

ADDENDUM

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The origin of the TBVC states is written somewhere. It was there proposed that referenda or plebiscites should be conducted to measure the opinions of the 'citizens' of these states. However, this approach was rejected primarily on the ground that the 'citizens' concerned were never consulted when these states were formed. It was felt that the South African Government should pass the necessary laws to reincorporate these states. Another view was expressed that all the South African citizens should express their opinion on the reincorporation of these states through a referendum conducted on non-racial basis. The results of such a referendum should be effectivised by the South African government. Not much debate centred around this point.

Perhaps the most inexpensive, rational and most favoured approach is for the South African government to pass a law repealing all the laws that not only grant the so-called independent status to these states but also the laws that form the foundation of the Bantustan policy. The former are:

The Status of Transkei Act 100 of 1976, The Status of Bophuthatswana Act 89 of 1977, The Status of Venda Act 107 of 1979 and The Status of Ciskei Act 110 of 1981. The latter are The Black Authorities Act 68 of 1951. The National States Constitution Act 21 of 1971. The National States Citizenship Act 26 of 1970, Restoration of South African Citizenship Act 73, of 1986 and all proclamations and regulations passed under these acts.

The governments of the independent states, themselves, should repeal their respective constitutions whether they are in a form of acts or in the form of decrees. Further, they are to repeal all the laws passed by them and undertake to be governed by the laws of South Africa.

The repeal by the South African government of the acts on which bantustanism is based will automatically mean the abolition of all the present self-governing national states. Fortunately this should not cause much problems, except for the expected administrative problems. Already the self-governing states joined Codesa not as governments but as political parties. This should mark the beginning of asserting their opinions not as self-governing states but as political parties. One can only hope that more parties from these states will join the Codesa in order to give a balanced view. If that happens it becomes easier for all concerned to express their opinion on dissolution of these governments and also to mandate the South African government to pass the necessary law. Maybe it is not much of these governments resisting reincorporation than the South African government itself hoping for their continued existence.

It becomes obvious, therefore, that this issue should be thrashed out at Codesa and South African government should act accordingly. Parties at Codesa, therefore, must be democratically elected. It is indeed, a contradiction in terms to find parties at a Congress for a democratic South Africa who are not accountable to the masses. The Transkei and Lebowa governments examples should be followed. These 'states' were represented not by the Transkei military government or the Lebowa government respectively, but by elected individuals representing a broad spectrum of peace-loving political organisations of these states. Ciskei, Venda and Bophuthatswana should follow suit. This will ensure that what is proposed by the parties from these states is, indeed, a proposal from the citizens of these countries.

UNITARY OR FEDERAL

The question that will prove a little bit difficult to answer is whether South Africa will be a unitary or a federal state. At Codesa I about ten of the parties present were for the federal system of government and about eight were for the unitary system. Most of the parties who were for the federation could not provide any basis for their choice. One gathers the impression that these parties are either impressed by the seemingly successful United State of American system of government or they just love the term 'federation'! Most parties stressed the differences of culture among the people of South Africa as their primary reason for their choice of a federal system.

One wonders what these differences of culture are. Some mention languages, customs, traditional dance or attire etc. as cultures. This shows how ignorant our people are of the meaning of culture. Paulo Freire explains that culture is not a luxury nor a simple aesthetic appreciation but the sum total of the solutions supplied by human beings to the problems environment sets them. Thiery G Verhelst writes as follows:

'It is ... not a question of culture in the narrow sense of the word, seen as a prestige commodity often reserved for an elite, nor as a more or less folkloric epiphenomenon, but of culture in the wider sense of the word. Let us, then, adopt, from amongst the many possibilities, the following definition: "Culture is the sum total of the original solutions that a group of human beings invent to adapt to their natural and social environment'.

'By culture is meant, therefore, every aspect of life: know-how, technical knowledge, customs of food and dress, religion, mentality, values, language, symbols of socio-political and economic

behaviour, indigenous methods of production and economic relations, and so on?'.

Our whole mode of living in South Africa including our violent and non violent methods of abolishing or maintaining apartheid forms our culture. It becomes difficult, therefore, to understand why some people should interpret differences of languages, traditional attires and customs as differences of cultures of the different tribes (Blacks) in South Africa and not take the same components of culture to mark the differences of culture of the English speaking people from those of the Afrikaans or Portugese-speaking people of South Africa. Indeed, it is interesting that these differences are stressed more with Blacks than with Whites.

However, only the elite tribal leaders emphasise these differences and not the grass-roots themselves. 'The greatest sin ever committed by apartheid is to remind me that I am a Xhosa'. Indeed, ordinary people have learnt how to live together in harmony irrespective of their tribal affiliations. They have practiced their customs, put on their traditional costumes, danced and sang without arousing any tribal animosity against each other. In the townships, for example, one finds Sothos who are more Sothoer than the Sothos in Qwa-Qwa or Zulus who are more Zuluer than the Zulus in Kwa-Zulu. Such Sothos or Zulus dwell among Xhosas and Tswanas. And yet, instead of encouraging animosity or turmoil between themselves their diversity of tribal experiences has enriched the lives of those who live in the township. Together with their fellow township dwellers they form associations and formulate the wisest policies based on the reconciliation of their tribal differences.

Only the elite who have gained from the benefits of Apartheid advocate for federalism based on tribal differences. This is no cause of any alarm. World-over this has been the behaviour of the elite who purport to represent the grass-roots against colonialism or imperialism. The common feature is that their views are not democratically arrived at. They always fail to

consult with the masses but they paternalistically impose their views on the masses.

Reading the historical background of all the federal states in the world one searches in vain for a state that evolved from a unitary to a federal system nor for a state that has opted for federalism because of tribal differences. All the federal states were formed by ministates who were completely independent from each other and they formed federalism because of common threats. Even during the breakdown of the Soviet Union no mention is made of any tribal cause.

South Africa had a chance of forming federalism in 1910. The whites then opted for a unitary system in order to eliminate their differences. On the contrary they pronounced the tribal differences among Black who formed a common threat - the 'kaffir gevaar'. For 82 years South Africa has been a unitary state and has never been formed by independent states. It makes little sense, therefore, to ask for federalism at this stage.

Perhaps Dullar Omar's suggestion should form the basis of our argument. Firstly, at this point in time we are fighting for a non-racial, democratic and non-sexist South Africa. Any constitution that is based on racial or tribal differences must be rejected. Secondly, we are to decide which powers are to be vested with the central government and which powers will be delegated to the local governments. With this approach in mind, circumstances will dictate whether we will call our system a federal or a unitary one. "Let us not worry about the labels", advises the comrade. Indeed, maybe in future one political analyst will attach a new label to what we shall achieve constitutionally - a Ngcukaral system - Who knows?