

MEMORANDUM FOR PRESENTATION TO THE HONOURABLE
BARONESS LYNDA CHALKER MP
MINISTER OF STATE IN THE OFFICE OF FOREIGN AND COMMONWEALTH
AFFAIRS AND MINISTER OF OVERSEAS DEVELOPMENT

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

OTHERS PRESENT: H.E. SIR ANTHONY REEVE, HER BRITANNIC MAJESTY'S
AMBASSADOR IN SOUTH AFRICA
H.E. MR ANTHONY GOODENOUGH, ASSISTANT UNDER-
SECRETARY, FOREIGN AND COMMONWEALTH OFFICE
MR MARK LOWCOCK, PRIVATE SECRETARY TO
THE MINISTER
THE HON. MR JAMIE WATERTON, HER MAJESTY'S CONSUL

AND: THE HON. DR B.S. NGUBANE, KWAZULU GOVERNMENT'S CHIEF
NEGOTIATOR AND MEMBER OF INKATHA FREEDOM PARTY
CENTRAL COMMITTEE AND KWAZULU MINISTER OF HEALTH
MR V.J. MATHEWS, CHIEF EXECUTIVE OFFICER OF THE IFP AND
MEMBER OF THE IFP'S NEGOTIATING TEAM AT MULTI-PARTY
TALKS
THE HON. MR L.P.H.M. MTSHALI, MEMBER OF THE CENTRAL
COMMITTEE OF THE IFP AND MEMBER OF THE IFP'S
NEGOTIATING TEAM
DR W.Z. CONCO, FORMER VICE-PRESIDENT OF THE ANC NATAL
REGION UNDER CHIEF A.J. LUTULI AND FORMER CHAIRMAN
OF THE LUTULI FOUNDATION

ULUNDI : DECEMBER 9, 1993

Madam Minister, Mr Ambassador, and your colleagues. It is a great pleasure to meet with you today in Ulundi. Madam Minister, I am glad that we can meet today. There are some issues that I need to table, and from the news I have read there are issues you apparently wish to table.

In the memorandum which was presented by Dr Ngubane in London recently, he outlined very clearly the major concerns of both the Inkatha Freedom Party and the KwaZulu Government. As far as I am concerned developments since then have not improved, as attempts are still being made to sideline my party and my government. No satisfactory effort has been made by either the South African Government or the ANC to rectify the glaring inadequacies of the draft interim constitution, despite the fact that this document is intended to see this country through the period of transition.

Before I go on to present you with an update of my thinking on current affairs, Madam, I would like to respond to what the media is saying is your position on what the KwaZulu Government and Inkatha are doing.

I find myself increasingly astonished at the views of foreign governments and foreign observers. They fail to focus on KwaZulu as a territory in which a people live. KwaZulu is not just another region in South Africa. It has a history. It is a self-conscious society with a distinctive culture. It is a society with aspirations and with a deeply felt yearning for self-determination.

It is a society which came out of history itself. It was once a great and sovereign kingdom in this sub-continent of Southern Africa. It has experienced invasion by the British army, and it is the only kingdom or territory in the whole of Southern Africa on whom the British army had to march to wage a full scale war. KwaZulu is a society which first knew victory over the invading British Army, and subsequently it knew defeat. It also knew what British suzerainty actually meant. Zulu society knew what it was like to have military rulers imposed on it, and it knew what it was like to have its body politic dismembered and its pieces put under control of those who were appointed by the conqueror.

KwaZulu society also knew what it was like to be ignored at best, and trampled on to say the very least, when White colonialists conferred with White settlers to dictate the fate of millions of Black people in South Africa.

The Act of Union was authored under the guiding hand of Great Britain. What was decided at the South African Convention was given the stamp of British approval. The British actually presided over the developments that led to the Union of South Africa. It had previously utterly abused Zulu hospitality which shifted aside Zulu people to make a place for the British to settle around the Bay of Durban.

Britain accepted the offer of hospitality by KwaZulu in order to build up its forces and to march against its hosts. Britain conquered KwaZulu, annexed KwaZulu to Natal, and it was under British colonial rule that KwaZulu was dragged into the Union of South Africa without consultation, and without so much as by-your-leave.

Those acts of colonial subjugation, conquest in war, annexation into Natal, and KwaZulu's subsequent incorporation into the Union of South Africa has written history on the very soul of the Zulu people.

I have sworn, Madam Minister, that never again will KwaZulu be dragged towards a destiny we had no hand in shaping. KwaZulu, His Majesty of the Zulu Nation, and I myself as traditional Prime Minister to His Majesty, will have a say in what is to become of our land, our culture, and our heritage.

Now I hear, Madam Minister, that you think President de Klerk and Mr Nelson Mandela have done "more than enough" to satisfy the Freedom Alliance's demands.

You are on record, according to the press, as saying that we should not be allowed to do this "indefinitely". If you are correctly reported, Madam Minister, I do not know what there is left to say to you. If you really refuse to look at KwaZulu's

history, and the British Government's role in our subjugation and our oppression; if you really believe that the Kwazulu people have no right to self-determination, and, if Madam Minister, you really believe that the politics of the South African Government and the ANC will stamp out ethnic realities and obliterate the pluralism which is very fundamentally inherent in South African society, then your vision, Madam Minister, should be the subject matter of our discussions today.

Your own Government, Madam Minister, has, down through the decades and generations, participated in negotiations in which new states were set up. British experience should have taught members of the present Government that the annals of history have proclaimed the justice of democracy being seen to be done when delegates packed their bags and left conference tables when process problems militated against solutions being found.

We left the World Trade Centre Multi-Party Negotiation Process choosing to take that form of democratic opposition to what was happening. The South African Government and the ANC saw fit to continue without us as though we were of no political and historic consequence. They fashioned a transitional process we reject, and they fashioned a transitional constitution we reject. They set timetables for an election we reject.

Can you really say, Madam Minister, that we had no right to make these objections? The KwaZulu Government, the IFP, and other members of the Freedom Alliance represent a very substantial portion of the future population of this country. Unquestionably if there are free and fair elections under a democratic constitution, the IFP and the ANC would probably be left competing for the right to form governments, and the right to oppose democratically if they lost an election.

I do not oppose what is going on because what is going on precludes me from winning an election and forming a government. I oppose what is going on against a worst case test of what is to happen. I would not be prepared to be an official opposition to whoever won the election under the present constitution, and I would not be prepared to rule under it.

The present constitution now being processed in Parliament will deeply polarise this country. It will divide South African from South African. The constitution itself will become a target for attack. That imposes awesome dimensions on politics in the way ahead. If Great Britain blesses that which will do this, then so be it; then let Britain do to the Zulus what it did in the past.

I know that you, like many other international observers, believe that the draft constitution will give rise to a working democracy, and that the ANC will be politically and morally bound to the spirit of the constitution after the elections. The assurance people give parties like the IFP, is that if the ANC deviated from agreements negotiated now, the international community would not tolerate it.

I thank whoever gives me these reassurances. It is encouraging to note that the international community, like the IFP, is committed to the achievement of democracy in South Africa. Unfortunately, however, a verbal commitment to democracy, no matter how sincere, is not sufficient. While you may believe that the ANC will meet its publicly expressed commitments, we on the side of the opposition, are not prepared to stake our future on verbal assurances alone.

The root of our distrust is intimately linked to the history of this country. Unlike the stable democracies of the advanced Western world, where governments are morally bound to an internationally recognised code of conduct, and govern according to a set of fundamental human rights, this has not been the case in South Africa.

Externally the National Party Government presented itself as an advanced industrialised society, claiming to adhere to First World principles in both politics as well as economics. In reality, however, the practices of our government were far more akin to the totalitarian dictatorships of the Third World. The National Party Government ruled by dictatorship and oppression. Our formal constitution does not even include a Bill of Rights.

By the same token, distinct parallels can be drawn between the ANC and revolutionary parties in the Third World. uMkhonto weSizwe is a guerilla movement that penetrated our communities, using strategies of terror and intimidation to attain the presence that it has today. Under the banners of 'People's War' and 'Socialism Now' they recruited impressionable young children to lead a campaign of necklacings and mass action.

Globally communism has receded as a threat, yet in South Africa the potential role to be played by the South African Communist Party in the future government must, by no means, be underestimated. Has anybody in the international community bothered to question the ANC why it is joining forces with the SACP under a single banner for the elections? Is there a difference?

Has anyone in the international community ever questioned the ANC/SACP alliance on why throughout CODESA and the recently ended multi-party negotiations, they have treated us with such contempt? Why should we in the KwaZulu government, and in the IFP, always be the ones who deserve so much gratuitous advice from so many quarters? Why are our concerns not looked at by the international community?

On September 16, 1993, I suggested to President de Klerk that he, as Head of State, should get multi-party talks on track by calling a meeting of all leaders. He told me that there were leaders who were not prepared to attend such a meeting. Again, on October 29, 1993, all the leaders of the Freedom Alliance requested President de Klerk to call a meeting of all significant leaders, in order to get multi-party talks to be all-inclusive. He told us that he could not call such a meeting as Mr Mandela was unwilling to attend such a meeting.

In all the negotiations that took place during the decolonisation of the former British Empire, all leaders in each country were involved. It is the first time that we have had negotiations about the future of any Nation, where the leaders were not at all involved in constitutional negotiations. Why is it that the international community does not follow up these issues when we raise them? Instead, all the pressure is being exerted on us to comply with what the ANC/SACP alliance, and the South African Government/National Party mapped out for us in secrecy through the Record of Understanding.

Why is it that we are not heard when we brief all Diplomats and speak to Foreign Ministers in the West on these matters? All these briefings are well documented. Is it because our English is not understood even in Britain? Do we accept even now Sir Bartle Frere's diction in 1879 that: "Zulu power must be broken once and for all," when he justified the invasion of the Zulu kingdom? Does Britain actually expect the Zulu kingdom to disappear by force, when even the British invasion of KwaZulu in 1879 did not obliterate us? Are these things of no concern to Her Britannic Majesty's government - even just by way of reparation for what was done by Britain to destroy the Zulu kingdom?

Directly after their unbanning, the radical elements within the SACP gravitated towards COSATU, South Africa's major trade union federation, where they soon assumed positions of seniority. While the ANC wooed their international audiences with reassurances regarding free enterprise democracy and the protection of private property in the future South Africa, the SACP and COSATU have openly committed themselves to wholesale nationalisation and the redistribution of wealth after the elections. And it is these same vociferous leaders within COSATU who have been nominated to stand for the ANC during the upcoming elections.

While dignitaries such as yourselves only come in diplomatic contact with the more pragmatic and dignified leaders of the ANC, like Mr Nelson Mandela and Mr Thabo Mbeki, a recent survey gauging popularity within the rank-and-file supporters of the ANC produced some surprising results. Radical figures such as the warmongering Natal Midlands Regional Chairman, Mr Harry Gwala; the controversial ANC Youth League President, Mr Peter Mokaba; and the necklace-chanting estranged wife of the ANC President, Mrs Winnie Mandela featured in the top ten. Each of these leaders speak the language of revolution, exposing the ANC for what it really is - a revolutionary movement.

For democracy to prevail, the future constitution of South Africa will need to protect its citizens from the threat of dictatorship characteristic of the apartheid government, as well as the revolutionary undertones characteristic of the ANC.

Without these critical checks and balances against abusive state power, the ANC once in power will do exactly what all revolutionary parties do - rule by force in a one-party dictatorship.

I reject the entire approach outlined in the interim constitution, whereby the writing of the final constitution will be in the hands of a ruling party in the Constituent Assembly, whoever that party may be. For me a constitution should be about curbing the power of the state and restricting the freedom of government to do as it wishes, and it is just as much about maximising the liberties of the individual. A ruling revolutionary party like the ANC/SACP Alliance would never draft a final constitution along these lines. Never in the annals of history has a revolutionary party curbed its own powers when it has become the government of the day.

Since the ANC returned from exile they have worked very hard at creating an image of a truly democratic political organisation fighting for the freedom and well-being of the majority of South Africans. With vast resources at their disposal from international donors, they have gone far in achieving this goal. With the same vigour and determination they have slowly and insidiously fought to marginalise their opposition in their struggle for hegemony. Because the IFP may end up the only viable opposition to the ANC after the elections, they are doing everything in their power to destroy the IFP now.

Madam Minister, these are not statements from some fringe organisation. The evidence is there for those who care to study it. Behind the public politics, there has been a step-by-step move towards putting the ANC in a position to squash the IFP and the KwaZulu Government.

The Transitional Executive Council, which was legislated into place on November 26, came into effect yesterday. Nobody elected the members of the TEC into place. The TEC is a power instrument, structured in such a way that it can build on additional powers which it can adopt for itself. It is an instrument of control to be dominated by the ANC and a number of ANC activists and leaders, which would enable the ANC to reach out into the very heart of the power-base of its opposition, the KwaZulu Government and the IFP. In July 1990, the whole country was brought to a standstill by the ANC/SACP COSATU/UDF alliance in an effort to pressurise President de Klerk to dismantle KwaZulu and to disband the KwaZulu Police.

If we are not the object of the ANC's attacks, then why did Mr Mandela earmark Natal/KwaZulu for an extensive tour, proclaiming from podium after podium his commitment to dismantle the KwaZulu Government. The TEC will have the authority over the KwaZulu financial budget. The ANC has served notice that it will use this authority to strip KwaZulu of its executive, leaving the structures of administration to manage KwaZulu during the period of transition. Some of the negotiators were heard in the passages of the World Trade Centre saying they will do a Moscow on Ulundi; some saying they cannot wait to march on Ulundi.

The ANC has expressed its intention to directly intervene in the Public Service Commission and re-write conditions of employment which, inter alia, would scrap the requirement that KwaZulu civil servants should pledge their allegiance to the government it serves. Through the TEC, the ANC intend to destroy our Amakhosi institutions, repealing laws and regulations which give the

Amakhosi authority to say who can hold meetings in the area, and which safeguard the dignity of the Amakhosi.

The IFP and the KwaZulu Government have played no part in the formation of the Transitional Executive Council. It is designed to destroy effective regional structures that have taken years to set in place. Asking the KwaZulu Government to acquiesce to the Transitional Executive Council, is the same as asking us to put a gun to our head, except we would be giving the weapon to our opposition to do the shooting.

KwaZulu also faces opposition from the ANC on a military level. Moves are afoot to incorporate the ANC's uMkhonto weSizwe into the SADF as part and parcel of their strategy to destroy the KwaZulu Government. Right at this very moment large numbers of ANC members are receiving special training within the country, the TBVC states, Zimbabwe, Tanzania, Uganda and India to ensure their domination of the joint 'Peace Keeping Force'.

These arrangements have been under way since 1992 with the full knowledge of the South African Government. And despite hard evidence of MK operatives using regions such as the Transkei, as a springboard for attacks against the IFP and the assassination of IFP leaders, nothing has been done by the government to curb these activities. This gives us every reason to believe that these covert operations are designed as a show of force aimed at intimidating voters in the coming elections.

President de Klerk publicly demanded the disbandment of the ANC's Umkhonto weSizwe on December 20, 1991, at the CODESA I plenary session. He was immediately told by Mr Mandela, the President of the ANC, that he (Mr Mandela) would not under any circumstances disband Umkhonto weSizwe. President de Klerk also got a severe dressing down from Mr Mandela for having dared to suggest that this be done. And since he got that public dressing down, Mr de Klerk has not said another word about the disbanding of Umkhonto weSizwe.

In the meantime many of its cadres have been involved in the serial killing of IFP leaders and of Zulu people in the East Rand ethnic cleansing. Why are the deaths of so many of our members and people, which are taking place even now, of so little concern to the international community? Why all the hype about elections when in these circumstances there is no guarantee that we will have free and fair elections? The most important thing to me about the levelling of the playing fields, is to ensure that these political murders are not allowed to go on, if we expect elections to be free and fair.

The South African Government's role during negotiations continues to astound me. Nothing the ANC has achieved thus far, be it in the establishment of the Transitional Executive Council or the finalisation of the draft interim constitution, could have been gained without the direct connivance of the National Party Government. The National Party will never grasp the nature of a democratic government. It has always put its privileges above freedom, and its own narrow interest above democracy.

The upshot of it all is that instead of going for democracy the National Party Government went first for power-sharing. To quote a recent editorial:

'Schooled in the furtive politics of back room deals, accustomed to the adroit manipulation of fine print, they (the National Party Government) thought they could strike a deal (with the ANC) ... all the time concerned mainly to shore up their own privileges'.

The South African Government is very naive to believe that its opposition - be it the ANC, the SACP, the PAC or the IFP for that matter - could not see through its carefully conceived power-hungry tactics. No black man in South Africa would have failed to develop a guarded wariness of the government after the dark years of apartheid rule.

The National Party Government, acting both as player and referee, achieved its prime objective of establishing a government of national unity between itself and the ANC for a five year period. This of course rests on the assumption that the ANC will honour its commitments to a five year sunset clause on a government of national unity.

It is common knowledge that the election support for the National Party is dwindling down to single figure levels. If, in line with the proposed interim constitution, the ANC amasses support for a final constitution within a period of say 2 years by a 50 plus 1% of the Constituent Assembly, which outside country would come to the aid of the ailing National Party?

One cannot simultaneously shed power and keep it. Sadly for South Africa, however, the National Party will wake up too late to this reality. It is the National Party, in its deals with the ANC, that has thrown the democratic rules of nation-building out of the window - and it is this party, more than any other, that will suffer the fate of this short-sighted greed.

In essence, the IFP and the KwaZulu Government are facing opposition on a political, military and diplomatic level from the combined forces of the South African Government and the ANC. We are being penalised by the international community because we refuse to do what the ANC wants us to do.

If there was a genuine commitment to levelling the political playing fields for the elections - the expressed function of the Transitional Executive Council - there is only one answer. A just dispensation must be legislated into place to put a halt to what is taking place right now.

The IFP is fighting for real democracy. Our bottom line has always remained the same - we will not enter into elections until a complete constitution has been finalised and agreed to by all parties. If we enter elections armed with an incomplete, fatally flawed interim constitution, the final constitution, by law of logical deduction, will be flawed.

In its present state the interim constitution makes nonsense of federalism and regional autonomy. The interim constitution turned out exactly how we predicted it would turn out. Our withdrawal from talks at Kempton Park was fully justified. But in the face of the South African Government and the ANC's intransigence, we continued our battle for genuine constitutional safeguards for regional autonomy outside the formal Negotiation Council. We refused to turn our back on unravelling the constitutional process.

The IFP and the KwaZulu Government's withdrawal from negotiations at Kempton Park should have forced the government and the ANC to take our demands for federalism seriously. Instead we met only political propaganda that our concerns were being addressed when we, who were involved in the ongoing negotiations, knew that what was being offered to us was only one or another version of what the Government and the ANC needed to get into bed with each other.

In the ongoing bilaterals between the Freedom Alliance and the South African Government it was agreed that the government would look towards amending especially those clauses of the interim constitution pertaining to: the division of powers between central government and regional or state governments; financing of regional or state governments; and, the autonomous rights of regional or state governments to adopt their own constitutions.

It was also agreed that the participation of the members of the Freedom Alliance in the election-phase of the transition to democracy, would naturally depend on whether such elections would be free and fair. An ideal climate for free and fair elections, we believe, is a necessary pre-requisite for the establishment of a truly democratic future government.

These agreements left all our fundamental demands unmet. But because of our sincere wish for a situation in which elections could be held, the members of the Freedom Alliance agreed to seek formulations in which compromise could be met with compromise. The Freedom Alliance thus entered final discussions being prepared to make major concessions and compromises. The Freedom Alliance only insisted on bottom line positions without which there would for us be no democratic safe-guards against the development of tyranny after elections.

The finalisation of these agreements reached between the Freedom Alliance and the Government, were to take place in a trilateral meeting, which included the ANC, this Monday.

On arrival, the members of the Freedom Alliance were duly informed by Constitutional Minister, Mr Roelf Meyer, that despite the intended nature of their meeting with the Freedom Alliance, the fact of the matter was that there was no time to amend the interim constitution in its totality.

According to the pre-determined timetable of the ANC and the government, the target date for the completion of the Parliamentary process for the approval of the interim constitution is set for Wednesday, 15 December, next week. The interim constitution had already been tabled in Parliament, and

would go for its second reading before the Parliamentary Select Committee on Thursday, 16 December.

Minister Roelf Meyer urged that the Freedom Alliance pledge its commitment to entering the transitional phase and enter into elections, in return for the rewording of clauses 126 and 155 of the interim constitution that pertained to the issues we had raised.

In response the Freedom Alliance argued that these two clauses were located in the total constitution. Therefore, once they had negotiated a satisfactory wording of the two clauses, they would then need to comb through the entire constitution to see what concomitant changes would have to be made in other parts of the constitution in order to secure meaning for the wording of these two clauses.

When Minister Meyer refused to concede to the obvious logic of this argument, the Freedom Alliance delegation then turned to the ANC for their response, only to be informed that the ANC would only be prepared to negotiate with the Freedom Alliance delegation if they committed themselves unconditionally to the Transitional Executive Council and the 27 April elections, irrespective of the outcome of these final agreements. Not knowing what the ANC would or would not concede to, the Freedom Alliance was to prematurely commit itself to an election process that had every possibility of placing the future of our party in jeopardy.

The only reason for outlying the details of this meeting to you, Madam Minister, is to illustrate the fact that everything is being done by my party and government to reach consensus with the ANC and the National Party Government on the way forward. Madam Minister, we are not the spoilers in this process. For every concession we squeeze out of the ANC and National Party, is one step closer to achieving the goal of future democracy in South Africa.

Even now there is still time for the international community to urge the ANC and the South African Government to call a meeting of leaders to get multi-party negotiations as all-inclusive as possible. It is really a waste of time for dignitaries from the international community to hope that we can be urged to again walk into another 83 years of totalitarian and oppressive rule of our own volition. Black people were forced into the Union of South Africa in 1910 with the blessing of Great Britain through the barrel of the gun. I pray that we should not see a repeat performance of that ugly scene in 1993.

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