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**SPEECH BY FORMER PRESIDENT FW DE KLERK  
CHAIRMAN *EMERITUS* OF THE FW DE KLERK FOUNDATION  
TO  
THE FW DE KLERK FOUNDATION ANNUAL CONFERENCE  
RADISSON BLU HOTEL, GRANGER BAY**

**31 JANUARY 2020**

**30 YEARS AFTER 2 FEBRUARY 1990**

It is a great pleasure for me to address you this afternoon - on the eve of the 30<sup>th</sup> anniversary of the speech that I delivered to Parliament on 2 February 1990 - which initiated the constitutional transformation of South Africa.

It was the beginning of the resolution of the core problem that had dogged South Africa since the establishment of the Union in 1910. That problem arose from the fact that - in keeping with the colonial approach of the times - Britain had vested total power in the new Union in the hands of the minority white nation.

In a rapidly changing world, this relationship would prove to be increasingly untenable.

As the tide of imperialism ebbed from Africa, South Africa found itself floundering in the last pool of white rule. We were glaringly out of step with the new international norms of non-discrimination, equality and self-determination that had been articulated in the 1948 *Universal Declaration of Human Rights*.

Between 1960 and 1989 South Africa entered a vortex of deepening isolation and escalating conflict.

By 1986 my colleagues in the National Party and I had accepted that the only solution to this problem lay in dismantling the injustices of apartheid and in reaching agreement with the genuine representatives of all South Africans on a new and inclusive constitution.

At the end of the 1980s history opened a window of opportunity for change:

- By 1987 both the ANC and the government had accepted that there would have to be negotiations.
- After the decisive South African victory at the Battle of the Lomba River in southern Angola in October 1987, President Gorbachev pulled the plug on Soviet and Cuban military intervention in southern Africa. He instructed the Cubans and Angolans to reach an agreement with South Africa.
- The ensuing Tripartite Agreement of 1988 led to the withdrawal of Cuban troops from Angola and to the successful implementation of the UN independence plan for Namibia.



**FW de Klerk**  
FOUNDATION

- In February 1989, in a surprise move, PW Botha resigned as leader of the National Party. I was elected in his place by a National Party caucus that clearly wanted change;
- 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.

2 February 1990 was not the result of a Damascus conversion - neither was it forced on us by the ANC, by sanctions or any other external factors.

Despite our growing isolation, our economy was still growing at 2.7% between 1987-89 - at a higher rate than today. We faced no significant military or security threat - particularly following the withdrawal of the Cubans from Angola.

We were motivated overwhelmingly by our own determination to break out of the deep injustice that characterised our relationship with the great majority of South Africans. We accepted that a lasting resolution of the impossible situation in which history had placed us would have to be constructed on principles of justice and equity. We realised that the circumstances for successful negotiations would never again be so favourable - and we knew that with the passage of time the balance of forces would inexorably shift against us.

So, on 2 February 1990, we opened the way to constitutional negotiations. We leapt through the window of opportunity that had been blown open by the winds of change from Eastern Europe.

The negotiations between 1990 and 1993 were a roller-coaster ride of hard bargaining, faceless violence, walk-outs and crises. Nevertheless, by December 1993 we had agreed on an Interim Constitution that included:

- the supremacy of the Constitution and the Rule of Law;
- an independent Judiciary;
- multi-party democracy;
- the separation of powers;
- acknowledgement of South Africa's diversity of languages, cultures and religions; and
- an entrenched and justiciable Bill of Rights.

This was greatest achievement in South Africa's long and troubled history. It was acknowledged by the whole world as one of the century's most successful and inspiring peace processes. It was not the "revolutionary victory" now claimed by the ANC: it was, on the contrary, a victory for all South Africans based on common interests and compromise.

For the first 13 years our new constitutional democracy functioned reasonably well.

Nelson Mandela worked tirelessly to promote reconciliation and national unity. More significantly, in 1996, the ANC jettisoned the socialistic RDP and replaced it with the much more market-oriented GEAR approach. The SACP and COSATU found themselves in the



**FW de Klerk**  
FOUNDATION

political wilderness and the National Democratic Revolution was, for the time being, put on hold.

South Africa reaped huge benefits: the economy grew at more than 5% between 2005 and 2007; unemployment declined; and Trevor Manuel balanced the budget and halved the national debt to only 23% of GDP.

However, President Mbeki's policies were anathema to the SACP and COSATU. They decided in 2006 at COSATU's 9<sup>th</sup> Congress to recapture "the heart and soul of the ANC". They resolved that "the working class must re-direct the NDR towards socialism..."

At the ANC's 2007 National Conference in Polokwane a coalition of the SACP/COSATU/ANC Youth League defeated a very surprised President Mbeki and elected Jacob Zuma as the ANC's President.

It was the most significant shift in South African politics since 1994.

The victorious coalition was able to seize control of the ANC; to oust President Mbeki and to place government policy firmly back on the road to the NDR and socialism.

In March 2012 the new leadership announced the commencement of the so-called "second phase" of the National Democratic Revolution. According to Jeff Radebe, changes in the balance of forces in South Africa and globally had made it possible for the ANC to dispense with some of the cumbersome constitutional compromises on which the 'first transition' was based. This approach was later defined by President Zuma as Radical Economic Transformation - which he said would require "a fundamental change in the structure, systems, institutions and patterns of ownership, management and control of the economy in favour of all South Africans..."

Combined with the 2008 global economic crisis, the ANC's new approach resulted predictably enough in sluggish economic growth, higher unemployment, the doubling of the national debt and the discouragement of investment.

However, to the consternation of the SACP and COSATU, President Zuma turned out to be a far more wily politician than they had anticipated.

While they were trying to capture the State for the NDR and socialism, he succeeded in capturing it for himself. In 2008, the ANC opened the floodgates of corruption by disbanding the Scorpions - an independent and highly successful corruption-fighting unit. The National Prosecuting Authority, important elements in the Police and intelligence services were soon under President Zuma's control. The country lost tens of billions of Rands in rampant and unrestrained corruption.

Fortunately, the institutions that had been included in the Constitution were resilient enough to defeat Jacob Zuma's State capture project. A combination of resolute action by the former



**FW de Klerk**  
FOUNDATION

Public Protector, Thuli Madonsela, investigative journalists, civil society, the courts and ANC stalwarts ultimately led to President Zuma's downfall.

At the ANC's National Conference in 2017, Nkosazana Zuma, President Zuma's chosen successor as President of the ANC, was narrowly defeated by Cyril Ramaphosa.

Since then, President Ramaphosa has taken some significant steps to restore the integrity of key government institutions and to restructure State-owned enterprises. He has recommitted himself to the implementation of the pragmatic National Development Plan - and to economic growth fuelled by increased levels of investment.

Nevertheless, doubts persist:

- Does President Ramaphosa have the ability and will to challenge the deeply entrenched Zumaite structures in the ANC's top structures?
- Will he be prepared to face down the trade unions by making the deep cuts in SOE expenditure and employment?
- When will those involved in State capture face prosecution?

On a number of occasions in the past, I have warned that South Africa was at a crossroads:

Well, it is now abundantly clear that the crossroads are behind us; that we took the wrong turning several years ago and that we are now rapidly heading away from the high road of non-racial constitutional democracy.

The factions that have led the ANC since 2007 have no intention of honouring the agreements that were included in the 1993 and 1996 Constitutions. Instead, they believe that they are still involved in a continuing revolutionary struggle to achieve "a fundamental change in the structure, systems, institutions and patterns of ownership, management and control of the economy".

In July 2018 Ace Magashule emphatically rejected the "false view that our democratic breakthrough was in itself the end of the struggle for the liberation of our country. The living truth is that ...the democratic breakthrough was not at all the end of our revolution, but only the beginning of more protracted struggle for transformation".

- We are on the wrong road as far as language and cultural rights are concerned.

The assurances in the Constitution regarding language and cultural rights are being ignored by the government - and are being eroded by the courts. The Foundation will soon publish a report card that will deal in detail with the dilution of these rights.

- We are on the wrong ideological road.



**FW de Klerk**  
FOUNDATION

The ANC majority is determined to follow the road to the NDR and to socialism, regardless of the catastrophic consequences.

The most serious manifestation of the ANC's commitment to the NDR and socialism is its determination - apparently at any cost - to amend section 25 of the Constitution to make it possible for the state to expropriate property without the payment of compensation. Now it apparently wants to remove the role of the courts in determining the amount of compensation for expropriated property.

There is an absolute correlation between recognition of property rights and economic wellbeing, investment inflows; political and civic freedoms; human development and good governance.

The 20% of countries that best protect property rights out-perform those that least protect property rights in virtually every important category of societal success:

- they have per capita incomes nine times higher;
  - they receive 22 times more investment per capita;
  - they enjoy far higher levels of human development;
  - the integrity of their governance is significantly better; and, most importantly
  - they enjoy civil and political freedom - while countries that least protect property rights are unfree.
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- Most seriously, we are on the wrong road with regard to race.

Our government has abandoned the great example of racial reconciliation that was set by Nelson Mandela. Its public discourse is increasingly characterised by negative racial stereotypes:

- white South Africans are castigated as the bearers of 'original sin';
- they are told that they are not "the rightful owners" of land to which they hold legal title;
- their relative prosperity is not the result of their own hard work, qualifications and ingenuity - but of the historic exploitation of others;
- they are being made scapegoats for all of the continuing problems of the country - including unemployment, inequality and poverty;
- they are told by a Constitutional Court judge that their culture should be buried in the dustbin of history; and
- they are referred to as 'colonialists' - as aliens who do not really belong in South Africa and who have made absolutely no positive contribution to the country.

The disturbing thing about such stereotypes is that they are fervently believed by those who propagate them - including, disturbingly, some of our top judges, Chapter 9 institutions and many political leaders.



**FW de Klerk**  
FOUNDATION

All this is extremely dangerous.

Such stereotypes dehumanise people. They create space for even more radical elements to sweep up ethnic animosity and increase the danger of racial conflict - with all the dreadful and irreparable consequences that would ensue.

The ultimate goal of the ANC's racial policies is the establishment of a 'National Democratic Society' in which virtually everything - jobs, land and wealth - will be allocated to people according to the percentage their race group represents in the national population. Demographic representivity has already been implemented rigorously in the public sector with results that are evident to all. The ANC now wants it to be applied with the same fervour in the private sector, at our universities and in our sports teams.

Already, demographic representivity is limiting the economic space in which minorities can operate to their diminishing shares of the population.

This has very serious implications.

37% of South Africans in my over-80 age group are whites - compared with only 4% below the age of five. There are more whites in the 70-74 age group than there are in the 0-4 group. At the same time there are more than eight times as many black children in 0-4 group as there are elderly black South Africans in the 70-74 group.

In a society where everything is distributed according to racial percentages, prospects are very bleak for those who belong to diminishing minorities. Those who exceed their racial quota will be consigned to a twilight world of self-employment or emigration - thus ratcheting down their racial share of the population even more rapidly.

All this is contributing to a serious and unaffordable erosion of the country's skills and tax base.

It is a mathematical certainty that, on this basis, demographic representivity will within a few generations lead to the reduction of our white - and probably Indian - communities to an insignificant percentage of the total population. Wittingly or unwittingly the government's racial policies - together with rampant crime and the threat to health services posed by the NHI - are posing an existential threat to our minority communities.

The ANC is doing what its radical faction always said it was going to do:

- it is progressively dispensing with the compromises that were included in the Constitution at the insistence of minority parties;
- it is actively pursuing its goal of radical economic transformation.
- it is continuing its protracted struggle for transformation - in essence - against a section of the population on the basis of their race. It is doing so



**FW de Klerk**  
FOUNDATION

- by progressively ratcheting up the enforcement of BBBEE;
- by extending the enforcement of demographic representivity to all sectors of the economy; and now by
- changing the Constitution to enable it to expropriate property without compensation.

South Africa in 2020 is emphatically on the wrong road: it is heading - not toward a 'New Dawn' - but toward very dark and threatening storm clouds.

The FW de Klerk Foundation will use all the powers it enjoys in terms of the Constitution to combat this process

- in civil society;
- in the courts; and
- in the international arena.

*I implore the ANC to turn back.*

- Return to the road of the pragmatic policies - that it followed between 1996 and 2007 - and that have enabled so many other countries to achieve sustained economic growth and social development.
- Abandon ideologies that have brought economic collapse and tyranny wherever they have been implemented.
- Return to the road of genuine non-racialism and reconciliation.
- Return to the road of freedom, toleration and non-racialism that we charted in our constitution with so much hope and goodwill 24 years ago.

The ANC will find us - and all other South Africans of goodwill - waiting for them on the constitutional high road.

We, for our part, will continue to honour the foundational values on which our Constitution was based and upon which the future prosperity, freedom and happiness of everyone in South Africa depends.