

AFRICAN NATIONAL CONGRESS



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Intervention of the President of the African National Congress, Nelson Mandela at the Second Session of the Convention for a Democratic South Africa (CODESA): Johannesburg: May 16th, 1992.

Chairpersons;
Distinguished international observers;
Fellow leaders;
Comrades, ladies and gentlemen;

We gathered here yesterday and are meeting again today in a setting which suggests continuity, stable processes and a familiar and predictable environment.

The physical circumstances in which we meet suggest that, at the end of the day, we will show progress, built on what we achieved last December, during the first historic session of the Convention for a Democratic South Africa.

Yet the overwhelming message that was communicated from this hall yesterday, both to our own people and to the international community at large, was that no progress towards the new South Africa that we all want had, in fact, been made over the last five months.

The things we did and said conveyed this perception, despite the valiant efforts that some among us made to demonstrate and insist that progress had indeed been achieved.

So often, the speeches that were delivered carried the same refrain that could not but inspire gloom and despondency, as well as a sense that we, as politicians, could do no more than speak, as I do now.

And yet the actual situation we face demands that we make a radical departure from many things which define the parameters of what we must do as these politicians.

We meet here today as we did yesterday not to play politics but because our country is in a very deep crisis.

Our people continue to die as a result of brutal violence carried out by forces that are opposed to democratic change. Fear stalks our land because none of us seem to know when the identifiable as well as faceless assassins are going to strike, whether on the trains, in the townships and villages, on the roads or elsewhere.

Many feel emboldened to carry and brandish guns, spears, battle-axes, pangas, knobkierries and other weapons of death, as though to kill, to threaten and actually to perpetrate violence against other human beings were the most natural thing in the world.

It even seems that political organisations have no problem whatsoever when their members and supporters or those who act in their name take the lives of innocent people in the pursuit of one goal or another.

In addition, the criminals who rob, rape and murder for personal benefit seem to grow in number everyday and seem to get more desperate and brutal with each passing moment.

The crisis facing our country is also expressed by the haunting reality of millions of people without jobs, without homes and without food. The lives of many of our people will be made even more miserable by the terrible drought which afflicts many parts of the country.

After many years of gross mismanagement, the economy is in decline and holds no immediate or foreseeable prospect to address any of the urgent and pressing needs of our people. On the horizon we can therefore see nothing but even more misery and further deterioration of the fabric of society, affecting all aspects of life including health, education, family life and everything else that defines human existence.

The question that faces us all is - how long can we, who claim to be the leaders of our people, sit here, talk eloquently, spin out complicated formulae and enjoy the applause while the country sinks deeper and deeper into crisis!

From where can we claim the moral right to assert that we need to move with less speed? Why do we put off till tomorrow solutions that we can today?

The people cannot postpone their hunger. Similarly they do not want their freedom postponed. Anyone of us who acts to delay that freedom only serves to perpetuate our bondage. This is a situation which none of us should be willing to accept.

And let none of us make the mistake of thinking that the people will do nothing to change their condition. Not only do the masses have the right, they have the duty to engage in struggle to change their condition, change any government or leader they see as acting against their common good.

We all know that it is the relentless struggle of these masses that has brought us to where we are today. Through their struggles, they created the possibility for a negotiated resolution of the problems of our country.

And so, when we met here last december at the first session of CODESA and as we convened again yesterday, we held out the hope that indeed we were on course towards the peaceful resolution of the problems that have plagued our country for far too long.

Clearly we cannot gather here today and send out a message to our country and the world that we have taken no steps towards the goal of ending the misery of our people. That is clearly impermissible.

What is it that our people want? What is it that our country needs?

We have to move as quickly as possible to arrive at a new constitution which must enshrine the principle of a united, democratic, non-racial and non-sexist South Africa. If there is anybody in this room who is opposed to this objective, it would be good if they would let us know.

To get to such a constitution, we need an elected constitution - making body, a democratically constituted constituent assembly. Once again, if there is anybody in this room who is opposed to this objective, it would be good if they would let us know.

With regard to this matter, there are a number of propositions that I would like to put to the convention as a whole. To help our country and people move forward, I would like anybody with a dissenting view to speak out openly against any of these propositions.

Firstly, let us all agree that we have to create a constitution - making body, elected on the basis of one person one vote, with the votes being of equal value. Is there any party here today opposed to this?

Let us all here agree that parties elected to this body will be represented within it in proportion to the number of votes they obtain. Is there any participant who is opposed to this?

Let us also agree that in addition to a national list, there will also be candidates who will be elected on a regional basis. Is there any participant who is opposed to this?

Let us further agree that the constitution - making body shall be a one chamber national assembly with sovereign powers to negotiate, draft, and adopt a new constitution. Is there anybody who is opposed to this?

Let us again agree that the work of drafting the constitution will be carried out within the framework of constitutional principles that have been and will be agreed here at CODESA. We cannot allow the interim constitution or any interim structure to be imposed upon or constrain the constitution - making body. Is

there anybody who is opposed to this?

Let us also agree that the elections we talk about shall be conducted and supervised by an independent electoral commission made up of respected members of our community and assisted by representatives of the international community. Is there anybody who is opposed to this?

The present government of our country has admitted to the fact that it is not sufficiently representative of the people of our country.

For the majority of our people, the matter however goes beyond this.

These masses consider this regime to be illegitimate. They accuse it of having brought the country to the sorry state in which it is through the pursuit of the evil and immoral system of apartheid.

They are therefore convinced that it has neither the legitimacy nor the moral authority to take the country through to its democratic transformation.

The shocking recent revelations about theft of public funds, the assassination of leaders of the democratic movement, coming on top of previous disclosures, confirm the view that the sooner all our people are able to decide who should govern the country, the better.

In the meantime, let us again agree on a number of matters.

Let us agree that by the time it adjourns, the tricameral parliament will have passed the necessary legislation to create as a statutory body with executive powers, a multi-party transitional executive council charged with the tasks of moving the country towards the adoption of a democratic constitution, levelling the playing field and creating the climate of free political activity that will enable free and fair elections to take place. Is there anybody who is opposed to this?

Let us further agree that once the elections have taken place the elected body will also be the interim parliament, operating with a new executive, together constituting an elected interim government which will remain in power until a new constitution has been adopted. Is there anybody who is opposed to this?

Our people want to hear our answers to these propositions. Without the clear commitment of each and every participant in CODESA, we shall be unable to overcome the deadlocks; unable to give the leadership our people are looking for; and unable to establish the basis for negotiations to succeed.

Having agreed to all these matters, where next should we go?

We must move speedily to conclude all outstanding matters concerning the elected constituted assembly, begin discussion about the composition and other matters related to the elected interim government and therefore agree on the interim constitution according to which this transitional government will function.

For these purposes, the management committee should meet soon after the conclusion of this session of CODESA to look at how it can restructure the working groups to ensure that we move forward urgently with regard to all these outstanding matters.

The management committee will also have to look very closely at the question of time frames in particular to determine when the elections should take place and how long the process of drawing up the new constitution should take.

Other outstanding matters must also be resolved. In this instance I refer in particular to the release of remaining political prisoners. It is quite intolerable that these fellow countrymen remain in prison while we sit here and talk piously about creating a climate of free political participation.

Let me conclude by thanking you for your patience and by urging everybody in this room with all the force at my disposal to commit themselves in word and deed to the speedy transformation of our country into a peaceful, stable, prosperous non-racial and non-sexist democracy.

And finally, a word to the government of the day. The time has come that you truly cross the rubicon. You must understand clearly that the days of white minority domination are over.

67%, 70% or 75% for adopting a new Constitution. It was about a whole approach to democracy. We cannot accept any scheme whereby an interim Constitution meant to be ~~not~~ transitional ~~and~~ is ~~not~~ made immovable except by an excessively high majority.

~~The ~~new~~ process of constitution-making is being turned back to front.~~

This would effectively make the IC the final constit. We accept special majo. for ~~2/3~~ ²/₃ maj. is reasonable too.

for Namibia. Why not for SA? Why - higher esp. if lack of good faith. Baffled with strange presidencies & even stranger Senates. Govt talks rep. sh.; must share talks about dem. - must agree to ^{lower} ~~higher~~ dem.

Says should lead help every constituent that put itself in office.

CODESA II has come and CODESA II
has gone. ~~Nothing~~ Despite all the
hard preparatory work put in, nothing
concrete has emerged. The negotiation
process has stalled. It is urgently
necessary to revive it. Our people
are impatient for elections, ^{urged to get to a}
democratic assembly to draft a new
constitution, and ^{finally to agree to incorporate} a new constitution
itself. ^{above all, anxious to live normal lives} We do not want ~~an interim~~
~~constitution~~ the present constitution -
^{not do} we want an interim ~~constitution~~ ^{that is put in}
just that, a mechanism to speed
the way to a final ~~constit~~
We cannot agree to an interim
government that goes on forever
that goes on forever.
The crisis that blocked progress
at CODESA was not simply over