



FW de Klerk
FOUNDATION

EXTRACTS FROM SPEECHES BY FW DE KLERK HIGHLIGHTING KEY ISSUES DURING THE FIRST 20 YEARS OF THE NEW SOUTH AFRICA

THE MEANING OF OUR TRANSITION

Cape Town, 27 April 2014

"27 April is not only the 20th anniversary of our first inclusive non-racial democratic election:

- It is also the date on which our first non-racial and fully democratic constitution came into effect;
- Most importantly, it is the date on which all South Africans were endowed with fundamental human rights - including the rights to dignity, equality and non-racialism.

"27 April did not constitute the victory of some South Africans over others. It was a glorious victory for us all. On 27 April all of us - whatever our race - enjoyed far greater rights and freedoms than any of us had previously enjoyed before.

"It was our proudest moment as South Africans - regardless of our race, our gender or our background. To the astonishment of the whole world we had succeeded in overcoming centuries of bitterness, conflict, repression and division to reach an historic agreement on the future of our country."

WHAT WOULD HAVE HAPPENED IF WE HAD NOT ACCEPTED THE NEED FOR TRANSFORMATION?

Cape Town, 2 February 2010

"Some believe that the former government could have continued to rule in perpetuity regardless of the clear threats that had developed during the 1980s. The reality is that, had we not grasped the transformation initiative when we did in February 1990 South Africa would soon have been completely isolated in the international community. Our international trade would have ground to a halt; we would have been confronted by escalating conflict on our borders and in our townships.

"We would, no doubt, have been able to maintain control for many years but under increasingly grim and unacceptable circumstances. Our young men would have spent half their time in military service; many more white South Africans would have left the country; and there would have been pervasive white poverty and unemployment among those who remained. Worse still, the prospects for a



satisfactory negotiated settlement would have diminished with each successive cycle of revolution and repression."

IS THE CONSTITUTION A WESTERN CONSTRUCTION?

2 February 2010

"Some even regard the Constitution and many of the rights and values that it espouses as a Western construction with little relevance for Africa. They accordingly show little compunction in ignoring or circumventing provisions that they do not like.

"Let me disabuse those who harbour such views:

- The proposition that governments should be subject to the rule of law is not a western concept. It is the *sine qua non* for effective governance everywhere in the world.
- The recognition of cultural and language rights is essential for the promotion of harmony and national cohesion in multicultural societies everywhere. Failure to accommodate such rights is the greatest single source of conflict throughout the world - whether it is in Africa, south Asia or South America.
- Independent judiciaries are as essential for the maintenance of justice in Africa as they are in any other part of the world;
- The protection of private property is the essential foundation for economic growth and development everywhere. There are no exceptions.
- Sound macro-economic policies do not work only in Europe, North America and East Asia. They bring benefits wherever they are implemented.

"Looking back over the past twenty years it is clear that South Africa has done best when it has followed these benchmarks - and it has done worst when it has ignored them."

THREATS TO THE CONSTITUTION

Potchefstroom, 12 October 2009

"**The first threat** is the possibility that Parliament might legally amend the Constitution...

"**The second threat** comes from the process of legislative erosion. In this process constitutional rights are progressively whittled away by provisions hidden away in ordinary legislation...



FW de Klerk
FOUNDATION

"The third threat to the Constitution comes from executive neglect. In terms of this practice, the Executive simply does not bother with elements of the Constitution that it does not like...

"The fourth threat to the Constitution comes from executive incapacity. In many areas the state appears to be incapable of effectively ensuring key rights because of the crisis that it is experiencing with service delivery...

"The fifth threat comes from the possibility that the Constitution might increasingly be interpreted by the courts to favour the executive or a single section of our society...

"The sixth threat to the Constitution comes from the prospect of political subversion... "At its 12th Congress in July 2007, the SACP quoted with approval the long-standing instruction of the Communist party of the Soviet Union that the SACP should concentrate on 'developing systematically the leadership of the workers and the Communist Party in this organization', that is the ANC.

"The final threat to our Constitution is, perhaps, the most insidious of all. It is our own apathy. It is our unwillingness to support our Constitution and to claim the rights that it guarantees."

EQUALITY AND AFFIRMATIVE ACTION

Centurion, 15 July 2009

"There is also reason to ask whether affirmative action has been an effective measure in promoting the achievement of equality and whether there are not other measures that the state should consider in this regard.

"The reality is that the wholesale appointment of people who are not suitably qualified has been a major factor in dysfunctional service delivery by the state - particularly at the municipal level. Unbalanced affirmative action has undermined the right of millions of ordinary South Africans to equal enjoyment of many of the basic rights in the constitution - including most notably

- the right to life and security;
- the right to health care, food, water and social security; and
- the right to education.

"By so-doing unbalanced affirmative action has actually undermined the right to equality.

LAND REFORM

Spier, 1 June 2010



FW de Klerk
FOUNDATION

"Just as It would be a mistake to underestimate the emotional commitment of many black South Africans to the need for land reform - it would equally be a mistake to underestimate the emotional commitment of white farmers to their land, to their profession and to South Africa."

NATIONAL RECONCILIATION AND THE FIFA WORLD CUP

London, 8 September 2010

"For a glorious month South Africans laid down the burden of our divided history and joined one another in a magnificent national festival..."

"As we all know, Cinderella, in her headlong flight down the palace steps, left something of her magic behind in the form of the crystal slipper that was retrieved by Prince Charming. The FIFA World Cup left us with a similar magic legacy: it is the shining vision of the brilliant, multifaceted nation we can and will become".

AFRIKAANS

Paarl, 11 August 2011

"Myns insiens durf ons nie die verwatering van die taalregte, soos beskerm in die Grondwet, of die agteruitgang van Afrikaans op skool- en universiteitsvlak miskyk nie.

"In die eerste plek moet ons aanvaar dat die toekoms van ons taal in ons eie hande lê. Dit is ons wat sal besluit of Afrikaans voortleef en floreer, en of dit sal agteruitgaan en uitsterf. Ons is nie van die regering afhanklik vir ons oorlewing nie..."

"Tweedens het ons `n grondwetlike reg om ons kinders in die taal van ons keuse te onderrig. Ons moet Afrikaans kies."

THE RULE OF LAW

London, 25 October 2011

"The new South Africa is founded on the premise that no-one - no majority, no minority, no individual - should ever again be able to unjustly deprive anyone - whether a majority, a minority or an individual - of any fundamental right. The foundation of our historic national accord was that henceforth relationships between the state and citizens would never again be governed by the arbitrary



FW de Klerk
FOUNDATION

decisions of this or that group or party - but by the carefully crafted and nationally agreed precepts of the Constitution..."

THE THINGS THAT UNITE US

Cape Town, 2 February 2011

"These things that unite us include

- Our wonderful success in solving our historic problems by peaceful means;
- The national symbols of which we have all become so proud;
- The religious principles that are shared by so many of our people;
- Our mutual interdependence;
- The unifying power of sport - that was so magnificently evident in the success of the 2010 FIFA World Cup; and
- The voluntary work and generosity of millions of South Africans from all our communities who selflessly care for their fellow citizens in the true spirit of Ubuntu;

"But most notably they include our Constitution which expresses the values and dreams of our people and protects their fundamental rights. It provides us with a common space where we can all come together, in unity, in security and in hope."

THE SECOND TRANSITION

Durban, 11 May 2012

"On 5 March, in discussion papers for its upcoming policy conference, the ANC announced that the present Constitution had served its purpose and we should move forward to a "second transition".

"According to Jeff Radebe, the ANC's Policy Chief, "our first transition embodied a framework and a national consensus that may have been appropriate for political emancipation, a political transition, but has proven inadequate and inappropriate for our social and economic transformation phase..."

"The simple fact is that there is nothing in the Constitution that stands in the way of achieving success with social and economic transformation. On the contrary, the Constitution demands that we should all work for a society based on human dignity, the achievement of equality and the enjoyment of human rights."



FW de Klerk
FOUNDATION

PROPERTY RIGHTS

Durban, 31 May 2012

"The desire to acquire property is innate in mankind. There is hardly a community anywhere in the world that does not trade; that does not have markets; and that does not strive to acquire or increase its store of property.

"Remove private property from society and you kill much of the economic activity that we currently see in our streets and in our cities.

"Poverty is the starkest form of disempowerment. So how can it be best addressed? - by seizing and distributing the property of the haves - or by following the advice those who favour free markets and property rights?

"The facts show clearly that property rights and free markets promote the general prosperity of everyone much more effectively than government intervention and control. According to the annual Economic Freedom in the World survey, countries that have free economic systems based on free enterprise and property rights out-perform economies that are not free in almost every measure of societal success..."

SOUTH AFRICA AT THE CROSSROADS

Johannesburg, 25 July 2012

"The presentations and discussions at our conference today show that national policy is indeed at the crossroads:

"We can either take the road to economic growth and social justice that is indicated by the National Planning Commission - or we can take the "second phase" road toward the goals of the National Democratic Revolution.

"The other road ... is the increasingly radical, ideological, statist and racially divisive path that is set out in many of the ANC's present and proposed policy directions.

"The SACP is one of the driving forces behind this radical new direction. At its recent Congress it enthusiastically welcomed the 'Second Phase' as the most appropriate route to the achievement of the National Democratic Revolution. However, it does not see the NDR as the final destination of the revolutionary process. On the contrary, it views it as the beginning of a new phase when the SACP - as the self-proclaimed vanguard of the working class - will take over leadership of the revolution which will culminate in the establishment of a communist state.



FW de Klerk
FOUNDATION

"At its 2006 Congress - the SACP's ally COSATU - adopted a resolution in which it declared that the only appropriate route from the NDR to the establishment of a communist state would be the installation of a dictatorship of the proletariat. Traditional ANC supporters should ask themselves what the ANC's role would be in such a dispensation, what would become of our Constitution - and what would remain of the NPC's vision for a future South Africa."

CULTURAL DIVERSITY

Paris, 30 August 2012

"There is an urgent need for more intense and informed debate on how the international community should deal with ethnic, cultural and religious diversity. 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, it is equally important to reach agreement on underlying values that can provide a basis for co-operation and unity.

EQUALITY

Cape Town, 6 September 2012

"Clearly, when black, coloured or Indian candidates from the privileged education and income group are "advanced" over white candidates from a less privileged education and income group, the result does not "promote the achievement of equality". It is simply unfair racial discrimination and points to the injustice and irrationality of using race as the determinant of advantage and disadvantage.

"My recommendations for the promotion of equality are accordingly as follows:

1. Fix the education system. Next year the budget will be R207 billion. Together with other education expenditure this amounts to almost R16 000 per pupil and student.
2. Create jobs by establishing a far more flexible labour dispensation - particularly for first-time job-seekers and by offering incentives to small and medium size businesses to employ people.



FW de Klerk
FOUNDATION

3. Ensure sustained and accelerated economic growth, *inter alia* by implementing the National Development Plan.
4. Abandon race-based and divisive ideologies based on demographic representivity. Shift the accent in affirmative action programmes from race to relative disadvantage.
5. Launch a nationwide campaign to encourage fathers to accept their responsibilities to their children. We need an environment in which every child that is born is wanted and will be nurtured and loved by two parents.
6. Challenge the *Van Heerden* Judgment in the Constitutional Court and restore the foundational value of non-racialism and the non-derogable freedom against unfair discrimination.
7. Place greater accent in black empowerment deals on share schemes for employees rather than enriching people with political connections.
8. Vastly improve service delivery by stopping cadre deployment and by appointing people to key jobs solely on merit.
9. Take real steps to root out corruption - which is eviscerating our ability to provide decent and affordable services to the people. Start by re-establishing the Scorpions and by cleaning out the National Prosecuting Authority.
10. Make it a national priority to improve our Gini index to 45 in the next fifteen years."

THE NATIONAL DEMOCRATIC REVOLUTION

Johannesburg, 31 October 2012

"In terms of the ANC's National Democratic Revolution ideology, 1994 was not the end of the revolutionary process - but merely an important beachhead on the line of march toward the establishment of, what it calls, a non-racial democratic society..."

"The goal of the NDR is in essence to redistribute property and jobs so that they reflect the demographics of the country at all levels in the private and public sectors - irrespective of what the Constitution dictates. This would involve an enormous process of social engineering in which people's prospects would once again be determined by race, rather than by individual merit and circumstances.

"In accordance with the NDR, the ANC has unconstitutionally attempted to seize what it calls the levers of state power - including the public service, the security forces, parastatals, the judiciary and the SABC. It is also committed to staffing these institutions with its own cadres, often irrespective of merit or experience."



FW de Klerk
FOUNDATION

THE NEED FOR REAL TRANSFORMATION

Cape Town, 31 January 2014

"Although the word "transformation" does not appear in the Constitution there can be no doubt that it is a transformational document. It is permeated with the requirement to move society from where it found itself in 1996 to the vision set out in its founding values... Real transformation should be measured by our success in establishing a society built on these values..."

"It is also clear that the Government's transformation policies are not rooted primarily in the constitution but in its own ideology of the National Democratic Revolution.

"However, that is not what the non-ANC parties agreed to during our constitutional negotiations. We signed off on the values, rights and institutions that are articulated in the Constitution. We did not sign on for the National Democratic Revolution.

"We were never consulted about the ANC's approach to transformation and we do not accept it. These policies - in the ANC's second phase of transition - are overtly directed against South African citizens on the basis of their race as part of an ongoing historic struggle that we had hoped had been concluded in 1994. This is the antithesis of the goal of national reconciliation.

"The time has come for serious talks between the Government and all those who are targeted by its version of transformation - including, our minorities, our farmers, the media, civil society organizations; and small and large businesses. Collectively, we need to talk to government

- About its approach to transformation;
- About its divergence from the values in the Constitution;
- About the likely consequences for the economy, for inter-community relations and for the future of our national accord of its transformation approach; and
- About how we can all work together to achieve real transformation as envisioned in the founding values of our Constitution."