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**SPEECH BY F W DE KLERK TO THE ADELE SEARLL LADIES 100 CLUB:
MOUNT NELSON HOTEL, CAPE TOWN,
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SOUTH AFRICA 2011: THE BALANCE BETWEEN FAILURE AND SUCCESS

It is a great pleasure for me to address this gathering of Cape Town's most influential women leaders. The venue is also splendid. I always enjoy returning to the Mount Nelson - which is one of our most venerable and elegant hotels.

Most of us will also agree that no matter how far - or how often - we travel it is very difficult to find a city that is as beautiful as Cape Town. I travel a great deal and firmly believe that this is the best place in the world in which to live.

There is so much of which we South Africans can be justifiably proud:

- The resilience of our young democracy has once again been illustrated by last month's successful municipal elections. The elections were free and fair and were preceded by vigorous political debate. Sadly, the great majority of South Africans still voted according to their race. However, there are heartening signs that significant numbers have decided to break racial ranks by voting according to their values and their perceptions of the performance of the contending parties.
- The sound macro-economic policies that Trevor Manuel has implemented have brought us sustained economic growth that was only briefly interrupted by the recent global economic downturn.
- Most countries would envy the fact that our public debt is less than 36% of GDP - and external debt is only 16% of GDP.
- We have the 24th largest economy in the world. We produce more than 30% of the GDP of sub-Saharan Africa with only 6.5% of its population.
- Our natural resources are legendary - including gold and diamonds, platinum group metals and abundant and inexpensive coal.
- Nevertheless, tourism now contributes 8.3% of GDP - considerably more than mining. We have superb game parks, mountains and beach resorts. Cape Town is one of the world's premier destinations with great facilities including three of the world's top 100 restaurants.
- Automobile production now contributes almost as much to GDP as mining. In 2008 we produced 600 000 vehicles of which 170 000 were exported.
- Government has made great progress in improving the lives of millions of South Africans. It has built 4 million houses and had brought electricity and sanitation to more than 72% of our homes.
- According to the World Economic Forum's Global Competitiveness Report our auditing and reporting standards and regulation of securities exchanges are the best in the world. We are also in the top seven with regard to the soundness of our banks, financial services and the efficacy of corporate boards. The Report also gives us high marks for the quality of our management schools, our anti-monopoly policy and local supplier quality.
- South Africa has resumed its position as a respected and influential member of the international community - and has become a member of the exclusive BRICSA group.

- The magnificent success of the 2010 FIFA World Cup has shown the world what glories we South Africans can achieve when we all work together.

However, there are many things of which we are not so proud.

We see them in the daily barrage of press reports about corruption, crime, incompetence and divisive racial politics.

Unfortunately, we are becoming so conditioned by such reports that our responses have been deadened. Developments, that in other countries would lead to the fall of governments, are routinely brushed aside by South Africans as being just more of the same old tiresome thing. Among many of us there is a feeling of disempowerment - and almost of detachment.

My message to you today is that we have a Constitution that empowers all of us. We must not allow ourselves to be lulled into a situation where we no longer respond to situations that are constitutionally, morally and politically unacceptable.

- It is unacceptable to sing songs calling for the shooting of anyone. The historical context is irrelevant. It would be equally unacceptable for Afrikaners to sing Boer War songs calling on people to shoot the English - or for Americans to sing World War II songs about killing Japanese people. It is incomprehensible that the government of a non-racial democracy continues to support this song.
- It is unacceptable for Julius Malema to call whites criminals - and to add that they should be treated as criminals and that their land should be seized without compensation. It is even more unacceptable for President Zuma to sit on the same platform, smiling, while Malema, as a key office bearer in the ANC, makes such racist comments. Malema's behaviour is irreconcilable with the Constitution that the President has sworn an oath to uphold.
- It is unacceptable for the Judicial Services Commission to ignore unambiguous constitutional requirements regarding the manner in which it should be constituted - and then to refuse to fill vacancies on the Cape bench, despite the availability of eminently fit and proper candidates, simply because they happen to be white.
- It is unacceptable for COSATU and the SACP to set as their mid-term vision the utterly unconstitutional goal of "worker hegemony in all sectors of the state and society."
- It is unacceptable for Gugile Nkwinti, our Minister of Rural Development and Land Reform, to declare in Parliament last year that all "colonial struggles are about two things: repossession of the land and the centrality of the indigenous population." Just think for a moment about the implications of this statement. He is actually saying that
 - the colonial struggle is not yet over;
 - whites are colonialists whose land must be repossessed;
 - only South Africans who are 'indigenous' should be regarded as being central to our society. People from minority communities must presumably be content with a peripheral or second-class status.

Can one imagine the outcry that would rightly ensue if a member of the United States government were to call for the re-establishment of the centrality of the white majority?

Much of the legislation that is currently before Parliament is equally unacceptable:

- Although the Protection of Information Bill has been improved, it will, as things stood a few days ago, still inhibit journalists from publishing stories on corruption and incompetence,

based on leaked government information. They will still not be able to make use of a public interest defence and will still be liable to long terms of imprisonment without the option of a fine. Officials in more than 1 000 state organs will still be able to classify any documents that they think will affect 'national security' and the state itself will still be the arbiter in the process.

- The Land Tenure Security Bill is equally problematic. It will create unlimited rights for farm workers to build communities, graze animals and cultivate crops on the farms where they work. At the same time it will impose unlimited obligations on farmers to provide land, services and training to farm workers. Ironically, it will also weaken the tenancy rights of farm workers.
- The Labour Relations Amendment Bill is intended to end the practice of labour brokering and contract employment in our economy. Employers will be forced to convert the 3,7 million contract jobs in the economy to permanent jobs. Estimates are that they would re-employ no more than 60% of those involved - which would result in the loss of 1,5 million jobs at the very time when President Zuma has quite rightly identified job creation as our main national priority.

One could mention many other unacceptable aspects of our society:

- the parlous state of our education and health systems;
- unsustainable levels of unemployment;
- the failure of half of our municipalities;
- the deplorable levels of crime;
- the inefficiency of most government departments; and
- recurrent reports of endemic corruption and incompetence.

Unfortunately, South Africans are in danger of allowing this dismal litany to pummel them into accepting the unacceptable as part of the daily reality of their new society. They must not do so.

The fulcrum on which South Africa's future will pivot is our Constitution. It is a carefully balanced document that represents an historic compromise between all the significant sectors of our society. It makes provision for a fully democratic society; it is based on the rule of law; it protects the fundamental rights of all our citizens; it entrenches our language and cultural rights; it envisages a society based on equality and human dignity. It is a transformative document that rightly rejects the status quo. If we can maintain this excellent Constitution I am confident that our future will be secure.

I believe that we are approaching a pivotal point in our history where all South Africans of goodwill, regardless of their race, circumstances or political affiliation will have to rally around the constitutional rights, values and vision upon which our new non-racial democracy has been established.

The country is balanced between success and failure. If the forces of history come down on the side of constitutional values we can all look forward to a positive future. However, if the balance tips against the constitution, the consequences for all South Africans could be very dire.

The main force seeking to disturb the constitutional balance is the ANC's National Democratic Revolution.

According to the ANC's Strategy and Tactics analysis, the establishment of our non-racial constitutional democracy in 1994 was not the end of the liberation struggle - but only a beach-head on the way to the ultimate goals of the revolution.

In the ANC's own words

"...The notion that South Africans embraced and made up (after the 1994 settlement), and thus erased the root causes of previous conflict, is thoroughly misleading. April 1994 was neither the beginning nor the end of history. The essential contradictions spawned by the system of apartheid colonialism were as much prevalent the day after the inauguration of the new government as they were the day before."

The ANC admits that it had to make painful compromises in the constitutional negotiations because of the then prevailing balance of forces between it and the former government. Its first priority was accordingly to shift the balance of forces in its favour by seizing what it calls the levers of state power. The levers of state power include "the legislatures, the executives, the public service, the security forces, the judiciary, parastatals, the public broadcaster, and so on."

Developments during the past 17 years have shown that this is not just empty rhetoric. Assisted by its unconstitutional use of cadre deployment, the ANC has taken vigorous steps to take over - or to try to take over - all these institutions. In the process it is obliterating the constitutional borders between the party and the state; it is undermining the independence of key constitutional institutions; and it is opening the way to large-scale corruption and government impunity.

The ultimate goal of the NDR is a 'non-racial democracy' - in which all aspects of control, ownership, management and employment in the state, private and non-governmental sectors will broadly mirror the demographic composition of South Africa's population.

Like the communist ideal of the 'classless society', the non-racial democracy has a superficial appeal - but is equally unattainable in practice.

Closer examination reveals that demographic representivity would simply result in racial domination - what the ANC calls "African hegemony" - in every facet of the government, society and the economy. To achieve its goal of eliminating what the ANC regards as "apartheid property relations" the NDR would require massive and forced redistribution of property and wealth from the white minority to the black majority. It would also require the disemployment of large numbers of people from minority communities.

Whites, Coloureds and Asians would be corralled into demographic pens in all aspects of their economic and professional lives according to the percentage of the population they represent. The prospects of South African citizens would once again be determined by the colour of their skins - and not by their skills, their contribution to the economy or by what Martin Luther King called the content of their character.

Nearly all of the unacceptable developments that I have listed - including Malema's inflammatory rhetoric, the JSC's behaviour; Gugile Nkwinti's land reform proposals, cadre deployment, the failure of municipalities and government departments - can be traced back, directly or indirectly, to the NDR's corrosive and unconstitutional ideology.

The NDR is, in essence, the continuation of the ANC's pre-1994 revolutionary struggle against segments of our population based primarily on their race.

Let me put it plainly:

Achievement of the NDR's goals as expounded in the ANC's Strategy and Tactics documents would end any prospect for racial harmony in South Africa. It would destroy the basis for national unity that we created in 1994; it would lead to national disintegration; to the loss of hundreds of thousands of people with indispensable skills and to the collapse of Africa's largest and most sophisticated economy.

None of this is necessary.

No reasonable South African would question the need to promote genuine equality; to achieve fair and sustainable land reform; and to remove any barriers that might remain to black advancement in the economy or in any other sector of our national life. We would, however, disagree fundamentally with the ANC on the manner in which we should achieve these objectives.

South Africans urgently need to speak to one another and to the government on the best ways of achieving these goals.

Such a dialogue is necessary because many ANC members truly believe the myths and historic distortions that underlie the NDR. They really think that the NDR will build 'a society based on the best in human civilisation in terms of political and human freedoms, socio-economic rights, value systems and identity'. Black intellectuals sincerely propound ideas that

- blacks cannot be racists;
- the land that whites occupy was 'stolen' from the blacks - even it was purchased after 1994; and that
- white wealth was acquired solely - or primarily - through the exploitation of blacks.

We need to talk with one another in the frank and constructive way that we did during the negotiations of the early 1990s.

At the same time it is essential for all people of goodwill to oppose the threats that the NDR poses to our constitutional accord.

The main safeguards against the further erosion of the Constitution lie in

- the genuine support for the Constitution that still exists among many principled ANC members;
- the Government's reluctance to alienate international opinion and foreign investors by breaching global governance and economic policy norms;
- our Courts, which are for the most part still courageously free and fair; and,
- finally, in South Africa's free media, civil society institutions and opposition parties.

The media and civil society have an impressive track record in defence of the Constitution:

- the TAC successfully pressured the Government to change its disastrous approach to AIDS;
- in 2006 civil society persuaded the Mbeki presidency to withdraw the Constitution 14th Amendment Bill that would have seriously undermined the independence of the judiciary;
- in 2008 civil society actions led the government to shelve an expropriation bill that would have made it possible for government to expropriate property without payment of court-approved compensation;
- currently, civil society and the media are combating the Protection of Information Bill and proposals for a Media Appeals Tribunal;
- a single citizen, Hugh Glenister, succeeded in the Constitutional Court in having the government's abolition of the Scorpions declared illegal;

- I am confident that civil society together with NEDLAC will be able to stop, or greatly ameliorate, the worst excesses in the labour and land reform bills that are currently before Parliament.

But it will not be an easy process. The defence of liberty has always been a hard and difficult struggle.

The media, civil society and opposition parties will need all the support they can get from people of goodwill inside South Africa and in the international community to continue to play their role.

My message to the Adele Searll Ladies Club is this:

- Do not regard today's lunch as just another item in your busy calendars;
- Do not accept developments in South Africa that would be unacceptable in any other genuine democracy in the world;
- Think about - and actively support - other, much more effective, ways of promoting genuine equality, non-racialism and a better life for all our people;
- Consider the concrete steps that you can take to support the work of NGOs - like our own Centre for Constitutional Rights - that are fighting night and day to protect our Constitution - and your own fundamental rights.

I can assure you that your future happiness, prosperity and security - and the future of everyone in this country - depend on it.