

The Recommendations

An open 'Consociation' giving Natal and KwaZulu the same degree of autonomy but with both remaining part of S.A.

The Buthelezi Commission report covered not only constitutional matters but also addressed economic, administrative, educational, health and welfare problems.

Only the political recommendations, however, are summarised in this brief paper.

The results of the attitude surveys indicated the urgency of the need for a more adequate political and constitutional dispensation, not only in the region of KwaZulu/Natal but in the country as a whole.

The Commission did not rely only on the attitude survey results. It also exposed itself to a mass of verbal and documentary evidence.

On the basis of this evidence the Commission became aware that no amount of political separation could reduce the need for the fullest co-operation between Natal and KwaZulu at every level of administration.

The clearest example of this has been described by the Chairman, Professor Schreiner, as the problem that cholera, anthrax, rabies, stock-theft, water-courses, fires and a host of other phenomena do not observe political boundaries. By the same token, KwaZulu's problem cannot be sealed off.

Quite apart from considerations of social and political justice and equity, therefore, the Commission found itself moved by the irrefutable fact to consider the most sensible ways of getting to grips with the interdependence of Natal and KwaZulu and of all the groups in the whole region.

In doing so the Commission had to consider fully the guiding principle of the government's constitutional policy and planning in South Africa — that of what is referred to as "segmental autonomy" — involving various groups in joint decision-making but as segregated political groups, with separate voting structures, separate residential areas, separate institutions and the like.

The Commission took full account of the traditional policies in this regard, but considered that this approach, rather than protecting group interests, is actually extremely dangerous.

The main reason is that where groups enter into political decision-making as explicit racial groups, any political conflict between groups becomes a racial conflict.

The Commission believed it to be essential to start *blurring* the lines of racial tension rather than emphasising them.

The Commission, after very careful thought and after taking detailed evidence from one of its members, Professor Arend Lijphart, one of the world's leading authorities on constitutional processes in divided societies, decided to recommend that can be called an open "Consociation".

This, in the area of Natal/KwaZulu would involve Natal acquiring the same degree of autonomy as KwaZulu but with both remaining part of the Republic.

The Central Government would retain authority over defence, foreign affairs, transport, and major powers of that nature.

The Commission supported decentralisation of authority down to the lowest level of government, but not independence or secession for the region.

The autonomy would enable the Natal Executive Committee and the KwaZulu Cabinet to combine, with the addition of Coloured and Indian members, into a provisional joint cabinet for the region.

This would be an equilibrium body with little danger of domination of any group by another. It would in effect be a racially balanced "consociational" body, but groups participating would be specified by race as such at the very initial stage.

Thereafter the groups would be allowed to combine and rearrange themselves along the lines of political interests rather than on the basis of race as an official categorisation.

The responses of Black South Africans, despite their high levels of discontent and the growing militancy which this study reveals, indicate a pervasive moderacy of views. On virtually all policy topics the majority tends to take a point of view which would protect the basic institutions in our society. They are sceptical of idealistic alternatives; they recognise the need for efficiency in the economy and for protecting the skills and initiative which other groups bring into the system.

— The Buthelezi Commission.

A cynical White reader of this report may well ask, if these conclusions are to be believed, why there is so much political instability and a pervasive breakdown of democracy in Black-ruled states in Africa. The following points must then be made. Firstly, Black South Africans are not identical in outlook to Africans to the North. Black South Africans for centuries have been exposed to the workings of a much more complex economy and society than anywhere else on this continent.

— The Buthelezi Commission.

Constitutional democracy has failed in Africa not primarily because of the political cultures of people, but largely because of the social and economic under-development of these territories. Societies in Africa to the North are too homogeneously poor to produce a variety of different and competing social groups which give society a balance and a strength. The poor in the rest of Africa are generally too poorly organised to constrain and sanction the activities of their elites. Business interests are too poorly developed and often (as expatriate companies) too alienated from the societies to exercise constructive pressures on government.

— The Buthelezi Commission.

continued overleaf

from previous page

This executive would continue on consociational principles, with major political parties or groupings being represented in balanced proportions, whether on a racial basis or not.

This executive would continue to initiate legislation and policy on the basis of consensus and negotiation with the executive.

This balanced executive would also demarcate boundaries of regions or constituencies within which representatives to a legislative assembly would be created.

These regions would not necessarily be of the same population size. They should, as far as the Commission is concerned, be demarcated on the basis of common sociological characteristics rather than on the basis of race or strict demographic size.

Therefore the racial representation on the legislative assembly would essentially result from a process of decision-making and negotiation on the balanced executive.

The Commission made no provision for and certainly did not see it as automatic that there would be a ratio of representatives following the proportions of the population, although there is little doubt that Blacks would be a majority in the legislative assembly.

In each of the constituencies for the legislative assembly there would be provision for "proportional representation", to avoid the "winner-take-all" principle in our current system.

In addition, on the legislative assembly, there would be a provision for a minority veto, a Bill of Rights and a continuous testing of the constitution by an independent judiciary.

An essential feature of the basis of representation would be that the Group Areas Act would have to be phased out, so as to allow people of similar status and lifestyle to congregate together. In this way the element of racial conflict in the region could gradually be defused.

As already indicated, the Buthelezi Commission was directed to consider not only the political/constitutional future of the region, but also to deliberate on the policies necessary to bring about optimum developments in the spheres of economic welfare, administration, education and social services.

By and large the findings of the sub-committees established to consider these other areas of problems reinforced the findings in the political and constitutional sphere. Only certain highlights can be presented here.

With every new reform which brings social and economic development to the Black people, the political contrasts between South Africa and the rest of Africa grow ... Generally what emerges from the probes on alternative political dispensations is a considerable degree of flexibility and openness to options. There is very little rigid thinking and even less ideologically motivated commitment to particular outcomes. If a proposal appears to expand the degree of participation for Black South Africans, or to enhance their rights and privileges, it is enthusiastically welcomed.

— The Buthelezi Commission.

In board terms the basic political sentiments and beliefs of Black South Africans as regards institutions of government are such as to suggest that they would value and support democratic institutions and balance moderation in public policy. The basic attitude toward economic processes indicate strong and consistent support for the market economy system as opposed to pure socialist or communal alternatives. There is, however, also considerable emphasis on the extension of welfare in society and hence one may describe the dominant preference of Black South Africans as being a mixed economy.

— The Buthelezi Commission.

The results from carefully designed disguised questions testing dispositions towards other races in public life suggest very little inclination to support policies which would discriminate against White, Indian or Coloured South African minorities. While Blacks would not like to see Whites and other minorities retain privileges on an overtly racial basis, there is little sign of an embedded antagonism towards minorities. These conclusions broadly indicate that the public values of rank-and-file Black South Africans are such to make their incorporation into a more open political system for South Africa or the region possible, provided social or economic circumstances do not magnify racial feeling.

— The Buthelezi Commission.

The Commission concluded that neither land redistribution or a consolidation of the territory of KwaZulu would produce optimum development for Black people in the region, even if the extent of the redistribution was very substantial.

This flowed from the fact of the very high density of population in the rural areas of KwaZulu and the very substantial lack of the infra-structure for the stimulation of market-oriented production to replace the subsistence economy which is characteristic of most of the region.

Movement towards existing towns and cities would occur in time naturally resulting in significant depopulation of the rural areas.

The Commission noted that throughout the surveys among Black South Africans it became very clear that the central concern, above all others in political matters, is the right of freedom of access to the labour market and the residential market in the major urban complexes of Natal and the Witwatersrand. Any policy of dispensation which either erodes these rights or does not meaningfully expand them, is rejected by at the very least seven out of ten Black people.

It also emphasised that acculturation to the accepted norms of modern democracies seems to be sufficiently well advanced and consistent to augur well for racially inclusive political institutions in the region. In fact, comparable enquiries in the surveys among White, Indian and Coloured people revealed very considerable overlap in political values between the races.

Where sharp differences did occur they could more often than not be traced to the exclusion of non-Whites from full participation in the common area of South African society.

Most of the reports submitted to the Buthelezi Commission state explicitly or implicitly that for reasons of efficiency the entire care of KwaZulu/Natal should be governed or administered as a single unit.

In the beginning (of a consociational-type administration) KwaZulu may require special protective measures. However, the Commission noted that this temporary need could not justify that KwaZulu be maintained as a separate governmental entity.

In the surveys consociational proposals were warmly accepted and generally what emerged from the probes on alternative political dispensations was a considerable degree of flexibility and openness to options.