

ANC IN HOUSE SEMINAR ON CONSTITUTIONAL GUIDELINES FOR A
DEMOCRATIC SOUTH AFRICA.

CULTURAL CONSIDERATIONS FOR A DEMOCRATIC SOUTH AFRICAN CONSTITUTION.

Any considerations in the direction of constitutional guidelines must be based on the understanding that culture is materially based and is stimulated by responses to the social and economic facts of life. It should be viewed as a 'service agent' that conditions the running of the political, social and economic constructs of state. As with the issue of women it should not be compartmentalised, and in respect of the constitutional guidelines these considerations must be woven into the entire sense and language of the constitution. It is, therefore, a very broad area to which we address ourselves.

Our considerations must also take cognisance of the totality of the role of culture in a society and its various forms and manifestations. As Amilcar Cabral expresses it in his address on 'National Liberation and Culture':-

!....all culture is composed of essential and secondary elements, of strengths and weaknesses, of virtues and failings, of positive and negative aspects, of factors of progress and factors of stagnation or regression. From this we can also see that culture - the creation of society and the synthesis of the balances and solutions which society engenders to resolve the conflicts which characterize each phase of its history - is a social reality, independent of the will of men, the colour of their skins or the shape of their eyes.'

It can therefore be seen that the formulation of constitutional guidelines demands a definition of cultural activity which embraces:-

1. Knowledge, attitudes and values that are inherited (traditions, customs, language etc)
2. Intellectual as well as artistic enterprise and production (books, films, music, fine art, crafts, theatrical productions et al)

In our specific circumstances this would seem to imply that our democratic constitution needs to enshrine the rich diversity of South Africa's cultural heritage, but at the same time allow for positive and dynamic interaction leading to the flowering of a common democratic culture and national spirit.

In order to achieve this our concern must be two-fold:-

1. to preserve and protect our cultural heritage
2. to foster cultural endeavours, production and excellence, (particularly within the framework of our unitary, democratic approach)

A future constitution must be able to ensure the implementation of such a two-fold programme to achieve our objectives of realising social and economic reconstruction and transformation of our post-apartheid society. We list concrete objectives, under the two headings as above:-

Preservation and Protection of Our Cultural Heritage

1. We must protect 'the linguistic and cultural diversity of the people', whilst at the same time recognising that not all aspects of our various cultural practices are entirely in line with the full working out of a totally liberated and egalitarian society. For example the oppression of women is reinforced by ongoing cultural habits and prejudices. Another example is the custom of inheritance which often reinforces received privilege and economic domination by the few.
2. It is vital to support the already begun process of recovering, re-appropriating and re-writing our history, which has been interpreted by white settlers, Afrikaaner nationalists and bourgeois academics. To promote common identification with this historical reality the state will have to provide and direct museums, archives, libraries and national institutions. This presupposes the retrieval of South African artefacts and products that were illegitimately taken by foreign agencies.
3. New monuments, which reflect our non-racial, democratic, unitary approach, should be erected.
4. To protect our artistic and cultural production and the rights of artists, copyright and patent laws must be integrated into the legal system in keeping with international standards.
5. The linguistic and cultural freedom should promote a form of linguistic practice that ensures that South African citizens must learn at least one language other than their mother tongue. Here we refer to the resolution adopted by nearly 300 cultural workers and activists from the mass democratic movement and the national liberation movement at the 'Culture In Another South Africa' (CASA) conference held in Amsterdam December 1987:-

CASA RESOLUTION ON LANGUAGE

NOTING:

1. that multi-lingualism is a characteristic of South African society
2. that English and Afrikaans have taken on a disproportionate role in cultural production and communication because of their status as official languages
3. that cultural workers have a special role to play in the preservation and development of all languages of our country

WE HEREBY RESOLVE:

1. that all languages of our country be accorded equal status
2. that cultural workers be encouraged to use all the languages of South Africa in their work and that language training facilities be made available to spread the knowledge of South African languages.

Fostering Our Cultural Endeavours, Production & Excellence

1. There should be equal right of access to cultural facilities on the local, regional and national levels. Minimum cultural

facilities must be determined in particular to provide for rural areas and should include a library, cinema, community centre and sporting amenities.

2. Culture should be a component of the Education and Training curriculae for a People's Education, in both the formal and non-formal sectors with equal opportunity for all. Universal pre-school facilities should be state provided. The right to literacy should be constitutionally enshrined.
3. The right to make a living by means of cultural production and artistic performance and the right of cultural workers to organise themselves into Unions and associations must be ensured.
4. There should be state subsidies for artistic endeavours, production and establishment of facilities and institutions such as recording and film studios, publishing and printing houses, theatres and venues.
5. Cultural industries, such as film and publishing must be given state support.
6. Publishing and the national media must have a public and private sector to encourage publication and audio/visual production in various languages.
7. Commercial exchange of cultural artefacts and products must be regulated and equitably based.
8. Cultural exchange, both internally and internationally must be encouraged and developed, so as to enrich our society with a fertile interchange of ideas and artistic expression and to forge and cement links with the international community.

REALISATION OF CULTURAL & ARTISTIC FREEDOM

Central to the cultural considerations for constitutional guidelines is the upholding of the principle of freedom of artistic expression which, of course, must be concomitant with the clauses (i) - (k) of the Bill of Rights.

Culture must be represented at the highest level of the executive (eg the Cabinet must include a Minister of Culture) and should be likewise represented within the leading state organs and national institutions.

The onus should be overtly placed upon the legislature, judiciary and civil service to safe-guard against exclusivism; cultural arrogance and discrimination in regard to race, class, gender and ethnic divisions.

CULTURE AND NATION BUILDING

In the recent Department of Political Education seminar on 'Political Education for People's Power' Joe Slovo in his paper on 'The Working Class and Nation Building' said:-

'....the historic process of spreading a national (as opposed to ethnic or tribal) consciousness and the national consolida-

tion of existing State entities is, in the modern African era, generally a weapon of liberation and social advance.South Africa is a nation in the making; a process which is increasingly being advanced in struggle and one which can only be finally completed after the racist tyranny is defeated. The concept on one united nation, embracing all our ethnic communities remains the virtually undisputed liberation objective.'

In the specificity of the South African situation we see today an increasingly militant, organised and self-conscious working class. Tied up with this phenomenon is the tangible development of an emerging working class culture in our country. This should be surely seen as a crucial factor in the process of nation building and in the growth of a common national culture.

Also the way is opened to follow the model of some socialist countries in giving the trade unions a central role in the funding and administering of cultural institutions and activities.

CULTURE IN SOCIAL & ECONOMIC RE-CONSTRUCTION

Our new constitution is likely to adopt to some degree the form of a document of social and economic reconstruction following the extreme disintegration that racism and apartheid colonialism is visiting upon our country. Culture, that is to say democratic culture, has the potential to make an enormous contribution to this reconstruction effort.

We thus would hope that the architects of the future constitutional development of South Africa will see in culture a huge and vibrant dynamo of social advance and economic progress. Without doubt the face of development and transformation in the cultural sector will not only be an indicator but indeed an actual determinant of our social and economic advance towards total liberation.

This implies, as we already indicated at the beginning of this paper, that the place of culture in democratic constitutional development should not be relegated to some small compartment or token subsidiary clause. Cabral has stressed the extent to which the act of struggle can be explicated and understood as an essentially cultural act. We, likewise, also stress the cultural dimensions of the reconstruction process.

Of course a constitution is not a metaphysical form which can dictate, by quasi-legal fiat, to concrete historical processes, but is far better understood as a consensus or compromise regarding the balance of social forces at a particular crises or conjuncture. In terms of this balance of and by and large class determined forces we can still extract the maximum value from whatever constitutional document we negotiate or originate by infusing it with the most positive aspects of our social progress and democratic development to that point. The constitution must, therefore, point beyond itself towards further societal advances, not least of all in the field of culture.

Thus following from whatever constitutional provisions are decided regarding culture, and even more importantly following from the spirit with which any constitutional document handles cultural issues, should be clear responsibilities for implementation and action in the cultural field. That is to say, the way must be opened for further cultural progress; not closed down so that culture is frozen at its level of development at the moment of constitutional compromise.

Constitutional arrangement can be made into an effective terrain for democratic cultural struggle. If we do not apply ourselves seriously to this task, however, and merely pay lip-service to culture it might easily become the fiefdom of the next ruling class.

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LUSAKA - 2/3/88.