, and Jewish, in a body dominated by protestant Afrikaans men. Her constant arguments against apartheid meant she received a good deal of criticism, and was harassed and spied on by security services. She is credited with being one of the influences on Nelson Mandela to maintain a market economy instead of radically changing the way South Africa functioned. Inkatha was a Zulu organization, now a political party in South Africa (the IFP), headed by Mangosuthu Buthelezi, and based in the province that was then called Natal. Buthelezi was affiliated with liberation politics as a young man, but left to work in a government department that pertained to black South Africans in 1951. He was elected CEO of the Zulu Territorial

may be to the sanctions lobby, the most practicable way to get rid of apartheid and to achieve a nonracial democratic society in South Africa is through an expanding, flourishing economy.”⁵

This legislation, enjoying bipartisan support throughout, easily passed a Democratic House of Representatives and a Republican Senate.

Authority, a homeland set up by the South African government in the northern part of the province. Buthelezi’s position as CEO meant he was reliant on the existence of the South African government, and his supporters clashed, often violently, with anti-Apartheid organizations.

⁵ Suzman, Helen. 1986. “What America Should do About South Africa?” *The New York Times*, August 3.
<https://www.nytimes.com/1986/08/03/magazine/what-america-should-do-about-south-africa.html>

Citations

- Bowman, Larry W. 1982. "The Strategic Importance of South Africa to the United States: An Appraisal and Policy Analysis." *African Affairs* 81 (323):159-191.
- Clark, Nancy L, and William H Worger. 2011. *South Africa : the rise and fall of apartheid*. 2 ed, *Seminar studies in history*. Harlow, England: Longman/Pearson, 2011.
- Clinton, Joshua and John Lapinski. 2006. "Measuring Legislative Accomplishment, 1877-1994," *American Journal of Political Science* 50(1): 232-249.
- CQ Almanac. 1987. "Hill Overrides Veto of South Africa Sanctions." *Congressional Quarterly* 42:259-373.
- Dunning, Thad. 2004. "Conditioning the Effects of Aid: Cold War Politics, Donor Credibility, and Democracy in Africa." *International Organization* 58 (2):409-423.
- Gibson, James L., and Amanda Gouws. 1999. "Truth and Reconciliation in South Africa: Attributions of Blame and the Struggle over Apartheid." *The American Political Science Review* 93 (3):501-517.
- Hefti, Christoph, and E. Staehelin-Witt. 2005. Economic Sanctions against South Africa and the Importance of Switzerland In *Abteilung Programme; Nationale Forschungsprogramme*. Bern: Swiss National Science Foundation.
- Hopkins, Sheila M. 1985. "An Analysis of U.S.-South African Relations in the 1980s: Has Engagement Been Constructive?" *Journal of Comparative Business and Capital Market Law* 7:89-115.
- Iams, John. 1986. "Security forces accidentally shot and killed a 4-year-old girl." *UPI*, June 20, 1986.
- Kaempfer, William H., and Anton D. Lowenberg. 1986. "A Model of the Political Economy of International Investment Sanctions: The Case of South Africa." *Kyklos* 39 (3):377-396.
- Keating, Joshua. 2013. "Why Did International Sanctions Work on South Africa but Not Other Dictatorships?" *Slate*, December 6, 2013.
- Kempster, Norman. 1991. "Bush Lifts Economic Sanctions on S. Africa : Apartheid: He sees 'irreversible' progress by Pretoria. Opponents in Congress plan no effort to undo the move." *LA Times*, July 11, 1991.
- Klotz, Audie. 1995. "Norms Reconstituting Interests: Global Racial Equality and U.S. Sanctions Against South Africa." *International Organization* 49 (3):451-478.
- Lemon, Anthony. 1984. "The Indian and Coloured Elections: Co-optation Rejected?" *South Africa International* 15 (2):84-107.
- Levy, Philip I. 1999. "Sanctions on South Africa: What Did They Do?" *The American Economic Review* 89 (2):415-420.
- Lowenberg, Anton D. 1997. "Why South Africa's apartheid economy failed." *Contemporary Economic Policy* 15 (3):62-72.

- Mandela, Nelson. 1995. *Long Walk to Freedom*. Boston, MA: Little, Brown.
- Mayhew, David R. 1991. *Divided We Govern: Party Control, Lawmaking and Investigating: 1946-1990*. New Haven, CT: Yale University Press.
- Mayhew, David R. 2005. *Divided We Govern: Party Control, Lawmaking and Investigating: 1946-2002*. New Haven, CT: Yale University Press.
- Pogrund, Benjamin. 1981. "South Africa Stalls." *The New Republic*, 12-16.
- Poole, Keith and Howard Rosenthal. 1997. *Congress: A Political-Economic History of Roll Call Voting*. New York, NY: Oxford University Press.
- Roberts, Steven V. 1986. "Senate, 78 to 21, Overrides Reagan's Veto and Imposes Sanctions on South Africa." *New York Times*.
- Stathis, Stephen W. 2003. *Landmark Legislation 1774-2002: Major U.S. Acts and Treaties*. Washington, D.C.: CQ Press.
- Stathis, Stephen W. 2014. *Landmark Legislation, 1774-2012: Major U.S. Acts and Treaties, 2nd Edition*. Washington: CQ Press
- Steinberg, S.H. 1967. *The Statesman's Year-Book, 1967-1968*. 104th ed. London: Macmillan.
- Ungar, Sanford J., and Peter Vale. 1985. "South Africa: Why Constructive Engagement Failed." *Foreign Affairs* 64 (2):234-258.