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MEMORANDUM FOR PRESENTATION TO
SIR GEORGE GARDNER, MP

BY MANGOSUTHU BUTHELEZI, CHIEF MINISTER OF KWAZULU
AND PRESIDENT OF INKATHA FREEDOM PARTY

ULUNDI : JANUARY 4, 1994

Sir George, it is my honour and pleasure to welcome you back to Ulundi. I think it is most appropriate that we can talk at this most crucial period in South Africa's history.

Today we are four days into 1994 - a year which has been lauded as the year that will bring liberation to the oppressed black people of South Africa.

I am sceptical, if not downright dismissive, of such platitudes. I have fought injustice and oppression long enough to know that the present interim constitution will not bring the freedom and democracy we fought so long and hard for. Rather it seems to me more likely that we will be swapping National Party oppressors with those of the ANC and its cohorts.

For me to explain these strong statements I will need to digress back to September 1992 when the ANC and the National Party signed their Record of Understanding. According to this "pact" the ANC agreed that the National Party could enjoy a few more years in power in exchange for their agreement that a Constituent Assembly writes South Africa's constitution. The significance of such an agreement is lost to all but those with a good memory. ' : :

Those blessed with such a memory will of course remember that it was the National Party which vowed that they would never allow a Constituent Assembly to write South Africa's constitution. The idea that a Constituent Assembly writes the final constitution was of course anathema to the Nationalists since it was contained in the ANC's Harare Declaration which, amongst other things, called for the overthrow of the National Party regime and the installation of a peoples democracy.

With the Government on record as vowing never to allow the ANC to write South Africa's constitution, some face-saving gimmick had therefore to be devised to hide the fact that it was selling out to the ANC. Such a gimmick was the idea that South Africa's final constitution would be written in two phases. The first phase - which has just been completed - would see an interim constitution being agreed to at multi-party talks.

This interim constitution would then empower Transitional Executive Councils (TECs) which would then rule together with the Government until the elections on April 27 1994. Also, part of the TEC's job would be levelling the playing fields for the elections. The party which won the elections will control the Constituent Assembly and would then write South Africa's final constitution.

What this two-phased process also meant was that if the ANC wins the elections, it could, by using the deadlock breaking mechanisms, scrap the interim constitution and write its own

constitution. It is now quite clear that in exchange for the ANC promise that the National Party would have a say in a government of national unity for five years, the National Party has given the ANC a blank cheque to write South Africa's final constitution.

I find it truly astonishing that the National Party is prepared to strike deals and accept the assurances of a revolutionary organisation which the majority of the people of South Africa would reject in any normal election. Yet thanks to the National Party, South Africa will now have to take the ANC on trust and hope that they abide by the "spirit underlying the concept of a government of national unity" - as it is put in the constitution. The chances of the ANC abiding by such vague guidelines, are - dare I say - slim.

Already reports have appeared in Sunday newspapers which have exposed an ANC plot to take over the control of all the important institutions of state. Yet these reports only confirm what we have been saying all along. We in the IFP have stated time and time again that the ANC cannot be trusted to write South Africa's final constitution.

As many reports have illustrated, distinct parallels can be drawn between it and other revolutionary organisations of the Third World. Its armed wing, uMkhonto weSizwe, is a guerilla movement which has sought to infiltrate our communities, using strategies of terror and intimidation to spread its influence. Under the mantra of "Peoples War" and "Liberation

before Education" they have recruited gullible young children to embark upon a campaign - of necklacing and mass action.

As the only organisation to stand up to the power-hungry ANC, the IFP has come under increasing threat. As with any revolutionary strategy, IFP leaders have been targeted for assassination by well-trained MK cadres. Today the death toll of leaders slain stands at more than 300. Thousands more of our followers have been shot, stabbed and burnt to death.

The ANC has carried out its plans to annihilate the IFP not only on the ground but on the political front as well. As I have already explained to you, in accordance with the dictates of the two-phased process, the Transitional Executive Councils (TECs) would rule South Africa in the run-up to the election in April, their purpose ostensibly being to level the playing fields so that no one party would have an unfair advantage at the polls. Only a fool would believe such poppycock. Far from bringing about the levelling of the playing fields, the IFP sees the TECs as a vehicle to suppress all dissent to the ANC and National Party's plans. In particular, we see it as a body whose purpose is to rid the ANC and National Party of the threat posed by the Freedom Alliance by dismantling the structures from which we derive our strength.

To prove to you just how the TEC has taken upon itself to destroy KwaZulu, the very first substantial issue that the TEC tackled was to call for the deployment of the South African Police in KwaZulu to replace the KwaZulu Police in controlling violence. To justify their call for SADF and SAP troops to be placed in KwaZulu, the TEC cited a Goldstone Commission report which stated that it believed that certain members of the KwaZulu Police had formed a hit squad to kill ANC members. The ANC and its allies used this report to reiterate their call for the disbandment of the KwaZulu Police and their replacement by the South African Police.

However, in calling for the deployment of the SAP in KwaZulu, the TEC knew they were meddling in the affairs of the KwaZulu Government and compromising the sovereignty of KwaZulu. Yet nothing was going to stop them in their plans to dismantle KwaZulu. Even though we are a tiny, cash-strapped government, we will not go down without a fight. We intend to resist all attempts by the TECs to dismantle KwaZulu.

It is the IFP's firm belief that the only way we can prevent the ANC from achieving its heinous plans for total domination is to bind it and its cohorts to a final constitution which would be written up now and not after the elections. Our argument is therefore that we need to fight for a single phase process to writing South Africa's final constitution. Behind our approach is our view that the purpose of multi-party negotiations is to agree on fundamental constitutional principles, which would then be handed to a body of constitutional experts to prepare the draft constitution. This draft would be returned to the multi-party negotiations for approval or rejection in its entirety, and once approved would then be submitted to national referendum.

It is argued furthermore that both the constitutional principles and the draft constitution would reflect the constitutional inputs provided through ground-up democracy building processes conducted in the regions. Only after a successful popular referendum would elections then be held for a future democratic government.

We in the IFP believe that this process will do away with the fear and uncertainty which is inherent in any period of transition and, especially, in an interim government. We believe that an interim period would serve only to create loopholes for political manipulation and abuse and only serve to prolong South Africa's political uncertainty and economic stagnation.

Even putting aside for a moment the fact that the ANC could literally tear up the present interim constitution, what was thrashed out at the World Trade Centre is not going to bring us anything near the fully-fledged federalism that we demand. Indeed, I would not be far from the mark were I to say that under the present constitution all that South Africa would end up with is a glorified provincial system of government. In fact our constitutional experts tell us that the regions of Spain and Italy enjoy more powers than those allocated to regions under the present interim constitution.

The reason why they are able to say this is that the powers of authority in the present interim constitution are not exclusively vested in regional governments but are concurrently located with the central government. What this of course means in simple terms is that the central government has an over-riding say over matters concerning the regions. This is totally unacceptable to us. As you can appreciate, it is far removed from the true federalism which we demand - the true federalism where exclusive powers are given to the states which make up the federation.

The IFP entered the World Trade negotiations fully committed to reach a negotiated constitutional settlement. We went there ready to negotiate the acceptance of a federal constitution for South Africa, and I stress that we went there with a willingness to make the compromises which would lead to a multi-party settlement.

We could not get as far as entertaining compromises because there was an adamant refusal on the part of the ANC and the South African Government to allow our constitutional proposals to be tabled. The constitution for the State of KwaZulu/Natal which we handed in for discussion was never ever even tabled for discussion. Our proposed constitutional arrangements showing how the regional constitution we were proposing could dovetail in with a national federal constitution were never tabled.

We could not get these proposals tabled even in bi-lateral negotiations with the South African

Government after we walked out of the World Trade Centre. Now as I speak we are facing a situation in which the Government and the ANC refuse to negotiate our minimal and very reasonable bottom line constitutional demands unless we legitimise the interim constitution in advance by pledging our acceptance of the transitional arrangements and structures, and agree to participate in elections if our constitutional amendments are accepted.

That sounds all very well until you understand our rejection of the Transitional Executive Council and the transitional process now already passed into law. We were not party to the formulation of transitional structures. We were not party to the determination of the transitionary process. The Government and the ANC went ahead without us despite my repeated warnings that we could not be expected to implement decisions in which we had no hand in formulating.

We are ready now, today, to negotiate around our proposed amendments to the constitution. When we have achieved the best we can achieve, we will put what was achieved before the KwaZulu Legislative Assembly and a special general meeting of the IFP. These bodies are representative of the constituencies which elected me into the various positions I occupy.

I will not be forced into taking decisions on behalf of my constituencies which I have not consulted. It may well be that they will say that the best we could do was not good enough. I am a democrat and I will not negotiate the democratic rights of my constituencies away.

Sir George, it is on this depressing note that I would like to conclude my address. As I have

explained to you today, South Africans cannot look forward to a year of freedom, democracy and hope. The question facing the IFP is whether we are going to add legitimacy to this fatally flawed constitution by fighting the election or boycotting it. Thankfully the decision

will not be mine alone. The IFP Central Committee will convene meeting to decide on the way forward. Later on during the month a Special General Meeting representing rank and file IFP members will have the final say. I will accept whatever decision is taken.