

B. AFRICA

SOUTH AFRICAN STATE PRESIDENT'S ADDRESS AT OPENING OF PARLIAMENT

[1]

Radio South Africa, Johannesburg 0901 gmt 2 Feb 90

Text of relay of address in English and Afrikaans by F.W. de Klerk; passages within quotation marks in Afrikaans (ME/0679 ii)

"Mr Speaker, Members of Parliament: The general election of 6th September 1989 set our country irrevocably on the road of drastic change. The basis of this is the increasing realisation by more and more South Africans that only a negotiated understanding between the representative leaders of the whole population can ensure lasting peace. The alternative is increasing violence, tension and conflict. That is unacceptable and in nobody's interests. The well-being of all in this country is intricately linked to the ability of leaders to come to terms with one another over a new dispensation. No-one can escape this simple truth.

"From the government's side the highest priority will be given to the process of negotiation. The goal is a totally new, just constitutional system in which every inhabitant will enjoy equal rights, treatment and opportunities in every area of life: constitutional, social and economic.

"I hope that this new parliament will play a constructive role in regard to both the prelude to negotiation, as well as the negotiation process itself. From all of you who identify with the broad goals of a new South Africa - and that is an overwhelming majority - I wish to ask: leave petty politics aside during this session, while we discuss the future. Help build a broad consensus on the basics of a new, realistic and democratic constitutional system. Work together on a plan which will free our country from suspicion and steer away from domination and radicalism, from whichever source.

"During the term of this new parliament it will have to deal with the normal process of legislation and day-to-day government, as well as the process of negotiation and renewal. Within this framework I would first like to address a few matters related more to the normal process of government, before turning specifically to negotiation and related issues."

(1) Foreign relations

The government is aware of the important part the world at large has to play in the realisation of our country's national interests. Without contact and co-operation with the rest of the world, we cannot promote the wellbeing and security of our citizens. The dynamic developments in international politics have created new opportunities for South Africa as well. Important advances have been made, among other things, in our contacts abroad, especially where these were precluded previously by ideological considerations.

I hope this trend will be encouraged by the important change of climate that is taking place in South Africa. For South Africa, indeed for the whole world, the past year has

been one of change and major upheaval. In Eastern Europe, and even the Soviet Union itself, political and economic upheavals surged forward in an unstoppable tide. At the same time Beijing temporarily smothered with brutal violence the yearnings of the people of the Chinese mainland for greater freedom.

The year of 1989 will go down in history as the year in which Stalinist communism expired. These developments will entail unpredictable consequences for Europe, but they will also be of a decisive importance to Africa. The indications are that the countries of eastern and central Europe will receive greater attention, while it will decline in the case of Africa. The collapse, particularly of the Marxist economic system in Eastern Europe, also served as a warning to those who insist on persisting with it in Africa. Those who seek to force this failure of a system on South Africa should engage in the total revision of their point of view. It should be clear to all that it is not the answer here either.

The new situation in Eastern Europe also shows that foreign intervention is no recipe for domestic change. It never succeeds, regardless of its ideological motivation. The upheaval in Eastern Europe took place without the involvement of the big powers or of the United States.

The countries of southern Africa are faced with a particular challenge. Southern Africa now has an historical opportunity to set aside its conflicts and ideological differences and draw up a joint programme of reconstruction. It should be sufficiently attractive to ensure that the southern African region obtains adequate investment and loan capital from the industrial countries of the world. Unless the countries of southern Africa achieve stability and a common approach to economic development rapidly, they will be faced by further decline and ruin.

The government is prepared to enter into discussions with other southern African countries with the aim of formulating a realistic development plan. The government believes that the obstacles in the way of a conference of southern African states have now been removed sufficiently. Hostile postures have to be replaced by co-operative ones, confrontation by contact, disengagement by engagement, slogans by deliberate debate. The season of violence is over. The time for reconstruction and reconciliation has arrived.

Recently, there have indeed been unusually positive results in South Africa's contacts and relations with other African states. During my visits to their countries, I was received cordially, both in private and in public, by Presidents Mobutu, Chissano, Houphouet-Boigny and Kaunda. These leaders expressed their sincere concern about the serious economic problems in our part of the world. They agreed that South Africa could and should play a positive part in the regional co-operation and development.

Our positive contribution to the independence process in South-West Africa has been recognised internationally. South Africa's good faith and reliability as a negotiator made a significant contribution to the success of events. This too was

not unnoticed. Similarly, our efforts to help bring an end to the domestic conflict situations in Mozambique and Angola have received positive acknowledgement.

At present, government is involved in negotiations concerning our future relations with an independent Namibia and there are no reasons why good relations should not exist between the two countries. Namibia needs South Africa and we are prepared to play a constructive part.

"Nearer home, I played fruitful visits to Venda, Transkei and Ciskei and intend visiting Bophuthatswana soon. In recent times, there has been an interesting debate about the future relationship of the TBVC [Transkei, Bophuthatswana, Venda and Ciskei] countries with South Africa and specifically about whether they should be reincorporated into our country. Without rejecting this idea out of hand, it should be borne in mind that it is but one of many possibilities. These countries are constitutionally independent. Any return to South Africa will have to be dealt with not only by means of legislation in their parliaments but also through legislation in this parliament. Naturally, this will have to be preceded by talks and agreements.

(2) Human rights

"This government referred the question of protection of fundamental human rights to the South African Law Commission. This resulted in the Law Commission's interim working document on individual and minority rights. It elicited substantial public interest. I am satisfied that every individual and organisation in the country has had ample opportunity to make representations to the Law Commission, express criticism freely and make suggestions. At present, the Law Commission is considering the representations received. A final report is expected in the course of this year. In view of the exceptional importance of the subject of human rights to our country and all its people, I wish to ask the Law Commission to accord this task a high priority.

"The whole question of protecting individual and minority rights, which include collective rights and the rights of national groups, is still under consideration by the law commission. Therefore, it would be inappropriate for the government to express a view on the details now. However, certain matters of principle have emerged fairly clearly and I wish to devote some remarks to them.

"The government accepts the principle of the recognition and protection of fundamental individual rights which form the constitutional basis of most Western democracies. We acknowledge too that the most practical way of protecting those rights is vested in a declaration of rights justifiable by an independent judiciary. However, it is clear that a system for the protection of the rights of individuals, minorities and national entities has to form a well-rounded and balanced whole. South Africa has its own national composition and our constitutional dispensation has taken this into account.

"The formal recognition of individual rights does not mean that the problems of a heterogeneous population will simply disappear. Any new constitution which disregards this reality will be inappropriate and even harmful. Naturally, the protection of collective, minority and national rights may not bring about an imbalance in respect of individual rights. It is

neither the government's policy nor its intention that any group, in whichever way it may be defined, shall be favoured above all in relation to any of the others.

"The government is requesting the Law Commission to undertake a further task and report on it. This task is directed at the balanced protection in a future constitution of the human rights of all citizens, as well as all collective units, associations, minorities and nations. This investigation will also serve the purpose of supporting negotiations towards a new constitution. The terms of reference also include the identification of the main types and models of democratic constitutions which deserve consideration in the aforementioned context. An analysis of the ways in which the relevant rights are protected in every model and the possible ways in which such constitutions can succeed and be legitimately guaranteed.

(3) The death penalty

"The death penalty has been the subject of intense discussion over the past few months. However, the government has been considerably busy giving urgent attention to this extremely sensitive matter. On 27th April 1989, the honourable Minister of Justice indicated that there was merit for reform in this area. My predecessor and I have, indeed, since 1988 granted several reprieves which led to a drastic reduction in executions. We have now reached the position where we can make concrete proposals. Following consultations with the Chief Justice, who in turn consulted the judiciary, and following the government's review of options proposed by academics and other interested parties, the government has decided on the following broad principles, having reviewed the various options:

"The government has decided that reform in this respect be undertaken; that the death penalty as a sentencing option be limited to the most extreme cases and be given judicial discretion at the time of sentence; and that all those sentenced to death be granted the automatic right of appeal.

"If these proposals are accepted, it ought to have a real influence on the imposition of the death penalty and ensure that every case in which a person is sentenced to death will receive the court of appeal's attention. These proposals demand that all those people currently awaiting execution be given the advantage of the proposed new approach. All executions are therefore suspended, and no executions will be carried out until parliament has decided finally on the new proposals. If these proposals are accepted, every affected case will be reviewed under the new guidelines.

"Meanwhile, since 14th November 1989 no executions have taken place. New and uncompleted cases will still be judged in terms of existing law. The new proposals will only be applied only when a death sentence is passed, as in the case of those currently awaiting execution. The legislation concerned also includes other related principles, which will be announced in time by the Minister of Justice. This will now, in consultation with experts, be formulated and presented to parliament as quickly as possible. I wish to call upon everyone to treat this very sensitive matter in a responsible manner, as we do.

(4) Socioeconomic matters

"Reform implies much more than constitutional and political issues. It cannot be dealt with successfully separately from problems in other areas of life demanding practical solutions. Poverty, unemployment, housing shortages, inadequate education and training, illiteracy, health needs and many other problems obstruct progress and prosperity and an improved standard of living. Protecting the physical and human environment is of cardinal importance to the quality of our existence.

"Therefore, the government is developing a strategy with the help of investigations by the President's Council. All these challenges are being dealt with urgently and completely. Space must be created in an economically responsible manner. Existing strategies and goals are undergoing drastic re-evaluation. Important socioeconomic policy announcements will be made by the ministers responsible.

"One important matter on which a firm announcement can be made, however, is the amendment of the Separate Amenities Act of 1953. In conjunction with my address to the President's Council at the end of last year, I now announce that this act will be repealed during the present session of parliament. It is impossible for the state alone to tackle all the advancement demanded by our circumstances. The broad community and the private sector in particular also have a great responsibility for the welfare of the country and its people.

(5) The economy

"A new South Africa can only be brought into being if it is supported by a healthy, growing economy, with particular emphasis on creating jobs. With this in mind, the government has noted the advice contained in many reports by a variety of advisory bodies. The central message is that, just as its main trading partners had to do a decade or so ago, South Africa will also have to make certain fundamental structural changes to its economy.

"The significantly high economic growth period of the Western world in the sixties was brought to a standstill by the oil crisis of 1973. Drastic structural changes became unavoidable for these countries, especially after the second oil crisis of 1979, when serious imbalances developed in their economies. After great sacrifice, those countries that maintained their economic structural adjustment programmes recovered economically and, for long periods, made possible growth with low inflation.

"However, during that particular period, the Republic was temporarily protected by the rising gold price against the need to make immediate similar adjustments. Indeed, the high gold price also brought great, but temporary, prosperity. The recovery of the world economy and the decline in the price of gold and other primary products brought about unhealthier trends. These included high inflation, a serious weakening in capital productivity, stagnation in the economy's ability to generate income and employment opportunities. All of these made a drastic structural adjustment of our economy inevitable.

"The government's basic point of departure is to reduce the role of the public sector in the economy and to give the private sector maximum opportunity for optimal performance. In this process, preference has to be given to allowing market forces and a sound competitive structure to bring about the necessary adjustments.

"Naturally, those who make and implement economic policy have a major responsibility, at the same time, to promote an environment optimally conducive to investment, job creation and economic growth by means of appropriate and properly co-ordinated fiscal and monetary policy. The government remains committed to this balanced and practical approach. By means of restricting capital expenditure in parastatal institutions, privatisation, deregulation and curtailing government expenditure, substantial progress has already been made towards reducing the role of the authorities in the economy. We shall persist with this in a well-considered way.

"This does not mean the state will forsake its indispensable development role, especially in our particular circumstances. On the contrary, it is the precise intention of the government to concentrate an equal portion of its capacity on these aims, through meticulously determining priorities. Following the progress that has been made in other areas of the economy in recent years, it is now an opportune time to devote special attention to economic supply.

"Fundamental factors that will contribute to the success of this restructuring are: the gradual reduction of inflation to levels comparable to those of our political trading partners; the encouragement of personal initiative and savings; the subjection of all economic decisions by the authorities to stringent financial measures and discipline; and rapid progress with the reform of our system of taxation and the encouragement of exports as the impetus for industrialisation and earning foreign exchange.

"These and other adjustments will require sacrifice and have to be seen as prerequisites for a new period of sustained growth in productive employment in the 90s. The government is very much aware of the necessity of proper co-ordination and consistent implementation of its economic policy. For this reason, the establishment of the necessary structures and expertise is needed to ensure this co-ordination is being given preference.

"This applies both to the various functions within the government and to the interaction between the authorities and the private sector. Obviously the government is very much aware of the necessity of proper co-ordination and consistent implementation of its economic policy. For this reason, the establishment of the necessary structures and expertise to ensure this co-ordination is being given preference. I shall confine myself to a few specific remarks, including one aspect of fiscal policy that has been a source of criticism of the government for sometime, namely state expenditure.

"The government's financial year ends in only two months' time, and several other important economic indicators for that 1989 calendar year are still subject to refinement at this stage. Nonetheless, several important trends are becoming increasingly clear. I am grateful to be able to say that we have apparently succeeded, to a substantial degree, in achieving most of our economic goals."

In respect of government expenditure, the budget for the current financial year will be the most accurate in many years. The financial figures will show that government expenditure is thoroughly under control, that our normal financing programme has not exerted any significant upward pressure on rates of interest, and that we will close the year with a surplus, even without taking the income from the privatisation of ISCOR [South African Iron and Steel Corporation] into account.

Without pre-empting this year's main budget, I wish to emphasise that it is also our intention to co-ordinate fiscal and monetary policy in the coming financial year in a way that will enable us to achieve the ensuing goals, namely that the present downturn will take the form of a soft landing, which will help to make adjustments as easy as possible; that our economy will consolidate before the next upward phase so that we will be able to grow from a sound base; and that we shall persist with the implementation of the required structural adaptations in respect, among other things, of the following: easing the tax burden, especially on individuals; sustained and adequate generation of surpluses on the current account of the balance of payments; and the reconstruction of our gold and foreign exchange reserves.

It is a matter of considerable seriousness to the government, especially in this particular period of our history, to promote a dynamic economy which will make it possible for increasing numbers of people to be employed and share in rising standards of living.

[(6) Negotiation]

In conclusion, I want to turn to negotiation. I wish to focus the spotlight on the process of negotiation and related issues. At this stage, I am refraining deliberately from discussing the merits of numerous political questions which undoubtedly will be debated during the next few weeks. The focus now has to fall on negotiation. Practically every leader agrees that negotiation is the key to reconciliation, peace and a new and just dispensation. However, numerous excuses for refusing to take part are advanced. Some of the reasons being advanced are valid, others are merely part of a political chess game. While the game of chess proceeds, valuable time is being lost.

Against this background, I committed the government during my inauguration to giving active attention to the most important obstacles in the way of negotiation. Today, I am able to announce far-reaching decisions in this connection. I believe that these decisions will shape a new phase in which there will be a movement away from measures which have been seized upon as a justification for confrontation and violence. The emphasis has to move, and will move now, to a debate and discussion of political and economic points of view as part of the process of negotiation. I wish to urge every political and community leader in and outside parliament to approach the new opportunities which are being created constructively. There is no time left for advancing all manner of new conditions that will delay the negotiating process.

The steps that have been decided are the following: the prohibition of the African National Congress, the Pan-Africanist Congress, the South African Communist Party and a number of subsidiary organisations have been rescinded. I

repeat: the steps that have been decided are the following: the prohibition of the African National Congress, the Pan-Africanist Congress, the South African Communist Party and a number of subsidiary organisations has been rescinded.

People serving prison sentences merely because they were members of one of these organisations, or because they committed another offence which was merely an offence because a prohibition of one of the organisations was in force, will be identified and released. Prisoners who have been sentenced for other offences, such as murder, terrorism and arson, are not affected by this.

The media emergency regulations, as well as the education emergency regulations, are being abolished in their entirety. The security emergency regulations will be amended to still make provision for effective control over visual material pertaining to scenes of unrest.

The restrictions in terms of the emergency regulations on 33 organisations are being rescinded. The organisations include the following: the National Education Crisis Committee, South African National Students' Congress, United Democratic Front, COSATU, Die Blanke Bevrydingbeweging van Suid Afrika [White Liberation Movement of South Africa].

The conditions imposed in terms of the security emergency regulations on 374 people on their release are being rescinded, and the regulations which provide for such conditions are being abolished. The period of detention in terms of the security emergency regulations will be limited henceforth to six months. Detainees also acquire the right to legal representation and a medical practitioner of their own choosing.

These decisions by the cabinet are in accordance with the government's declared intention to normalise the political process in South Africa without jeopardising the maintenance of the good order. They were preceded by thorough and unanimous advice by a group of officials, which included members of the security community. Implementation will be immediate and, where necessary, notices will appear in the 'Government Gazette' from tomorrow.

The most important facets of the advice the government received in this connection are the following:

"The events in the USSR and Eastern Europe to which I have already referred weaken the ability of organisations which were previously receiving strong support from those quarters. The activities of the organisations that are now derestricted no longer hold the same degree of threat to internal security which originally made their banning necessary.

"There have been important shifts of emphasis in the declarations and views of the most important organisations involved, which indicate a new approach and a preference for peaceful solutions. The South African Police are convinced that, in the present circumstances, they are in a position to combat violence and other crime, even by members of these organisations, and to bring offenders to justice without the assistance of restrictions on organisations.

"On one matter there must be no doubt: the lifting of the ban on the named organisations does not mean in any way the approval or condonation of terrorism or crimes of violence committed under their banners, or which may be committed in

the future. It must also not be interpreted as a deviation from the government's stand in principle against, among other things, their economic policies and aspects of their constitutional policies. Those matters will be dealt with in debate and negotiation.

"At the same time, I wish to emphasise that the maintenance of law and order dare not be endangered. The government will not neglect its duty in this regard. Violence, from whatever quarter, will be combated with all force possible. Peaceful protest must not become the springboard for lawlessness, violence and intimidation. No democratic country can tolerate that.

"Strong emphasis will be placed on even more effective application of the law. The proper provision of manpower and means to the police and all involved with the course of justice will be assured. Indeed, next year's budget will begin to address this matter. I wish to thank all the members of our security services and related services for their dedicated service to the Republic of South Africa. Their dedication makes reform in a stable climate possible."

On the state of emergency, I have been advised that an emergency situation which justifies these special measures which have been retained still exists. There is still conflict, which is manifesting itself mainly in Natal, but as a consequence of the country-wide political power struggle. In addition, there are indications that radicals are still trying to disrupt the possibilities of negotiation by means of mass violence.

It is my intention to terminate the state of emergency completely, as soon as circumstances justify it, and I request the co-operation of everybody towards this end. Those responsible for unrest and conflict have to bear the blame for the continuing state of emergency. In the meantime, the state of emergency, as now amended, is inhibiting only those who use chaos and disorder as political instruments. Otherwise, the rules of the game under the state of emergency are the same for everybody.

Against this background, the government is convinced that the decisions I have announced are justified from the security point of view. However, these decisions are justified from a political point of view as well. Our country and all its people have been embroiled in conflict, tension and violent struggle for decades. It is time for us to break out of the cycle of violence and to break through to peace and reconciliation. The silent majority is yearning for this; the youth deserve it. With the steps the government has taken it has proven its good faith, and the table is laid for sensible leaders to begin talking about a new dispensation to reach an understanding by way of dialogue and discussion.

The agenda is opened, and the overall aims to which we are aspiring should be acceptable to all reasonable South Africans. Among other things, those aims include: a new democratic constitution; universal franchise; no domination; equality before an independent judiciary; the protection of minorities, as well as of individual rights; freedom of religion; a sound economy based on proven economic principles and private enterprise; dynamic programmes directed at better education, health services, housing and social conditions for all.

In this connection, Mr Nelson Mandela could play an important part. The government has noted that he has declared himself to be willing to make a constructive contribution to the peaceful political process in South Africa.

I wish to put it plainly that the government has taken a firm decision to release Mr Mandela unconditionally. I am serious, I am serious about bringing this matter to finality without delay. The government will take a decision soon on the date of his release. Unfortunately, a further short passage of time is unavoidable.

Normally, there is a certain passage of time between the decision to release and the actual release of prisoners, because of logistical and administrative requirements. In the case of Mr Mandela, there are factors in the way of his immediate release, of which his personal circumstances and safety are not the least. He has not been an ordinary prisoner for quite some time. Because of that, his case requires particular circumspection.

Today's announcements, in particular, go to the heart of what black leaders, also Mr Mandela, have been advancing over the years as their reason for having resorted to violence. The allegation has been that the government did not wish to talk to them and that they were deprived of their right to normal political activity by the prohibition of their organisation. Without conceding that violence has ever been justified, I wish to say today to those who argue in this manner: the government wishes to talk to all leaders who seek peace.

The unconditional lifting of the prohibition of the said organisations places everybody in a position to pursue politics freely. The justification for violence which was always advanced, therefore no longer exists. These facts place everybody in South Africa before a fait accompli. On the basis of numerous previous statements, there is no longer any reasonable excuse for the continuation of violence.

The time for talking has arrived, and whoever still makes excuses does not really wish to talk. Therefore, I repeat my invitation with greater conviction than ever: Walk through the open door, take your place at the negotiating table together with the government and other leaders who have important power bases inside and outside of parliament. Henceforth, everybody's political points of view will be tested against their realism, their workability and their fairness. The time for negotiation has arrived.

Those political leaders who have always resisted violence: I say thank you for your principled stand. These include all the leaders of parliamentary parties; leaders of important organisations and movements, such as Chief Minister Buthelezi; all of the other chief ministers; and urban community leaders. Through their participation and discussion, they have made an important contribution to this moment in which the process of free political participation is able to be restored. Their places in the negotiating process are assured.

"During my inauguration address, I said the following: All reasonable people in this country, the whole majority, are anxiously waiting for a message of hope. It is our responsibility as leaders on all levels to convey that message realistically, with courage and conviction. If we do not succeed, the resulting chaos and the crumbling of stability and the crumbling of progress will forever be held against us. History

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has placed a tremendous responsibility on the shoulders of this country's leadership, namely the responsibility of moving our country away from the current course of conflict and confrontation.

"We, the leaders of our people, can do this. The eyes of responsible governments throughout the world are focused on us. The hopes of millions of South Africans are fixed on us. The future of southern Africa depends on us. We dare not waver or fail. This is where we stand. In the face of tremendous challenges to our responsibility, we are determined to go forward in faith and with conviction."

I ask of Parliament to assist me on the road ahead. There is much to be done. I call on the international community to re-evaluate its position and to adopt a positive attitude towards the dynamic evolution which is taking place in South Africa. I pray the Almighty Lord will guide and sustain us on our course through uncharted waters and will bless your labours and deliberations.

Mr Speaker, Members of Parliament, I declare this second session of the ninth parliament of the Republic of South Africa officially open."
