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The Congress of the People and our constitutional democracy

by Dave Steward

On Saturday 1 November my colleagues from the Centre for Constitutional Rights and I attended the National Convention at the Sandton Convention Centre. We did so as observers, because of our interest in any developments that might affect the constitution. Now that six days have passed - and the organization has adopted a name - the Congress of the People - it is perhaps appropriate to consider the implications of the new party for our constitutional democracy.

It was a remarkable experience. The cavernous hall was filled to overflowing with some 4 000 delegates from all parts of the country, many of whom had been bussed in overnight from distant provinces. It was overwhelmingly a black African event. White faces could be seen scattered among the audience – but they were a small minority. The meeting was also very much in the black African idiom: vibrant, exuberant, with the proceedings punctuated by spontaneous dancing and singing. All the speeches and interventions were started and ended with raised-fist salutes and shouts of “Amandla!” – with roaring responses of “Ngawethu!”

Each speaker was greeted with a chorus of “Long live!” and “Forward with the Convention! Forward!” The gathering was characterized by remarkable goodwill -

with repeated calls from the platform for the removal of any placards that might be offensive to any party - including the ANC. Despite the upmarket address, this was definitely not a gathering of the elite or of the rich.

The speakers included Mbazhima Shilowa, Mosioua Lekota, Barney Pityana, Wendy Luhabe and an icily incisive Andile Mzwai on behalf of the black business community. The heads of attending political parties were all invited to make short statements: they included Helen Zille – dressed in a white jack adorned with roses; fluent in isiXhosa and well able to adapt to the idiom of the meeting; the Rev Kenneth Meshoe of the ACDP; Bantu Holomisa; Patricia de Lille and a representative of Prince Mangosuthu Buthelezi who was unable to participate because he was busy celebrating his 80th birthday (greeted by a spontaneous chorus of 'Happy birthday, dear Buthelezi' from the floor).

A few themes emerged clearly from the speeches. The first was a sense of deep grievance over the manner in which President Mbeki had been “recalled” by the new ANC leadership – and the subsequent purges of Mbeki supporters in political and public service structures throughout the country. The second was a clear demand for electoral reform (To p 12)

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Erodering van burgers en professies

Demokrasie verwys nie net na die parlement en gereelde verkiesings nie. Dit vereis ook dat mense vry moet wees om te assosieer met ander wat dieselfde belange op die hart dra - alles binne die raamwerk van die wet. Mense moet vry wees om te assosieer binne sportklubs, vakbonde, professionele organisasies, belastingbetalersverenigings en die hele spektrum organisasies wat gesamentlik as die burgerlike gemeenskap bekend staan. 'n Lewendige burgerlike gemeenskap is sowel 'n teken as 'n vereiste vir 'n gesonde demokrasie.

Die teenoorgestelde van 'n vrye burgerlike gemeenskap is die Leninistiese "bo na onder" rigting van elke aspek van die samelewing. Volgens hierdie siening moet alle organe van die samelewing voldoen aan die voorskrifte van die dominante staatsideologie. Ongelukkig is daar duidelike en doelgerigte aanduidings dat die regering meer en meer fasette van die burgerlike samelewing wil beheer.

Sport is veronderstel om deur die verkose verteenwoordigers van die verskillende dissiplines bedryf en beheer te word. Inderdaad verbied IOK- en FIFA-regulasies spesifiek regeringsinmenging. Desnieteenstaande gee die Wysigingswetsontwerp op Nasionale Sport- en Ontspanning spesifiek aan die minister van sport die mag om "in te meng in enige dispuut of beweerde wanbestuur of enige verwante aangeleentheid in sport of ontspanning wat moontlik 'n sport- of ontspannings-aktiwiteit 'n slegte naam mag gee" alhoewel 'n minister nie mag inmeng in sake wat met die verkiesing van spanne verband hou nie). Daar is ook toenemende regeringsinmenging in die mediese beroep. Die Wet op die Gesondheids-beroepe verander die samestelling van die beheerraad vir die mediese beroep, die Gesondheidsberoepsraad, en verwyder in werklikheid die outonomie van gesondheidswerkers om hul eie sake te hanteer. Dit ontnem die beroep ook die reg tot verteenwoordigende demokrasie en plaas algehele beheer in die hande van die

minister. Die voormalige raad van 52 lede moes 'n minimum van 34 lede uit die gesondheidsberoep insluit, waarvan 25 deur die professionele liggeme self aangewys is. Die nuwe raad sal 43 lede hê, waarvan die helfte deur die professionele rade aangewys sal word. Voorheen is die meeste lede van hierdie rade deur die lede van die betrokke beroepe gekies. Volgens die nuwe stelsel sal al die lede van die nuwe rade deur die minister aangewys word, om "duur" verkiesings te vermy.

Wetgewing is ook ingestel om aan die regering soortgelyke beheer oor beroepe betrokke by die boubedryf, insluitend argitekte, ingenieurs, projek- en konstruksiebestuurders, landskaps-argitekte, eiendomsvalueerders en bestekopnemers, te gee. Die nuwe wet stel die skepping van 'n oorhoofse liggaam voor, die Suid-Afrikaanse Raad vir die Behoude Omgewing, wat hierdie beroepe sal reguleer en koördineer.

Net soos in die geval van die mediese beroep, gee die wet die minister verreikende magte om lede van die Raad aan te stel en gee ook aan haar die magte oor die aanstelling van spesifieke beroepsrade. Onlangs het die Wysigingswet op die Uitsaaibedryf aan die parlement, m.a.w. die regerende politieke party, die mag gegee om die SABC Raad te ontslaan. Voorheen kon raadslede slegs op aanbeveling van die raad self afgedank word. So het die laaste sprake van onafhanklikheid van die nasionale uitsaaier ook verdwyn. Dit is nie in die openbare belang om die regering toe te laat om in te meng in die burgerlike samelewing nie. Dit is ook nie in die openbare belang dat die regering die mag moet hê om te besluit oor wie die beroepe moet beheer nie. Sentraal tot ons grondwetlike bedeling is dat demokrasie alle vlakke van ons samelewing, en instellings van ons samelewing, moet deurdrenk.

Dit gebeur nie: toenemende "bo na onder" regeringsinmenging in wettige aktiwiteite van die burgerlike samelewing ondermyn 'n krities-belangrike dimensie van ons demokrasie.

SACP and COSATU cuckoos in the ANC nest

By Dave Steward

We should have no illusions about the political forces that have been at play since the ANC's Polokwane conference in December last year - and that culminated in President Mbeki's precipitate departure from office.

At Polokwane a coalition led by the SACP, COSATU and others opposed to President Mbeki, assembled 20% more delegates than President Mbeki - and were thus able to seize control of the ANC.

Because control over the ANC gave them the power (in terms of s.47(3)(c) of the Constitution) to dismiss any recalcitrant ANC MP from Parliament - their victory also gave them de facto power over the legislative and executive branches of the state. Since then, the new ANC leadership, in which the SACP and COSATU play a prominent role, has dictated who should be 'deployed' as premiers of our provinces - and who should be 'recalled'; which policies should be adopted by Parliament (most notably, the abolition of the Scorpions) and which should be set aside; and recently, who our president should be (and who he should not be).

All South Africans, and particularly traditional members of the ANC, should be deeply concerned over these developments.

Classic communist revolutionary theory prescribes a two-phased revolution: first, a national liberation phase under the leadership of the 'national liberation movement' (the ANC) - which, as the 'vanguard party', leads a broad coalition to the achievement of national liberation. During the second phase, the communist party is supposed to assume the role of 'vanguard party' and lead the country to the establishment of socialism and ultimately of communism. At its policy conference in Johannesburg, Secretary-General Blade Nzimande, spoke of the necessity of strengthening the party's 'vanguard party' role, thus announcing its intention to steer the Alliance in a direction consistent with communist ideology.

The Policy Conference considered the relationship between 'the Party and State

Power' and made announcements of which all South Africans (and particularly ANC members) should take careful note. It called for a 'reconfigured alliance' that would henceforth provide strategic leadership of the National Democratic Revolution (the Alliance's core ideological programme). It proposed the establishment of an Alliance Political Council 'to oversee broad political issues, including policies, popular mobilization, governance challenges and deployments.' The Council would meet regularly and would comprise the top six leaders of the ANC; the top five leaders of the SACP; and the top six leaders of COSATU.

This proposed shift in the balance of power within the Alliance is in line with the recent demand by the Young Communists League that the SACP, COSATU and the ANC should each have one third of the names on the ANC's electoral list. (In fact, the SACP has already almost reached this target: it has 80 of its members in Parliament - 20% of the total and 30% of the ANC's parliamentary caucus.)

The SACP evidently wants to expand this role and give its parliamentary caucus its own distinctive voice and identity. According to Comrade Nzimande, the SACP would like to see 'increased participation and presence of communists in all legislatures, so that the voice of the communist party is felt at levels which are important'. The Conference called for 'increased visibility of communists' on the (ANC's) final electoral lists. It wanted 'a delegated contingent of elected representatives who, on appropriate occasions, speak directly for the SACP (despite the fact that they would have been elected on an ANC list).

The SACP also proposed that the Alliance should establish deployment committees at all levels, from the national to local, to decide on the appointment of cadres to all posts (presumably including all political, government, public service and state corporation posts). According to Nzimande, the SACP would have to develop

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Challenge of the century: managing diversity

This is an extract of a speech by former President FW de Klerk to Johnson Controls, in Chicago on 15 October 2008. For the full version, please visit www.fwdklerk.org.za

One of the inescapable implications of globalisation is an enormous increase in the interaction between people from different backgrounds, cultures, languages and religions. The management of the resulting cultural, language and religious diversity will be one of this century's greatest challenges - for the international community; for countries and for companies.

The inability of countries and the international community to manage diversity is already by far the most serious cause of conflict in and between countries. Deep and unresolved differences in the worldviews of conservative Moslems and the West are one of the factors that contribute to global terrorism.

The ability of companies to understand and accommodate diversity will also be a critical success factor in a world in which production is increasingly integrated on a global basis and in which companies have to compete in highly diverse cultural markets.

Throughout the world populations are becoming more cosmopolitan: the world's

200 countries now include more than 6 000 different cultural communities. More than 130 countries have cultural minorities comprising more than 10% of their populations. Cultural diversity is being augmented by new waves of migrants seeking economic opportunities and freedom. Everywhere people are on the move - and everywhere they are confronting once homogenous societies with new challenges.

The preservation of cultural diversity is also one of the central issues in the debate on where globalisation is leading us. Many people believe that the identity, purpose and dignity that they derive from their cultural heritage is being threatened by the global tidal wave of English-language mass culture. The pervasive media, entertainment and communication influences that it broadcasts are brashly consumerist and often respect few boundaries or traditional values. We humans are complex social beings with many important concentric relationships. We are individuals. We belong to families. We pursue our economic interests. We belong to clubs and organisations. Many of us have religious affiliations. We often belong to distinct cultural groups. We have gender and sexual orientation.

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At the Johnson Controls speech were, seated (from left): Mrs Elita de Klerk, Mr Geoff Colvin (Fortune Magazine), Mr FW de Klerk, Iain Campbell (Johnson Controls). Standing are (from left): Mr Rakesh Kishan (UMS Advisory), Ms Julie Williams (Johnson Controls), Mr Steve Quick (Johnson Controls), Mr Milton Scott (The Tagos Group) and Mr Pieter de Haan (Philips Lighting)

Challenge of the century

(From p 4)

We are citizens of countries and increasingly we belong to the international community.

All of these relationships are important to us and some are critically important. In many, if not most of them, we are minorities. True freedom consists of our being able to make lawful choices for ourselves and our families in all these spheres. The borders of these freedoms should be defined only by manifest public interest and the point where our freedoms begin to impact negatively and unfairly on the interests of others.

For example, I am an individual. I belong to the De Klerk family. I belong to the Reformed Church. I am a member of a number of private organisations – including a number of golf clubs.

I am an Afrikaner. I derive my language, my history, and my traditions and much of my identity from this fact. I am also very proud to be a citizen of the new vibrant and multi-cultural South Africa. Like my ancestors since 1688, I am an African – and I like to think that I am a citizen of the world.

None of these relationships is mutually exclusive. People can be all these things at the same time. Their reasonable rights in all these spheres need to be protected. Neither should they suffer discrimination because of any of these affiliations.

The management of diversity is also an increasingly important challenge and reality for the United States.

There are now more than 12 million illegal immigrants in America. For most of your history, the invariable practice was for immigrant communities to coalesce around the existing national identity and to learn to speak English as soon as possible.

The accommodation of diverse immigrant groups has become one of the most controversial issues in Europe. It has played a decisive role in recent elections in a number of European countries. Three years ago it led to some of the worst riots that France has experienced since the Second World War. At the same time the EU has committed itself to a policy

of trying to integrate culturally diverse immigrants into existing European cultures. Toleration of cultural diversity in Britain has diminished as a result of the involvement of some British-born Moslems in terrorist activities aimed at fellow Britons.

Increasingly, the view is that toleration of diversity is good - but on the basis that everyone must accept the core values of the nation.

All of this is, however, part of the broader challenge of managing cultural and religious diversity in a world in which inter-communal conflict is by far the greatest threat to peace and stability.

A deep sense of cultural, religious or ethnic alienation lies at the root of many of the little wars throughout the world, most of which seldom impact on the evening news. Nearly all the conflicts in countries around the world have their roots in the failure to manage diversity.

Too often, minority communities feel that they are not sufficiently accommodated, politically or culturally, in the processes by which they are governed.

They feel that their governments are insensitive to their languages and cultures; that they are subject to discrimination, repression and efforts to integrate them forcibly into the majority culture.

This sense of alienation often breaks out in conflict, rebellion, demands for secession and sometimes in acts of terrorism.

Religious diversity also lies at the root of some of the ongoing conflicts in the world. Differences between Hindus, Moslems and Sikhs in India; and Moslems and Christians in Nigeria and Sudan all create volatile situations that can explode into violence and terrorism at almost any time.

Religious and cultural alienation are also some of the main underlying causes of international terrorism.

Many terrorists are motivated by a deep sense of religious and cultural grievance.

The rampant advance of globalised consumer culture with its attendant political and social ethos, poses a

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Real-politiek van toekoms in SA

Opsomming van 'n toespraak deur Dave Steward, uitvoerende direkteur van die FW de Klerk Stigting, by die SAOU-kongres in Port Elizabeth op 2 September 2008.

Die ANC se "National Consultative Conference" in Polokwane in Desember verlede jaar was moontlik die belangrikste politieke gebeurtenis sedert die ontstaan van die nuwe Suid-Afrika 14 jaar gelede. Diegene wat in Polokwane bymekaar gekom het, het nie alleen besluit wie Suid-Afrika vir die volgende 5 of 10 jaar gaan lei nie, maar ook watter politieke en ekonomiese beleidsrigtings gevolg gaan word.

Daar was drie belangrike denkrigtings by Polokwane teenwoordig. Diegene wat president Thabo Mbeki vir die volgende vyf jaar as ANC-president herkies wou hê en dat hy moes voortgaan om 'n beduidende invloed op regeringsbeleid uit te oefen nadat hy volgende jaar as president sou uittree. Dan sou daar twee magsentrums na 2009 wees, een in 'n verswakte presidensie en die ander by die ANC se hoofkwartier in Luthuli-huis.

Die tweede faksie wat in Polokwane om mag meegeding het, is die ANC-alliansie se linkervleuel, hoofsaaklik COSATU, die SAKP en die ANC Jeugliga. Zwelinzima Vavi, COSATU se sekretaris-generaal, het reeds verlede jaar verklaar dat die stryd om die hart en siel van die ANC begin het. Hierdie linkervleuel was diep ongelukkig oor die ortodokse makro-ekonomiese benadering van die regering en ook skerp krities teenoor die ANC-kaders wat multimiljoenêrs geword het en het in die algemeen gevoel dat die huidige leiers die ANC se sosialistiese geskiedenis verrai het. COSATU was ook krities teenoor president Mbeki se VIGS-beleid, sowel as sy rol in Zimbabwe.

Die derde groep het diegene ingesluit wat nie aan die linkervleuel behoort nie, maar wat nie entoesiasies was oor 'n verdere termyn van vyf jaar vir president Mbeki as president van die ANC nie. Hulle het vernuwing bepleit en het gesoek na leiers

wat dit kon help verseker, sonder om die ANC te laat skeur.

Die stryd tussen hierdie faksies was venynig en is na Polokwane nog steeds aan die gang. Verlede jaar het die Mbeki-beheerde nuusbrief "ANC Today" die linkervleuel beskuldig van sameswering met die regterkant van die politieke spektrum, wat uit die DA en die meeste blankes bestaan. As gevolg hiervan, sê "ANC Today", het hulle "teenstanders van die leiers van die nasionale demokratiese revolusie geword".

In 'n latere uitgawe het die hare behoorlik gewaai. Die skrywers van "ANC Today" het Lenin, Marx en Joe Slovo aangehaal en COSATU getipeer as "anarcho-syndicalists" (anargistiese sindikaliste). Uiteindelik het die anti-Mbeki faksie by Polokwane geseëvier en het hulle 60% van die stemme ingepalm. Die vraag is dus, wat gaan nou gebeur, of miskien moet ons liever vra wat is die beste waarop Suid-Afrika kan hoop?

In die eerste plek, het ons 'n situasie wat grondwetlik onaanvaarbaar is waar die ANC in Luthuli-huis die werklike mag in die hand het, terwyl president Mbeki en die Parlement, wat veronderstel is om die land te regeer, hul opdragte van die party ontvang.

In die tweede plek het 'n onuithoubare situasie ontstaan waar die presidentskandidaat van die ANC in volgende jaar se algemene verkiesing vir ernstige misdade aangekla is en teoreties nog in die hof moet verskyn. As gevolg hiervan doen sy volgelinge alles in hul vermoë om te verseker dat die klagtes teruggetrek sal word. In hul pogings betoog hulle in die strate en by ons howe. Hulle verklaar dat hulle bereid is om mense dood te maak om mnr Zuma te beskerm - en hulle beskuldig die Grondwetlike hof dat dit 'teen-revolusionêr' is. Belangrike stemme in die besigheidswêreld en elders vra vir 'n 'politieke oplossing' om die krisis te ontfont deur amnestie aan mnr Zuma te verleen.

Ander, meer beginselvaste stemme bepleit dat ons die ou Latynse stelling moet volg:

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Real-politiek

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'*Fiat justitia rual coelam*' - laat die reg geskied al tuimel die hemel'.

Intussen bly die ANC erg verdeeld. Een van die grootste uitdagings voor aanstaande jaar se algemene verkiesing is om die beweging weer te probeer herenig. Aan die een kant sal pogings aangewend word om president Mbeki en sy ondersteuners meer tevrede te stel. Aan die ander kant sal daar gepoog word om hernieude verbintenisse tot eenheid te verkry van al die groeperinge wat by die driedelige alliansie betrokke is. Maar toegewings sal deur die linkervleuel gemaak moet word, moontlik in die vorm van 'n groter toewyding aan die transformasie van Suid-Afrika na 'n Ontwikkelingstaat.

Dit alles laat ons met die vraag wat gaan nou gebeur?

President Mbeki sal nie na die verkiesing in 2009 met 'n ware gevoel van vervulling kan aftree nie. Ten spyte van die leierskapsrol wat hy vir bykans 15 jaar gespeel het, vir die eerste vyf jaar as die baie aktiewe adjunk van president Mandela, en vir die volgende tien jaar as president in eie reg, is hy ondubbelsinnig deur die meerderheid in sy eie party verwerp.

Dit was kritieke jare vir ons jong demokrasie en in die geheel gesien het ons op baie terreine belangrike vordering gemaak.

Die sleutelvraag sal wees of president Mbeki se opvolger sal voortgaan met sy en Trevor Manuel se verantwoordelike makro-ekonomiese beleidsrigtings, of sal hulle eenkant toe geskuif word deur die oordrewe toepassing van die Ontwikkelingstaat en groter regeringsinmenging in die ekonomie?

Na my mening is die fundamentele vraag egter of die nuwe president en regering deur ideologie gelei sal word of deur die dwingende werklikheid van ons omstandighede.

Op watter terrein ookal waar die Mbeki-presidentskap goed gevaar het, was dit omdat dit 'n pragmatiese benadering en werkbare beleid aanvaar het.

Dit is veral waar van sy makro-ekonomiese benadering. En as dit swak gevaar het, was

dit omdat ideologie die botoon gevoer het.

Dit is neerdrakkend dat die huidige diskoers binne die ANC steeds oorheers word deur swaarwigtige verwysings na Lenin, Marx en Engels.

Die belaglike twispunt is wie dan nou werklik die "vanguard party" (voorpunt party) is en wie moet die rol speel van die ware vlagdraer van die nasionale demokratiese revolusie!

Die ideologie aan die orde is negentiende eeuse sosialisme en die beswaarlik verdoeselde rasisme van die nasionale demokratiese revolusie.

Die een is op soek na die mitiese nirvana van die klaslose gemeenskap.

Die ander streef na die ewe denkbeeldige doel van 'n nie-rassige samelewing wat gedefinieer word as 'n staat waarin daar demografiese verteenwoordiging op alle vlakke van eienaarskap, bestuursbeheer en werkverskaffing in die private en openbare sektor sal wees.

Wat Suid-Afrika in stede hiervan nodig het, is leierskap wat hom sal laat lei deur die werklikhede wat ons omring en nie deur die dwaling van ideologie nie.

Sommige van die werklikhede is die werklikheid van onaanvaarbare armoede en ongelykheid in ons samelewing, die werklikheid van werkloosheid wat onlosmaaklik verbind is aan onvoldoende standaarde in onderwys en opleiding en rigiede arbeidsbeleid, die werklikheid van VIGS, die werklikheid van misdaad en die werklikheid van ons vaardigheidstekorte.

Ons benodig doeltreffende beleid om die wanbalanse van die verlede aan te spreek, maar ook in hierdie verband moet die nuwe president en nuwe leiers hulle laat lei deur realisme eerder as ideologie.

Dit sluit onder meer in dat as meriete nie die hoofoorweging by aanstellings en bevorderings is nie, sal enige organisasie of instelling gou die meeste van sy verdienstelike personeel verloor.

As organisasies en instellings mense met kritiese vaardighede en ervaring verloor, sal hulle in 'n toenemende mate misluk en as eiendomsreg verwater word, sal daar

(Na bl 9)

Heritage Day celebrates equal cultural rights

According to our Constitution our new society has been founded on the principles of human dignity, non-racialism and the achievement of equality. All citizens are equally entitled to the rights, privileges and benefits of citizenship and all our official languages must enjoy parity of esteem and must be treated equitably. In terms of s 9, everyone is equal before the law and the state may not discriminate unfairly against anyone, inter alia on the basis of their language, culture or birth. S. 31 protects the rights of people belonging to cultural and linguistic communities to enjoy their cultures and practise their languages and s 185 provides for the establishment of a commission to promote respect for the rights of cultural, religious



Photo: Alet Pretorius, Beeld

and linguistic communities.

Through these measures, the Constitution protects and acknowledges the equality and human dignity of all South Africans - and of all our communities - and gives recognition to the multicultural, multi-religious and multi-linguistic nature of our society.

The idea of 'African hegemony in the context of a multicultural and non-racial society', proposed in the ANC's 1997 document on Nation-formation and Nation-Building is completely irreconcilable with this vision of cultural equality in the Constitution.

The same is true of its historic interpretation which dismisses the rich and often troubled history of some of our communities simply as 'colonialism of a special kind.'

The ideology of African hegemony is increasingly manifested in insensitive attacks on the heritage of other communities.

Most recently the Tshwane Municipality has announced its intention of changing the names of 47 of Pretoria's most prominent streets. Among them are Kruger Street and Pretorius Street.

The former is named after President Paul Kruger, who was the leader of the most significant anti-colonial struggle in the history of our country which involved the deployment of some 400 000 British troops in South Africa and deaths of many tens of thousands of South Africans of all races. The city was founded by Marthinus Pretorius and was named after his father Andries Pretorius.

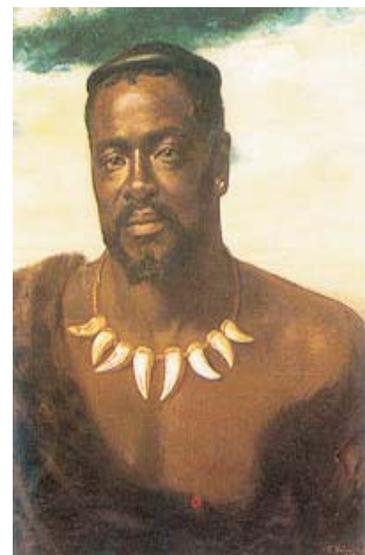
Do they not deserve to be honoured and remembered by all South Africans?

We will only truly be able to celebrate Heritage Day when all South Africans can identify with all our great heroes from all our communities at all our times of historic challenge.

We will only be able to celebrate Heritage Day in the spirit of our Constitution if we all rejoice with Cetshewayo after the victory of Ishlandwana; if we all weep with Ngqika at the loss of his lands in the Amatolas; if we all march with Gandhi in his first historic

protests
against
injustice -
and if we can
all call Paul
Kruger and
Andries
Pretorius our
own.

On Heritage Day let us remember and respect the contributions to our history of all our people and all our communities.



Cetshewayo

Real-politiek

(Van bl 7)

weinig beleggings wees. As die nasionale akkoord verwoord in ons grondwet van 1996 sistematies geërodeer word, sal die basis van ons nasionale eenheid en versoening vernietig word. In plaas daarvan om deur ideologie gelei te word, moet ons volgende president gelei word deur die ontluikende internasionale konsensus oor die weg tot sukses. Dit benodig onder andere goeie regering, sterk en doeltreffende demokratiese instellings, onafhanklike en toeganklike howe, doeltreffende polisiëring, lae vlakke van korrupsie en mededingende markte en openheid vir internasionale handel. Die real-politiek van die toekoms hou ook 'n plek vir minderhede in. Een van die bemoedigendste verwickelinge van die

afgelope veertien jaar was die deurdagte en vasberade verset teen die Ont-eieningswetsontwerp. Vir die eerste keer het 17 organisasies en politieke partye van dwars oor die politieke spektrum bymekaar gekom om die wetgewing saam teen te staan. Die aankondiging dat die wetgewing teruggetrek is en nuwe gebare van versoening, veral teenoor die Afrikaanse gemeenskap, is bemoedigend. Daar is 'n toekoms vir ons almal in Suid-Afrika, maar dit sal vereis dat ons ook real-politiek sal moet bedryf. Ons sal moet organiseer, ons sal moet kyk na die werklike magsbronne waaroor ons beskik en dit deurdag ter bereiking van alle Suid-Afrikaners se redelike belange, moet aanwend. Lees die volledige artikel op www.fwdklerk.org.za

Challenge of the century

(From p 5)

fundamental threat to conservative societies and particularly to fundamentalist Moslems. They fear it with every fibre of their being precisely because their people find its shiny consumer products, its flashy, free-wheeling life-style and its amoral pop culture so alluring. They regard the unrestrained freedom, sexual emancipation, abortion on demand, gender equality and materialism that they see in Western media as a mortal affront to the austere piety of Islam. The result is often fanatical rejection of western culture and its chief exponent, the United States.

One of the great challenges of the new millennium will be to address cultural and religious alienation and to devise norms and approaches that will enable different communities to live together in peace. There is an urgent need for more intense and informed debate on how the international community should deal with ethnic, cultural and religious diversity. For some, the obvious solution to inter-communal conflict is partition, particularly where communities constitute clear majorities in definable geographic areas. This was accepted as the solution in the

case of Slovakia and the Czech Republic and was the basis for the fragmentation of the Soviet Union and the old Yugoslavia. In South Africa, from 1960 onwards, we tried to achieve a solution to our complex problems on the basis of ethnic territorial partition. We failed because economic and demographic forces had already integrated the country to such an extent that separation was impossible.

In our shrinking and increasingly inter-dependent world, the challenge is not how different communities should best go their separate ways. It is, rather, how they can best learn to coexist in a spirit of harmony and mutual respect.

The challenge is to devise approaches and to establish norms that will enable different cultural and ethnic communities to coexist within the same states. To achieve this, we must reach broad agreement on the cultural, linguistic and educational rights that such communities should enjoy. However, we also need to reach agreement on underlying values that can provide a basis for co-operation and unity.

Read the full speech on
www.fwdklerk.org.za

Departure of presidents and the implications for popular sovereignty

President Mbeki's decision to resign the presidency is the second time in twenty years that South Africa has experienced such a development. The first was the resignation of President PW Botha on 14 August 1989 (four years minus a day after his fateful Rubicon speech). There are some superficial similarities in the two events which have been remarked upon in the media. In both instances the underlying breach arose from the problem of trying to deal with two centres of power - in essence where the President is no longer leader of the political party in power. Both presidents addressed the nation on television, both appeared to be isolated and rejected.

That, however, is where the similarities end. In PW Botha's case there was no protracted power struggle by elements within the National Party to challenge his leadership of the party. Instead, inexplicably and out of the blue, on 2 February 1989, he wrote a letter to the NP parliamentary caucus in which he announced that he had decided to resign as party leader but to stay on as President. The caucus decided there and then to elect a new leader, and after the third ballot FW de Klerk emerged as the victor. He was as surprised as anyone else by this unexpected development.

Secondly, the party under FW de Klerk's leadership made every effort to try to accommodate President Botha until the expiration of his term of office before the next general election in September that year. The reality of two centres of power proved to be an uncomfortable constraint on both President Botha and on the party. President Botha was angered and frustrated by the fact that his virtually unquestioned domination over the cabinet had been diluted; the party was equally frustrated that the arrangement prevented them from proceeding as rapidly and decisively as they wanted on a clearer and more reformist path.

The continuing squabbles and the lack of clarity probably cost the NP electoral support in the pivotal 1989 national election. Nevertheless, when the breach

came in the middle of August, it was at the initiative of President Botha and not the party leadership. In the final analysis, there was no way that the irascible president was going to leave office quietly and with dignity as the party leadership would have preferred (by contrast, President Mbeki acted with exemplary dignity and restraint).

The third difference between the demise of the two presidents is by far the most significant: it lies in the fact that throughout the former process power lay in the hands of the caucus of the majority party in parliament and not in the hands of the unelected party machine (even though the electorate was then limited to white, coloured and Indian South Africans represented in the tricameral parliament). The same is not true with regard to the termination of Mr Mbeki's presidency. The disturbing reality is that, between national elections, sovereignty does not lie in the hands of the elected representatives of the people, but in the hands of those who control the majority party.

This is because section 47 (3) (c) of the Constitution makes MPs entirely dependent for their continued membership of the House of Assembly on their continuing membership of the party on whose list they were elected. In other words, the elements that control the party also control the legislature and the executive (but fortunately, not the judiciary).

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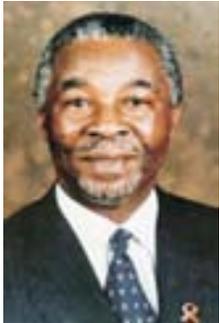


Former President PW Botha

Departure of presidents

(From p 10)

This does not present a very visible problem where the President also controls the party machine - as President Mbeki did for the first eight years of his presidency. However, it becomes critical when the President no longer controls the party, as we have seen since Polokwane.



Former President
Thabo Mbeki

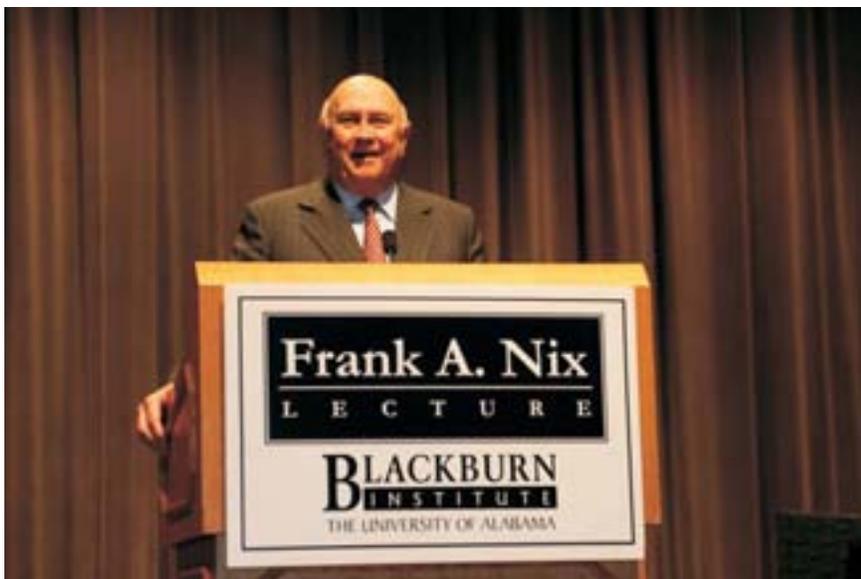
At Polokwane the shifting votes of 10% of the delegates (less than 400 people) effectively placed control of the 'heart and soul' of the ANC in the hands of President Mbeki's opponents - primarily the COSATU/SACP

partners in the tripartite coalition. Every five years the electorate determines which party should enjoy this immense power - and to this degree it does remain sovereign. However, between elections there can be substantial changes within the power structures of political parties (as happened at Polokwane).

The new leadership can dismiss the leaders for which the electorate voted and discard

the policies on which they stood. There is something profoundly distasteful with the idea that our President can be 'recalled' with no reference to the electorate. It is equally disturbing that the unelected leadership of our ruling party should be able to dictate to our elected representatives in parliament which policies they should or should not support. It is time that we had another look at the implications of s.47(3)(c) for our democracy. It is time that we dusted off the recommendations that Van Zyl Slabbert made regarding our electoral system.

In terms of his proposal 300 MPs would be elected from 69 multi-member constituencies, each with three to seven MPs, who would be elected on the basis of party lists. The remaining 100 MPs would be elected from a closed national list. His proposal would ensure much closer accountability to the voters as well as minority party representation. It would also contribute to the separation of powers between the legislature and the executive - which in recent years has all but disappeared. And perhaps it is time that we thought about the need for a president who would be directly elected by the people.



*Mr FW de Klerk
addressing the
Blackburn Institute
at the University of
Alabama in October.*

*The topic of his
address was*

*"Bridging the gap:
Globalisation without
isolation: American
leadership in a
globalised world."*

Congress of the People

From p 1

– for the establishment of a system where public representatives from city councillors to the president will be answerable to the electorate rather than to the leadership of the ruling party. The third was a strong demand that no-one should be above the law – accompanied by voluble disapproval of the abolition of the Scorpions. A fourth was the emphatic rejection of Julius Malema's inflammatory rhetoric and un-African disrespect for his elders. Strangely, there was only one brief reference to the charge that the ANC had been taken over by COSATU and the SACP – which I would have imagined would have been a central point of attack.

Finally, there was a strong sense of the need for a new political party to oppose the virtual monopoly of political power that is presently enjoyed by the ANC.

There was, however, very little indication of the philosophy and principles upon which the new party would be based. What we observed was primarily a voluble rejection of the post-Polokwane leadership of the ANC and anger at the manner in which President Mbeki and his supporters had been treated.

We were told little or nothing about the social and economic policies that the new movement would propose.

As COSATU pointed out in a long statement before the event, many of the leaders of the new movement had been closely implicated in the controversial positions adopted by the Mbeki presidency on AIDS and Zimbabwe – and the dictatorial manner with which it had dealt with dissent.

So what are the prospects for the new party that is due to be launched in Bloemfontein (the ANC's birthplace) on 16 December – and what are the implications for our constitutional democracy? A senior adviser to the new movement told me that the new party's first goal would be to bring the ANC's majority below the 66% it requires to change the constitution. This would represent a relatively modest 5% of the national vote. The probabilities are that the new party will get more than 5% in the

election next year, but not enough to reduce the ANC's support to less than 50%. In this regard, the power of the ANC brand can simply not be emphasized enough. The new party is clearly well-funded; it evidently has substantial grass-roots support particularly in the Western Cape, the Eastern Cape, the Northern Cape and the North-West Province. Significantly, the leader of the South African National Civics Organisation (SANCO) pledged the full support of his organization and all its nationwide structures.

My conclusion is that the new movement will be a serious political contender and will help to change the face of South African politics. It is unlikely that it will win sufficient support to unseat the ANC government at the national level – but it probably has the ability to bring the ANC's majority below 66% and to form coalition governments with other opposition parties in two or three provinces.

All this will be good for democracy and for constitutional government. Democracy works best when there is a real prospect that ruling parties can be voted out of power. We need electoral reform to ensure that parliament is answerable to the people (and not to party hierarchies) - and that the executive is accountable to parliament. We must support every move to reassert the rule of law. If the Congress of the People can contribute to these goals, it will, indeed, be an important development for our young democracy.



Mosiuoa Lekota

Photo: The Times

SACP cuckoos

(From p 3)

mechanisms for communist deployees in all spheres to be accountable to the party (rather than to the ANC). (In terms of the Constitution public servants and members of the security forces are supposed to be politically impartial and are supposed to be accountable only to constitutionally appointed authorities).

The SACP and COSATU would achieve all this without having to win a single vote in their own names during the election next year. Not surprisingly, Comrade Nzimande observed that the struggle for state power need not always be pursued through elections. Although elections were important, there was not a 'pre-determined singular route for the working class (i.e. the SACP and COSATU) to hegemonise state power.' Another route would, of course, be the route that the SACP has evidently chosen: 1) enter into an alliance with the most popular party; 2) reconfigure the alliance so that the SACP and COSATU control the key decision-making processes, including the deployment committee; and 3) deploy SACP/COSATU cadres throughout the system and ensure that they are accountable to the SACP/COSATU!.

There is very good reason why the SACP and COSATU will cling to the power and benefits they derive from the Alliance, rather than fight future elections under their own names. According to an IPSOS MARKINOR survey conducted in April, 2007 only 8% of South Africans (and 5% of ANC supporters) would vote for a breakaway SACP/COSATU party. So, we have a situation where a party with only 5% of ANC support controls 30% of its seats and - together with COSATU - played a crucial role at Polokwane in seizing effective control of the ANC - and thus of the state.

All of this constitutes a serious threat to our democratic institutions. One of the founding principles of our Constitution calls for 'universal adult franchise, a national common voters roll, regular elections and a multiparty system of democratic government, to ensure accountability, responsiveness and openness.'

'Accountability, responsiveness and openness' require that parties should contest elections under their own names and on the basis of their own policies. It is unacceptable that parties - with clearly distinct identities, policies and philosophies - should insinuate themselves into parliament and into power under the guise of other parties.

Voters have a right to know that when they cast their votes for the ANC they are actually voting for an alliance in which the SACP and COSATU clearly plan to play the dominant role. They will, in effect, be voting for the ascendancy of the SACP - a party that incredibly enough still believes that Marxism-Leninism is the solution to all mankind's problems.

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International Day for eradication of poverty

International Day for the eradication of poverty, celebrated on 17 October, is yet another day on the international calendar of days dedicated to the promotion of human well-being. Like most such days it will in all likelihood go largely unmarked and uncelebrated. Yet it deals with poverty - which is a dominant and grinding reality in the lives of millions of South Africans. This is also an issue of constitutional importance, since the Preamble to the Constitution commits our society to improving 'the quality of life of all citizens'. Also, the enjoyment of a number of the fundamental rights in the Bill of Rights depends in practice on the ability of people to break free from the stranglehold of poverty.

Like so many other facets of our national life assessment of our performance with regard to the elimination of poverty depends to a large extent on the statistics that you choose to consult.

According to a recent survey by the South African Institute of Race Relations (SAIRR) severe poverty levels in South Africa have doubled in the last 10 years. The SAIRR claimed that "using the globally accepted measure of poverty, of people living on less than one US dollar per day" poverty had increased dramatically both in absolute numbers and proportionally between 1996 and 2005.

However, the Government's Development Indicators, released in July 2008, revealed just the opposite. According to its assessment the percentage of people living below the poverty line of R250 per capita per month (in constant 2007 rands) declined from 31% in 1995 to 23% in 2005. The Report also pointed to a significant decrease in the proportion of the population living in the poorest Living Standard Measures (LSM) levels 1 to 3 between 2000/01 and 2006/07. The following chart, based on the LSM analysis, provides a graphic illustration of the progress that we are making in combating poverty:

According to the analysis, the percentage of people in the poorest levels (LSM 1 - 3)

declined from 39.5% in 2000/01 to 27.7% in 2006/07. The percentage of people living in the middle income groups (LSM 4 - 7) increased from 44.3% to 52.8%; and those in at the richest levels (LSM 8 - 10) increased from 16.1% to 19.6%.

An important factor in combating poverty in the poorest LSM levels was undoubtedly the substantial increase in the number of people receiving social welfare grants of one kind or another from 2.4 million in 1996/97 to 12.4 million in 2007/08.

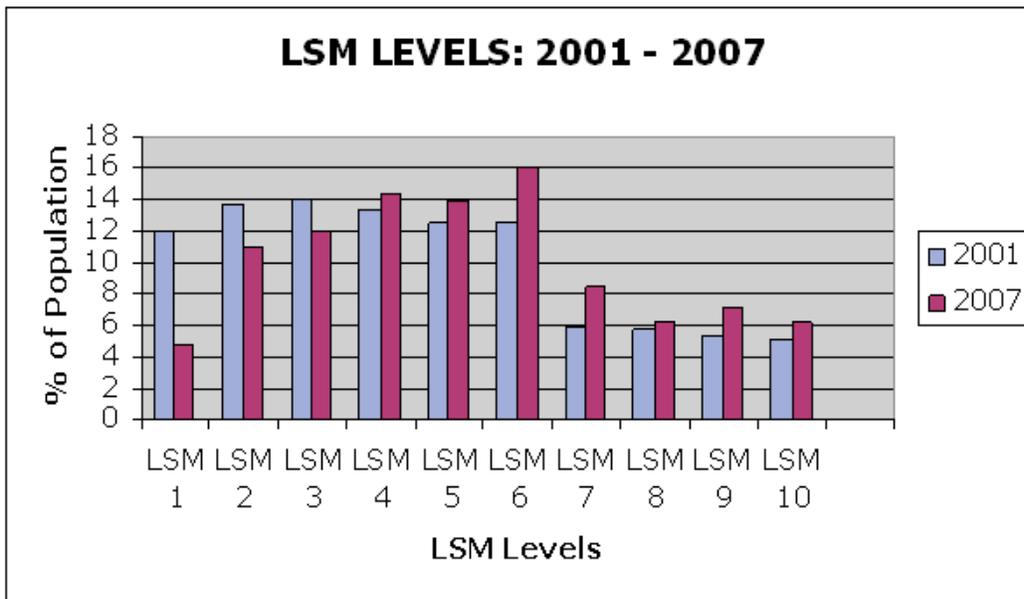
However, it is widely accepted that social transfers cannot provide a long-term solution to the problem of poverty. At best they are a palliative. What we require are policies that will lower unemployment and increase the skills levels of jobs. The government can claim with some pride that it has helped to reduce unemployment from 29.4% in 2001 to 23% in September 2007. However, these figures relate only to people who are still actively looking for employment. If one includes those who have given up their search for jobs unemployment stands at 34.3% - and probably 40% of the black population.

The prime causes of unemployment lie in the catastrophic inability of our education system to produce adequately educated entrants for the job market; in challenges created by competition in globalised markets; and in rigid labour policies. Of the 1.19 million black school children who entered the education system in 1995 only 278 000 passed matric last year. Of these only 42 000 were functionally literate and numerate. What is equally disturbing is that only 25 415 matriculants (the great majority of them white) passed maths at the higher grade, compared with 29 475 in 1995.

Our dismal performance in the field of education is one of the main causes not only of poverty, but also of unemployment, crime, inequality and the failure to meet transformation targets.

Labour rigidity also contributes to unemployment - and thus to poverty. We urgently need the kind of two-tier

(To p 15)



Eradicate poverty

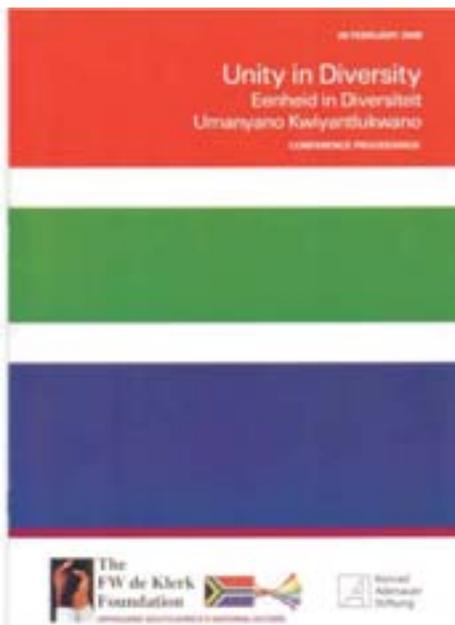
(From p 14)

labour system that was mooted at the ANC's National General Council meeting in 2005. In terms of the proposal it would have been easier for school leavers to enter the job market within a much more flexible framework - while established workers would have continued to enjoy all their present labour rights. The proposal was shot down by COSATU.

There can be no doubt that poverty

remains one of the greatest challenges confronting our society. It contributes to unacceptable human deprivation and inequality and to South Africa's shockingly low 122nd position on the UNDP's Human Development Index. Combating poverty remains one of our greatest challenges. Much greater effort will be required from Government and all sectors of our society if we wish to address it successfully.

Proceedings of Conference on Unity in Diversity



A comprehensive document on the proceedings of the Conference on Unity in Diversity, hosted by the FW de Klerk Foundation in cooperation with the Konrad Adenauer Foundation earlier this year, is now available. The document contains summaries of all the speeches as well as summaries of the panel discussions. The keynote speaker at the conference was Prof Fernand de Varennes of Australia, while other speeches were delivered by Mr FW de Klerk, Prof Kader Asmal, Ms Naledi Pandor, Dr Vusi Gumede, Dr Pallo Jordan, Prof Francois Venter and Mr Cedric Frolick.

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Besige oorsese program vir FW de Klerk

Oor die afgelope twee maande het mnr FW de Klerk, voorsitter van die FW de Klerk Stigting in Kaapstad, uitgebreide reise oorsee onderneem. 'n Deel van hierdie program was in sy hoedanigheid as voorsitter van die Global Leadership Foundation (GLF). Mnr De Klerk het die GLF in 2004 gestig ter ondersteuning van die ontwikkeling van demokratiese regering in al sy fasette wêreldwyd. In September het hy onder andere deelgeneem aan die Stern Stewart Institute by Tegernsee naby Munich. In Londen het hy ook die jaarlikse SA Charity Golf Day in London bygewoon waarvan hy 'n beskermheer is en alhoewel reën die spel onderbreek het, was dit weer eens 'n glinstergeleentheid waar geld vir verskillende Suid-Afrikaanse welsynsorganisasies ingesamel is. Na 'n aanvanklike besoek aan Londen in Oktober en vergaderings met die GLF se advieskomitee, is mnr De Klerk na die VSA waar hy 'n hele reeks toesprake gehou het. Dit het optredes in Oklahoma, Utah, Chicago, Alabama en Rolla Missouri ingesluit. Hier het hy onderwerpe soos "The third world – is it sinking or shrinking?", "Bridging the gap: Globalisation without isolation – American leadership in a

globalised world", en " The challenge of the Century: managing diversity" by verskillende universiteite bespreek. Universiteite wat hy besoek het sluit in die Universiteit van Oklahoma, die Brigham Young Universiteit in Utah, die Missouri University of Science & Technology. Al die toesprake is goed ontvang en het wye mediadekking in oorsese koerante geniet. Hy het ook die raadsvergadering van Johnson Controls in Chicago toegesprek. Daarna het hy die Green Dubai World Forum in Dubai toegesprek, sowel as die Arab Institute for Security Studies in Amman.

Mnr De Klerk het toe weer na Kanada gereis waar hy eers die raadsvergadering en daarna die algemene jaarvergadering van die GLF bygewoon het. Tydens sy besoek aan Toronto, Kanada het mnr. De Klerk met die Young President's Organisation (YPO) vergader en 'n toespraak by 'n gesamentlike byeenkoms van die Empire Club en die Kanadese klub gelewer.

Tydens die laaste been van sy oorsese reis het hy aan 'n projek deelgeneem waar 'n spesiale skildery van hom deur Richard Stone in Londen gemaak word. Die skildery sal later ten bate van die FW de Klerk Stigting verkoop word.



At the Johnson Controls meeting were, from left, Mr Jim Keppler (Keppler Speakers), Mr Steve Quick (Johnson Controls), Mrs Elita de Klerk and Mr FW de Klerk.