



FW de Klerk
FOUNDATION

FOUR MYTHS DEBUNKED

Theuns Eloff: Chairman, Advisory Board of the FW de Klerk Foundation

The FW de Klerk Foundation was established in 1999 to promote and protect the Constitution and its values, as well as to commemorate the transition to democracy in the early 90s. Each year, the Foundation hosts its Annual Conference around 2 February to commemorate former President FW de Klerk's historic speech on that day in 1990 - when the transition formally started with announcement that political parties would be unbanned and political prisoners (among which Nelson Mandela was the most prominent) were to be released. This Conference was held in Cape Town this year on Friday, 31 January, 30 years after this momentous speech.

As usual, the Conference was well-attended by nearly 200 people from civil society, the political sphere, the diplomatic corps, academia, the media and the general public, and with considerably more young people than 10 years ago. The speakers also reflected a diverse set of opinions. The German Ambassador to South Africa, Dr Martin Schäfer, spoke about 2 February 1990 from a German perspective. Well-known political commentator, Mr Moeletsi Mbeki, examined the impact of 2 February 30 years on. Ms Gwen Ngwenya, the policy chief of the DA, looked to the future and at how to achieve the (non-racial) vision of the Constitution. Theuns Eloff spoke as former head of the administration of the Negotiations on the lessons from CODESA and the Multiparty Negotiations, and former President FW de Klerk spoke about the past, present and future of South Africa's constitutional democracy.

The purpose of this article is not to summarise or repeat the various speeches (available on the Foundation's website), but rather, to demonstrate that four well-known myths were debunked during the Conference.

The first myth (still strongly clung to by those on the far right), is that FW de Klerk knowingly sold out his "volk", that he was (and is) a traitor and that he, at the very least, acted irresponsibly. Indeed, many of them have been stuck at the Referendum of almost 30 years ago - when white South Africans were asked to vote "yes" or "no" for political reform. According to this myth, the National Party (and specifically the white population) could have retained the apartheid *status quo* for many more years - especially since the South African Defense Force was without equal in Southern Africa. The perspective of the German ambassador, Dr Martin Schäfer, clearly showed that the international community recognised both De Klerk's courage, as well as his understanding of historical developments (especially the collapse of the Eastern Bloc and the Berlin Wall). South Africa's friends in the West would not have been able to support the country for much longer because of its racial policies. A negotiated settlement that included all South Africans was the only solution. Moeletsi Mbeki endorsed this from a black South African perspective. Mr De Klerk again emphasised that, although it was theoretically possible for white South Africans to continue to maintain all the political power for an extended period, it would have led to further large-scale violence and protests, which, in the long run, the military forces could not have subdued. His view was that it would have led to a situation similar to that in which Syria finds itself today, where the country is literally being torn apart. De Klerk also pointed out that



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the decision to begin the political transition was motivated by a combination of political, economic and moral factors. Particularly in relation to the moral motivations, the far-right (who call themselves Christians) have no response. Their problem is not De Klerk, but their aversion to democracy and justice.

The second myth (which, ironically enough, is kept alive by those to the left in the political spectrum), is that FW de Klerk had no choice other than to “surrender” to the ANC”. According to this myth, the Nationalist government was on its knees and MK was on the borders, ready to march victoriously into Pretoria. Moeletsi Mbeki, in particular, with his ANC background, quashed this myth. Apart from some cross-border skirmishes and domestic bombings, there was no significant “armed struggle”. The truth is that the search for a solution to the South African problem had reached a dead end. The ANC had no real control over domestic rebellion and violence, and the NP government could not escape the political and economic quagmire in which the country found itself. During his input on the negotiation process, Eloff pointed out that De Klerk’s initiative on February 2 caught even the ANC leadership off guard. It was (as stated above) at least theoretically possible for De Klerk to maintain apartheid for another ten years through force and violence. But then there would have been heavy loss of life and any sustainable solution would have become even more difficult. The fairytale of military and political dominance that some ANC leaders dish up to their followers these days is very far removed from reality and the truth. And the worrying thing is that this narrative is believed by a youth who have little or no awareness of their history.

The third myth, which is kept alive by both those on the right and the left, is that the ANC “won” the negotiations (according to the ANC and EFF) and that Cyril Ramaphosa made a fool of Roelf Meyer (according to the far right). According to this myth, the negotiations were a unilateral affair where the ANC got everything it wanted, and the other parties slipped away with their tails between their legs. The greatest product of the negotiations, the Constitution, is the best counter-argument to this myth. Eloff pointed out that the negotiation process was long and arduous, beginning with the peace process at the beginning of 1991 and ending with the adoption of the Interim Constitution at the end of 1993, a process that lasted almost three years. He further described how the negotiations consisted of a series of compromises by both major parties. Many of these are incorporated in the so-called 34 constitutional principles, which are included in the Interim Constitution of 1993, and had to be included in the final Constitution of 1996. Many of these principles are part of the constitutional provisions that the ANC want to amend or adapt today. The logical question then is, if the ANC “won everything”, why do they want to alter or undermine the current Constitution? The truth is that neither party won the negotiation process, but (as in all *bona fide* negotiation processes) all sides made compromises to reach an accepted and acceptable Constitution. The fact that the ANC, especially through its ideology of racial transformation, undermines and even disempowers certain basic principles of the Constitution, cannot be laid at the feet of the negotiation process. That this ideology has also entered our Highest Court (as shown through the disempowerment of section 29(2) on the right to language of choice in education in the Gelyke Kanse judgment) can also reasonably not be laid at the feet of De Klerk or the negotiation process. This is clearly the work of a party who ideologically manipulates the Constitution and wants to amend it directly because they are not satisfied



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with the outcomes. This is a party that obviously wants to break South Africa's historic national accord of 1993.

The fourth and final myth that has been debunked is one that is kept alive by the ANC - and believed by many gullible South Africans. According to this myth, the ANC still believes in the foundational constitutional value of non-racialism and pursues this through laws and regulations. Gwen Ngwenya convincingly demonstrated that the ANC - through the ideology of racial transformation - is re-racialising South Africa again - and making race as important as during apartheid. The truth is that the ANC (and most courts) use race as a proxy or substitute for disadvantage. As a result, wealthy black people are advantaged merely on the basis of their race and poor brown or white people are disadvantaged purely on grounds of their race. It is a fact that a certain kind of equality (one of outcomes) has replaced non-racialism as the most important constitutional value for South Africa. The ideological racial quota of 80-9-9-2 is the way this re-racialisation occurs on a daily basis. Former President FW de Klerk, at the end of his speech, in his strongest statement in the last decade, called on the ANC to return to the path of non-racialism and reconciliation. If they do, they will find that the majority of South Africans are waiting for them.

In summary: 30 years after 2 February 1990, there is certainly cause for South Africans to give thanks - we have a constitutional democracy and a good Constitution. However, with the direction taken by the ANC with Jacob Zuma (and from which the party has not yet departed) there is even more cause for reflection. There is certainly cause for concern, particularly regarding the undermining of the Constitution and the racialisation of our entire society. To counter this and other deviations from the Constitution, all right-thinking South Africans must stand together and look to the future.

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