

**SPEECH BY FORMER PRESIDENT FW DE KLERK TO THE CAPE TOWN PRESS CLUB 5
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DEALING WITH THE PAST

It is once again a great pleasure for me to address the Cape Town Press Club.

I shall spend a little more time today on the past than on the future – because, at the age of 84, I have much more past than future – and also because the past has become an increasingly contentious issue, not only for the present – but also for the future.

It is with some trepidation that I venture into this area – since the past has become a minefield – where a single misplaced step can cause grievous reputational damage – not only here - but throughout the whole post-modernist world. I set off a landmine on 14 February when I reacted in anger to the manner in which Elita and I had been treated the previous evening at the opening of Parliament.

I should like to place the remarks I made then in their proper perspective – without, I hope detonating any further explosions.

We are all, for better or worse, the products of the times into which we were born. This is true of Julius Caesar, of Genghis Khan, of Thomas Jefferson, of King Shaka, of Winston Churchill, Nelson Mandela – indeed, of all of us.

I was born 84 years ago into a world that was a universe away from where we are today. My world was rooted in the Afrikaner nationalism and dopper Calvinism of my family. We were passionately committed to the resurrection of the Afrikaner nation. The memories of the Anglo-Boer War were still raw and painful. During that war our people were the victims of a crime against humanity in the course of which we lost almost 10% of our population - most of whom were women and children who died in British concentration camps. We remembered with bitterness Lord Milner's attempts to deprive us of our language and culture. Our opponents were the British – and Afrikaner 'Sappe' – who saw their future in the British Commonwealth rather than in an Afrikaner Republic.

At that time, black people – shockingly - were not included in political equations anywhere. Africa was still under colonial domination. Attitudes to black people – in South Africa and throughout the world – were paternalistic at best – and cruelly repressive and exploitative at worst.

Although we now find it incomprehensible, before the Second World War, racial, gender and class discrimination were regarded as natural facets of human relationships.

After World War II these attitudes began to change. A new value system began to emerge that found expression in the 1948 United Nations Universal Declaration of Human Rights - which proclaimed that

"Everyone is entitled to all the rights and freedoms set forth in this Declaration without distinction of any kind such as race, color, sex, language, religion..."

This was one of the most important advances in human history. Within 70 years it led to a world that is freer, kinder and fairer for billions of people.

It also had profound implications for South Africa.

In 1948 - the same year as the Universal Declaration – the National Party came to power. **Its apartheid policies – rooted in pre-war conceptions of race - were the absolute antithesis of the new universal value system.** They violated many of its core principles - including the rights to equality, dignity and non-discrimination. They denied non-white people the rights to nationality; to freedom of movement and residence; to marry whomever they wished; to own property; to freedom of expression; - and to take part in the government of their country.

As I stated on 17 February, these policies, codified under the name ‘apartheid’, constituted a crime against humanity in terms of the 1998 Statute of Rome’s definition.

Harold Macmillan drew attention to South Africa’s growing divergence from the rest of the post-war world when he told the South African parliament in 1960 that

“the wind of change is blowing through this continent, and whether we like it or not, this growth of national consciousness is a political fact.”

Interestingly, he gave recognition to the nationhood of white South Africans in the same speech: *“...here in Africa you have yourselves created a free nation. A new nation. Indeed, in the history of our times yours will be recorded as the first of the African nationalists.”*

The next 30 years were dominated by escalating confrontation between what Macmillan had described as this “new” and “free” European-descended nation, on the one hand, and the rising tide of black national consciousness on the other.

Hendrik Verwoerd’s response to this changing world was to embark on what he saw as South Africa’s own process of internal decolonisation. Each black nation would be given its own state – within a mere 13,7% of the country - in which its citizens would be able to develop to any level. These countries would work together with the white South African nation in a ‘commonwealth of Southern African states’.

However, Verwoerd’s policies served only to deepen the injustices of apartheid. His monumental exercise in social engineering - involving countless bureaucratic humiliations - culminated in the forced removal of more than two million South Africans from their homes. It failed to address the political rights of Indian and Coloured South Africans, and it ignored the growing black majority in the so-called

white areas. It led to further violations of the human rights – including the removal of the Coloured population from District Six.

For two decades it deluded young Afrikaners like myself into imagining that we had a just solution to the complex problems of our country.

After the 1976 uprisings South Africa entered a vortex of deepening isolation and escalating conflict.

By the end of the 1970s it had become clear that Verwoerd's ideology had failed. In 1978 PW Botha became Prime Minister and declared that "we would have to adapt or die".

Those of us in leadership positions in the National Party were increasingly disturbed by the fundamental injustice and apparent hopelessness of the situation in which we found ourselves. However, the solution that the world was demanding of us was that we would have to surrender our right to national self-determination. The world was asking us to abandon the central goal for which we had struggled for more than 150 years. **For us, it was like asking the Israelis to accept the outcome of a one-man, one-vote election in the broader Middle East.**

We had substantial – and well-founded - existential fears:

- how would we be able to ensure the fundamental language, cultural and property rights of minorities in such a situation? What assurance was there that we would be treated fairly by a majority with genuine grievances about the past?
- how could we be sure that one-man, one-vote would not lead to the chaos, tyranny and economic decline that had characterised the decolonisation process in so many other parts of Africa? Post-independence Africa was littered with torn-up constitutions. By the mid-1980s there had already been more than 80 coups in Africa and there were only two or three genuine democracies.
- Finally, we were worried about communism. This was not "reds under beds". Throughout the 70s and the 80s virtually all the members of the ANC's National Executive Committee in exile were also members of the SA Communist Party. The SACP wrote the Freedom Charter and formulated the ANC's National Democratic Revolution ideology. It controlled the ANC's armed wing. The Soviet Union was the ANC's principal supporter and was actively involved in a major military intervention in southern Africa.

We searched desperately for solutions.

We tried reform:

- in the early 1980s we extended trade union rights to all workers;
- in 1983 we tried to include the Coloured and Indian minorities in the same polity as whites;
- by 1986 we had repealed about 100 apartheid laws and measures – including the hated pass laws and the Immorality Act;
- we established the same matriculation standards for all population groups;

- we extended substantial powers to black municipalities and restored black property rights; and
- throughout the 80s we searched for power-sharing models that could accommodate the political rights of all South Africa's peoples.

However, these reforms simply poured petrol on already inflamed expectations: the ANC's battle cry was not "Reform!" – it was "Amandla!"

The struggle was not merely about the repeal of apartheid laws: it was about power.

Nevertheless, South Africa was already changing. Rapid economic growth during the 1960s and 1970s was impacting economic relationships and political attitudes:

- the non-white share of disposable income rose from 29% in 1960 to almost 50% in 1994;
- by 1994 three times as many black youths were passing matric as whites – and there were more black students enrolled at university than whites;
- the economy was becoming inextricably integrated with more and more young black South Africans moving into white collar jobs;
- a whole generation of Afrikaners had moved into the middle class. They no longer shared the fiery nationalism of their parents; they were going to university and were exposed to international influences: as a result, they were becoming increasingly uncomfortable with apartheid.

By 1986 the National Party had accepted that there was no possibility that we would be able to retain our untrammelled right to national self-determination - because there was nowhere in South Africa where we came close to being a majority. We accepted - with enormous trepidation - that the only solution to our problems lay in reaching agreement with the genuine representatives of all South Africans on a new and inclusive constitution.

There are those who claim that we did not enter into negotiations "through the goodness of our hearts" – but were forced to do so by the ANC's armed struggle and because of our collapsing economy.

This is not true.

We initiated negotiations at the beginning of 1990 - not because we were weak – but because we were far stronger than we had been for years:

- by 1987 the ANC had accepted that it could not achieve victory through armed struggle;
- 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;

- in November, 1989 the fall of the Berlin Wall signaled the collapse of Soviet Communism and left our principal opponent, the SACP, in disarray. It was an enormous victory for liberal democracy and for free market economics;
- despite serious challenges - the economy was growing at 2,7% - faster than it has done during the past five years.

But above all, we genuinely wanted to find a just and lasting solution to the vexatious problems that had divided us for generations. We wanted to create a better country for all our children.

Nelson Mandela realised this: on 15 April 1996 he said that

“Afrikaners had played a special role and occupied a singular position in the transition that our country has made. It was their leaders who took the unprecedented step of participating in the negotiated transfer of political power. In the process they – as a group – had to give up their sole right to power and access to economic advantage.”

I realised that the circumstances for successful negotiations would never again be so favourable. So on 2 February 1990, I removed all the possible obstacles to constitutional negotiations. My colleagues and I leapt through the window of opportunity that had been blown open by the winds of change from Eastern Europe.

It was 30 years – less one day – after Macmillan’s ‘Wind of Change’ speech.

Now, 30 years later, the new constitution that we negotiated is still in place – but it is under growing pressure.

According to the ANC’s Strategy and Tactics documents the breakthrough of 1994 was simply a tactical ploy to achieve state power. Now that the balance of forces has shifted, the ANC believes that it can dispense with some of the sacred agreements that lie at the heart of the 1996 constitution:

- the language and cultural rights that we included in the constitution are being seriously eroded; English has become the sole *de facto* official language and little or nothing has been done to develop our indigenous languages;
- the government plans to amend the constitution to make it possible to expropriate property without compensation;
- increasingly stringent BEE measures are progressively limiting the economic space within which minorities can operate; and, most seriously
- South Africa can no longer be described as a nonracial society. The crucial protection that citizens enjoyed against unfair discrimination has, for all intents and purposes, been stripped away - sometimes by the very courts and institutions to which minorities looked for their protection;

South Africa in 2020 is once again one of the most racially regulated societies in the world.

Instead of healing the divisions of the past – as our constitution requires – we are more deeply divided by differing perceptions of our past than at any time since 1994.

How should we deal with these toxic divisions?

Firstly, the Constitution requires us to acknowledge the injustices of the past. It is essential to do so and to apologise for the harm inflicted by apartheid – as I have done, with genuine sincerity, on numerous occasions.

My apology is not just words and lip service. It is grounded in a deep and growing understanding of the pain, humiliation and damage that apartheid has caused for a majority of all South Africans.

It is in this spirit that my colleagues and I repealed the last vestiges of apartheid legislation before we opened the way to negotiations on a new and inclusive non-racial constitution. It is in this spirit that almost 70% of white South Africans supported the constitutional negotiations in the 1992 referendum.

Secondly, we should follow the prescripts of the constitution when dealing with the legacy of the past:

- there must be restitution of property that was lost as a result of the racially discriminatory laws;
- there is provision for land reform based on payment of just and equitable compensation for expropriated land;
- the state may take action to promote the equality of people who were disadvantaged by unfair discrimination (so far, the actions that it has taken have been manifestly unsuccessful); and
- we must all work together to improve the quality of life of all citizens and free the potential of each person by ensuring the progressive realization of all the rights in the constitution.

However, in implementing these constitutional prescriptions, we cannot compromise the foundational values of equality, human dignity and non-racialism on which the constitution is based.

We cannot accept a situation where some South Africans, because of their race, are regarded as morally inferior and as targets for perpetual discrimination because of the role that their ancestors played in the past.

Unfortunately, this is exactly what has been happening:

- our leaders charge that some of our people, because of their race, are the ‘bearers of original sin’ – that is, sin that is hereditary and indelible – thereby consigning them to a status of perpetual moral inferiority;
- they say that white people cannot be the ‘rightful owners of land’ – thereby shredding their right to equality before the law;

- they declare that our ancestors should never have come to South Africa in the first place – thereby negating the proposition that South African belongs to all who live in it, united in their diversity;
- judges of our highest court question whether white South Africans – and particularly Afrikaners – have a right to their own culture – thereby depriving them of their right to human dignity;
- they regard Afrikaans as being tainted because it was “the language of apartheid” – forgetting that most of its speakers were also victims of apartheid – thereby dispensing with the assurance that our languages would enjoy parity of esteem;
- a palpably double standard has been established when dealing with racist remarks by black and white South Africans – thereby diluting the right of equality before the law;
- the purveyors of a new global racial ideology tell people that because of their race they are automatically the bearers of privilege – regardless of their individual circumstances; that they are morally inferior and that their history and culture have no value. There is no place for such ideologies in a country based on the foundational value of non-racialism.

All of this is deepening dangerous cleavages in our society. It is once again propagating hurtful racial stereotypes and is creating a climate in which radical politicians are openly inciting racial animosity.

This is definitely not the way to deal with our past.

Despite all this, I remain convinced that our constitution still includes the best formula for a harmonious and successful multicultural society.

- That is why the FW de Klerk Foundation – now, and long after I am gone – will stand by that constitution as it was negotiated in our great national accord. That is why we shall continue to monitor compliance with the rights it proclaims and the institutions that it has created – and insist that they should be respected;
- the Foundation will also continue to pay special attention to the cultural, religious and language rights that we believe are essential for healthy coexistence in multilingual and multicultural societies;
- we shall insist on the moral and legal equality of all our peoples and shall oppose racial discrimination and prejudice of any kind from any quarter; and
- the Foundation will, in addition, do everything it can to preserve and promote the heritage of our negotiated transition from the injustices of minority racial domination to the vision of constitutional justice and freedom in our constitution. This was not a victory for this party or that party. It was a victory for us all. All of us played indispensable roles in achieving what was the most remarkable accomplishment in our long and troubled history.

None of us can determine the nature of the worlds into which we are born or the injustices that we inherit from the past. All that we can do is to wrestle with the political forces of our time and try to leave the world a freer, a more just and a better place than we found it.

In 1994 the baton passed to a new generation of leaders. Their challenge is to take the political, economic and constitutional situation that they inherited and to ensure that they leave a better legacy for the next generation.

In this regard we all face tremendous problems. South Africa is a traumatized society. Traumatized by the legacy of apartheid. But also traumatized by growing poverty and unemployment, by violent crime and corruption, by gender violence and by an imploding economy.

In addressing these challenges we should learn from our past mistakes and successes:

- from colonialism we should learn the arrogance and injustice that comes from asymmetric power relations – of racial domination and of treating with disdain those with little or no political power;
- from apartheid we should learn the unacceptability of racism of any kind – of propagating negative racial stereotypes; of seeing and treating people as members of racial groups - rather than as individuals; and of consciously mistreating people on the basis of their race;
- from 'Separate Development' we should learn the danger of ignoring social and economic realities and the terrible price of trying to force human beings and economic realities to conform with narrow ideological prescriptions; and
- from our historic achievement between 1990 and 1994 we should learn that we can solve even the most intractable problems when we reach out to one another – when we understand one another's reasonable interests and concerns and when we reach agreement on a shared vision for the future.

We achieved such a vision in 1996: it is based on human dignity, the achievement of equality; the advancement of human rights and freedoms; non-racialism, non-sexism; the supremacy of the constitution and the rule of law; and the establishment of genuine multiparty system of government that is open, accountable and responsive.

The current generation of leaders will be judged by the degree to which they learn from our divided past and advance our shared vision of a far more just, a far more united and a far more equitable future.