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MEMORANDUM FOR DISCUSSION WITH THE RT. HONOURABLE
THE BARONESS LYNDAL CHALKER, MP OF WALLASEY
MINISTER OF STATE IN THE OFFICE OF FOREIGN AND COMMONWEALTH
AFFAIRS AND MINISTER OF OVERSEAS DEVELOPMENT

ACCOMPANIED BY:

HER BRITANNIC MAJESTY'S AMBASSADOR IN SOUTH AFRICA,
SIR ANTHONY REEVE;
MR ROBIN CHRISTOPHER, FOREIGN & COMMONWEALTH OFFICE;
MR MARK LOWCOCK, PRIVATE SECRETARY TO THE MINISTER;
AND MR JAMES WATERTON, HM CONSUL IN DURBAN

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

ULUNDI : WEDNESDAY, 24 FEBRUARY 1993

Madam Minister, it is a great honour to welcome you to Ulundi. I am well aware of your pressing agenda, so it is of great significance that you have once again found the time to speak to me.

During your last visit I spoke of the deficiencies of CODESA. I spoke of its lack of inclusivity and its failure to attract major political organisations in South Africa, like the right-wing Conservative Party and Afrikaner Volksunie, and the left-wing Pan Africanist Congress and Azanian Peoples Organisation.

This process of exclusion has been all but entrenched in the latest five year deal agreed to by the South African Government and the

ANC. If we were to concede to this high-handed plan it would leave the most intractable questions - those concerning the distribution and control of power - to an elected constituent assembly, to be settled by, probably a two-thirds majority vote.

One can rightfully presume that the Nationalists and the ANC already have an understanding, more likely a fixed agreement, on how this will be worked out, but it is ironic that the future of this country rests now largely in the hands of reformed Stalinists like Joe Slovo, whose aim in life is to prove 'by experiment' in South Africa that socialism need not be the failure which it has been everywhere else in the world. One may well speculate that transition is certain, but transition to what?

I am still adamant that a new constitution must be legislated into place. Yet there are conflicting views about where we are going and how we are going to get there. The South African Government and the ANC have only agreed to a Multi-Party Planning Conference to prepare for elections for a five year Government of National Unity. Not only is there a lack of consensus between these two parties about what this Government of National Unity is to entail, but it would also be impossible to oversee free and fair elections at the present time.

If the Democratic Party gets thrown out of townships, what would happen if the National Party, or even worse, the Conservative Party, enters them? A civil war? But if the Nationalists cannot

campaign in Soweto, or the Democratic Party in Guguletu, how do you have an election based on an informed choice rather than dictated by an army or a street committee?

Elections in this country would be a mockery if radical organisations had to declare certain key areas 'no go zones' for the conducting of polls, to all but its own supporters. International intervention can do little to stop the tide of intimidation and brutal violence that surrounds elections in a country fraught with conflict and hostility. Foreign observers were present in Angola, but what was done to appease the victims when the polls appeared rigged?

This is why the IFP has demanded the entrenchment of rights and civil liberties in the constitution before elections are to take place. Elections could never take place before the freedoms of speech, assembly and movement were guaranteed to all. We need to constitutionally entrench a voting system which will remain consistent with accepted democratic practices. A constitution must be in place to protect our citizens against the intimidation and ruthless domination we are witnessing in our townships today.

By making the electoral process centre stage at the beginning of the negotiation procedure, you oblige political leaders to communicate and persuade their followers to toe the line up front, in whatever way is most effective. And what is more effective than

the threat of safety for your homes and family? Elections before negotiations will also widen the divide between dissenting parties, forcing parties to move away from democratic consensus and compromise, to hard-line politicking. When the difference between power and no power lies in the tally of each vote, there is a much greater likelihood of the meetings of opponents being broken up, and the killing rival supporters.

One thing is clear in my mind. If this country was subjected to the ANC's demand for a popularly elected Government of National Unity on the basis of one-man-one-vote, it would pave the way for the ANC to decide on the structure of the future constitution of this country. What the ANC has planned for after the elections is

for the new State President, Mr Nelson Mandela, to unilaterally form a new government, hand-picking his cabinet members from within his own party.

This new parliament, or constituent assembly, would then draft the new constitution. It would be vested with the powers to overrule any power-sharing deal envisaged by the National Party. These unilateral and undemocratic decisions would no doubt be labelled the "will of the people". Once a constituent assembly is empowered and provided with the strength of popular suffrage it will recognise no limitation and feel bound by no political promises.

The South African Government is naive to believe that any five year power-sharing deal with the ANC would culminate in the drafting of

a final democratic constitutional dispensation. Whilst this deal may allay the fears of White South Africans for a limited period of time, what happens to their interests once this five year period is over? Do you for one moment think that the interests of any minority grouping will be protected by a future centralist government, if for example the centralist government is dominated by the ANC, and the minority groupings are say the IFP, the victim of its brutal attacks amongst others; or White organisations, the privileged sector under apartheid rule; or the PAC, which refuted ANC policies from the outset? I say no, and I am fully aware that there are many South Africans who agree with my sentiments and reservations.

The IFP proposal is yet to be surpassed as the most democratic initiative tabled to date. Not only does it ensure that the constitution making process allows for democratic bottom up participation, but it envisages the establishment of new government by as early as 1994 - the quickest possible route to democracy for South Africa.

Unlike the South African Government and the ANC we have not agreed to a Multi-party Planning Conference to step back into CODESA. CODESA is not inclusive or representative enough to accomplish the broad-based social and political consensus needed to achieve peace and stability in South Africa.

The Multi-Party Planning Conference must decide on the form of state to be negotiated, making federalism a possible alternative. This conference must decide on the structure and process of future negotiations allowing for the widest possible representation of political parties, traditional structures, self-governing territories and governments. It is within this planned National Multi-Party Conference that substantive negotiations can take place on all aspects of the previously agreed to constitutional principles at CODESA. Inputs from bottom-up regional negotiations are as vital to the process, as top-down national negotiations.

The drafting of the future constitution for South Africa will, therefore, be an all-inclusive party affair. The shape of our

destinies will not be subject to the whims and vested interests of one party alone. But the process of democratisation does not end here! This draft constitution will be put to the people of South Africa, the ordinary man in the street, in a referendum for acceptance or rejection. And only following nation-wide acceptance, will an election for a future democratic government take place.

In this way South Africa could conceivably hold elections by the end of next year, and have a democratic government, and a just constitution, firmly in place. The difference between our proposed constitution and the unilaterally imposed constitution proposed by the ANC, is that ours will have been negotiated and accepted by all

relevant political and other formations, and hopefully respected and upheld by the majority of citizens and generations to come.

The IFP and KwaZulu Government's contribution to the negotiation process is already in its advanced stages. We have drafted a constitution for acceptance based on the internationally recognised principles of federalism. There is an internationally recognised right to self-determination which entitles homogeneous or harmonious communities living in a given territory to choose their destinies and ordain for themselves the government which best fits their needs, wants and aspirations. This is to say that a unitarian form of government cannot be imposed on a region and on a community which does not want to have that government as their own.

Therefore it is legitimate for a single region or community to express a federalistic demand which must be registered by the process of transformation of our society.

On December 1, last year, the KwaZulu Legislative Assembly adopted the Constitution of the State of KwaZulu/Natal as representative of the needs, wants and aspirations of both KwaZulu and Natal. It is, therefore, the duty of the South African Government to test through a referendum whether this constitution truly expresses the demands of our region and of the communities living therein.

We believe that the process of ratification of the Constitution of the State of KwaZulu/Natal needs to be integrated within the overall process of negotiation for a new constitutional

dispensation for South Africa. This process should provide for sufficient mechanisms to allow other regions of South Africa to express their desire to choose a federal system as their own form of government.

I, and a great many other leaders in this country reject the notion of the South African Government and the ANC bilaterally deciding on the framework, the structure and the process of the negotiations. A constitution is the result of a process of development and negotiations, and its characteristics are likely to resemble the characteristics of such a process.

It is with this in mind that the IFP demands that the process of development and negotiation incorporates the ideal of pluralism,

and ensures that federalism can be developed and entrenched in our region. I am extremely confident that once an example has been set, and that democratic participation becomes a reality in the region of KwaZulu/Natal, it will not take long for other regions to follow suit.

One thing needs to be made clear from the outset, and it will be of particular relevance to the delegation present here today. The concern and recommendations emanating from the Rt Honourable Lady Chalker's last visit to South Africa last year were seriously considered by my party and government. Whilst I welcome any form of meaningful international intervention which will alleviate the suffering of my people, it must be respected that the issue of

private armies has got to be resolved before national negotiations can take place.

The unacceptability of secret accords and agreements between the Government and the ANC about the handling of Umkhonto weSizwe is a matter of grave national concern for all South Africans. Umkhonto is not just a private political party in the waiting. It is a revolutionary party on active ANC service. We have irrefutable proof of the ANC's continued use of Umkhonto. The precision with which IFP leaders are slaughtered in attacks by trained guerillas has been established beyond all reasonable doubt. We demand a clear statement by Government on whether it now accepts the continued existence of Umkhonto during the remaining negotiation

period. We will not participate in a negotiation process with a gun to our heads.

It is with these clear demands that I would like to conclude my address today. I hope you will leave Ulundi with a belief in our firm commitment to a negotiated solution - a solution which maps a future of freedom, equality, democracy, pluralism and equal access to opportunities for all.

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