

**THE 1977 UNITED STATES ARMS EMBARGO AGAINST SOUTH AFRICA:
INSTITUTION AND IMPLEMENTATION TO 1997**

by

MARTHA SUSANNA VAN WYK

Presented as partial fulfillment of the requirements for the degree
DOCTOR PHILOSOPHIAE (HISTORY)

in the

**Faculty of Humanities
University of Pretoria
2004**

Supervisor: Dr. J.E.H. Grobler
Co-supervisor: Dr. A.J. DeRoche

ABSTRACT

**THE 1977 UNITED STATES ARMS EMBARGO AGAINST SOUTH AFRICA:
INSTITUTION AND IMPLEMENTATION TO 1997**

The institution and implementation of the 1977 mandatory United States arms embargo against South Africa and the impact thereof on relations between the United States and South Africa is investigated in this study. The investigation centers around the objectives of the United States in instituting the arms embargo, whether these objectives were met through the implementation and enforcement of the arms embargo, and whether the South African reaction to the embargo indicates the failure of the embargo to meet its objectives. The relation of the arms embargo to the foreign policy of the United States Government of the day, as well as the impact of the embargo on the South African military industry is discussed.

The basis on which the problem statement is built is that close scrutiny of the implementation of the arms embargo would allow one to judge the seriousness that the United States assigned to the objectives of the arms embargo. The main objective of the embargo was to force the South African Government to abandon apartheid. Full compliance with the embargo would demonstrate the commitment of the United States to this objective, while non-compliance would be regarded by critics as a retreat from that objective. The United States' implementation of the arms embargo would furthermore demonstrate the ability of major arms producers like the United States to reduce the threat of global violence by putting measures in place to successfully block arms and related items from being exported to potential belligerents.

In conclusion to the study, it was found that the implementation of the embargo was linked to external objectives of the United States Government of the day. Thus, the strengthening or weakening of arms embargo regulations occurred according to the objectives that the Government of the day wanted to achieve. Nonetheless, the United States' implementation of the arms embargo was generally very effective. It was also concluded that the arms embargo indeed acted as the main stimulant for the development of the world-renowned South African arms industry. This industry developed out of the determination of the white South African minority Government to remain in power, which in turn resulted in a defiant disregard for the arms embargo. Clandestine activities became

the order of the day. These activities later had a major impact on the first democratically elected black government in South Africa. This government inherited a legacy of embargo violations, which led to much tension in relations with the United States in the first few years after the 1994 South African elections. The research therefore also paints a picture of the inherited struggles that the new South African Government had to face as a result of the arms embargo, and the resultant difficulties in normalizing relations with the United States.

Key terms

United States, South Africa, arms embargo, foreign policy, apartheid, arms and related equipment, arms smuggling, nuclear weapons, arms industry, arms embargo violations, Munitions List, Export Administration Act, Export Administration Regulations, Missile Non-proliferation Agreement, Missile Technology Control Regime.

OPSOMMING

Die instelling en toepassing van die verpligte 1977 wapenverbod teen Suid-Afrika en die impak daarvan op betrekkinge tussen die Verenigde State van Amerika (VSA) en Suid-Afrika word in hierdie studie ondersoek. Die ondersoek fokus op die doelwitte van die VSA met betrekking tot die instelling van die wapenverbod, of hierdie doelwitte bereik is deur die implementering van die wapenverbod, en of die Suid-Afrikaanse reaksie op die wapenverbod 'n aanduiding is van die mislukking van die doelwitte van die wapenverbod. Die verhouding van die wapenverbod met die buitelandse beleid van die VSA regering van die dag, sowel as die impak van die wapenverbod op die Suid-Afrikaanse wapenindustrie word bespreek.

Die basis waarop die probleemstelling berus is dat die noukeurige ondersoek van die implementering van die wapenverbod die navorser toelaat om die erns wat die VSA aan die doelwitte van die wapenverbod toegeskryf het, te beoordeel. Die hoofdoelwit van die wapenverbod was om die Suid-Afrikaanse regering te dwing om afstand te doen van apartheid. Die navorser was van mening dat volledige voldoening aan die wapenverbod die verbintenis van die VSA aan hierdie doelwit sou demonstreer, terwyl nie-voldoening deur kritici beskou kon word as 'n wegstramming van die bereiking van daardie doelwit. Die VSA se implementering van die wapenverbod sou verder die vermoë demonstreer van groot wapenvervaardigers soos die VSA om die dreigement van wêreldwye geweld te verminder deur die instelling en toepassing van maatreëls wat die uitvoer van wapens en verwante materiaal na potensiële aggressiewe state suksesvol kon verhinder.

In gevolgtrekking tot die studie is gevind dat die implementering van die wapenverbod verbind was aan die eksterne doelwitte van die VSA regering van die dag. Die gevolgtrekking kan dus gemaak word dat die versterking of verswakking van wapenverbod regulasies diensooreenkomstig die doelwitte van die VSA regering van die dag gedoen is. Desnieteenstaande was die VSA se implementering van die wapenverbod oor die algemeen uiters effektief. Die navorser het ook tot die gevolgtrekking gekom dat die wapenverbod inderdaad gedien het as hoofstimulant vir die ontwikkeling van die wêreldbekende Suid-Afrikaanse wapenindustrie. Hierdie industrie het ontstaan uit 'n determinasie van die minderheid blanke Suid-Afrikaanse regering om aan bewind te bly, wat weer aanleiding gegee het tot 'n uitdagende verontagsaming van die wapenverbod. Smokkelhandel en geheime wapenontwikkelingsaktiwiteite was aan die orde van die dag.

Die smokkelhandel het later 'n ernstige impak op die eerste demokraties verkose swart regering in Suid-Afrika gehad. Hierdie regering het 'n nalatenskap van wapenverbod-omseilings geërf, wat gelei het tot spanning in Suid-Afrikaanse verhoudinge met die VSA gedurende die eerste paar jaar na die April 1994 Suid-Afrikaanse verkiesing. Die navorsing skets dus ook 'n prentjie van die dilemmas as gevolg van die wapenverbod wat die nuwe Suid-Afrikaanse regering moes hanteer, asook die gevolglike struikelblokke in die normalisering van betrekkinge met die VSA.

ACKNOWLEDGEMENTS

First of all I wish to give thanks and praise to my Lord and Saviour, for giving me the grace, courage and strength to undertake and complete this study. I would not have been able to come this far if I had to do it in my own strength.

Psalm 118:14

The Lord is my strength and my song; he has become my victory.

The following people / institutions deserve a sincere thank you:

- My supervisor, Dr. J.E.H. Grobler, for his time, encouragement and excellent guidance ever since I started as a firstyear student at the University of Pretoria in 1991. I have learned a great deal from him in the past 13 years.
- Dr. Andrew J. DeRoché of the Front Range Community College, Longmont, Colorado, United States, for his willingness to act as co-supervisor for this study. He is a master in his research field, and I am most grateful for the opportunity to tap his knowledge.
- Financial assistance rendered by the National Research Foundation (NRF South Africa) for this research is acknowledged. Views expressed and conclusions that were drawn are those of the author and must not be ascribed to the NRF.
- Financial assistance rendered by the University of Pretoria for the completion of this study is also acknowledged. A special word of thanks to Mrs. Elna van der Walt at the postgraduate bursary office and Mrs. Vinay Rajah of the international office for her assistance in obtaining a grant for research for this study in the United States.
- Armscor, for special permission to study materials in the Armscor Archives.
- My husband, Johann van Wyk, who was also the information specialist for history at the University of Pretoria's Academic Information Services when I started the research for this study. He left no stone unturned to locate relevant literature and journal articles on the subject.
- My friends and family, for their encouragement and prayers.

TABLE OF CONTENTS

	Page
Abstract	ii
Acknowledgements	vi
Abbreviations	xiii
CHAPTER 1: BACKGROUND, PROBLEM STATEMENT AND LITERATURE REVIEW	
1.1 Introduction	1
1.2 Background	3
1.2.1 South Africa’s internal politics	3
1.2.2 The build-up of the South African arms industry	8
1.2.3 Overview of US South African relations up to 1977	13
1.3 Problem statement and chapter breakdown	28
1.4 Significance of the study	30
1.5 Scope of the study	33
1.6 Research methodology and literature review	33
CHAPTER 2: THE INSTITUTION OF A MANDATORY ARMS EMBARGO AGAINST SOUTH AFRICA	
2.1 Introduction	39
2.2 Carter and South Africa: US policy reviewed	40
2.2.1 The case of human rights	40
2.2.2 The role of Andy Young	43
2.3 Tightening the screw on Vorster	46
2.4 The case of arms for South Africa	55
2.5 The South African Government’s defiance	73
2.6 The institution of a mandatory arms embargo against South Africa	80
2.7 Reaction to the embargo	90
2.8 Conclusion	98
CHAPTER 3: THE IMPLEMENTATION OF THE MANDATORY ARMS EMBARGO BY THE CARTER ADMINISTRATION, 1977 - 1980	
3.1 Introduction	100

3.2	US-South African relations in the first few months after the institution of the mandatory arms embargo	101
3.3	US regulations dictating the implementation of the mandatory arms embargo	105
3.4	The influence of the arms embargo regulations on US-South African relations	117
3.5	Factors influencing the implementation of the arms embargo	119
3.5.1	Loopholes in the US arms embargo regulations	123
3.5.1.1	Grey area equipment	123
3.5.1.2	Electronic equipment and computers	129
3.5.1.3	The vehicle industry	136
3.5.1.4	US-South African nuclear cooperation	137
3.5.2	Illegal/clandestine arms-related deliveries to South Africa	147
3.5.2.1	Olin Corporation	147
3.5.2.2	Concealable Body Armour of America, Inc.	149
3.5.2.3	Space Research Corporation	152
3.5.3	Third-country transfers: The Israeli connection	166
3.5.4	Closing the loopholes and shortcomings in the arms embargo regulations	169
3.6	On the eve of the 1980 US presidential elections	171
3.7	Conclusion	172

CHAPTER 4: THE REAGAN ADMINISTRATION: CONSTRUCTIVE ENGAGEMENT AND THE ARMS EMBARGO, 1981-1984

4.1	Introduction	175
4.2	The Reagan Administration's framing of a foreign policy	175
4.3	The South African response to constructive engagement	182
4.4	Relaxation of the arms embargo regulations	186
4.5	The reaction to the new arms embargo regulations	201
4.6	Alleged and actual violations of the arms embargo during the first term of the Reagan Administration	209
4.6.1	South African military personnel in the US	209
4.6.2	Aircraft	212
4.6.3	Electronics	215

4.6.4	Computers	217
4.6.5	US nuclear cooperation with South Africa	220
4.6.6	Smuggling cases	227
4.6.6.1	Bell UH-1 military helicopters	227
4.6.6.2	The Towers and Parks case	230
4.6.2.3	Smuggling of electronics warfare secrets	232
4.6.2.4	The MacNay Ltd. case	233
4.6.7	Military vehicles	233
4.7	Conclusion	234

CHAPTER 5: THE IMPLEMENTATION OF THE ARMS EMBARGO DURING THE SECOND TERM OF THE REAGAN ADMINISTRATION, 1985 – 1988

5.1	Introduction: The Reagan Administration vs. the Anti-Apartheid movement	236
5.2	The expansion of the United Nations arms embargo	238
5.3.	The South African sanctions debate	241
5.3.1	Reagan’s Executive Order and the arms embargo	253
5.3.2	South African preparations for a mandatory embargo on the import of South African weapons	261
5.3.3	The Comprehensive Anti-Apartheid Act of 1986	265
5.3.3.1	Military-related provisions of the CAAA	271
5.3.3.2	The CAAA and the South African-Israeli Alliance	275
5.3.3.3	The Reagan Administration’s arms embargo violation report	278
5.3.3.4	The implementation of the CAAA of 1986	282
5.4	Alleged and actual violations of the arms embargo during the second term of the Reagan Administration	285
5.4.1	US-South African nuclear relations	286
5.4.2	Smuggling cases	289
5.4.2.1	The Posey and Bush case	289
5.4.2.2	Spying for South Africa: The Dolce case	293
5.4.3	Third-party transfers	295
5.4.3.1	The South African submarine case	295
5.4.3.2	Israeli-supplied aircraft	296

5.4.4	Loopholes in the regulations	297
5.4.4.1	Computers//.....	297
5.4.4.2	Anti-hijacking and police gear	298
5.5	Conclusion	299

**CHAPTER 6: BUSH, THE TURN OF THE SOUTH AFRICAN POLITICAL TIDE
AND THE ARMS EMBARGO, 1989-1992**

6.1	Introduction	301
6.2	Namibian independence and the arms embargo	302
6.3	The Berman Amendment of 1989	304
6.4	Political reform in South Africa: A goal long sought	307
6.4.1	The Bush Administration's response to the political reform in South Africa	311
6.4.2	The Mandela-Bush meeting	314
6.4.3	The De Klerk-Bush meeting	315
6.4.4	The end of US economic sanctions	317
6.5	Arms embargo violations or busting during the Bush Administration	319
6.5.1	Claims of South African chemical weapons	319
6.5.2	South African development of ballistic missiles	320
6.5.2.1	The Israeli connection	320
6.5.2.2	The International Signal and Control (ISC) case and the indictment against Armscor	327
6.5.2.3	Gyroscope smuggling	333
6.5.2.4	Isolator and circulator smuggling	336
6.5.2.5	South Africa's testing of a second ballistic missile	337
6.5.2.6	New US arms sanctions against Armscor	338
6.5.2.7	Israel complicity in South African missile program: New evidence	343
6.5.2.8	South Africa launches space satellite program	344
6.5.3	South African nuclear development	345
6.5.3.1	South Africa's signing of the Nuclear Non- proliferation Treaty	345
6.5.3.2	United States spying revealed	349
6.5.4	Smuggling cases	350
6.5.4.1	The Gluckle and Baker case	350

6.5.4.2	The Lukman case	351
6.5.4.3	US technological data via Germany	351
6.5.4.4	CIA complicity in South African-Iraqi arms deal	351
6.5.4.5	The case of Willem Louw	352
6.6	Conclusion	352

CHAPTER 7: THE CLINTON ADMINISTRATION AND THE END OF THE UNITED STATES ARMS EMBARGO

7.1	Introduction	355
7.2	Missile development: South Africa succumbs to US pressure	355
7.3	De Klerk's disclosure of the South African nuclear weapons program	356
7.3.1	Suspicious and spying activities by the Clinton Administration	366
7.4	Storm over South African efforts to buy aircraft	368
7.5	Efforts by Armscor to gain US military business	369
7.6	Events building up to the end of the US arms embargo	370
7.6.1	The debate over sanctions, yet again	370
7.6.2	The world-wide end of economic sanctions against South Africa	372
7.6.3	The lifting of the United Nations arms embargo	374
7.6.4	A spanner in the works: The case against Armscor	376
7.6.4.1	US' retainment of its arms embargo against South Africa	376
7.6.4.2	The indictment against Fuchs Electronics and the jeopardized Rooivalk helicopter sale to Britain	378
7.6.4.3	South Africa signs Missile Non-proliferation Agreement	383
7.6.4.4	Continued Armscor bids to sort out the dispute	384
7.6.4.5	Tightening the bounds around Armscor: The Cameron Commission and other incidents	386
7.6.4.6	The souring of US-South African relations	389
7.6.4.7	Mbeki intervenes, but still no deal	391
7.6.4.8	US military market opens up for South Africa	395
7.6.4.9	Protests against the Clinton Administration's stubbornness to resolve the case	396
7.6.4.10	Agreement, at last	401

7.6.5	The complete lifting of the United States arms embargo against South Africa	405
7.7	Conclusion	414
CHAPTER 8: SUMMARY AND FINAL CONCLUSION		416
8.1	Final Summary and conclusion on problem statement 1	417
8.2	Final Summary and conclusion on problem statement 2	420
8.3	Final Summary and conclusion on problem statement 3	431
	Bibliography	434
	Annexures	468
	Abstract	481
	Opsomming	483

ABBREVIATIONS

ACOA	American Committee on Africa
AEB	Atomic Energy Board
AEC	Atomic Energy Corporation
AECA	Arms Export Control Act
AFSC	American Friends Service Committee
ANC	African National Congress
AP	Afrikaner Party
Armscor	Arms Corporation of South Africa
BOSS	Bureau of State Security
CSIR	Council for Scientific and Industrial Research
DIA	Defense Intelligence Agency
EAA	Export Administration Act
EAR	Export Administration Regulations
EC	European Community
e.g.	For example
ESCOM	Electric Supply Commission of South Africa
FBI	Federal Bureau of Investigation
IAEA	International Atomic Energy Agency
i.e.	is est
IMF	International Monetary Fund
ITAR	International Traffic in Arms Regulation
MK	Umkonto we Sizwe
MNPA	Missile Non-proliferation Agreement
MTCR	Missile Technology Control Regime
NNPA	Nuclear Nonproliferation Act
NP	National Party
NRC	Nuclear Regulatory Commission
NSA	National Security Agency
OASD/ISA	Office of the Assistant Secretary of Defense, International Security Affairs
OAU	Organization of African Unity
PAC	Pan Africanist Congress
PLO	Palestinian Liberation Organization
SADF	South African Defense Force

SANDF	South African National Defence Force
SAP	South African Party
SAPA	South African Press Association
SNEC	Subgroup on Nuclear Export Coordination
SWAPO	South West Africa People's Organization
UP	United Party
US	United States