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**SPEECH BY FORMER PRESIDENT FW DE KLERK
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DEMOCRACY AND AFRICA

It is a great pleasure for me to visit Scotland. I have always had an affinity with the Scots -

- perhaps because of the role that Scottish missionaries played in the development of the Dutch Reformed Church in South Africa;
- perhaps because many Scots gravitated to the Afrikaner community to the extent that there are now many Murrays, Thoms, Smiths and McGregors whose first language is Afrikaans;
- perhaps because of the problems that your people and my people have experienced in our historic relationship with the Sassenachs!

I would like to speak to you today about the state of democracy in the world, in Africa and in South Africa.

We who live in democracies are too often inclined to dismiss the enormous benefits that we derive from a system of government that is of the people, by the people and for the people.

For most of our existence as a species life for the vast majority of human beings was insecure, miserable and brief. Thomas Hobbes' description of the state of nature in fact applied to most human life. For most people there was

"... no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short."

Few people lived beyond their thirties. The course of their lives was determined largely by the gender, class and country into which they were born. They enjoyed few or no basic rights. They were subject to the arbitrary power of capricious rulers. They were frequently caught up in brutal wars in the course of which they were subject to unimaginable cruelty. They were the victims of disease and recurrent plagues and famine. They lived their lives beneath a pall of ignorance and terrifying superstitions. The great majority also subsisted in the deepest poverty and died leaving only a handful of wretched possessions.

People were unable to exercise the most basic freedoms that we now take for granted - where to work; where to live; whom to marry; what to believe; how to protect one's meagre possessions. Government was not instituted to carry out the will of the people and to serve their interests - but to promote solely the will and the interests of the ruling class.



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The central theme of history has been the ascent of peoples from the Hobbesian nightmare to free democracies that recognise and promote the human dignity, equality and fundamental rights and freedoms of all their citizens.

As Winston Churchill famously observed “Democracy is the worst form of government in the world - apart from all the others.”

However, those who have experienced non-democratic states have a far higher appreciation of the benefits of democracy and the political freedom and economic prosperity that it brings. We know this because week after week we see on our TV screens the desperate attempts of refugees to escape from their repressive and conflicted societies to find better lives in European and North American democracies.

Democracy has been a very rare occurrence in human history. Apart from the slave-based democracies of the ancient Greeks there had until the 19th century been very few democracies in the world. The political scientist Samuel Huntington speaks of a number of waves of democratisation:

- The first wave during the 19th and early 20th centuries saw the establishment of some 29 democracies - but then generally on the basis of suffrage for men only.
- In 1942 - when the Axis Powers had reached their zenith - only 12 democracies remained in the world.
- The second wave brought a resurgence of democracy but even so, in 1962 there were still only 36 democracies.
- The independence of African and Asian colonies in the 60s and 70s was a false dawn for democracy as state after state subsided into military dictatorships or one-party rule.
- The third wave, which culminated in the collapse of the Soviet Union, led to a further upsurge in freedom and the establishment of democratic states.

According to the latest survey of Freedom House, the respected monitor of global freedom, 85 of the world’s 194 countries are now free democracies; 58 are partly free and 51 are not free at all.

- The least free states are the 27 Muslim countries. Only one - Tunisia - is a fully functioning democracy; eight are partly free and 18 are not free.
- The 15 states that comprised the former Soviet Union have also not done very well. Only three - the Baltic states - are free. Eight - including Russia - are not free, and four are partly free.
- By comparison, sub-Saharan Africa does quite well. In 2015 there were nine free countries (two fewer than in 2013), 20 partly free countries and 18 unfree countries in the region.

Africa is often criticised by western countries for its relatively poor record in achieving western standards of democracy.



Such criticism is often unfair because most African states became independent in circumstances that were not conducive to the establishment and maintenance of viable democracies. There is a high correlation between democracy, levels of education and per capita incomes.

Virtually all states with the highest per capita incomes - with the exception of the oil-rich Arab states - are also the freest democracies. Democracy thrives best in countries with well-educated citizens - which is not surprising because if power resides with the people, they need to be educated and politically informed.

Democracy also takes root more easily in countries with relatively homogeneous populations. 31 of the world's 85 fully free democracies are mini-states - small islands or enclaves - with homogenous societies.

Newly independent African states enjoyed none of the requirements for viable democracy:

- Their people were - and remain - amongst the poorest in the world;
- They were woefully uneducated - often with only a handful of graduates - and with small percentages of their children at high school;
- Their countries were artificial creations of European imperialists who drew borders on the map of Africa that arbitrarily included widely different - and often hostile - peoples in the same countries in some cases and divided peoples in others.

Little wonder then that democracy failed to take root in most newly independent African states. Democratic constitutions - that were foisted on new governments by rapidly departing colonial powers - were quickly torn up. In many cases power reverted to those who controlled the guns. By the mid-1980s there had already been more than 80 coups and only a handful of functioning democracies remained on the continent.

There was also some debate as to whether the Western model of multiparty democracy was the right system for all nations at all times?

There was often an enormous chasm between western protestations of democratic rectitude and their actual practices back home. The fact is that there have been many unseemly episodes in the recent democratic history of the United States. The success of candidates is all too often determined by the size of their election funds and the effectiveness of their spin doctors. Constituency boundaries are routinely gerrymandered to benefit incumbents and there have been frequent allegations of jiggery-pokery - even in the outcomes of presidential elections. I recall having lunch with Al Gore several months after his narrow loss in the 2000 presidential election. Still smarting from defeat his comment on the election was: "Well, you win some, and you lose some ... and then there is a third category."



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We must also remember that Britain's democratic system took hundreds of years to evolve - and in the process there were revolutions and depositions - and at least one king had his head chopped off. In 1830, the Duke of Wellington expressed the view that it would be impossible to improve the British system of government - which at that time gave the vote to only 435 000 males in grossly unequal constituencies.

One can accordingly understand African resentment at pontification by Western democrats who had in any case breached all the precepts of democracy in the manner in which they had subjugated and ruled their African colonies.

Many Africans understandably wanted to evolve their own special forms of democracy to suit the special needs of their peoples. They asked whether multiparty democracy - with its built-in political divisions and often bruising competition - was better than the traditional African approach of consensual decision-making?

There were significant democratic elements in many of the traditional African governmental systems. In particular, there was a deeply entrenched process of consultation. When matters of importance were to be decided the chief would generally summon a gathering of the men - and particularly the older men. Everyone would have an opportunity to express their views - from the humblest herdsman to the most senior induna. It was the task of the chief to lead the discussion, to listen attentively and finally to formulate the consensus. The consensus then became the decision and the policy of the community.

However, once the policy had been adopted there was no room for opposition. The concept of a loyal opposition was unknown in African societies. It has, in fact, been said that in many African languages the only possible translation for "leader of the opposition" would be "chief enemy".

This doctrine of traditional 'democratic centralism' could very easily be grafted onto the new emerging one-party states in post-independence Africa. According to the Ghanaian scholar, Kwasi Wiredu, both Presidents Kaunda of Zambia and Nyerere of Tanzania were, for this reason, strong advocates of traditional consensual governance. Kaunda said that "In our original societies we operated by consensus. An issue was talked out in solemn conclave until such time as agreement could be achieved". President Nyerere added that "in African society the traditional method of conducting affairs is by free discussion ... The elders sit under the big trees, and talk until they agree".

The problem was that traditional consensual governance could - and did - easily morph into the dictatorial one-party rule that became the curse of much of post-colonial Africa.

The viability in Africa of the western conception of democracy was, of course, a major concern of white South Africans during the 1980s when we were wrestling with the diminishing options for our own future.



White South Africans had enjoyed a democratic system since the establishment of the Union in 1970. In the early 70s when Freedom House still assessed the political and civil rights of blacks and whites separately, whites were deemed to be free. During the 1980s we were faced with the unacceptable prospect that retention of our right to rule ourselves could be achieved only by denying the black majority's equally valid right to rule themselves. We knew that that this course would inevitably lead to a hopeless downward spiral of repression, injustice and conflict.

We had three major concerns:

- The first related to the future of minorities under a black majority. We Afrikaners had always regarded ourselves as a nation with its own democratic dispensation in Southern Africa. But what would our position be in a broader democracy in which we would constitute a small minority? For us, a one-man, one-vote solution evoked the same fears that Israelis would have if they were ever to be asked to accept a one-man, one-vote election in a broader Middle East election.
- Secondly, we were deeply concerned about Communist influence in the ANC. Virtually all the members of the ANC's National Executive Committee were also members of the South African Communist Party. The SACP controlled key functions within the ANC alliance, including its armed wing. This was not a question of 'reds under beds'. The contest between the free world and the Soviet Bloc was taking place through Third World proxy wars. One of the main battlegrounds was Angola where the Soviets had deployed 50 000 Cuban troops.
- Thirdly, we were worried about chaos. It was one thing to accept a genuine democracy. It was entirely another to accept one-man, one-vote elections that would open the way to the kind of tyranny, corruption and chaos that had befallen many post-independence African states.

These were all reasonable concerns - which were given very little recognition by most of our critics whose goal was to simply to end white minority rule as soon as possible.

Our first response to the dilemma was to embark on far-reaching reforms. By 1986 we had repealed more than 100 apartheid laws and measures and had extended political rights to Coloured and Indian South Africans in a Tricameral Parliament. The only impact that these very real reforms had on international opinion, and on the forces within South Africa that were opposed to the government, was to redouble demands for one-man, one-vote elections.

In 1985 the situation seemed to be hopeless - but then things began to change:

- by 1987 the ANC, at the prompting of Nelson Mandela, began to accept that there would not be an armed revolutionary victory - that there would have to be negotiations.
- In October, 1987 our armed forces inflicted a crushing defeat on Soviet and Cuban-led Angolan forces at the battle of the Lomba River - in which we destroyed 93 Soviet-built



tanks. This led to peace talks between South Africa, Angola and the Cuba the following year and to the withdrawal of 50 000 Cuban troops from Angola.

- In 1989 we were able to implement the UN independence plan for Namibia. Namibia became independent with a proper democratic constitution that protected the rights of all its people and all its communities.
- In January, 1989, President Botha suffered a serious stroke and resigned as leader of the National Party. I was elected leader in his place by a parliamentary caucus that supported fundamental transformation.
- In November, 1989 the fall of the Berlin Wall signalled the collapse of Soviet Communism and the victory of liberal democracy and free market economics.

We realised that the circumstances for successful constitutional negotiations would never again be so propitious. So on 2 February 1990 we leapt through the window of opportunity that history had suddenly thrown open.

Our prime objective was to negotiate a Constitution that would have all the checks and balances necessary to entrench a system of genuine non-racial democracy.

By December, 1993, we had reached agreement on a new non-racial Interim Constitution that we hoped would protect the rights of all our citizens and all our communities.

- It made provision for the supremacy of the Constitution and the Rule of Law - so, when I surrendered power on 10 May 1994, I did not surrender power to the ANC - but to the new constitutional dispensation.
- The Constitution included a strong and justiciable Bill of Rights;
- It created independent institutions to guard over the rights and freedoms of citizens and communities including
 - a strong Human Rights Commission;
 - an independent Public Protector - or Ombudsman;
 - an independent National Prosecuting Authority with its own FBI-like investigative branch called "The Scorpions"; and
 - a Commission to protect the rights of cultural, religious and linguistic minorities.
- The Constitution made provision for independent courts presided over by a Constitutional Court with the power to strike down any unconstitutional legislation and executive action;
- It recognised South Africa's cultural and linguistic diversity and protected the cultural and language rights of its communities.

At the same time, the Constitution was a transformative document which was fully committed to the establishment of a just and equal society. It made provision for wide-ranging actions by the state to advance equality and to achieve land reform.

In short, it struck a balance between the concerns of white South Africans who had much to lose and the aspirations of black South Africans for equality and for a better life.



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Our final Constitution - which was adopted in 1996 - was regarded throughout the world as a model for non-racial democracy everywhere.

It has served us well:

- We are a functioning constitutional democracy;
- We have held five free and fair national elections;
- We have witnessed power pass seamlessly from the hands of one President to the next;
- We enjoy freedom of speech and have outspoken media and civil society organisations that rigorously criticise the government and expose wrong-doing by officials and ministers;
- Our courts have regularly and fearlessly struck down unconstitutional legislation and government action.

But all is not well.

In December, 2008, the ANC at its five-yearly elective conference in Polokwane, chose Jacob Zuma as its leader. It did so in the full knowledge that he had been charged with 783 counts of corruption.

Since then, President Zuma and his supporters have systematically succeeded in disbanding or capturing many of the key institutions that were established to support the Constitution.

- They disbanded the “Scorpions”- the highly effective corruption fighting unit of the National Prosecuting Authority;
- They tried repeatedly to gain control of the National Prosecuting Authority by firing or side-lining National Directors with integrity and by appointing compliant candidates in their place;
- They did their best to undermine Thuli Madonsela, the former Public Protector, who courageously criticised expenditure of R246 million on the President’s retirement home at Nkandla - and who as one of her final acts - exposed ongoing efforts by people closely associated with the President to interfere with the appointment of the Minister of Finance.
- They are now using elements in the Police and the National Prosecuting Authority to protect their associates and to prosecute their opponents;
- They are consistently ignoring provisions in the Constitution that were intended to protect the interests of cultural and language minorities.

All this has led to deep divisions within the ANC and to open criticism of President Zuma by many of the ANC’s most respected elder statesmen. The Constitutional Court has criticised President Zuma for failing to carry out his duties as President and has opened the way to the reinstatement of corruption charges against him. However, the President remains defiant and is strongly supported by elements within the government that are dependent on his cascading system of patronage.



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We are faced with a serious threat to the integrity of our constitutional democracy and the institutions upon which it depends.

The vast majority of South Africans have no intention of acquiescing in the dilution of our Constitution.

We will make full use of all our substantial powers in defence of the Constitution:

- We have free media and the right to freedom of expression.
- We have the right to assemble, to demonstrate, to picket and to present petitions.
- We have the right to strike to defend our interests.
- We have the right to free political activity.
- We have the right to fight unconstitutional legislation and action in the courts at every step of the way.

We are confident that we will succeed:

- the values and approaches that we support are in line with the values of the international community.;
- they are in line with the foundational values in our Constitution;
- they are essential for the future success of all our people.

We are sure that courageous South Africans from all our communities will unite to defend the Constitution.

So, this is an appropriate time to consider the future of democracy in South Africa and in Africa.

It will be an enormous catastrophe for all South Africans and for Africa if the proud democratic venture which we South Africans launched with so much optimism and goodwill 22 years ago does not succeed.

But I can assure you that we have no intention of reverting to the Hobbesian state of nature or to allow our country to subside into corruption and kleptocracy.

Government of the people, by the people and for the people remains the best hope for all South Africans, for Africans and for human beings throughout the world.