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COMMUNICATION WITH ARCH

BISHOP TUTU BY P.W. BOTHA



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COMMUNICATION BY EX-PRESIDENT P.W. BOTHA

TO ARCHSBISHOP D. TUTU AT GEORGE ON

21 NOVEMBER, 1996

I appreciate the heavy burden which you carry in performing your duties as Chairman of the Truth and Reconciliation Commission and accept your integrity in this regard. I have appreciation for the balanced point of view which you attempt to maintain in this capacity.

While I was State President, I consistently honoured the principle that all inhabitants of South Africa are equally bound by the laws of parliament. The oath which I took at my inauguration as State President clearly stated that I would obey, observe, uphold and maintain the Constitution and all other Law of the Republic of South Africa. We have differed sharply on this principle in the past, as is evident from the correspondence exchanged between us during 1988.

I am in my own mind not convinced that reconciliation can best be achieved by means of the procedures of the Truth and Reconciliation Commission. As a law abiding citizen of the Republic of South Africa, I, however, consider myself bound by the provisions of the Act on the Promotion of National Unity and Reconciliation, 1995, despite my own

DECLASSIFIED

DECLASSIFIED

- 2 -

serious reservations regarding the extent in which this act will succeed in its stated aims. In this regard the remarkable reconciliation between the Afrikaans and English speaking sections of our population after the violence and atrocities of the Anglo Boer war (clearly described in the works of the well known authors Pakenham, Stuart Cloete and Ramsay MacDonald), could be used as a true reconciliation. This reconciliation was achieved by closing the book on the past and focusing on the challenges of the future in unity, rather than reopening the wounds of painful experiences of the past.

My personal philosophy on the above and various other matters are clearly set out in a number of works by various different authors, a list of which I hereby hand you a copy. I also hand you a copy of the book "Fighter and Reformer", which contains extracts of my public statements during my years in public office. I also present to you a copy of my public address at the occasion of the 150th anniversary of the Great Trek at Pretoria on the 16th December, 1988 setting out my convictions in regard to the future of my people and our country.

For your commission to have any chance of achieving its statutory goals, it has to be seen to be totally impartial and objective and also in humble obedience to God Almighty. Presently a perception exists that your commission is engaged in a witchhunt against the Afrikaner and the

DECLASSIFIED

DECLASSIFIED

- 3 -

security forces of previous governments.

I am also deeply concerned about the fierce and unforgiving assault which is being launched against the Afrikaner and his language at all levels of society. In many circles the Afrikaner is being isolated to be punished for all the unfavourable events in the history of South Africa. Blatant discrimination against the Afrikaner and his language is rife. In schools and at university, on television and radio, in public life and even by our national airways Afrikaans is being suppressed. Concern exists that the forum of your commission is being abused and will be further abused in this campaign of revenge against the Afrikaner.

The Afrikaner did not invent, or import racial discrimination into South Africa. The perception that only the Afrikaner was responsible for racial and cultural conflict in this country, and that the Afrikaner was against reform, is simply not true, as is evidenced from the material which have handed to you this morning. The history of South Africa and its colonial past speaks for itself in this regard. (I have noted that you have recently objected to the colonial history of the Netherlands in the past. I should point out to you that this applies even more to Great Britain, after the Dutch withdrew from the Cape.)

The Afrikaner was a victim of colonial greed - the senseless destruction of

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Afrikaner properties and farms by British imperialists and militarists, as well as the tragic death of thousands of innocent women and children (both black and white) in the British concentration camps during the Anglo Boer War are clear examples of the British colonial behaviour.

The recent conflicts, in which we were involved, were primarily against Soviet imperialism and colonialism. People who were sympathetic towards the Soviet ideal of world dominance, are today members of the present cabinet.

My personal record of political reform in systematically removing racist and discriminatory legislation from our society in an orderly fashion and to accommodate the political aspirations of all the people of South Africa in an evolutionary manner, is there for all to see. I personally initiated the process which eventually led to the release of President Nelson Mandela.

Emotionally loaded discriminatory legislation was abolished during my term of office:

- | | | |
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| 1984 | - | the abolition of permits for Non-Whites to attend White universities; |
| 1985 | - | the abolition of the Mixed Marriages Act, as well as section 16 of the Immorality Act; |

DECLASSIFIED

- 5 -

- 1986
- the introduction of the identification documents without reference to race of the holder;
 - the recognition of the property rights of Blacks;
 - the abolition of influx control and related measures;
 - the abolition of separate courts for Blacks;
 - the opening of all central business districts;
 - the removal of the racial basis of the Liquor Act;
- 1987
- the opening up of all beaches;
- 1988
- desegregation of metropolitan train services;
 - the establishment of free settlement areas where members of all population group could settle.



These reforms under my leadership were mandated in a referendum by the overwhelming majority of electorate, of which the Afrikaner constituted the majority at the time.

As head of the government of the day - a legally elected government which was internationally recognised - I accept full political responsibility for the

DECLASSIFIED

DECLASSIFIED

- 6 -

policies which were followed during my term of office, as well as the sweeping reforms which were introduced. As far as the implementation of specific policies is concerned, this is obviously the providence of the relevant Ministers, who headed the various departments at the time. To assist you in your task, I would suggest a meeting between you personally and the then Ministers of Defence and of Law and Order of my cabinet, in the same way and spirit as we have met today. Such a meeting could be conducive to the goals of the commission.

Neither I, nor these Ministers, can reasonably be expected to continually react, on an ad hoc basis, to unsubstantiated and untested allegations concerning myself and themselves and the security forces. In order for them to make a meaningful contribution, I believe your commission should provide me and the said ex-Ministers with a document comprehensively detailing all those aspects on which it requires comment or clarification. It is obvious that direct communication in this manner, rather than dialogue by means of press releases, is the more sensible way of dealing with the matter. Coordinated responses in this way could also lead to a better perspective of the surrounding circumstances necessitating the actions of the security forces.

As a Christian and an Afrikaner I can not and have never associated myself with blatant murder. It would, however, now appear that there might have

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been instances during the conflict of the past where individuals have exceeded the limits of their authority. Such incidents are clearly also not limited to members of the security forces. I can not be expected to take responsibility for the actions of any such individuals. Depending on individual circumstances, these are cases that may well qualify for the consideration of amnesty. I stand, however, without any qualification, behind all the thousands of members of the security forces, who in the lawful execution of their duties, bravely fought against the revolutionary onslaught of Soviet imperialism. I have said so in the past and I repeat it today.

Regarding the allegation concerning my so-called involvement in the Khotso House explosion, I wish to state the following:

- [a] The allegations are incorrect. It should also be pointed out that these allegations are to date based on untested, unconfirmed and unsubstantiated hearsay.

- [b] I am, in any event, advised that the damage to property, caused by the Khotso House incident, does not constitute a gross violation of human rights, as contemplated in section 1 of Act 34 of 1995 ("killing, abduction, torture or severe ill-treatment of any individual") and consequently falls outside

the scope of the jurisdiction of your commission. This incident therefor falls outside the ambit of the commission's functions.

I have in the past and will in future cooperate to achieve real reconciliation in our country, but there should be no doubt about my position regarding the following:

- 1.1 I am not guilty of any deed for which I should apologise or ask for amnesty. I do not have the intention of doing this. I have nothing to hide. An extensive manuscript on my life has been compiled by a respected, independent researcher, appointed by the De Klerk government from all available documentation. I am prepared to make this manuscript available to you or anybody who wishes to publish it as written. All my official records and documentation have been lodged for safekeeping with the Institute for Contemporary History in Bloemfontein and were made available to the abovementioned researcher at the time for a period of more than two years.

by Dan
Prunder
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8340



- 1.2 I believe the commission should not, for the sake of its own credibility, limit its investigations to the actions of previous

DECLASSIFIED

- 9 -

government-functionaries and officials, but should evenhandedly and with the same veracity, also investigate the gross violations of human rights by members of the A.N.C. and other parties involved in the conflicts of the past.

(In this regard I wish to refer you to the Douglas Commission's report.) Failure to do so would in my view be fatal to successful reconciliation.

- 1.3 The activities of the commission should also not be permitted to develop into a prosecution in the series of Nuremberg-type trials.

Within these guidelines, I am prepared to do all in my power to obtain the cooperation of the relevant ex-Ministers to assist your commission in its task.

I would furthermore recommend the following:

- (i) Presently an uncertainty whether members and functionaries of previous governments and previous employees of the government qualify for legal assistance through the office of the State Attorney, by virtue of the provisions of section 3 of the State Attorney Act, Act 56 of 1957, exists. This issue should be resolved as soon as possible. Not only does this

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uncertainty, coupled with the perception that the commission is engaged in a witchhunt, to which I have referred above, discourage people to come forward to cooperate with the commission, but submissions compiled with competent legal assistance will save the commission considerable time, and therefor also money.

- (ii) The cut-off date for the submission of amnesty applications should be postponed by at least six months. It currently appears as if certain groupings, both within the commission and outside, can hardly wait for the cut-off date to pass, so that they can commence with a vendetta against functionaries of the previous government in all earnest. In this connection a public announcement by both yourself and the president must be made before 15 December, 1996 in order to remove all doubt in this regard.

In this spirit and within these guidelines, I am prepared to do all in my power to obtain the cooperation of the relevant ex-ministers to assist your commission in its task.

If necessary further meeting between myself and yourself could take place, on the same basis as today. We should, however, at all costs avoid to

DECLASSIFIED

- 11 -

communicate with each other through the media.



P.W. BOTHA
George c c
21 November 1996



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