

# The Buthelezi Commission and the future

At the time of the publication of the Buthelezi Commission report in 1982, the central government, while accepting the value of the research and fact-finding of the Commission, roundly rejected its political recommendations.

This position has changed somewhat in recent times, however.

Today the central government appears to be encouraging joint planning initiatives in the region of KwaZulu and Natal and it fully accepts that economic development must be promoted in the region as a whole.

In fact, the new "growth pole" policy of the government has proposed regions for decentralised economic development which straddle political boundaries and nowhere is this more evident than in the region of KwaZulu/Natal.

In early May, 1984, the Minister of co-operation and Development went further to say that he was prepared to negotiate aspects of the Buthelezi Commission report with Chief Buthelezi.

Again this year, the now Minister of Co-operation, Development and Education, Dr Gerrit Viljoen, said that he too was prepared to examine aspects of the report.

In an interview with Mr Hugh Murray in *Leadership* magazine, Dr Viljoen said that there were many areas in the Buthelezi Commission which the central government could explore in consultation with the KwaZulu Government.

This was welcomed by the Chief Minister of KwaZulu and President of Inkatha, Chief M G Buthelezi.

Chief Buthelezi said he found the Minister's comments "quite encouraging and statesmanlike..."

Dr Viljoen said in the *Leadership* article that there were several areas in the Buthelezi Commission which merited further study, especially in the



**Inkatha youth with their message.**

economic and social fields.

He said the studies would also be of value in view of the urgent need for further industrial developments in KwaZulu.

What political concessions the Government would be prepared to make, however, remains to be seen.

In one major respect the Buthelezi Commission has received a possible setback.

The Government has announced its intention to dismantle the Provincial Councils as a tier of *representative* government. This will remove the Natal Provincial Administration as an elected 'partner' body to the KwaZulu Government in the region as a whole.

The new provincial dispensation will involve an Administrator in Executive appointed by the central Government reporting to a standing committee of Parliament. This will have to be the body to which the KwaZulu Government would have to relate if the proposals of the Buthelezi Commission are to be pursued.

There are both advantages and disadvantages for KwaZulu in the new arrangement. On one hand it takes responsibility for decision-making in Natal out of the hands of a local group and vests it with the central Parliament and Cabinet.

This may create some powerful impediments to the Buthelezi Commission proposals and slow down the process of their acceptance — since they will be more clearly seen as constituting precedents for other parts of the country.

On the other hand, the advantage is that any negotiation with regard to the Commission's proposals can now occur very directly with the central Government, giving the process of negotiation much greater authority and weight.

The central Government has accepted in principle that Blacks in the common area of the country are entitled to a form of representation at central level.

**continued overleaf**

from previous page

It has not, however, given any clear indication of what it envisages as possibilities for Blacks in self-governing areas like KwaZulu which refuses to take independence.

Thus, while some acceptance of the Buthelezi Commission has occurred in respect of planning and economic development, and a more broadly sympathetic attitude to its political recommendations is emerging in a very general sense at central Government level, there are considerable impediments in the way of a gradual and constructive implementation of the political findings of the Commission.

In recent statements to the Press, Chief Buthelezi has been quoted as saying that the decision to replace the provincial council systems with a new second-tier government (regional service councils) to be staffed by officials appointed by President P W Botha was "... another blow to the process of bringing about change through negotiation and non-violent means..."

"What hope is there for the future if the South African Government hurtles into the politics of obscurity, leaping from one expedient to another in desperate attempts to make the new constitution work?" he said.

In another statement he added it was "imperative" that the authorities in Natal and KwaZulu should be closely involved in formulating policy such as the Draft Bill on regional service councils announced by the central Government.

Commenting about the nature of representation on the proposed regional service councils, Chief Buthelezi said:

"If this is in any way weighted to favour one group over the other, it will unavoidably lead to a speedy collapse of the effectiveness of the structure and will, in fact, militate against the willingness of KwaZulu to participate in it..."

Clearly the task assigned to the Buthelezi Commission — that of promoting a peaceful sharing of power in the region within the context of a wider South Africa — is far from over.

The Buthelezi Commission, however, has provided the evidence which shows that this task is vital.

It has also provided a model of workable power-sharing which most responsible people in the region can accept. In these respects it has built the foundations for the task which lies ahead.

# The process of establishing a government in KwaZulu Natal

**T**he Buthelezi Commission envisaged that a government for KwaZulu/Natal could be established in four steps.

Each successive step represented an increase in the degree of co-operation between areas and peoples. Each step would be used to prepare the next step.

It was vital, the Commission reported, that the entire process should not be prolonged indefinitely — hence it felt it advisable to specify that each step be completed within one year.

In brief the report stated:

1. The first step consists of the closest possible consultation between the existing executive and legislative bodies of Natal and KwaZulu.
2. The second step entails the establishment of a single executive consisting of representatives of the KwaZulu Cabinet and the Natal Provincial Council or, alternatively, an amalgamation of the two executives into a single executive responsible to both of the legislatures. At this step, it is also of vital importance to include one or more elected Asian representatives in the joint executive, and also, but perhaps less urgently, a representative of the smaller minorities.
3. The next step would be the transition to a common multi-cultural executive and legislature for part of the area of KwaZulu/Natal. The most appropriate area for this is the Durban metropolitan area. The DMA government should be set up accordingly to consociational principles. In particular, it should include a power-sharing executive composed of sizeable political or cultural groups.
4. The final step would be to bring the entire area of KwaZulu/Natal under single government. The consociational proposal as set out represents one possibility. An alternative is the Lombard Plan. Probably its main weakness is that it maintains KwaZulu as a separate unit in an arrangement of three units that would also have a joint executive and legislature. Hence it fails to respond to the need for a full integration of KwaZulu/Natal.

In effecting a choice between options, there are definite considerations that need to be stressed, namely:

- A KwaZulu/Natal region should not entail independence from the Republic as such.
- An autonomous KwaZulu/Natal should constitutionally always form part of the broader South African context and therefore, appropriate forms of representation and participation in the central government are to be maintained as vital linkages.
- An autonomous KwaZulu/Natal would require a new dispensation as far as the fiscal inter-relationship between that unit and the central government is concerned.

The Commission stressed in its report that its recommendations represented only a consociational proposal and that many other consociational arrangements were possible. It emphasised:

The drafting of a consociational constitution should not be the function of an outside "expert" but should properly be performed in a negotiating process by the representatives of the people involved.

The only firm general recommendations of the Commission were that these negotiations be guided by the principles of power-sharing, group autonomy, proportionality and minority veto.