

# National People's Party Of South Africa

All correspondence to the Party must  
be addressed to the Secretary

Presented  
2/3/92

## WORKING GROUP 2: POSITION PAPER OF THE NATIONAL PEOPLES' PARTY ON KEY ISSUE: MEANINGFUL PARTICIPATION OF POLITICAL MINORITIES

South Africa's political problems are unique, and therefore unique solutions are required. The problem is to find a suitable model that takes care of, and politically satisfies, the different population groups, either individually or collectively. It is no use saying that a fundamental bill of rights will take care of minority groups. This will not work unless there is direct representation in the legislative bodies. Many countries have powerful bills of rights, but to no avail when it comes to electoral, political representation in the engine rooms of a country's legislative and executive arms.

Naturally we at Codesa differ about the way in which minorities are going to be defined in a new South Africa. Some of us will argue that this would be the perpetuation of apartheid, but what has to be taken into consideration is the reality of ethnicity and cultural diversity in our country. This fact cannot be wished away, suppressed or ignored. This country is inhabited by different population groups whose experience and concept of democracy differ widely. This phenomenon has to be taken into account in the formulation of a new constitutional accommodation.

Recent events in the USSR, which has now collapsed, and in Eastern Europe, clearly indicate what happens in societies where ethnic and cultural identity is suppressed. India, Sri Lanka, Fiji and Ireland are but a few other examples. Members should not be surprised if the political realignment in Russia takes place along religious lines. Any constitution-maker who does not take serious cognisance of the diversity factor will be labelled as a perpetrator of civil disobedience and violent options.

Will we have a Lebanon or a Beirut here, or an IRA, Sikh separatist fundamentalists or, closer to home, a Renamo, a Unita or an MPLA. These factors could become post-constitution results if acceptable decisions are not taken. Should we then not be preparing ourselves in such a way that the mistakes of others are avoided in constitution-making?

Surely we are in an advantageous position, having seen what is going on elsewhere. We should look around us and see what is happening in Russia today. The USSR that we knew, is no more.

When one talks of a country's constitution, the question of minorities and majorities constantly crops up. This is only natural. It goes without saying that so-called majorities will argue for a majority government and minorities will argue for their meaningful inclusion and participation. This is a worldwide phenomenon. It is not confined to South Africa simply because this country was obsessed with racial separation. Although discriminatory legislation was repealed during the previous two sessions of Parliament, one can still read any newspaper and one will find that the news is not complete if people are not mentioned by race. I ask members why this is so. Take the referendum - We talk of a White referendum.

The constitutional debate in South Africa is marked in particular by the question of how groups can be protected in a future democratic dispensation. B de Villiers argues this aspect in a publication, *A Juridical Comparison of a Number of Constitutional Techniques to Protect Groups*. Why should there have been so much talking and writing on this aspect, especially on constitution-making, if it was not a major ingredient?

The strong opposition to the protection of group rights that was evident in constitutional and international law, especially in the years following the Second World War, has begun to make way for a re-evaluation of the position of groups in the decision-making process. Questions are being posed as to whether changes create uncertainty or are they creating a just society in this country. Are changes taking into consideration the aspirations and fears of communities? Are these changes sufficient to counteract violent conflict and revolution?

Repeated references are being made regarding the protection of minority rights by way of allowing individuals and groups a guarantee to pursue their religious, language and cultural pursuits. This is becoming a political cliché. This argument is presented whenever or wherever the question of participation in the legislature and executive is mentioned. These are not substitutes for political rights. This tantamounts to politicising religion, language and culture. This is a subtle way of denying political power.

Any community has to of necessity be linked directly to the political power house in this case the legislature and executive. How is this to be achieved is the million dollar question.

Before delving into this matter further it is necessary to state political power gives rise to political clout which in turn gives rise to respect and recognition. Any community that does not have political power loses all along the line. Therefore a mechanism has to be formulated to take care of this legitimate fear.

In this forum some participants have indicated that the world august body the United Nations recognises the existence and thus recognition of political minorities. In fact the United Nations per se is made up of racial, ethnic countries. No attempt is made in calling the inhabitants of the world by a single nation. On the contrary the UN is virtually run by minorities. Take the 5 permanent members with veto powers viz. China + 1 billion people, Russia + 300m, United States of America 250m, Britain 55m and France ± 50m, Yet India with over 800m people, Indonesia + 110m people has no effective say. Why because they are not where the real power lies.

Arguments are being expounded to the effect that parties could represent groups with common objectives or interests and thus represent minority interests by being elected on a proportional voting basis. Let us see the logical conclusion of this argument. Assuming the threshold is determined at 5% of the votes and taking the total voting strength to be around 17m even if a single party took up the cudgels say on behalf of the "Indian community" numbering ±700,000 votes, even if everyone of them voted they would not qualify for a single representative. This represents 4.1%.

Having regard to the foregoing it is the considered view of the National Peoples' Party that the framers of the new constitution takes cognisance of the principle of meaningful participation of political minorities to satisfy the legitimate political aspiration of communities.

CODESA WORKING GROUP 2  
NATIONAL PEOPLES' PARTY  
2 MARCH 1992