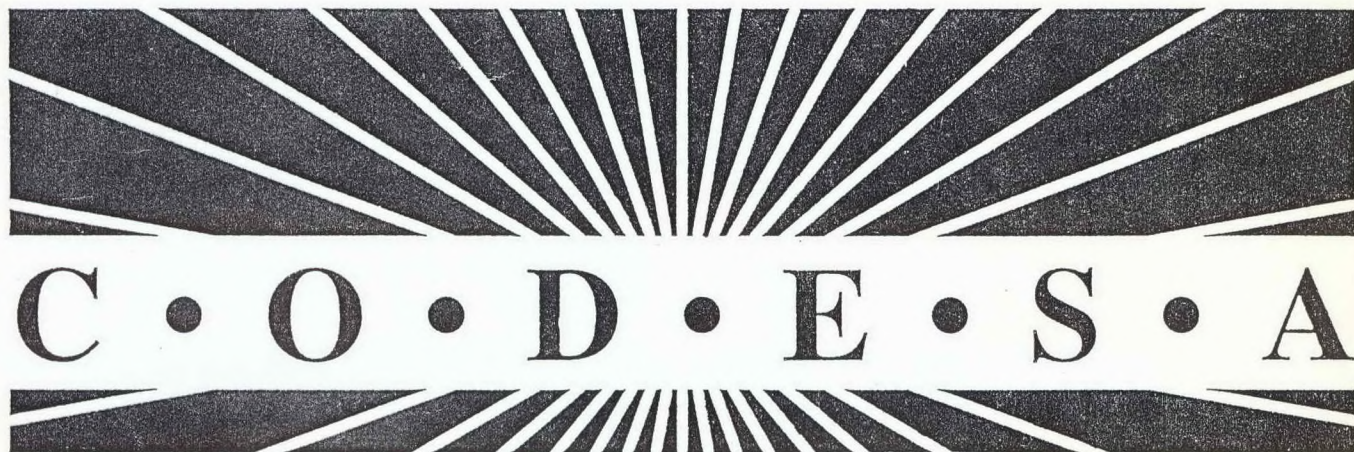




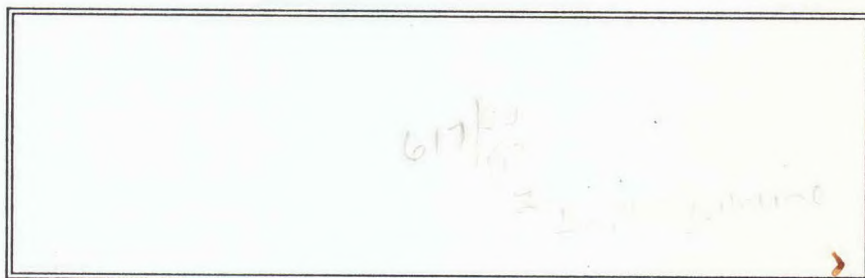
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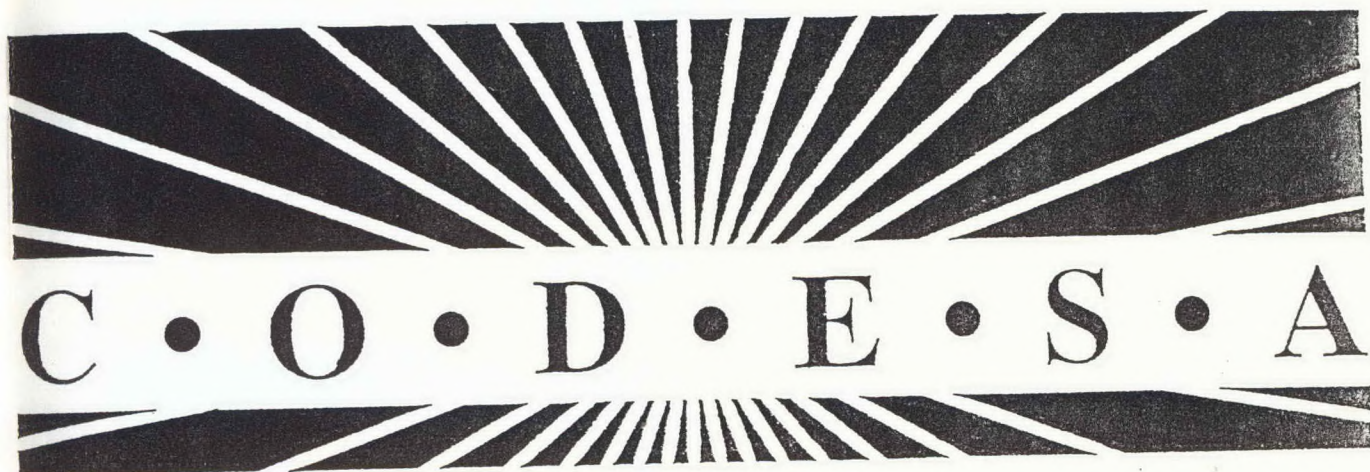
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VOLUME I : 20 DECEMBER 1991

CONVENTION FOR A DEMOCRATIC SOUTH AFRICA



FIRST PLENARY SESSION

DIRECT TRANSCRIPTION & RELEVANT DOCUMENTS

VENUE:

WORLD TRADE CENTRE
KEMPTON PARK

DATE:

20 & 21 DECEMBER 1991

TRANSCRIPTION PREPARED BY:

SEEMAC TRANSCRIPTIONS CC

TEL :
FAX :



P O BOX 755
RIVONIA
2128

[011] 803 - 7640
[011] 803 - 3807

REF :

ALMA ZULCH/AMANDA MACCALLUM/VAL FOURIE



JC396508



20 DECEMBER 1991

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CONVENTION FOR A DEMOCRATIC SOUTH AFRICA



FIRST PLENARY SESSION

CHIEF JUSTICE CORBETT

Good morning Ladies and Gentlemen. Welcome to the first meeting of the Convention for a Democratic South Africa. In particular, I would like to welcome the following delegations representing participants in the Convention. The delegation of the African National Congress led by Mr Mandela; the delegation of the Government of Bophuthatswana led by President Mangope; the delegation of the Government of the Ciskei led by Brigadier Gqozo; the Democratic Party delegation led by

/Dr de Beer ...

Dr de Beer; the delegation of the Dikwankwetla Party of KwaKwa led by Dr Molepi; the delegation of the Inkatha Freedom Party led by Dr Mdlalose; the Intando Yesizwe Party led by Mr Mahlangu; the Inyandza National Movement of Kangwane led by Chief Minister Zitha; the Labour Party of South Africa delegation led by the Reverend Hendrickse; the Natal Indian Congress, Transvaal Indian Congress delegation led by Mr Sewpershad; the National Party delegation led by Dr de Villiers; the National People's Party delegation led by Mr Rajbansi; the Solidarity Party led by Dr Reddy; the South African Communist Party delegation led by Mr Hani; the delegation representing the South African Government led by President de Klerk; the delegation of the Government of Transkei led by Major General Holomisa; the United People's Front of Lebowa led by Chief Minister Ramodike; the delegation of the Government of Venda led by Brigadier Ramushwana; and the Ximoko Progressive Party of Gazankulu led by Professor Ntsanwisi.

In addition to the participants, we have with us today a large number of Ambassadors and other Diplomatic Officers representing embassies and diplomatic missions in South Africa. As well as distinguished representatives from the following International Organisations: The United Nations; The Organisation of African Unity; the Commonwealth; the European Community; the Non-Aligned Movement and the

/International ...

International Committee of the Red Cross.

And finally, I should like to mention the Fourth Estate in all its branches, the Press, the Radio and Television. To all of you I extend a warm and sincere welcome; and to our visitors from overseas and elsewhere in Africa, a fruitful and happy stay in South Africa.

As I stand here, I am very conscious of the gravity and immense importance of this occasion. This is the first meeting of the Convention for a Democratic South Africa, representing the culmination of a process which commenced on 2 February 1990. A process which as it has developed, has aimed to bring together the leaders of all significant political groupings in greater South Africa so that they should sit down with one another, state and debate their separate points of view, negotiate their differences and plan for South Africa a new constitutional dispensation which it is hoped would prove acceptable to the broad majority of South Africans.

I think that most of us cherish a vision of how the new South Africa should look, and I believe that I would be expressing a common sentiment if I were to say that what people want is a truly democratic South Africa; a just and open society, dominated solely by the rule of law; a society dedicated to the prosperity and well-being of all its members; a society at peace within itself, and one in which tolerance and mutual

/understanding ...

understanding prevail; a society characterised by non-discrimination and equality of opportunity; a society which recognises and guarantees the fundamental rights and freedoms of the individual such as the right to life and human dignity; equality before the law; the right to spiritual and physical integrity; the right to privacy and the security of one's home; freedom of speech; freedom of association; freedom from arbitrary search or arrest; freedom of movement; freedom of conscience and religion to name but some. We all hope and pray that the deliberations of this Convention eventually will enable this vision to become reality.

What we are witnessing today at this opening session of CODESA is history in the making; and I think that it is appropriate that I should for a brief moment turn back the pages of history to Monday 12 October 1908, for it was on that day that the National Union Convention comprising representatives from the four colonies, the Cape, the Transvaal, the Orange Free State, and Natal, together with an observer delegation from what was then Southern Rhodesia, met for the first time in Durban to discuss the formation of a political union and to draw up a draft constitution.

Coincidentally, it was nine years to the day after the outbreak of the Anglo-Boer War. The Chairman of the Convention was the distinguished Sir Henry de Villiers, then the Chief Justice of the Cape Colony and later to become the first Chief Justice of

/the ...

the Union of South Africa. In opening the Convention, Sir Henry emphasised the difficulties which would be encountered, but stated that he was confident that they would not prove to be insurmountable. He continued and I quote:

"Everything depends upon the spirit with which we approach the performance of our task. Failure is certain if we start with a feeling of distrust and suspicion of each other and with the sole desire to secure as many advantages as we can for our respective political parties or our respective colonies. Success is certain if we give to each other our fullest confidence and act upon the principle that while not neglectful of the interests of those who have sent us here, we are for the time being representatives of the whole of South Africa. A great opportunity now lies before us and it is an opportunity which may not soon occur again."

I venture to suggest that these words so appropriate 83 years ago are equally pertinent today.

There is now a flowing tide in our affairs and we must take it at the flood. The opportunity will not readily recur. Whether this will lead on to fortune will depend upon the deliberations which commence today.

Die welslae van hierdie beraad sal na my mening afhang van die vermoë en die bereidwilligheid van alle partye daartoe om takt aan die dag te lê, om die ander man se sienswyse te

/begryp ...

begryp en te verdra, om waar nodig pragmaties op te tree en bowenal waar standpunte onversoenbaar skyn te wees, om 'n vergelyk te tref. Afgevaardigdes sal natuurlik die sienswyse en beleid van die wat hulle teenwoordig voordra. Dit is nie meer as reg dat hulle so te werk gaan nie. Dit is ook hulle plig om so te doen. Terselfde tyd moet hulle nooit die feit uit die oog verloor, dat bo en behalwe die instansies wat hulle na hierdie Konvensie gestuur het, hulle ook die hele Suid Afrika verteenwoordig.

Die analogië van 1908 is natuurlik slegs tot 'n mate juis. Die 32 afgevaardigdes wat destyds onder die voorsitterskap van Sir Henry de Villiers byeen gekom het was almal Blank gewees and hulle het oor die algemeen aan die behoeftes en benadering van Blanke Suid Afrikaners uiting gegee. Van agterna beskou, was dit 'n ernstige gebrek. Dit moet egter in die lig van geskiedkundige perspektief en met 'n begrip van destydse houdinge en persepies gesien word. Trouens die stigters van die Unie van Suid Afrika, met die verwoestend Boereoorlog nog vars in die geheue, verwoestend in 'n stoflike sin, maar ook verwoestend - en dit is belangriker wat mense verhouding betref - was primêr besorgd oor die verwesening van 'n versoening tussen Boer en Brit. Daardie leemte, die afwesigheid van teenwoordiging van all rase groepe, is gelukkig nie vandag te bespeur nie.

On the other hand, the need to achieve reconciliation so much

to the forefront in 1908 is also of paramount importance today. The turbulent history of our country over the past 80 years, has inevitably scarred society and has created within it divisions, antagonisms and suspicions. But a kingdom divided against itself cannot stand. It is imperative that as far as possible, these divisions be healed; these antagonisms resolved, and these suspicions removed. That should be one of the most important, if not the most important goal of this Convention for I believe it is only if the parties approach these talks in a spirit of reconciliation that true success can be achieved.

Finally, as Sir Henry de Villiers emphasised, there must be trust between delegates. But trust does not appear overnight. Trust has to be earned. It is built on confidence, and confidence rests on experience. And here I refer to the experience which enables persons to get to know one another, the experience of candour and straight-forwardness in discussion, of consistency in debate and of adherence to understandings reached and compacts made.

I accordingly wish you all success in your deliberations. I am sure that with the right approach you will succeed. You must succeed. The whole of South Africa depends on you. With that message I open this convention. Ek vra nou vir Professor Heyns om namens ons te bid.

PRAYERS BY: RABBI CYRIL K HARRIS
 PROF J A HEYNS
 SHEIKH NAZIM MOHAMED
 REV STANLEY MOGOBA
 PANDIT NARDEV VEDALANKER

CHIEF JUSTICE CORBETT INTRODUCES THE
CO-CHAIRPERSONS, JUSTICE SCHABORT AND JUSTICE MAHOMED

I now hand over to the two Chairpersons of the Convention, my judicial colleagues, Mr Justice Schabort and Mr Justice Mahomed.

MR JUSTICE MAHOMED

On behalf of my esteemed colleague, Mr Justice Schabort, myself, I wish to thank all of you present in this hall who have honoured our country and expressed their concern for its people and its future by accepting our formal invitations to join in the commencement of an exciting journey into the future.

Our gratitude is also due to His Lordship the Chief Justice who has graced this occasion with the dignity of his office, the sensitivity of his character and the wisdom of his intellect. And there is a special debt to the religious leaders of different faiths and denominations who have sought with such richness and dignity to infuse a spiritual dimension into an occasion of momentous political and secular significance. It is truly a momentous occasion. As our society attempts for the first time in its troubled history, squarely to face the real truth of our existence in Africa. The cosmic forces have intriguingly conspired to bless our beloved country

/with ...

with potentially dazzling material riches, with wondrous opportunities for human creativity and brotherly love, and with truly exciting possibilities in the evolution of the spiritual condition of those destined to love and to share in this country.

But what was a potentially glorious historical romance has been distorted into a major modern tragedy by the malignancy, the obscenity and the cruelty of apartheid and institutionalised racism which has separated us, demeaned us and isolated us from the mainstream of the civilized world. But the moment of truth has finally arrived for all of us. We can no longer avoid or dare delay our tryst with our own destiny. We should seek to meet that destiny with courage, with eagerness and with joy by proclaiming before the sun sets on this auspicious day, our irreversible commitment to a non-racial democratic and caring South Africa which can hold its head high among the free and civilized nations of the World. A clear commitment to structure our society with all deliberate speed on the constitutional foundations of the simple but profound truth shall begin to set us finally free from the shackles of fear; of anxiety; of greed; of insecurity; of poverty and of anger which have all perpetuated our needless tragedy and our terrible nightmare for so long.

It is in this spirit of goodwill, hope and reconciliation that I have the privilege of welcoming you to this convention on behalf of my esteemed colleague and myself. My esteemed colleague will deal with the next item on the agenda.

/Your ...

MR JUSTICE SCHABORT

Your Lordship, Mr Justice Corbett, my honourable and esteemed colleague, gentlemen, religious leaders, ladies and gentlemen, the item on the agenda which we have now reached is number 4 being the Opening Remarks by Leaders of Delegations. This is a matter which will take up most of the time of the convention today.

It seems true and appropriate on this occasion to say that multitudes of South Africans have been awaiting with great interest and perhaps even more expectation the opportunity to hear the opening speeches by the leaders of the various delegations present here. It was agreed that each speaker would be afforded a maximum of 15 minutes within which to deliver the address. There are no time-keepers and no devices to assist the speakers to stay within the time limits. We do however rely on their co-operation implicitly. The order shall be alphabetical.

Accordingly, the first speaker will be Mr Nelson Mandela, the leader of the delegation of the African National Congress. Mr Mandela, will you come forward please.

/MR MANDELA ...

DR N MANDELAAFRICAN NATIONAL CONGRESS

Chief Justice, and Joint Chairpersons, Leaders of Political Parties and Movements, Distinguished Observers from International Organisations, Members of the Diplomatic Corps, venerable, traditional and religious leaders of our people, comrades and friends, and last but not least, the people of my country, today will be indelibly imprinted in the history of our country if we who are gathered here respond to the challenge before us. Today will mark the commencement of the transition from apartheid to democracy. Our people from every corner of our country have expressed their yearning for democracy and peace. CODESA represents the historical opportunity to translate that yearning into reality.

For eighty years the ANC has led the struggle for democracy in South Africa. Along the route traversed during the period many sacrifices were made by thousands upon thousands of our people in the arduous battle between freedom and oppression. Positions hardened and polarisation developed between the people and the State even when in the absence of any other recourse, the ANC took up arms, our objective was to secure a political settlement in South Africa. In the past few years an environment more conducive to establishing mutual trust has been established. South Africans of many persuasions recognised that this environment and its institutional product,

/CODESA ...

CODESA, is the fruit of their sacrifices and struggle. They have a justifiable expectation that CODESA will set our country on the road to democracy. Inasmuch as apartheid has been declared a crime against humanity and the problems of our country have engaged so much of the attention of the international community over decades, the presence of esteemed observers from key international organisations as guests of CODESA is most appropriate.

We welcome the guests from the United Nations Organisation, the Organisation of African Unity, the Commonwealth, the European Economic Community and the Non-Aligned Movement. We trust that they will avail to the process now unfolding their wisdom, insights and experience gained in many similar initiatives across the world. All South Africans share the hope and vision of a land free of apartheid where internal strife will have no place. The ANC initiated the search for peace in our country. Since 1986 the ANC has intensively campaigned for a negotiated transfer of power. This campaign reached new heights in 1989 when the OAU, the Non-Aligned Movement and the United Nations General Assembly all adopted declarations supporting this position. All three declarations stated, and I quote:

"That where colonial, racial and apartheid domination exists, there can be neither peace nor justice."

In keeping with this spirit, CODESA must therefore lay the

/basis ...

basis for the elimination of racial and apartheid domination. It is only by decisive action in this regard, that South Africa will be granted entry to the Community of Nations as a full member.

The strength of the CODESA initiative lies in the range of political parties and persuasions represented here. The presence of so many parties augurs well for the future. The diverse interests represented, speak of the capacity to develop consensus across the spectrum and of the desire to maximise common purpose amongst South Africans. Many parties here have already invested so much by way of preparing their constituencies for transformation. Above all else, the investment already made, must spur us on to total commitment for the successful outcome of this convention.

Ons betreur die feit dat daar nog partye is wat hulself uit hierdie belangrike proses uitsluit. Na KODESA is die situasie in ons land onomkeerbaar. Die dreigemente met Burgeroorlog is onverantwoordelik en totaal onaanvaarbaar. Die tyd vir sulke praatjies is lankel verby. As hulle hierdie dreigemente uitvoer sal die wêreld sien dat hulle die lyding van alle Suid-Afrikaners wil verleng, en die soeke na vrede in ons land wil verpes.

Maar een ding staan vas: Die proses tot egte demokrasie is onstuitbaar. Die geskiedenis bied vir ons almal 'n unieke geleentheid. Om hierdie geleentheid vir die lensiesop van

leë, negatiewe bravado te verkansel is om die toekoms te ontken. Ons doen steeds h beroep op sulke partye om nou, selfs in hierdie laat stadium, by KODESA aan te sluit. Die boodskap van die ANC deur KODESA is eenvoudig duidelik en vir alle Suid-Afrikaners die tyd vir een Suid-Afrika, een volk, een stem, een toekoms, is daar.

The National Convention in 1908 was a gathering of Whites representing the four British colonies. It was also a betrayal of Black people and a denial of democracy. The Act of Union entrenched the colonial practices and institutions constitutionally. In its wake, our country has lived through eight decades of wasted opportunity. CODESA provides the first opportunity since, to attempt to establish democracy in our country. It is imperative that we also reach consensus on the definition of democracy.

From the ANC's perspective, democracy entails, and I quote:

"That all governments must derive their authority from the consent of the governed.

No persons or groups of persons shall be subjected to oppression, domination or discrimination by virtue of their race.

/All...

All persons should enjoy the right to life.

All persons should enjoy security in their persons and should be entitled to the peaceful enjoyment of their possessions, including the right to acquire, own or dispose of property without distinction based on race, colour, language, gender or creed.

All persons should have the right to hold, and express whatever opinions they wish to subscribe to, provided that in the exercise of that right, they do not infringe on the rights of others."

This quality of democracy will indeed only be possible when those who have borne the brunt of apartheid oppression, exercise their right to vote in a free and a fair election on the basis of universal suffrage.

/We ...

We can see no reason why an election for a Constituent Assembly should not be possible during 1992.

NGESIKHATHI ISIMO SENGGINDEZELO SIDINGA KUZATSHALAZWE uANC
AKAZANGE AHLEHLELE EMUVA KODWA WAKHOMBA UMHLAHLANDELA. MANJE
NGOBA ISIMO SESIYAVUMA FUTHI I ANC EHAMBA PHAMBILI EKULETHENI
UXOLO KULELI LOKHOKHO.

UMA KUKHONA ABANTU ABANDINGA INKULULEKO ESOUTH AFRICA ABANTU
ABAMNYAMA BAYINDINGA MANJE NGOBA ISIMO SABO SOMNOTHO NENHLALANHLE
SIYA NGOKUBA SIBI INSUKU ZONKE.

ILUNGELO LOKUVOTA IYONA NTO EWUMONGO WOMZABALAZO WE NKULULEKO.
U1992 UNYAKA WAMANQAMU OKUFALENE ULETHE ULETHE UKHETHO LOKUQALA
LWENTANDO YENINGI ESOUTH AFRICA.

CODESA, on its own, will not deliver democracy. In recording this fact, there is no attempt to demean CODESA. Even absolute consensus during the life of CODESA will still leave an apartheid constitution in place. We need to be reminded that this very constitution was declared null and void by the United Nations Security Council in 1983. The invalidation of the prevailing constitution is the most persuasive argument in support of the view that the incumbent Government is unsuited to the task of overseeing the transition to democracy. Its oft-stated commitment to democracy must now compel it to make way for an Interim Government of national unity to supervise the transition. This is the only cogent outflow from our deliberations at CODESA. The consensus which we arrived at will certainly have far-reaching implications for the birth of a

new nationhood. None of us could be satisfied with circumstances where the consensus struck at this meeting is not translated into full legal force.

An interim government, important as it may be, is but a product of agreement between ourselves as political parties and organisations. It will not be the outcome of full participation by the people of our country. Negotiations, to be successful, must be owned and supported by the majority of South Africans. In the absence of full participation we must commit ourselves to open negotiations to ensure that notions of secret deals do not arise. This process will also hinge on the confidence by each participating party that the communication of developments be absolutely non-partisan. Consideration therefore needs to be given to the immediate establishment of the necessary mechanisms to ensure that the State-controlled media accurately and fairly represents the views of all participants.

The means of establishing an interim government will not be participatory. Therefore the consensus at CODESA should curtail both its mandate and its lifespan. The ANC remains fully committed to the installation of a government which can justly claim authority because it is based on the will of the people. This reality will have to be underpinned by a constitution which both engenders respect and enjoys legitimacy. There is a compelling urgency about this task. It is inconceivable that such a democratic constitution could be reached in any way but through the portals of an elected constitution-making body namely, a Constituent Assembly.

/It ...

It is tragic that our country, so well-endowed with natural resources, has been reduced to an economic wasteland by the system of apartheid, based on greed and mismanagement. It is also distressing to note that the deplorable violence has reached such alarming proportions, and others threaten still more. These features are a direct consequence of the determination of a minority to maintain the power and privilege accrued by apartheid. There are large parts of our country where free political activity is still not possible, where law and order is still ruled by the jackboot and a large number of political prisoners remain incarcerated. In the spirit of our Convention, we call upon the Government to proclaim an immediate CODESA Amnesty before Christmas for all remaining political prisoners throughout the country. Nothing could be more irresponsible than for those of us gathered here today to deny our people the right to peace and freedom of association and deny our country its due economic growth.

As everybody here is aware, the ANC and the Government have been involved in bilateral discussions since May last year. There are still some matters dealt with in these bilateral talks which have not been finalised. We will continue these discussions, among other things, seeking to resolve the question of the control of all armed formations in the country including Umkhonto we Sizwe. We can only reverse the current situation if we set our sights on establishing true democracy. The national interest is far, far more important than the sectional interests represented by any party here. Everybody wants a place in the sun of a post-apartheid South Africa. No delegation here could possibly have been

/mandated ...

mandated by its constituency, however small, to attend the CODESA in order to annihilate itself. Recognising this, however, we want to make a strong appeal to everybody present to place the compelling national concerns above narrow sectional interest. History will judge us extremely harshly if we fail to turn the opportunity which it now presents us with into common good. The risks of further pain and affliction arising from violence, homelessness, unemployment or gutter education are immense. No country or people can afford the extension of this anguish even for a day. The approach which we adopt at CODESA must be fundamentally inclusive; the price of CODESA's failure will be far too great. We must not trample on the confidence which our people have placed in the successful conclusion to these negotiations. It would be foolhardy not to secure peace and prosperity for South Africa. Our people and the world expect a non-racial non-sexist democracy to emerge from the negotiations on which we are about to embark.

Failure of CODESA is inconceivable, so too is consensus without legal force. There is absolutely no room for error or obstinacy. The challenge which CODESA places before each one of us is to unshackle ourselves from the past and to build anew. CODESA can be the beginning of reconstruction. Let our common commitment to the future of our country inspire us to build a South Africa of which we can all be truly proud.

PRESIDENT L M MANGOPEBOPHUTHATSWANA GOVERNMENT

Mr Chief Justice, Messrs Chairpersons, honoured delegates, distinguished guests, ladies and gentlemen. This is indeed a great and memorable occasion for all of us who for years have struggled for basic freedom and human rights, democracy and the restoration of dignity, to be present at this launching of a new era towards a free South Africa.

This moment Mr Chairman is as great, but also as serious and awesome, as the challenges and responsibilities facing all of us. We are here to seek not our own nor individual organisational benefit, but to sincerely and truly seek the future well-being of, and peace for all our people. Our purpose is not to seek posture for political gain outside these walls, but as true leaders to lead, to heal rifts, to close gaps, to break down barriers, to find common cause which will serve the best interests of Southern Africa. We want to set the example right here at this meeting. We are not creatures of apartheid nor are we part of apartheid structures. We abhor and have fought with all our being against this iniquitous system. Why do I say this? Because Mr Chairman, the history of Batswana - my people - nation goes back to the eleventh century when we inherited the greatest portion of the country north of the Orange River and south west of the Zambesi. We lived here as sovereign and free people until we suffered the dual fate of the northward expansions of colonial Britain and the westward encroachment by the Voortrekkers.

/As...

As a result of this intrusion and occupation of our traditional land and our resistance to these actions Lieutenant-Governor Keate of Natal was eventually approached for arbitration and ultimate judgment. The resulting Keate Award published on 17 October 1871 secured the rights and independence of Batswana chiefs in areas south of the Molopo, which today is Bophuthatswana, and north of the Molopo which today is Botswana.

Despite these findings and this judgment by their own official, we continue to become the victim of British colonial expansionism. In 1885 our land was occupied and divided into the Bechuanaland Protectorate and the Crown Colony of British Bechuanaland. Because they valued their freedom highly and feared for the future of their land the Batswana Chiefs and all the inhabitants obtained the solemn and categorical commitment from the British that they would never form part of either the South African Republic or the Cape Colony.

Sadly however, Mr Chairman, after the discovery of diamonds in Kimberley, the British, in violation of agreements and réneging on all their commitments, unjustly and unilaterally incorporated our country into the Cape Colony. Our struggle for freedom and justice then began in all earnest. This act was in direct contrast and contravention of the way in which the other three British Protectorates namely Lesotho, Swaziland and Botswana were treated and stands still today as probably the biggest injustice of all time against my country and was never accepted by my people.

/These ...

These events occurred fifteen years before the unification of South Africa in 1910 and fifty-three years before the National Party came into power with their policy of separate development. In 1977 we used the opportunity presented by the South African Government to regain our sovereignty and freedom so unjustly and cruelly taken from us by the British Colonial Government. We rid ourselves of apartheid, scrapped all apartheid laws and created a non-racial society. We re-moulded our people, who were scattered in groups in tribes over a wide area, and forged them again into a nation. We regained our dignity, our self-esteem, our sense of self-reliance and self-belief, acknowledging the wise and guiding hand of God Almighty.

The fact that this process resembled an element of the apartheid policy of the South African Government, was a cruel outcome of fate and very ironical. Ironical in the sense that we introduced and built on sound democratic principles and values that are acknowledged and demanded worldwide, and are even today seeping through Eastern Europe and Asia, with worldwide acclaim.

Were it not for the immoral act of colonialism by the British in 1895 and the apartheid policy followed by a minority régime over which we had no say, Bophuthatswana would have been accepted and recognised together with the other British Protectorates of that time, namely Botswana, Lesotho and Swaziland. Our cultural and historical heritage, the reality of diversity in Southern Africa and the need to satisfy the aspirations of all concerned, cannot be ignored or wished away. It will have to be accommodated and provided for, whatever political dispensation is decided upon.

Why then limit oneself to the position as it found expression in 1910 and ignore all previous historical and other developments and events? None of us need to look further than the world around us to see which policies and ideologies have been successful and which have failed. South Africa need not repeat any of the mistakes of others if the events and lessons of today's history are observed, if we note the principles and values of the successful nations, as well as those of countries who are in the process of collapse.

Turning to achievements and performances, it is evident that the people in my country enjoy wealth and a quality of life that is far advanced of standards achieved in many other countries. If this is compared with the political chaos, economic decline, unrest and violence elsewhere in the world we are doing much better than most at present. This was achieved within a period of fourteen years compared with developments over many, many decades elsewhere. In fact in development and growth we stand tall when compared to other countries in Sub-Saharan Africa. Over the past two years we've registered the highest real economic growth rates in Sub-Saharan Africa. Our enrolment of primary and secondary scholars rate under the first ten in Sub-Saharan Africa, and our 1990 matriculation results were second to none.

It is thus not fair nor prudent in terms of our history, our tested principles and values and our economic performances to be regarded as just another so-called self-governing territory or just another so-called TBVC state or product of apartheid. The circumstances

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in each country drastically differ from one another. And these countries, especially my country, can therefore not be grouped and generalised for convenience purposes. This nation refuses, Mr Chairman, to be ignored or belittled in any way whatsoever.

For us to change our constitutional dispensation the change will have to be for something better or alternatively a future which at least is as good.

In turning to CODESA Mr Chairman, let there be no doubt that we are encouraged by the main developments to date. It is a culmination to us of our persistent representations, argumentation and negotiations over many years with the South African Government. It is our sincere wish to participate and contribute constructively to the proceedings. It must be remembered however that we are a sovereign and independent country, whether it is formally recognised or not, with our own parliament and legislative process and our own electoral system that meet democratic principles. The Government of Bophuthatswana is only capable of functioning within the parameters laid down by our constitution and our other laws. We are therefore not legally competent to enter into any commitment or agreement which may result in the abolition of Bophuthatswana as a sovereign independent state or the possible merging of its identity with another or others. Authority to that end may only be conferred by, or in accordance with, the provisions of the law of the National Assembly of Bophuthatswana, adopted for that purpose.

We are prepared to participate on the basis of sufficient consensus
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regarding general procedures and decisions, but an important aspect is not acceptable. Decisions taken that affect our very existence we cannot allow. It is not constitutional nor is it proper that other participants in CODESA should make a decision for us.

We, the people of Bophuthatswana, are the ones who must have the final say on our future. I regret therefore Mr Chairman, that I cannot unreservedly commit myself to the Declaration of Intent as it is presently formulated and therefore cannot sign it.

My vision for the future is namely that all nations of Southern Africa commit themselves to grow into one powerful, prosperous inter-dependent and peaceful economic community. The destinies of all population groups in Southern Africa are intertwined economically and in respect of many other fields, I therefore sincerely hope that flowing from CODESA a wider vision regarding economic co-operation and development for the whole Southern Africa, including SADCC countries, be considered and actively pursued. My country will very whole-heartedly support any initiatives in this respect by CODESA.

Ek wil afsluit mnr die Voorsitter deur u die versekering te gee dat Bophuthatswana bereid is om sy bydrae te maak. Ons aanvaar terselfde tyd die verpligting om dit wat vir ons lief en dierbaar is te beskerm en uit te bou in 'n nuwe grondwet vir Suid Afrika. Ons wil saam met u ons vertrouwe stel in ons Almagtige Vader wie die finale beskikker is van die lotgevalle van volkere en nasies. Mag Sy seën op hierdie verrigtinge rus. Ek dank u.

BRIGADIER O J GQOZOCISKEI GOVERNMENT

Thank you very much Mr Master of Ceremonies. The Honourable Chief Justice, Messrs Chairpersons, Foreign Dignatories, Distinguished Guests, Ladies and Gentlemen and the Members of the Press. As Southern African moves inexorably towards a true democracy we hope we stand naked in the eyes of the world, vulnerable at the razor's edge of history in the making awaiting our new clothes of credibility and legitimacy.

Credibility ladies and gentlemen, is the gap between promise of delivery and delivery of promise. Unless the expectations and aspirations of every party and interest group representing the total population of Southern Africa are considered narrowing the gap, we can etch our bloody demise in stone now. If the gap is too large then either the desired future must be re-defined with the focus on those aspects which can be achieved, or creative solutions must be re-developed. All of us here I'm sure are for creative solutions.

A gap analysis includes the current state, the ideal state, the resulting gap and the resources required to close the gap. I now address the current state.

The Republic of Ciskei is a sovereign independent State organised within Southern Africa, but always directly or indirectly affected by any political and economic trends within the broader Southern
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Africa. Despite this influence we have developed our own identity and character. We have highly complex and developed infrastructures, entrenched laws, a unique liberal system of tax for corporations and individual persons, and a multitude of agreements and treaties. As sovereignty or statehood was never accorded to us by the international community we must be seen in the broader context of Southern Africa; hence we are here today.

Since the historical 2 February 1990, competitive ideologies of liberation movements have made their divergent impact on our society. In the process, regrettably, expectations have been raised. Law and order has been compromised and criminal elements are exploiting this climate. These are the universally recognised ingredients for a revolution. Southern Africa is in a crisis of legitimacy, Mr Chairman. By definition not only are the TBVC States branded with the illegitimacy stigma but so does every leader and government lack legitimacy.

In our quest for legitimacy and credibility to impress the international community we have forgotten the perceived costs or threats to minority group electorates in Southern Africa. They, with a zero-sum conclusion, a perception of nowhere to go and an inordinate commitment to their fatherlands, enter the battlefield with new and dangerous agendas. We could be spawning a minefield. We must bear in mind that not all parties who wish to negotiate the future and best interests of their electorates, for example the Zulu Royalty, the PAC, CP, the AWB and others, are here today. Although I fully believe that principles should not be compromised,

I fully believe that if we all stayed at home today the new South Africa that we all hanker for would never be reached, it would elude us forever.

In the light of the above, the golden carrot of majority rule may in turn be rendered illegitimate enough to promote serious conflict, anarchy, instability and even civil war. We are present here today in a spirit of trust, co-operation and goodwill, seeking a united non-racial multi-party democracy acceptable to all. If we are to boast a level playing field we must make serious efforts to convince these other players to attend future talks of this nature. Sooner or later we may have to address a situation which may develop into an inevitable climate of bitter conflict and hostilities. Could we say then that this was not anticipated?

The gap lies with the imponderables for which CODESA hopefully will provide creative solutions. Southern Africa is not a promising candidate for democracy. Extensive studies have shown that societies divided along racial and ethnic lines and also polarised along ideological lines, find democracy difficult to attain. How do we breach these cleavages, foster inter-group political tolerance and accommodation in a climate crystallised by many years of distrust?

Majority rule is a simplistic solution that brings with it its own problems. It could exacerbate and not resolve decisions and intentions. How do we handle the present entrenched culture of violence when forty-two percent of our population comprise Black youth, fifteen years and under, who have been experienced traditional or formal education because they could simply not afford it,

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