

MEMORANDUM FOR PRESENTATION AT A MEETING WITH
H.E. DR EMILIO COLOMBO, MINISTER OF FOREIGN AFFAIRS
OF THE REPUBLIC OF ITALY '

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It is a great pleasure for me to be in Italy to discuss with you the current South African situation at this crucial time- in- our history. In the past I have had many opportunities to visit Italy and meet with representatives of our Government and the

business community of Italy.

The Republic of Italy has constantly shown great attention to, and care for, African affairs in general and to South Africa in particular. Amongst all the European countries, Italy has a long track record of serious and beneficial commitment on the African continent.

I wish at the very beginning of my memorandum, to thank the Italian Government for the assistance it has given to the people of

KwaZulu. Your Government has contributed a lot to the health of the people of KwaZulu through making it possible- for-us- to have more doctors. We appreciate that the Italian Government.-has _ been doing this for years, long before South Africa reached the present stage when it is moving away from-â\200\224the apartheidâ\200\224era. The Italian Government realised that _Black South Africans â\200\224wereâ\200\224locked in

disease and suffering not by choice, and that it was necessary to

alleviate so much of their suffering) whileâ\200\224they â\200\224were< still struggling against apartheid.

As South Africa moves out of the horrors of apartheid and rejoins on an equal footing the international community of nations, it will

seek in the European countries new opportunities for economic,

social and cultural exchanges. I believe that among the many European countries, the Republic of Italy is a country which has shown a great capability to work with African governments in lasting relations of mutually profitable-and-beneficial-exchanges. Moreover, throughout Africa Italian private enterprise has developed numerous projects in the field of civil engineering,

agriculture and infrastructure building.

South Africa has industrial and-technological-capabilities which are often far more advanced than those of other African countries. As the new liberated and democratic South Africa rejoins the African continent, the private industry of South Africa will seek joint ventures with European corporations to explore together the

great economic opportunities of the continent. The liberation of South Africa opens a world of opportunities and hopes, not only for

our people but for the entire African continent.

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For over 40 years I have struggled to achieve this historic moment when the oppressed Black masses of South Africa will conquer~â\200\224the right to determine their own destiny)in freedomâ\200\224and-democracy. Our meeting falls at a very crucial time in the process â\200\224which =should have led to the final liberation ofâ\200\224the â\200\224South African people. I fear that the goals for which we have been fighting for so many years are now in great jeopardy and that unless South Africa receives the assistance of the international community, freedom and

democracy will not triumph in our country.

As vyou well know, South Africa is a country of great social and economic complexities, for it is characterised by great cultural diversities and by the co-existence of many differentâ\200\224~levelsâ\200\224 of social, economic and cultural development in theâ\200\224sameâ\200\224regions. Social imbalances and economic and class conflicts are - exacerbated by __ethnic~ tensions. All my adult life, I have studied the

complexities of our country and I have struggled to understand what are the necessary conditions which can ensure the holding together of our country in freedom and democracy.

I have reached the conviction that a mere change in the electoral law which allows the previously segregated Black masses to choose

their parliamentary representatives and a new governmentâ\200\2247is _not sufficient. South Africa is an extremely centralised and authoritarian State) which exercises vast control both in the social as well as in the economic life) through extended parastatals. Government control of the economy and the existence of large monopolies and cartels are the two characterising factors of our economy .

We need to set in place the mechanisms to transform our society so as to liberalise it and ensure the empowerment of the Black masses. This needs to be done in the context which promotes the improvement of the social conditions of the less privileged and redresses the social injustices of our country. However, this process must be

compatible with the economics of our country)and with the need to ensure continuing prosperity and economic viability)in the _region.

Since 1972 I have realised that all these goals can only be achieved by establishing a federal system in South Africa. Only a federation would be able to recognise and capitalise on the great

diversity â\200\224 of _ourâ\200\224country, and differentiateâ\200\224the â\200\224system of

government)so as to adjust to the needs and characteristics of each region.

We also realised that in addition to federalism other constitutional conditions are necessary to ensure peace and

democracy in our country. I can summarise these conditions wusing

the word 'pluralism', which is a well-known notion in Italian political thought.

We recognised and advocated pluralism as political, - cultural, social and economic pluralism. Pluralism is a notion which can very well be used to characterise the type of transformation which needs to take place in our society) to ensure freedom and democracy. | Economic pluralism in the South African context involves the need to privatise parastatals) and to protect private property and

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private enterprise in a free market-based - economic system. The

direct involvement by government in the market place should also be

controlled and limited to exceptional situations. Our irrevocable commitment to a free market economy and privatisation is

antagonistic to the policies of the alliance between the African National Congress and the South African Communist Party which have constantly refused to abandon in clear terms their political vision centred around the__redistribution ofâ\200\224 property _and wealth) and nationalisation.

To ensure social and cultural pluralism it will be necessary to limit the role of government;and to extend the concept of autonomy so as to recognise the right of the people, both as individuals and as members of the social and cultural formations to which they belong, to regulate and administer their own interests outside government control. In fact, we believe that the concept of autonomy should not only be on a territorial basis but should also

be recognised and protected on a personal basis)and ought to be referred to individuals and to social and cultural formations alike. In the South African context, it is essential to preserve and protect the integrity of civil society, compatibly with the need to bring about social justice and affirmative action. This type of personal and collective autonomy and protection of civil society is extensively recognised in the Italian Constitution which

in this respect represents a model for other countries.

Political pluralism in South Africa requires that we go beyond the mere co-existence of political parties and calls for the special protection for political minorities. Pluralism in a federal

context has an even greater possibility of flourishing. In fact

the legislation which most significantly affects the dimensions of freedom and pluralism would originate from the State legislature, rather than from the Federal Government, and therefore it would be produced at a level of government which is less sensitive to the pressures to totalitarian and autocratic pressures) which are

operating in our country.

Our vision of federalism and pluralism led us into direct confrontation with the alliance between the African National Congress and the South African Communist Party, who have constantly advocated a unitary State provided with penetrating powers over all levels of civil and social life in our country.

This fundamental difference in political vision goes back to the different histories of the ANC and Inkatha Freedom Party. Germinating out of the same roots, the ANC and Inkatha parted ways on the issue of armed struggle and on the issue of international sanctions. As a matter of fact, I founded Inkatha in 1975 to provide a political home for the large masses of Black people who rejected the notion of armed struggle) and believed that our liberation could and ought to be achieved through the method of non-violence and negotiation. This developed into the creation of an institutional rather than a revolutionary Black liberation movement which was antagonised by the revolutionary forces gathering around the ANC/SACP alliance.

However, our rejection of violence did not shield us from becoming the major victims of violence in our country. During the past few years over 250 leaders and office bearers of the Inkatha Freedom Party have been killed in a systematic plan of mass assassination. Our country has experienced a low intensity civil war which has already claimed the lives of more than ten thousand people since 1984. This climate of violence is fuelled by the militarisation of our political life. The ANC/SACP alliance maintains a private army which controls in exclusive fashion so-called 'no-go' zones. The ANC's private army, uMkhonto weSizwe, is no longer a liberation army but has become a vehicle of political action against the political opponents of the ANC/SACP alliance, namely the Inkatha Freedom Party. The ANC is still providing military training for

many thousands of cadres in foreign countries such as Uganda,
Tanzania and India.

Its military actions are no longer aimed at dismantling the regime
of apartheid but they operate to bend into submission the Zulu
nation ,and the Inkatha Freedom Party. We have no private army, and
we are not inclined to violence, but we have the duty to protect
our people and our freedom. I have made many calls on Mr Nelson
Mandela to Jjoin me in addressing joint peace rallies in the
violence-torn areas in our country to stop violence, but he has not
accepted my offers.

This climate of escalating violence and intimidation which has been exacerbated by the assassination of South African Communist Party

Secretary-General, Mr Chris Hani, is the background against which the ANC/SACP alliance have called for six weeks of mass action and intimidation. The purpose of this new and well-orchestrated campaign of intimidation and mass action is related to the present juncture of constitutional negotiations. As you know, the ANC/SACP alliance have reached an agreement with the South African Government/National Party, and some of the final and more controversial details of the process of this agreement will need to be ironed out at this point. Mass action will allow the ANC/SACP

alliance to extract the final concessions from the SAG/NP so as to

ensure that their planned goal to seize the totality of power in

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The fact of the matter is that the SAG/NP and the ANC/SACP alliance
our country, can be accomplished.

have reached an agreement on the general parameters of a process of
transformation of our society which will empower a new government
in a unitary State.

After two years of negotiation about peripheral matters, the
process of transformation of our society has now reached the
central core of institutional and constitutional issues. The
process designed by the ANC/SACP alliance and agreed on by the

South African Government will produce a unitary State and will
provide no guarantee for the recognition of pluralism

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territorial and personal autonomy. This process will lead us into elections outside predetermined parameters of a well-established and final constitutional framework for South Africa. This process will empower a new government before the final rules of our society are set forth)and entrenched in a constitution. This process will bring about the liberation of our people outside the parameters, the checks and balances, and the guidance of a final constitution. It will also open the path for a long string of constitutional negotiations which will take place under the imperatives of the politics of liberation and will reflect the urgency of present-day politics.

The ANC/SACP alliance and the Government want to have elections for a Constituent Assembly which would draft the final constitution, while the country is governed by the first democratically represented government of South Africa which even if labelled an interim government, will be the fully empowered de facto and de jure government of the day. Unavoidably this situation will lead to the overlaying of political pressures arising out of post liberation politics on to the drafting of the new constitution. A Constituent Assembly is perhaps the most dangerous way of drafting a constitution in the South African context and would merely serve the purposes of the ANC/SACP alliance's grand plan to seize the totality of power. In fact, it is most unlikely that such a body would produce a federal state and since it will operate under the

pressure of a government, it is also unlikely that it will be able to express a far-sighted vision rather than entrenching the politics of the day.

It is of interest that after the experience of the great constituent assemblies which drafted the European constitutions after World War 1II, and among them the 1Italian Constituent Assembly, very few democratic constitutions have been drafted by constituent assemblies. There is the example of Pakistan which had a Constituent Assembly for seven years. In this respect it is also significant that in none of the many Eastern European countries which participated in the great process of democratisation which has taken place during the last few years, was a constituent

assembly used to draft a constitution. Similarly almost in none of the colonised states was a constituent assembly used to draft the constitution which brought them to independence.

In the South African context the greatest risk associated with a Constituent Assembly is that it will not produce a federal state. Federal systems are produced through ground-up democracy building processes_which bring together regions in a Federal State.

We know that peace and prosperity in our country cannot be ensured unless a federal system is established. Therefore we proceeded to adopt the Constitution of the State of KwaZulu/Natal as a member state of a Federal Republic of South Africa yet to be formed. I

wish to present this document to your Excellency, as it embodies and expresses our political vision and philosophy.

The Constitution of the State of KwaZulu/Natal recognises broad powers to the Federal Government and reserves to the State Government the residual powers following the model in place in the United States of America. This Constitution entrenches and recognises personal and collective autonomies and preserves the integrity of civil society, whilst setting in motion the necessary mechanisms to address the great imbalances in our society and to pursue social justice. From this point of view this Constitution establishes in our region a social state of European extraction, not a Communist or Socialist State. It is important to realise

that the full meaning and implications of this Constitution will need to be read within the context of the constitution of the Federal .Republic of South Africa, once this constitution is

drafted. It is part of a mosaic.

KwaZulu/Natal is a prosperous region which has come together over a long process which can be traced back to the founding father of the Zulu Nation, King Shaka ka Senzangakhona. In 1980 we established the Buthelezi Commission and then the KwaZulu/Natal lIndaba to capitalise on the historic ties and harmony of interests of our region, irrespective of race, colour or creed. This effort led to the creation of the KwaZulu/Natal Joint Executive Authority which administers our region with the participation of all cultural and

social formations. We are the only region in South Africa that has such a structure and we have as people of my region of all races, gone far down that road of non-racial regional rule. The region of KwaZulu/Natal has the largest Asian population in South Africa, a large African population, people of European descent and a Coloured population. It is probably the most cosmopolitan region

of South Africa.

As you will know, the Zulu Nation is an historic reality which has preserved throughout the course of history its original sovereignty and through the adoption of the Constitution of the State of KwaZulu/Natal has expressed its inalienable right of self-

determining its future destiny. And vyet as a study of the

Constitution will show, the Constitution of the State of KwaZulu/Natal is not a Zulu constitution for the Zulu nation, but is a democratic constitution which fully complies with all accepted international standards written to meet the true needs, wants and aspirations of all the people living in KwaZulu/Natal.

We are struggling to structure the process of transformation of our society to ensure that ground-up democracy building mechanisms,

such as the adoption of the Constitution of the State of

KwaZulu/Natal, are acknowledged and registered in the process of

negotiation at central level. The Government and the ANC/SACP alliance are pushing for a centralised process which ignores

regional aspirations and which will produce a system which will not

eradicate the heritage of authoritarianism and centralism left over from the apartheid regime.

///gi; National Party is negotiating with the ANC/SACP to delay the final transition to democracy under a final constitution for South Africa for five additional years, and it is demanding an interim power-sharing arrangement which will make the new government of South Africa totally inoperable. We have taken the position that the final constitution for South Africa should be drafted and adopted by the end of 1994 when the tenure of the present government expires under the terms of the present constitution. A

lengthy process of prolonged constitutional negotiations,

characterised by escalating violence, will tear apart the social and economic fibre of our society.

Because we are advocating a process of transformation centred around the fundamental notions of federalism and pluralism, we have been labelled both by the South African Government and the ANC/SACP alliance as spoilers. It is of great concern to us when the right of dissent is denigrated with this type of label. It is of even greater concern when the inalienable right of self-determination of a people, such as the Zulu Nation, is denied. Having seen what has happened in Eastern Europe, and what has happened in the past ;

this is playing with fire.

in countries like Nigeria,

We have taken the position that the process of transformation should proceed from a preliminary decision on the form of state, which is to say whether South Africa should be a unitary, a regional, a federal or a confederal state. Only once this issue is resolved can the process of transformation be structured to produce the desired result. We have also taken the position that the issue of federalism can not be resolved by resorting to majoritarian rule, and that the right of self-determination demands that people

living in any given region of the country be allowed the possibility of establishing and ordaining for themselves the government of their choice in a federal structure.

The issue of the form of state for South Africa is of paramount importance for the entire continent. After decades of social and economic isolation, South Africa is ready to rejoin the society of nations on the African continent, bringing to them its great wealth of infrastructure and technological capabilities. I have called for the immediate establishment of an international conference gathering all the countries of the Sub-Saharan region and aimed at the establishment of a supra-national entity to administer the African commonality of interests in economic development in the

areas of mineral exploitation and natural resources.

This economic community could be modelled after the European

Economic Community of steel and coal and should operate as the

springboard to broader economic integration in the region. I perceive that a federal system in South Africa will be more suitable to devolve to a supra-national entity the necessary jurisdiction to promote the unified economic development of a region which is one of the wealthiest on the planet as far as natural resources are concerned. I realise that this issue will not get the full attention until South Africans get their act together, constitutionally-speaking.

I am bringing these considerations to your attention to stress the point that simplistic solutions to South Africa's problems can produce disastrous consequences which will affect the stability of

an entire continent which is already sensitive to the appeal of

fundamentalist/f\and/,â\200\230authoritarian tendencies. Elections by

themselves will not solve South Africaâ\200\231s problems until and unless elections take place within the framework of constitutional structures capable of addressing and accommodating the complexities

of our country and of our portion of the continent.

As far as we are concerned the issues of federalism and pluralism are not negotiable. We have taken this position because we know that dealing with these issues are very conditions necessary to avoid a full scale civil war. As the magnitude of the stakes are frighteningly high we cannot take risks for the sake of quick-fix solutions and eleventh hour compromises which we know will not work

and will not ensure the long-sought-after goals of freedom and

v democracy. We were very heartened when the government of the United States took an official position indicating that federalism is necessary to protect freedom and democracy for all in South Africa, but we were saddened by the fact that the United State Government did not take its position to its logical consequence of officially criticising and condemning a process of transformation

freedom and democracy.

which excludes federalism and, therefore,

I hope that during our meeting and in future contacts we can

explore how the international community in general, and the

European Community and the Italian Government in particular, can

play a more beneficial role in preventing a civil war in South

Africa and the resulting destabilisation of the southern portion of the continent.

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