

MEMORANDUM USED IN A DISCUSSION WITH THE HONOURABLE  
MR NIELS HELVEG PETERSON, MINISTER OF FOREIGN AFFAIRS  
OF DENMARK AND PRESIDENT OF THE EUROPEAN COUNCIL

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

CAPE TOWN : THURSDAY, 27 MAY 1993

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*and President of European Council*

The Honourable Danish Minister of Foreign Affairs; His Excellency  
the Danish Ambassador, Mr Peter Bruckner; distinguished<sup>^</sup> guests,  
ladies and gentlemen.

Our meeting comes at a critical juncture in the history of both of  
our ~~countries~~. Only last week Denmark faced up to its ~~moment~~ of  
truth, when it went to the polls to decide whether to accept, or  
reject the Maastricht treaty on European political, economic and  
monetary union. The choice facing voters was a difficult~~one~~. A ~~no~~<sup>~</sup>  
vote would surely have killed off the landmark treaty, while a ~~yes~~  
affirmed Denmark's commitment to a common destiny ~~with~~ Europe.  
Against much opposition, your country voted ~~yes~~<sup>^</sup>. Yet in ratifying



the ~~—~~treaty, Denmark showed that it had ~~—~~the ~~—~~courage ~~—~~and determination to face up to the challenges that go hand ~~—~~in ~~—~~hand with the reality of a united Europe.

South Africans have yet to make their choice. For the moment ~~—~~at least attention is focused on the World Trade Centre ~~—~~where South Africa's leaders are locked in negotiations aimed at ~~—~~reaching a democratic ~~—~~dispensation. The outcome of those negotiations ~~—~~will determine whether South Africa is to ~~—~~achieve democracy ~~—~~and prosperity ~~—~~or slide into a never-ending spiral of ~~—~~conflict.

While much progress ~~—~~has been made, it is to avoid ~~—~~this ~~—~~latter prospect of never ending conflict that I caution the indecent haste which some groups rush to reach agreement on divisive issues. This

is of course not to say that I do not wish a speedy settlement to our problems. On the contrary, ~~it is the IFP, more than any party,~~ which wants a speedy settlement, and early elections, so that we can establish South Africa's political "Who is Who" and not be speculating, or be dependent as we are, on disinformation from some of the polls.

This would help to put an end to the slaughter of my followers at the hands MK, the armed wing of the African National Congress. Even while you have been here, you have seen how much violence is taking place in South Africa right now. The levels of violence are not getting lower but are getting higher.



✓ But while the IFP desperately would like to see early elections in South Africa, there can be no merit in any settlement which will serve merely to prolong the violence. Such a prospect is always possible from a settlement which has been reached at haste.

It goes without saying that success should not be gauged in terms of the speed with which agreement can be reached, but in terms of the accommodation of the legitimate needs of all participants to the process, no matter how troublesome, they might prove to be.

✓ Denmark might have ratified the Maastricht treaty. But that ratification came only after substantial concessions were made to the Danish people. The concessions demanded were not spurious or whimsical, but reflected the fundamental need of the Danish people

to remain a people in their own right in a united Europe. Like the Dane who does not want to be ruled by the bureaucrats in Brussels, so too does the Zulu not want to be ruled over by bureaucrats in Pretoria.

Like the Dane, the Zulu demands that his right to self determination be acknowledged. The call for self-determination should however not be seen as a call for a new kind of Apartheid in disguise, but the satisfaction of a fundamental right 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 call for self-determination is given substance through the IFP's call for a federal dispensation for South Africa.

It is the IFP's belief that if South Africa is to ~~achieve~~ long-lasting ~~political~~ stability, ~~democracy~~ and ~~economic~~ prosperity there is the need ~~to~~ adequately address ~~and~~ cater ~~for~~ the political, cultural and material needs of each individual. In South Africa, with its diverse population this can only ~~be~~ achieved through a federal system, where each ethnically different ~~region~~ is given the right ~~and~~ means ~~to~~ govern itself. Far more ~~than~~ any unitary ~~alternative~~, ~~it~~ is the ~~federal~~ system, through its acceptance and accommodation of diversity, which holds the key to uniting South Africa. Far more than any unitary alternative, it is the federal system which will ensure economic prosperity.



It was this acknowledgement to accommodate the very different aspirations of the Danish people which was behind the concessions that the European Community granted Denmark. Without those concessions it was certain that the Danish people would have rejected the treaty.

But unlike the European Community bending over backwards to accommodate Denmark's legitimate needs, South Africa is less fortunate. Today we have the African National Congress and its allies insisting that a democracy can best be served through a popularly-elected constituent assembly and an interim government. This popularly-elected body would then be given the task of drawing up South Africa's first non-discriminatory constitution.

Yet what kind of constitution will South Africa get from an organisation whose leader calls for 14 year olds to be ~~given~~ the vote? Will ~~our~~ constitution come to reflect the wishes of ~~14~~ year olds? And ~~what~~ compromises to democracy will be ~~made~~ in terms of the secret power-sharing pact, thrashed out in secrecy, between the National Party, and the ANC? Indeed, will South Africa get a final constitution from an open-ended process, which includes no ~~deadline~~ for the drafting of the final constitution?

The disadvantages of this constitutional process go even ~~further~~. It is the IFP belief that any attempt to establish a transitional government structure, elected on a unitary basis, would mean that the principle of general consensus, would be lost to the rule of simple majoritarianism

Along with the uncertainty that an interim government will cause, it is the IFP belief that South Africa's cultural and ethnic diversity cannot afford a constitutional set-up where 51% of the population will be left with total power, and the other 49% left in the wilderness. This is a recipe for disaster, in a country with as heterogeneous a society, such as ours.

✓ If anything can be said with certainty in this transitional period it is that South Africa's volatile society needs a quick, decisive and transparent move to democracy. The ANC's proposals do not satisfy these requirements, and are a recipe for continued conflict, constitutional paralysis and economic stagnation.



An interim government ~~is by its very nature transitory~~ and therefore unstable. If such a government is set up, and allowed to rule, what chance is there that those who do not want peace ~~will attempt to foment divisions and a breakdown in rule?~~ Such a breakdown in rule has happened in far stabler countries than South Africa. Our society is so volatile that we simply dare not risk any constitutional crises during our tender years of democracy. With the threat of a constitutional breakdown hanging over the country, what ~~chance~~ is there that foreign investors ~~will plough~~ their money into our country? Far from bring<sup>ing</sup> quick relief to the millions of black people who have borne the brunt of apartheid, and sanctions, such a process will mean that the economy would be held hostage to the political process for an even longer period.

It is for these reasons that the IFP is opposed to any constitutional process which includes any form of popularly elected interim government and constitution-making body. We ask the leaders of the Government and the ANC: What is your motive for this process, when it can only be characterised only by heightened economic uncertainty and social and political unrest?

Surely this is not the way forward, when such a process would serve only to heighten the potential for party political conflict at the expense of the nation as a whole.

With our society balanced on a knife edge as it indeed is, does it not make sense to speed up the implementation of a final

constitution that eliminates any fear of domination, any need for conflict, and rebellion, as the IFP insists; or does it make sense to speed up the process which would serve only to install the ANC and the National Party in government and from which they may never be removed?

It is the IFP's firm belief that there is no reason whatsoever why a final constitution cannot be written by acceptable constitutional experts, endorsed by an all-inclusive Multi-Party Negotiating Forum, and accepted by the people through a referendum by the constitutional deadline of September 1994-without resorting to any transitional arrangements which would, at best, serve the interests of but two parties to the negotiating process.



This route out of South Africa's constitutional predicament would have other obvious spin-offs. In speeding up the constitutional process we would be in a position to devote our undivided attention to creating a climate of tolerance within which South Africa's elections can take place. •

Today we witness near anarchy in many areas of our country. We witness violence and intimidation on an unbelievable scale. Yet it is in this environment that the ANC says South Africa's first non-racial election must be held. Is it not logical to hold elections only once the freedoms of speech, of participation in peaceful political activity, of assembly and of movement are guaranteed in a Bill of Rights, as the IFP insists? Would not such safeguards go

some way in helping to protect our already-brutalised citizens from the intimidation and coercion that they are forced to endure on - a daily basis? While statutory protection might not be able to put an end to intimidation, it does provide an avenue of legal recourse to those who are brave enough to use it.

The proposals of the ANC are for a unitary dispensation where it is central government that devolves power to the regions. With such a set-up not only will the prerogative to withdraw the powers of the region remain firmly lodged with central government, but so will the right to residual power lay with central government. In such a situation there will always be the temptation of central government to create crises so that it can accumulate power to deal with these

crises. It is for these reasons that the IFP rejects the notion of a unitary state for South Africa. For the IFP it is the regions which must devolve power to the centre, and it is at each region that the right to residual power must remain.

Unlike Denmark which is blessed with a ~~political system~~ which ensures ~~democracy~~ and ~~pluralism~~, South Africa has a ~~history~~ of central government domination. There is therefore the need to come up with a political system which will allow a greater ~~amount~~ of freedom. This is found in the Federal system. Federalism embodies and, indeed, helps to ensure pluralism. When I talk of the need for pluralism I do not merely refer to political pluralism but also social, economic and cultural pluralism, which can be manifested in



the limited role of government, the acceptance of free market capitalism, and the respect for the integrity of civil society.

South Africa needs economic growth if it to satisfy the expectations that will be unleashed once we achieve democracy. It needs economic growth to cater for the material needs of its burgeoning population. Yet economic growth of the level needed will only be possible once sanctions are lifted in their entirety, this country is granted access to loan financing and is allowed to participate freely in all international markets.

Just about two weeks ago I had a discussion with the Prime Minister of the UK, Mr John Major. He assured me that the EEC wishes to lift the few sanctions that remain once there is what he called 'a

coalition government.' I assumed that he meant the so-called government of National Unity that the South African Government and the ANC made bilateral agreements on.

Last year at CODESA II the South African Government agreed with us in the IFP concerning the route towards the democratisation of South Africa. In the situation where there is so much intimidation and violence I pointed out to Mr Major that I cannot see that one can talk of a free and democratic election. In this situation we in the IFP endorsed the Statement of Intent which was endorsed by all the parties at the Multi-Party negotiations. The following is the resolution as passed by all the parties that are at the Negotiating Forum, including the IFP:

"This meeting of the Negotiating Council, held on 30 April 1993, at the World Trade Centre:

1. Noting that there is an urgent need to:
  - 1.1. Inspire confidence in the negotiating process and our ability to resolve our problems peacefully;
  - 1.2. Offer a clear vision of the major milestones in the negotiating and transition process;
  - 1.3. Create conditions which eliminate violence in South Africa;
2. And recognising wide acceptance of the need for democratic elections in South Africa;
3. Therefore commit ourselves:



- 3.1. To reach agreements on binding Constitutional principles, the Constitutional framework and the Constitution-making process in terms of which elections will be held.
- 3.2. To provide for an adequate time-frame for the implementation of decisions on these matters and procedures for elections; and
- 3.3. To ensure that the negotiation process moves forward sufficiently over the next four weeks at which stage to set the exact date for an election that should take place not later than the end of April 1994 subject to 3.1 and 3.2.

There is now a very disturbing politicisation of this issue of the date and people expect a date for an election to be announced next week. And yet Clause 3.3 makes it clear that this will very much depend on whether we have reached agreements on binding Constitutional principles, the Constitutional framework and the Constitution-making process in terms of which elections will be held.

We have not reached such agreements as yet, and though I wish we could do them quickly, it does not seem possible to agree instantly on these fundamental issues. This is quite apart from the delay which flows from the arrest of PAC and APLA leaders and operatives.

I wish to say to you, Sir, as the current President of the Council of the European Community that we appreciate the manner in which some of the sanctions have been lifted by EEC countries. We urge the EEC to go the whole way and to lift sanctions, without trying to use the remaining sanctions as little carrots, in an effort to force on us an unseemly haste which can only lead to the escalation of the violence which has already become endemic. If the EEC countries care for Sub-Saharan Africa and Africa at large, then South Africa's poorest of the poor, who are my people, need economic empowerment and the sooner the better.

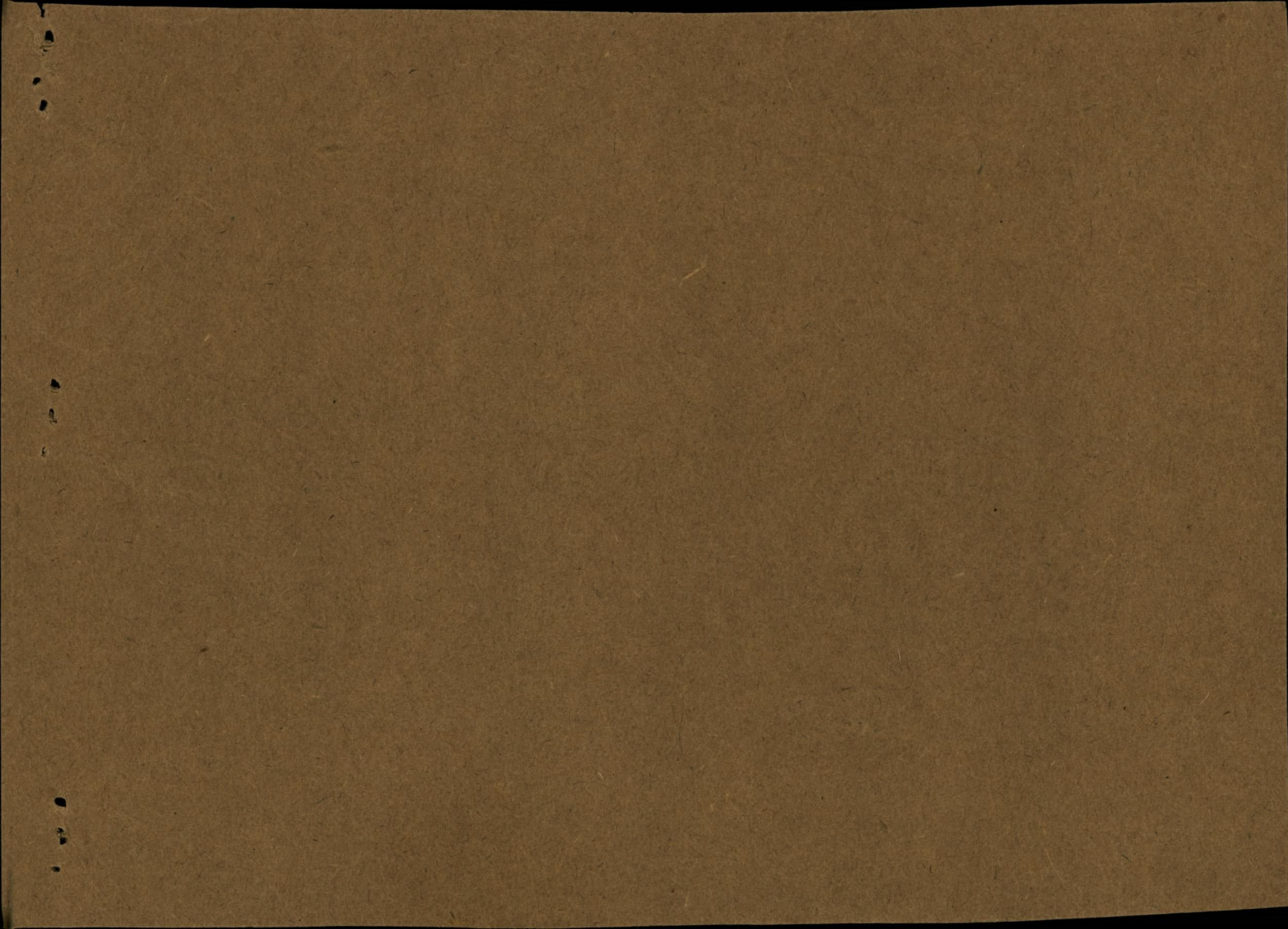
Thus while an onus rests on South Africa's leaders to come up with a political settlement which will ensure democracy, it is up to



investors, both local and foreign, to underpin that democracy through their investment. Foreign government's like the Danish government can play an active role in promoting investment.

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Our meeting comes at a critical juncture in the history of both of our countries. Only last week Denmark faced up to its moment of truth, when it went to the polls to decide whether to accept or reject the Maastricht treaty on European political, economic and monetary union. The choice facing voters was a difficult one. A no vote would surely have killed off the landmark treaty while a yes affirmed Denmark's commitment to a common destiny with Europe. Against much opposition, your country voted yes. Yet in ratifying the treaty, Denmark showed that it had the courage and determination to face up to the challenges that go hand in hand with the reality of a united Europe.

South Africans have yet to make their choice. For the moment at least attention is focused on the World Trade Centre where South Africa's leaders are locked in negotiations aimed at reaching a democratic dispensation. The outcome of those negotiations will determine whether South Africa is to achieve democracy and prosperity or slide into a never-ending spiral of conflict.

While much progress has been made, it is to avoid this latter prospect of never ending conflict that I caution the indecent haste which some groups rush to reach agreement on divisive issues. This is of course not to say that I do not wish a speedy settlement to our problems. On the contrary, it is the IFP, more than any party, which wants a speedy settlement and early elections so that we can establish South Africa's political "Who is Who" and not be speculating or be dependent as we are on disinformation from some of the polls.

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It goes without saying that success should not be gauged in terms of the speed with which agreement can be reached but in terms of the accommodation of the legitimate needs of all participants to the process, no matter how troublesome they might prove to be.

Denmark might have ratified the Maastricht treaty. But that ratification came only after substantial concessions were made to the Danish people. The concessions demanded were not spurious or whimsical but reflected the fundamental need of the Danish people to remain a people in their own right in a united Europe. Like the Dane who does not want to be ruled by the bureaucrats in Brussels, so too does the Zulu not want to be ruled over by bureaucrats in Pretoria.

Like the Dane, the Zulu demands that his right to self-determination be acknowledged. The call for self-determination should however not be seen as a call for a new kind of Apartheid in disguise, but the satisfaction of a fundamental right 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 call for self-determination is given substance through the IFP's call for a federal dispensation for South Africa.

It is the IFP's belief that if South Africa is to achieve long-lasting political stability, democracy and economic prosperity there is the need to adequately address and cater for the political, cultural and material needs of each individual. In South Africa, with its diverse population this can only be achieved through a federal system where each ethnically different region is given the right and means to govern itself. Far more than any unitary alternative, it is the federal system, through its acceptance and accommodation of diversity, which holds the key to uniting South Africa. Far more than any unitary alternative, it is the federal system which will ensure economic prosperity.

It was this acknowledgement to accommodate the very different aspirations of the Danish people which was behind the concessions that the European Community granted Denmark. Without those concessions it was certain that the Danish people would have rejected the treaty.

But unlike the European Community bending over backwards to accommodate Denmark's legitimate needs, South Africa is less fortunate. Today we have the African National Congress and its allies insisting that a democracy can best be served through a popularly-elected constituent assembly and an interim government. This popularly-elected body would then be given the task of drawing up South Africa's first non-discriminatory constitution.



Yet what kind of constitution will South Africa get from an organisation whose leader calls for 14 year olds to be given the vote? Will our constitution come to reflect the wishes of 14 year olds? And what compromises to democracy will be made in terms of the secret power-sharing pact thrashed out in secrecy between the National Party and the ANC? Indeed, will South Africa get a final constitution from an open-ended process which includes no deadline for the drafting of the final constitution?

The disadvantages of this constitutional process go even further. It is the IFP belief that any attempt to establish a transitional government structure, elected on a unitary basis, would mean that the principal of general consensus would be lost to the rule of simple majoritarianism

Along with the uncertainty that an interim government will cause, it is the IFP belief that South Africa's cultural and ethnic diversity cannot afford a constitutional set-up where 51% of the population will be left with total power and the other 49% left in the wilderness. This is a recipe for disaster in a country with as heterogeneous a society such as ours.

If anything can be said with certainty in this transitional period it is that South Africa's volatile society needs a quick, decisive and transparent move to democracy. The ANC's proposals do not satisfy these requirements and are a recipe for continued conflict, constitutional paralysis and economic stagnation.

An interim government is by its very nature transitory and therefore unstable. If such a government is set up and allowed to rule, what chance is there that those who do not want peace will attempt to foment divisions and a breakdown in rule. Such a breakdown in rule has happened in far stabler countries than South Africa. Our society is so volatile that we simply dare not risk any constitutional crises during our tender years of democracy.

With the threat of a constitutional breakdown hanging over the country what chance is there that foreign investors will plough their money into our country? Far from bring quick relief to the millions of black people who have borne the brunt of apartheid and sanctions, such a process will mean that the economy would be held hostage to the political process for an even longer period.

It is for these reasons that the IFP is opposed to any constitutional process which includes any form of popularly elected interim government and constitution-making body. We ask the leaders of the Government and the ANC: What is your motive for this process, when it can only be characterised only by heightened economic uncertainty and social and political unrest?

Surely this is not the way forward, when such a process would serve only to heighten the potential for party political conflict at the expense of the nation as a whole.



With our society balanced on a knife edge as it indeed is, does it not make sense to speed up the implementation of a final constitution that eliminates any fear of domination, any need for conflict and rebellion, as the IFP insists; or does it make sense to speed up the process which would serve only to install the ANC and the National Party in government and from which they may never be removed?

It is the IFP's firm belief that there is no reason whatsoever why a final constitution cannot be written by acceptable constitutional experts, endorsed by an all-inclusive Multi-Party Negotiating Forum, and accepted by the people through a referendum by the constitutional deadline of September 1994-without resorting to any transitional arrangements which would, at best, serve the interests of but two parties to the negotiating process.

This route out of South Africa's constitutional predicament would have other obvious spin-offs. In speeding up the constitutional process we would be in a position to devote our undivided attention to creating a climate of tolerance within which South Africa's elections can take place.

Today we witness near anarchy in many areas of our country. We witness violence and intimidation on an unbelievable scale. Yet it is in this environment that the ANC says South Africa's first non-racial election must be held. Is it not logical to hold elections only once the freedoms of speech, of participation in peaceful political activity, of assembly and of movement are guaranteed in a Bill of Rights, as the IFP insists? Would not such safeguards go some way in helping to protect our already-brutalised citizens from the intimidation and coercion that they are forced to endure on a daily basis? While statutory protection might not be able to put an end to intimidation, it does provide an avenue of legal recourse to those who are brave enough to use it.

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