

1/23/6

Tuynhuys



Private Bag X1000 Cape Town 8000 Tel: (021) 45-2225

09 May 1996

Constitutional Assembly
Mr. Marion Sparg
P.O Box 15
Cape Town
8000

Tel No: (021) 403-2252
Fax No: (021) 461-4487

Dear Marion,

**RE: PRESIDENT'S SPEECHES ON THE ADOPTION OF THE
NEW CONSTITUTION DAY**

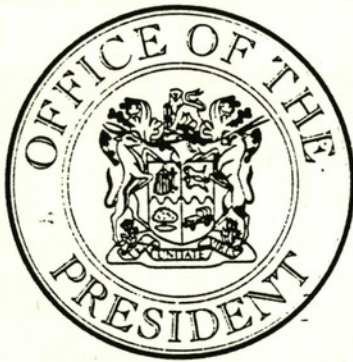
Thank you for your help with the President's addresses. Your assistance is much appreciated.

Enclosed, please find copies of the President's addresses.

Sincerely,

**TONY TREW
DIRECTOR-COMMUNICATION RESEARCH**

enc



(EMBARGO 12H45 - CHECK AGAINST DELIVERY)
ADDRESS BY PRESIDENT NELSON MANDELA AT THE UNVEILING OF
THE MURAL CELEBRATING THE ADOPTION OF THE NEW
CONSTITUTION.
Cape Town, 8 May 1996

Friends and Fellow South Africans;

In the history of our country there have been many decisive turning points. It is our privilege as South Africans to be living at a time when our nation is emerging from the darkest night into the bright dawn of freedom and democracy.

We are gathered here to celebrate the progress we have made in securing that freedom for ourselves and for those who come after us.

The moving testimony of witnesses before the Truth and Reconciliation Commission has reminded us of the injustices of the past and of the great debt we owe to those who suffered for freedom and justice. It has moved us all to renew our resolve that never again shall racial discrimination be allowed to blight the lives of our people.

We make this pledge with confidence, knowing that we stand on the solid foundation that South Africans have built in the two years since we voted in our millions for democracy, peace and a better life.

The interim constitution was born of a consensus that gave us a form of democracy which was qualified by the uncertainties and anxieties of a society yet to know democracy and equality.

Two years later that consensus has reached a higher level. We have found agreement that democracy should indeed mean government of the majority of citizens, as it means for the world; that opposition to government should be enshrined in the constitution; that local government should free itself of the divisions which apartheid forced on the areas in which we live.

The stability and tolerance which our interim democracy has given us has helped us find ways of turning our diversity into a source of strength and giving it constitutional protection and sustenance.

The right of each and every person to the basic necessities of life - shelter; food; water; health care and education - has, by consensus, become one of our fundamental guarantees.

It was your elected representatives who were charged with drawing up the constitution for our nation, but as democrats they have been guided by the people of this country.

The response to the Constitutional Assembly's public participation programme was beyond our wildest expectations. As they have done so often before, the people of South Africa have confounded the experts.

The people seized the opportunity to have a say in the fundamental law that will guide our land towards a better life.

From the educated and the illiterate; from our cities and our deepest rural areas; from business and labour; from adults and from children - too young to vote but not too young to feel their responsibility for their future : indeed, across every contour of our society, our representatives were made to feel the pulse of the new South African nation.

And so, guided by this unstoppable force for progress, our representatives mapped out the new democratic consensus in the draft law.

Such is the power of the New Patriotism that even the difficult issues found their solutions, because all were determined to seek what was common to them, rather than stand on the smaller things that divided them.

We are able, therefore, to celebrate with unrestrained joy, the adoption today of our new constitution.

It is my very special pleasure and privilege to unveil the mural which commemorates the process which has brought us to this point. It symbolises our pledge, to work together, united as a rainbow nation in our diversity, to build a better life for all our people.

Tuynhuys



Private Bag X1000 Cape Town 8000 Tel: (021) 45-2225

**[EMBARGO: 11H30 - CHECK AGAINST DELIVERY]
ADDRESS BY PRESIDENT NELSON MANDELA
TO THE CONSTITUTIONAL ASSEMBLY ON
THE OCCASION OF THE ADOPTION
OF THE NEW CONSTITUTION
Cape Town, 8 May 1996**

Honourable Deputy Chairperson of the Constitutional Assembly;
Honourable Members;
Distinguished Guests.

The brief seconds when the majority of Honourable Members quietly assented to the new basic law of the land have captured, in a fleeting moment, the centuries of history that the South African people have endured in search of a better future.

As one, you the representatives of the overwhelming majority of South Africans, have given voice to the yearning of millions.

And so it has come to pass, that South Africa today undergoes her rebirth, cleansed of a horrible past, matured from a tentative beginning, and reaching out to the future with confidence.

The nation teetered on a knife edge over the past few days, with reports of intractable deadlocks and an abyss in waiting. This was to be expected, given the difficult issues we were dealing with; and given the tight negotiating deadlines. But aren't South Africans a wonderful people, to whom the words "deadlock" and "miracle" have come to nestle in comfortable proximity; and alternately, to grip the national imagination like the plague!

Be that as it may, we dare not, in the midst of the excitement of last-minute solutions, forget the magnitude of the achievement we celebrate today. For, beyond these issues, lies a fundamental sea-change in South Africa's body politic that this historic moment symbolises.

Honourable Deputy Chairperson;

Long before the gruelling sessions of the final moments, it had been agreed that once and for all, South Africa will have a democratic constitution based on that universal principle of democratic majority rule. Today, we formalise this consensus. As such, our nation takes the historic step beyond the transitory arrangements which obliged its representatives, by dint of law, to work together across the racial and political divide.

Now it is universally acknowledged that unity and reconciliation are written in the hearts of millions of South Africans. They are an indelible principle of our founding pledge. They are the glowing fire of our New Patriotism. They shall remain the condition for reconstruction and development, in as much as reconstruction and development will depend on unity and reconciliation.

Our consensus speaks of the maturing of our young democracy. It speaks of the trust that has grown in the blast furnace of practical work, as we, together, rolled up our sleeves to tackle the real problems. Today we celebrate that coming of age.

Long before the intense moments of the last few days, you, the representatives of the people, had decided that open and accountable government will be reinforced by co-operative governance among all tiers. And thus, we strike out along a new road, in which the preoccupation of elected representatives, at all levels of government, will be how to co-operate in the service of the people, rather than competing for power which otherwise belongs not to us, but to the people.

We were therefore able, in the national interest, to locate governing powers at the level where they appropriately belong and to ensure that national parliament is not an exclusive preserve of an imaginary national politician, but the workplace in which representatives from all levels can pursue their mandate.

Through the Council of Provinces, the improvement of the status of Local Government, and the style of governance based on transparency, participation and consultation, we shall ensure that democracy indeed constitutes government by the people, for the people.

Honourable Deputy Chairperson;

The new constitution obliges us to strive to improve the quality of life of the people. In this sense, our national consensus recognises that there is nothing else that can justify the existence of government but to redress the centuries of unspeakable privations, by striving to eliminate poverty, illiteracy, homelessness and disease. It obliges us, too, to promote the development of independent civil society structures.

While in the past, diversity was seen by the powers-that-be as a basis for division and domination; while in earlier negotiations, reference to such

diversity was looked at with suspicion; today we affirm in no uncertain terms that we are mature enough to derive strength, trust and unity from the tapestry of language, religious and cultural attributes that make up our nation.

With confidence, we are asserting that the individual rights and national self-determination of the South African people shall not be inhibited, but reinforced by the collective rights of communities. Through the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, we have found an innovative way of addressing an issue which, when swept under the carpet, comes back in ugly forms to haunt the architects of artificial unity.

We are extremely proud, that the new constitution asserts equality among South Africa's languages; and that, for the first time, the languages particularly of the Khoi, Nama and San communities will receive the attention they deserve, after years of being trampled upon in the most humiliating and degrading manner.

Many new provisions on gender issues reflect the progress that we are making as a nation towards securing equality for our women compatriots who have for far too long suffered too many privations merely because of their gender. Yet it is in actual practice that our ideals and intentions will be tested.

And we have not shied away from acknowledging that we are a democracy with many other realities bequeathed by history. Not least among these realities is the role of traditional leaders, which is not only acknowledged, but is to be further elaborated upon, with their participation, in national and provincial legislation.

Indeed, Honourable Members, we can go on and on, demonstrating the new and higher level of national consensus that today's ceremony represents.

What all this reflects is that we are at last maturing to become a normal society, founded on mutual trust, bonded by mutual aspirations, and shaped by the reality of our existence rather than the fulmination of a warped imagination. In our racial, language, religious and sectoral diversity, as the weak and the mighty, we are one people with one destiny.

Today, we can proudly report to the nation that the interim mandate has essentially been fulfilled. Among others, critical institutions such as the Constitutional Court, the Human Rights Commission and others have started doing their work in the most splendid manner, conscious of the fact that their first port of call is the people rather than government on high.

In reiterating their integrity and independence, the new constitution reaffirms our commitment to the rights of citizens and the need to build genuine equality across the board.

The welcome transformation that we are affirming today, will mean that we have to redefine the role of some of the representatives in this Chamber. With the setting up of the National Council of Provinces, many Honourable Senators will enjoy the privilege of being re-deployed closer to the people.

Needless to say, this creative approach derives in part from the seriousness with which the Senate had approached its work - all the time searching for the correct solution to the question of their mandate and their relation to provincial government. For this, we congratulate them, and thank them profoundly for the enormous contribution that they have made to the beginnings of our social transformation.

We say with confidence that the interim mandate has been fulfilled, thanks also to the critical role that our security forces have played in protecting our young democracy like the apple of their eye. The new constitution recognises their importance to society. And we can say without any shadow of doubt, that it creates even better conditions for them and other public servants, to serve with pride and with dignity, in the full knowledge that their rights as citizens and as employees of the state, are protected.

Honourable Deputy Chairperson;

In the final analysis, the praise that we are apt to heap upon ourselves appears misplaced, against the backdrop of the active participation of the people in the drafting of the new constitution.

The determination of this Assembly to ensure that the people play their rightful role, and the meticulous planning and execution that this entailed, broke new ground in ways of engaging society in the process of legislation.

Reaching out through the media; opening the process to inputs from across society; and going out across the length and breadth of the country for face-to-face interactions with communities; the Constitutional Assembly reinvigorated civil society in a manner that no other process in recent times has done.

Present today in the public gallery are representatives of almost every organised sector of civil society which made their inputs into the process: the legal fraternity, women, local communities, traditional structures, and leaders of sectors dealing with business, labour, land issues, the media, arts and culture, youth, the disabled, children's rights and many more.

Beyond those present are the millions who wrote letters and who took part in public forums: from the policeman in a charge office in the furthest corner of the Northern Province, to prisoners getting together to discuss clauses, and to residents of Peddie in the Eastern Cape who continued with their meeting in pouring rain to debate the role of traditional leaders...

To all of them, we say, thank you for taking your destiny into your own hands. And we congratulate the Chairperson of the Assembly, the Deputy Chairperson, the Management Committee in which all the parties were represented, and the staff, for their dedication and drive to ensure that we attain this historic moment.

Among us are representatives of the international community who have honoured us by sharing in this, our moment of joy. Yet the boundaries that might separate our countries cannot subtract from your own labours in ensuring that South Africa achieves her freedom, and that we emerge with a constitution of which, we hope, humanity shall be proud. Directly and indirectly, your contributions and your force of example, provided the fountain from which we drank with relish.

This constitution is our own humble contribution to democracy and the culture human rights world-wide; and it is our pledge to humanity that nothing will steer us from this cause.

Honourable Members;

Ultimately, the lodestar governing our movement into the future is the unstoppable force of democracy. You have accomplished what you have, to the extent that you represented the aspirations of the people and the abiding values of our nation.

In this way, you were paying tribute to the shining example of those, like John Mafukuzela Dube, Olive Schreiner, Reverend Calata, Dr Naicker, Dr Abduraman and others who, long years ago, called for equality and democracy.

You were acknowledging the suffering of the many witnesses who are appearing before the Truth and Reconciliation Commission, and many more citizens, dehumanised, maimed and deprived, but unbowed and unshaken in their confidence in our young democracy.

You were recognising the indelible role of pioneers of the negotiations process such as Oliver Tambo and visionaries within the apartheid establishment who were able to sense the momentum of history.

Indeed, you were paying homage to Chris Hani, Johan Heyns and other martyrs whose love for their country and belief in change inspired more than their immediate supporters.

In tribute to them, we stand today before our people and humanity to present this our new basic law of the land, whose founding principles of human dignity, non-racialism and non-sexism, and whose commitment to universal adult suffrage, regular elections and multi-party democracy are immutable.

This is our national soul, our compact with one another as citizens, underpinned by our highest aspirations and our deepest apprehensions.

Our pledge is: Never and never again shall the laws of our land rend our people apart or legalise their oppression and repression. Together, we shall march, hand-in-hand, to a brighter future.