

## **PART TWO: SELF-DETERMINATION AND A NEW CONSTITUTION FOR THE PEOPLE OF SOUTH AFRICA**

The ANC strongly believes in the principle of self-determination as internationally understood. Indeed, our organisation was set up precisely to overcome the national oppression of the African people manifested by the South Africa Act of 1910. For generations we have been ruled as though we were a conquered people. The Native Administration Act of 1927 set up elaborate colonial-type administrative structures to govern us. We were almost totally excluded from the vote, denied the right to acquire land in nine-tenths of the country, required to carry passes and governed by a dictatorial network of officials accountable only to Pretoria. To this day our President does not have the vote.

We know what it is like to be dominated and marginalised in the land of our birth, to be discriminated against, to have our languages and beliefs treated with disrespect and to be denied basic human rights because of our national origin. No one is more sensitive to the importance of true respect for the rights of all groups than we are.

The question is not whether to have self-determination, but how self-determination is to be expressed in a country like ours. The destinies of all South Africans are inextricably interlinked. We live together in the same cities and on the same farms. We are involved in a single economy. The problem is not how we can separate ourselves out, but how we can live together without domination or subordination.

South Africa is a country peopled by men and women of the most diverse origins. We speak many different languages, have different religions and different customs. At the same time we share the same land, have the same problems of health, education, access to economic opportunities and the pursuit of happiness. We all want peace, development, respect and a sense of security and worth.

The ANC has long believed that South Africa belongs to all who live in it. Our country is spacious enough and sufficiently endowed with resources to grant a decent life to everybody. Everyone has the right to enjoy fundamental rights and freedoms and to feel comfortable in all parts of the land.

Division has never solved any of our problems. On the contrary it has always brought with it domination, inequality and conflict. We have learnt to live together as equals in the same country. If we cannot live together peacefully in the same country, there is no reason to expect we can live together peacefully side by side.

True self-determination in South African conditions can only be achieved by means of acknowledging the reality of our inter-dependence and not by forcing an artificial and unsustainable independence. We have learnt from prolonged and painful experience that self-determination comes from enjoyment of the right to inclusion in and not from exclusion from the life of the country. It means the right to full

participation in every area of life without having to give up our beliefs, language and culture.

The self-determination of one cannot be separated from the self-determination of all. Self-determination is certainly not consistent with baasskap in any shape or form, indeed it is its complete opposite.

Concretely, self-determination in the context of the historical, social and cultural reality of South Africa means the achievement of a voluntarily negotiated constitutional settlement that contains the following basic principles:

1. The right to equal participation in all areas of life, equal protection and the enjoyment of equal benefits under the law;
2. Mechanisms to ensure non-discrimination, either against individuals or against groups.
3. The right to use and develop one's language and culture and respect for the diversity of religious faiths.
4. Principles of good government which ensure that the institutions of state represent the wisdom, skills and life experience of all groups and communities.
5. Guaranteed space for an active role for organisations of civil society including cultural, religious and linguistic organisations.

All the above principles must have appropriate constitutional entrenchment and be backed up by appropriate mechanisms of protection.

In addition two further constitutional devices will help to ensure acknowledgment of the diversity of the country.

The first is an electoral system based on proportional representation, which facilitates the formation of political groupings to represent the most varied interests.

The second is the acceptance of the importance of strong regional and local government, acting within the framework of general constitutional principles and broad national legislative policy. Regional diversity can reflect itself in a non-racial and democratic way without violating the basic unity of the country.

In conclusion we feel that it is no accident that no clarity exists in terms of the territory in which it is claimed that one particular national group, namely the Afrikaners or Boerevolk, should exercise exclusive sovereignty. If we accept that baasskap is no longer permissible, then no such region exists in the country.

We cannot believe that the majority of Afrikaners would prefer to give up full and guaranteed citizenship and cultural rights in a democratic South Africa, for the illusory dream of undefined rights in a state without boundaries, without a name, without governmental infra-structure and without international recognition.

We cannot believe that the majority of Afrikaners would wish to de-nationalise themselves in South Africa so that they would need residence permits to continue living in Bellville or Algoa Park, that they would wish to register at Stellenbosch University as foreign students or have to show a passport in order to attend a rugby game at Ellis Park.

We cannot believe that the majority of Afrikaners would wish to deny themselves any right to be members of the South African Defence Force, the South African Police, or the South African civil service; nor that they would wish to disqualify themselves from working for the South African Broadcasting Corporation or to play in the South African rugby, cricket or football teams.

To sum up, the components of self-determination for all groups in South Africa are, firstly, the right not to be oppressed, secondly the right to maintain identity, thirdly the right to cultural development and fourthly the right to political freedom. All these rights can be guaranteed by appropriate constitutional arrangements based on principles of non-racism, democracy and respect human rights, including, cultural rights. None of these rights will be furthered by dismemberment or balkanisation of our country.

Self-determination for the people of South Africa as a whole, in all our diversity and respecting the multiplicity of our languages, faiths and historical experiences, can only be achieved by means of a constitution and institutions of government and law that guarantee full equal rights for all.

For Govt. Com. to Technical group

The ANC strongly believes in the principle of self-determination as internationally understood. Indeed, our organisation was set up precisely to overcome the national oppression of the African people manifested by the South Africa Act of 1910. For generations we have been ruled as though we were a conquered people. The Native Administration Act of 1927 set up elaborate colonial-type administrative structures to govern us. We were almost totally excluded from the vote, denied the right to acquire land ~~in~~ in-tenths of the country, required to carry passes and governed by a dictatorial network of officials accountable only to Pretoria. To this day our President does not have the vote.

in mine

X

We know what it is like to be dominated and marginalised in the land of our birth, to be discriminated against, to have our languages and beliefs treated with disrespect and to be denied basic human rights because of our national origin. No one is more sensitive to the importance of true respect for the rights of all groups than we are.

The question is not whether to have self-determination, but how self-determination is to be expressed in a country like ours. The destinies of all South Africans are inextricably interlinked. We live together in the same cities and on the same farms. We are involved in a single economy. The problem is not how we can separate ourselves out, but how we can live together without domination or subordination.

South Africa is a country peopled by men and women of the most diverse origins. We speak many different languages, have different religions and different customs. At the same time we share the same land, have the same problems of health, education, access to economic opportunities and the pursuit of happiness. We all want peace, development, respect and a place in the sun.

sense of security and work.

The ANC has long believed that South Africa belongs to all who live in it. Our country is spacious enough and sufficiently endowed with resources to grant a decent live to everybody. Everyone has the right to enjoy fundamental rights and freedoms and to feel comfortable in all parts of the land.

Division has never solved any of our problems. On the contrary it has always brought with it domination, inequality and conflict. We have learnt to live together as equals in the same country. If we cannot live together peacefully in the same country, there is no reason to expect we can live together peacefully side by side.

True self-determination in South African conditions can only be achieved by means of acknowledging the reality of our inter-dependence and not by forcing an artificial and unsustainable independence. We have learnt from prolonged and painful experience that self-determination is to be achieved by enjoyment of the right to inclusion in and not by exclusion from the life of the country. It means the right to full participation in every area of life without having to give up our beliefs, language and culture. The self-determination of one cannot be separated from the self-determination of all. Self-determination is certainly not consistent with baasskap in any shape or form; indeed it is its complete opposite.

of South Africa

Concretely, self-determination in the context of the historical, social and cultural reality means the achievement of a voluntarily negotiated constitutional settlement that contains the following basic principles:

on  
Self-Determination  
PART  
for  
Dulhan  
10/5/13

1. The right to equal participation in all areas of life, equal protection and the enjoyment of equal benefits under the law;
2. Mechanisms to ensure non-discrimination, either against individuals or against groups.
3. The right to use and develop one's language and culture and respect for the diversity of religious faiths.
4. Principles of good government which ensure that the institutions of state represent the wisdom, skills and life experience ~~for~~ <sup>of</sup> groups and communities.
5. Guaranteed space for an active role for organisations of civil society including cultural, religious and linguistic organisations.

*all the above principles must have appropriate constitutional*  
 In addition two further constitutional devices will help to ensure acknowledgment of the diversity of the country.

*on electoral system based on*  
 The first is the system of proportional representation which facilitates the formation of political groupings to represent the most varied interests.

*is*  
 The second is the acceptance of the importance of strong regional and local government, acting within the framework of general constitutional principles and broad national ~~legislation~~ <sup>legislation</sup>. Regional diversity can reflect itself in a non-racial and democratic way without violating the basic unity of the country.

*policies*  
 In conclusion we feel that it is no accident that no clarity exists in terms of the territory in which it is claimed that one particular national group, namely the Afrikaners or Boerevolk, should exercise exclusive sovereignty. If we accept that baasskap is no longer permissible, then no such region exists in the country. We cannot believe that the majority of Afrikaners would prefer to give up full and guaranteed citizenship and cultural rights in a democratic South Africa for the illusory dream of rights in a state without boundaries, without a name and without any international recognition. We cannot believe that the majority of Afrikaners wish to de-nationalise themselves in South Africa so that they would need residence permits to continue living in Bellville or Algoa Park, that they would wish to register at Stellenbosch University as foreign students or have to show a passport in order to attend a rugby game at Ellis Park.

We cannot believe that the majority of Afrikaners wish to deny themselves the right to be members of the South African Defence Force, the South African Police, or the South African civil service; nor that they would wish to disqualify themselves from working for the South African Broadcasting Corporation or to play in the South African rugby, cricket or football teams.

To sum up, the components of self-determination for all groups in South Africa are, firstly, the right not to be oppressed, secondly the right to maintain identity, thirdly the right to cultural development and fourthly the right to political freedom. All these rights can be guaranteed by appropriate constitutional arrangements based on principles of non-racism, democracy and respect for cultural rights. None of these rights will be furthered by dismemberment or balkanisation of our country.

*human rights, including*

*appropriate constitutional arrangements must be backed up by appropriate mechanisms of protection*