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MEMORANDUM FOR PRESENTATION TO THE NETHERLANDS  
MINISTER OF FOREIGN AFFAIRS, DR PH KOOIJMANS

ACCOMPANIED BY:

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AND PRESIDENT OF INKATHA FREEDOM PARTY

ULUNDI : NOVEMBER 18, 1993

Dr Kooijmans, and your senior colleagues, Mr Ambassador, it is an honour to receive such a prestigious delegation in Ulundi. I welcome opportunities such as these where I am given a chance to discuss the position of the IFP directly with overseas representatives, who have the power and foresight to make a difference in the new South Africa.

In June this year your Minister of Economic Affairs, Minister Jacobus Andriessen, held out the prospect of a return by Dutch business to South Africa. He said the Dutch Government was confident that South Africa would succeed in reaching a political settlement as things were falling into place in this country - a positive factor that would attract Dutch businesses to invest here.

This is very encouraging news for South Africa. And while it is internationally recognised that change in South Africa is inevitable, it is crucial that the foundations underpinning future change must be laid. The irreversibility of a democratic transition has to be ensured.

This must be coupled with a reversal of the cycle of escalating violence and destabilisation before a future pattern of economic interaction in the sub-continent can be firmly concretised.

The IFP recognises\*that peace and stability are essential prerequisites for foreign investment and development. In fact, peace and stability are critical for the long-term survival of South Africa in general, because without the needed investment and aid from our international trading partners, the future government of this country will never be able to address the needs of the South African people, or reverse the disadvantaged state of the majority of its citizens.

The IFP desperately wants a political settlement in South Africa, but the political settlement we are striving for is one that is sustainable, and one that is inclusive, taking into account the plurality of our society, but this will not be an easy task. There is no majority political view in South Africa. There are too many diverse groups of people, whose needs and

aspirations differ, and whose fears have been ignored for too long. But one thing is for sure.

There is one dream which all South Africans have in common, and that is the wish for peace, harmony and prosperity in the future.

The IFP believes we can build on this commonality, and reach a solution that embraces all representative views, enabling our country for the first time to stand together as a united nation - a nation we are proud of and prepared to fight for.

South Africa is not unique in its diversity. In different countries all over the globe, governments of the day have been faced with the same dilemma that we are faced with. No government wants to come into power knowing that its legitimacy will still be questioned after the elections, and knowing that forces exist that will oppose it at every turn, threatening its hegemony and ability to rule effectively. It was for this reason that a solution had to be found, and it is this solution that has been employed by almost every major Western democracy in the world - federalism.

Why federalism? Federalism is a form of government that attempts to overcome the shortcomings of a unitary state. Very few countries have the simplistic make-up needed for central governments in a unitary state to be a success. Central governments embrace the winner-takes-all mind-set characteristic of one-party states. In homogeneous societies, where one party has the legitimacy to serve as the sole representative of the people, a unitary-type government should suffice. But in a heterogeneous society like South Africa, for a one-party central state to survive would mean that all opposition has to be effectively silenced. No one party in this country has the legitimacy to talk on behalf of all South Africans. The ruling National Party government has been a clear example of this failure.

Inkatha began as a black political grouping that came together to fight the discriminatory practices of apartheid. But irrespective of the benefits whites gained under apartheid dictatorial rule, we recognised that not all whites agreed with this system of government, and that in the new South Africa room must be made for all racial groups to live together peacefully. Whites have helped to build up our country to what it is today, resulting in South Africa having the most successful and advanced economy on the African continent. Despite the injustices of the past, any new government in this country can not afford to scare whites away. South Africa needs their support, in the same way that it needs the support of the black majority.

You will now understand the horror the IFP felt when confronted with the various joint proposals of the ANC and the South African Government. Mr Mandela has fostered a belief within the international community that unless the demands of the ANC are satisfied, the transition to democracy will not occur. This can be attributed to the ANC's intense lobbying abroad in its determination to exclude all other political players in South Africa. What has not been made clear to the international community is that Mr Mandela's international agenda, as well as his agenda within South Africa, is politically antagonistic and divisive.

Unfortunately the ANC's sole guiding force at the national Negotiating Council has been to secure unilateral control over the transitional process and over a future South African government, regardless of how it would be achieved or how long it would take our country to recover from the resultant chaos and misery. Their aim is to keep the present central government infrastructure in place, and merely to change the faces of the oppressors. In order to achieve their goals as quickly as possible, they have enlisted the co-operation of the

ruling National Party, with whom they have agreed to a power-sharing arrangement during the period of transition.

The Record of Understanding signed by Mr Mandela and the State President on the 26th September last year was so destructive of multi-partyism in the negotiating process that the Plenary session of the Negotiating Council that was held yesterday was unrepresentative and illegitimate.

The Record of understanding called for:

- a Constituent Assembly
- a Government of National Unity
- a deadlock breaking mechanism

These elements have been entrenched in the present draft constitution as their essential elements, and this has been achieved by the manipulation of the decision-making process in the Negotiating Council. What has been achieved has so alienated the IFP and other parties that they can no longer take part in the World Trade Centre process. We will not take part in elections if they are going to be held under a constitution which is neither final nor federal.

Dogs do not muzzle themselves, and in the history of the world I can find no precedent which encourages me to think that the ANC, as a revolutionary party, will end up writing a constitution under which other parties will end up winning an election and forming a government. For me constitutions are all about limiting the power of the State and maximising the liberties of the people. To hold an election to elect a government which will end up writing a constitution which perpetuates its power-base is foolishness indeed and I will have no part in it.

The proof of the true intentions of the ANC and the South African Government is detailed in the interim constitution for all to see. In accordance with the interim constitution a Constituent Assembly will be set in place following a general election on April 27, 1994. These elections will enable a majority party in the Constituent Assembly to draft the final constitution. This constitutional process implies that issues of national importance will be resolved by the South African Government and the ANC alone - irrespective of the fact that the outcome of their decisions will have reverberations which extend far beyond their interests.

What is finally becoming apparent to all who participated in national negotiations at Kempton Park, is that what the ANC and government are hoping to accomplish by following the Constituent Assembly route, is to establish a transitional process that will serve to entrench centralised power for the future government of South Africa. The Constituent Assembly has been vested with the powers to determine the final outcome of the regions. And we know that genuine regional empowerment will never grow out of a central constitution-making body, especially if such a body is dominated by a party that seeks to perpetuate one-party rule.:

President de Klerk and his government have tried to fool the South African public for too long. During the entire period that he made empty assurances to the people regarding a democratic federal dispensation, the IFP did everything in its power to alert the public and

the media to what was transpiring at the World Trade Centre. Every attempt made by either the IFP or the KwaZulu Government to table the federal option at the Negotiating Council was rejected. Our pleas for a fair hearing were ignored. We had no alternative but to walk out. We could no longer stay and support a process that we could not become part of. The support base of the IFP would never allow its chief negotiators to sit in a national forum merely to rubber-stamp the demands of the ANC and the South African Government. The IFP would not only be selling out to its constituency, but to South Africa in general.

The closer we reach the election date of 27 April set by the ANC and the South African Government, the more desperate they have both become to push their agreements through. There is no time left for these parties to play out the farce of democratic talks, because this

is a time-consuming process, regardless of how ineffective it has proved to be. What transpired during the course of last week, in order to get their proposals formulated by the

Negotiating Council's Technical Committee on Constitutional Matters, is that the ANC and

the South African Government submitted their joint agreements directly to the Technical Committee, without being ratified by the Negotiating Council.

As you can imagine, this audacious move caused an uproar from all quarters, even from amongst the members of the ANC's Patriotic Front and the government's delegation. But

all that these parties were doing, was acting out a role they have been playing all along. Nothing has changed - it is just more blatant. The extent of the South African Government's

capitulation last week, in the final hours of negotiations, is as follows:

% The powers and functions of the provinces during the interim constitution can be over-ridden by the centre - a far cry from federalism!

The agreement on a government of national unity amounts more to a co-option of the National Party than power-sharing during the transition. The new President, if it is to be the ANC leader, Mr Nelson Mandela, will be able to over-ride opposition from his deputies, one of whom is likely to be President de Klerk.

The constitutional principles that will bind the Constituent Assembly in the writing of a final constitution do not provide for federalism. They are suitably vague to be open to interpretation by the Constitutional Court.

In terms of the agreement reached between the government and the ANC on the issue of the Constitutional Court, Mr Mandela, if he is the next president, will have the authority to appoint the majority of the constitutional court judges in consultation with his ANC-appointed cabinet. Hence, the most important constitutional safeguard for the citizens of South Africa will be left to the whims of a politically packed court, which if Mr Mandela is President, will over-ride any regional demands, irrespective of the details of the dispute.

If this presentation comes across as a scathing criticism of the current political process, then

I have made my intentions clear. For too long now parties at the Negotiating Council have refused to address the concerns which the IFP has raised. In order for South Africa to remotely begin to establish a national will and unity, the ability to compromise and reconcile

opposing political agendas is of the highest priority. If the ANC and the South African Government are allowed to succeed in what they are doing, the chances of peace and reconciliation are negligible.

When it comes to my response to the Plenary Session of the Negotiating Council held yesterday, I say this. I have always stood firm in fighting for the will of the people as expressed in the mandates I receive as a democratic constituency leader. I will consult with the people. If they tell me to go for the election option, then I will do so. I have opposed participation in the election of a Constituent Assembly which will become the country's new Constitution-Making Body. I have done so because I was mandated to do so. I do not have the luxury of doing what I want to do. My people will tell me what to do.

Mr Minister, the IFP has more to gain than any other party from an election. We are the most under-rated political party in the country. Elections will do us more good than any other party. We want an election now under a final democratic constitution - not tomorrow. I would, however, rather go into the political wilderness than legitimise a wrong constitution by entering into elections under it.

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