

**ADDRESS TO THE WESTERN CAPE ANTI-RACISM CONFERENCE
PENINSULA TECHNIKON, 16 AUGUST 2001**

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It is with a great sense of pride that we will host the host the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban later this month. The campaign against racism has formed an integral part of the UN's work since the adoption of the Universal declaration on Human Rights in 1948. In 1963, the General Assembly adopted the UN Declaration on the Elimination of All forms of Racial Discrimination. It convened the first World Conference to Combat Racism and Racial Discrimination in Geneva in 1978, and the second World Conference to Combat Racism and Racial Discrimination, again in Geneva in 1978. The UN Third world Conference Against Racism will be hosted by us, the first time the UN takes this conference away from Geneva or New York to take stock and to plan. We host with pride, and with good reason.

There is truly no society on earth where the phenomenon of racism has been as much an integral part of the everyday life of a people, which permeated all levels of a people's being and self perception, as it has in South Africa. Many across the globe believe with good reason that because of our specific history we have the possibility to make an important contribution to the universal struggle to defeat the scourge of racism.

But, to do so, we must acknowledge our past, commit to changing the present and build the future.

In confronting our past, we must recognise that racial divisions here were a necessary precondition for capitalist industrial relations. Every element in South Africa – from the early colonisation by the Dutch, through the decimation of the indigenous Khoi and San, through the introduction of migrant labour to dig the mines, through the 1913 and 1936 Land Acts, the introduction of job reservation and the Coloured Labour Preference Policy - in fact every element of South Africa's apartheid past was premised on the need to subjugate Black South Africans, in order to exploit and so maximise both profits and control.

Some of this history is so complicated, as Ian Goldin reminds in his book *Making Race*, (*The Politics and Economics of Coloured Identity in South Africa*)

In the nineteenth century, the term Coloured in official documents referred to all persons not classified as European. By 1904, however, the term Coloured had been reconstituted to exclude Bantu-speaking people. From 1904 until the present time the term Coloured has roughly designated the same category of individuals. No single definition of Coloured people exists: a succession of contradictory legislative measures and legal precedents has only added to the ambiguity surrounding the term.

In acknowledging our past, especially here in the Western Cape, we must then understand how this bureaucratic nonsense has been imbibed – the legacy of group areas remains, and the Coloured Labour Preference, is still sought after by some.

We must commit to changing the present. Our present is created as the fruits of an anti-racist struggle. As the centre-piece of the opportunities created, we have the most modern Constitution in the world, which embodies the triumph of non-racism, non-sexism and democracy. This Constitution is the triumph of the selflessness of many millions of our people – who struggled against White domination, yet did not surrender to the temptation of advocating black racial domination. Instead our people have reached inside of themselves to opt for the very antithesis of apartheid – the ideal of non-racialism.

So, we have created the opportunity to, in the words of President Mbeki, “*Build the future in the present*”.

For many of us, the beacon, even in the darkest of nights was and remains the Freedom Charter, with its bold opening statement, “*South Africa belongs to all who live in it, Black and White, and no government can justly claim authority unless it is based on the will of the People.*”

It concludes with the commitment “*These Freedoms we will fight for, side by side, throughout our lives, until we have won our liberty.*”

It is in defining that liberty that we will develop plans for the future. Key to understanding the liberty is to recognise that apartheid was, and its remnants remain, a system of power relations in which one group dominates others with the purpose of inequitably distributing social and economic goods, employing race as the determinant criterion of success.

Engaging and re-ordering power relations between groups of South Africans is therefore the central challenge in building democracy - this is the mandate given to us by the Constitution, which in its Preamble entreats us to –

Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;

Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is protected by law;

Improve on the quality of life of all citizens and free the potential of each person;
and

Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

It is this unique set of circumstances that truly gives South Africa this special place amongst nations to host the conference and lead the struggle for transformation.

But, the Conference we are hosting is a UN Conference its concerns are wider than those of South Africa alone. It is convened at a time when racism, racial discrimination and xenophobia are on the ascendancy in many parts of the industrialised and developing world. It is a highly integrated world, where the impetus for discrimination control of and access to resources – essentially then racism and xenophobia are still driven by power relations.

Yet, the issues are so much the same as those which confront us here. Last year, at the National Conference on Racism, President Mbeki defined the basic propositions as:

First: the practice of racism is both anti-human and constitutes a gross violation of human rights;

Second: as it has been practiced through the centuries, the black people have been the victims of racism rather than the perpetrators;

Third: racism is manifested in a variety of ways, these being ideological, existing in the world of ideas, and the socio-economic describing the social, political, economic and cultural power relations of domination of and discrimination against the victims of racism;

Fourth: for many centuries racism has been a fundamental defining feature of the relations between black and white, a directive principle informing the structuring of these relations;

Fifth: the legacy of racism is so deeply entrenched that no country anywhere in the world has succeeded to create a non-racial society;

Sixth: the global experience stretching over a long period of time, demonstrates that the creation of a constitutional and legal framework for the suppression of racism is a necessary, but not a sufficient condition to end this violation of human rights.

What the conference must do, is to review progress in the fight against these intolerances, consider the application of standards and the implementation of new instruments to combat these phenomena; to increase the level of awareness and to define an action-orientated agenda to combat the scourge.

But, the United Nations also has to acknowledge the world's past, in order to construct its future. It is in this regard that the three historic elements of global power relations, namely Slavery, Colonialism and Apartheid, stand out. These three inter-related issues have dominated the preparatory meetings held in Geneva over the past few months. There is a simple, yet compelling logic to this. Lord Anthony Gifford, QC, a UK Barrister argues it thus,

What is most relevant..... is to examine the present day significance of these historical and legal truths.

First it is important to appreciate the true balance sheet between Africa and Europe (*Or, for that matter between Africa and the USA*) . The conventional view is that African nations are steeped in debt and poverty because of the corruption and incompetence of their governments. I do not overlook the criminal acts, including the Rwandan genocide, for which Africans have been responsible. But the history of slavery and colonialism in Africa made it almost inevitable that in the post-colonial period, one people should be set against another, one minority should be persecuted by a majority. After centuries of 'divide and rule', unity could not have been built overnight.

If one could calculate the massive profits which Europe accumulated, both from the transatlantic slave trade and the exploitation of resources of Africa, one would find that Europe would owe to Africa far more in the form of reparations than Africa owes Europe in the form of foreign debt. It is a question of seeking justice for past wrongs, rather than seeking aid from a benefactor.

This brings us to the vexed question of reparations. In the global context, there is a body of international law devoted to this. The Basic Principles and Guidelines on the Right to a Remedy and Reparations, was developed for the United Nations in an attempt to define the obligations of states, largely in relation to other states, deals with Restitution, Compensation, Rehabilitation and Satisfaction. This body of Law remains extremely complex and untested.

It does present us with a series of distinct challenges in South Africa for dealing with the issues of reparations for dealing with our Apartheid past – these challenges range from the acknowledgement that, as President of the Constitutional Court, Justice Arthur Chaskalson argued,

There can be no half-measure about this. Apartheid has caused poverty, degradation, and suffering on a massive scale. It has denied to an overwhelming majority of the population access to ownership and occupation of land, to proper education, and to fundamental rights and freedoms which are essential for the development of self-esteem.... It has led to landlessness, ill-education and impoverishment within the black community.

The obvious conclusion of this argument is that generalised programmes to tackle poverty is the prerequisite reparation.

It is not the only imperative, there are, of course, also specialised cases including the claims of victims who experienced repression at the hands of the state who have testified at the TRC and the claims of victims who were dispossessed of land.

These three elements together define the reparations challenge here in South Africa, a combined challenge that we must respond to.

Most important however, is our Call to Action, to eradicate racism. Our Call includes the commitment by government to:

- Restructure the State to create a democratic, representative state from an instrument designed as to advance white rule.
- A wide-ranging legislative programme aimed at addressing the legacy of apartheid through affirmative action and special protection for the historically disadvantaged.
- Directed developmental interventions aimed at addressing the huge social backlog that exists with regards to the poorest of the poor
- Expanding access to services for the poor.
- Developing our human resources
- Supporting the restructuring of the economy.

Simultaneously, we take seriously the need to work tirelessly to construct a better world. Centre-stage of this task to develop a new Global Partnership to the benefit of Africa, called the Millennium Africa Recovery Plan (MAP) or the New Africa Initiative. It is an initiative that recognises that we, Africans, will take responsibility to define the objectives, make the pledges, build the relationships in order to eradicate poverty in Africa. We must place African countries both individually and collectively, on a path of sustainable growth and development and thus halt the marginalisation of Africa in the globalisation process. It is a firm set of commitments, our Call to Global Action, our strategy to Building an African Future.

The MAP, is a natural extension of the many tasks at hand here in South Africa. Unless we tackle racism here, our people will be denied democracy and development. And, unless we tackle the inter-relationship between North and South, our people will be denied democracy and development.

But it would be a grave error to focus only on government actions. These provide, as President Mbeki said, 'a necessary but not a sufficient condition'. Beyond government we must reach into every nook and cranny; every social formation be it religious, social or sporting; trade union or business association; cultural or gender-based – our task is to reach across the old divides in order to change hearts and minds, to build a warmth of reception and to engender an activism against racism, racial discrimination and xenophobia. Our task is to focus on inclusivity.

The restlessness which must propel us, was best summed up by Kofi Anan, UN Secretary General when he said,

As long as people are denied opportunities for employment, education and health because of their race or ethnic background, we have work to do. As long as people of particular races and ethnic backgrounds find themselves disproportionately represented in the prison population, in the ranks of the socially and culturally excluded, and in the slums and favelas of the world's great conurbations, we have work to do. As long as they

are disproportionately victims of health problems such as AIDS, and do not have equal access to medical care and treatment, we have work to do. And as long as ethnic conflict and genocide continues, we cannot rest.

Let us tackle this conference, our preparations for the Durban Conference, and the Call to Action, with exactly the same spirit.

I thank you.