

Civil Rights Charter



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AfriForum

Get your **voice** back!

Minorities are increasingly withdrawing from public debate and actions. Some have “emigrated” inwardly in the sense that they continue living in South Africa, but concentrate only on their own economic survival, mentally isolated from the communities in which they find themselves. Others take the withdrawal even further by physically emigrating to other countries.

This withdrawal has resulted in minorities having lost their public voice, as it were. An absent voice, or an inaudible one, is obviously simply ignored in decision-making processes. The current absence of the voice of minorities does not only hold negative consequences for the minorities themselves, but for the country as a whole.

In this context it had become crucially important for minorities to develop a new charter, in terms of which they can reclaim their voice and play a constructive role in public life and public debate.

The Civil Rights Charter, as contained in this document and which is available at www.afriforum.co.za, is an attempt to provide guidelines for minorities to reclaim their voice. It is the result of public participation. In April 2006 AfriForum, the civil rights initiative established by Solidarity, invited members of the public by means of newspaper advertisements, media reports and email, to submit proposals regarding the content of the charter. The reaction was overwhelming. As people provided input in 1955 for the drawing up of the ANC’s “Freedom Charter”, so people from all sectors of society assailed AfriForum with suggestions for the charter.

AfriForum is proud of the contents of the charter, but does not claim exclusive ownership. We invite you and the organisations to which you belong, also to make it yours. Let us use it to reclaim our voice, for the benefit of all!



Kallie Kriel
Chief Executive: AfriForum

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We, the compilers and supporters of this charter, exercise the deliberate choice to lead a meaningful existence as Afrikaners, with our deeply-rooted foundation at the southernmost tip of Africa. We know no other home. This right to a meaningful existence extends to all communities and we are pleased to cooperate in seeking a better future for all.

In exercising our choice of existence, we are inspired by the same universal values of freedom, equality and justice for all.

To this end we offer a democratic plea for:

- ◆ The expansion and preservation of civil, minority, human and constitutional rights;
- ◆ The establishing of self-reliant and self-respecting communities;
- ◆ The attainment of settlements between communities for the promotion of peaceful co-existence and tolerance;
- ◆ The establishing and preservation of mutual recognition and respect;
- ◆ The quest for a balance between economic development, the environment and globalisation.

We therefore declare for all to know:

- ◆ That South Africa belongs to all communities and individuals that legally reside in her;
- ◆ That no government can claim the status of being a mature democracy if such government cannot or will not reach a balance between the rights and interest of the majority and those of minorities; and
- ◆ That no moral justification can be found for racially motivated policies that reduce any grouping to second-class citizens in the country of their birth.

We therefore adopt this civil rights charter and commit ourselves to leave no stone unturned in our quest to attain the realistic dream and future vision set out underneath, for the benefit of all the citizens of South Africa.

Civil rights for all!

Our future vision does not ask for special treatment for any community, but demands that the basic civil rights bestowed on communities and individuals by international declarations and the Constitution of South Africa be honoured.

In our demand for our civil rights, we are inspired by the republican tradition, which is based on democratic participation and accord among the citizenry, rather than a mentality of slavish submission.

We also note with enthusiasm the most recent international developments relating to the notion of human rights, in terms of which minority rights, as an integral part of human rights worldwide, are accepted as such in adjunct to the classic individual and socio-economic rights that developed during the eighteenth and nineteenth centuries.

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Our advocacy of civil rights places at least as much emphasis on the internationally recognised rights of national minorities as on individual human rights. We are committed to the continuous monitoring of that status of civil rights in South Africa and to take appropriate action when such rights are violated.

Minority rights for all national minorities!

We invoke internationally recognised principles regarding minority rights, as contained in a series of international conventions and declarations. These principles are not dependent on the policies or goodwill of governments or authorities, but are rights that enjoy widespread international recognition. In the light of these conventions and declarations we will work unceasingly for amongst other things:

- ◆ Equal rights and responsibilities for the total population, including the members of minority communities;
- ◆ Participation and decision-making powers with regard to issues that affect them directly. In a true democracy minorities are not permanently subjected to decision-making by the majority;
- ◆ Free participation in economic activity by members of minority communities. The state cannot implement policies that exclude minorities in a discriminatory fashion from free economic participation;
- ◆ Mother tongue education to the highest levels, including the existence of single-medium educational establishments. No government may, under the guise of access, derogate from the right to mother tongue education;
- ◆ Language rights. Free usage of minority languages must be possible in both the private and the public domain;
- ◆ The right of minorities to operate institutions and organisations. No government may, under the guise of population representation, render the existence of minority institutions impossible;
- ◆ The right of minorities and other citizens to feel at home as first-class citizens in the country of their birth. No government should passively sit by as thousands of citizens leave the country because they feel like second-class citizens;
- ◆ Free association. Association with a national minority is entirely voluntary and no person may be put at a disadvantage because of a choice of this nature;
- ◆ Freedom of religion and the right of communities to practise their religion in accordance with their own cultural customs;
- ◆ Free participation by minorities in public life, sports teams and other activities, based on merit;
- ◆ The right of minorities to derive, like the rest of the population, fair benefit from the taxes that they pay and to participate in decisions regarding the utilisation of such taxation;
- ◆ The principle that issues affecting national minorities are matters of legitimate international interest and not simply the domestic affair of the government in question.

We shall continuously point out to the state its obligation, in terms of international declarations, to:

- ◆ Protect and promote the cultural, linguistic and religious identity of national minorities in order to foster cordial relations between population groups and to promote peace, democracy, justice and stability;

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- ◆ Create opportunities and mechanisms for effective participation by national minorities in public life and economic activity.

Constitutional rights must materialise in practice!

We associate ourselves with the declaration in the Preamble to the Constitution of South Africa (1996) that "... South Africa belongs to all who live in her, united in diversity", as well as the values and rights contained therein, including human dignity, equality, human rights and freedoms.

- ◆ In the first place we recognise that the constitutional rights of citizens will remain paper rights only if all the grand symbolic gestures and pronouncements emanating from the Constitution do not agree with the realities experienced by citizens, including minorities, daily.

The growing gap between the glowing promises of the Constitution and government, and actual events is widened by, amongst other things, the fact that constitutional rights are out of reach of ordinary citizens, due to the high cost of enforcing them by legal means.

For this reason we are committed to do everything possible to ensure that the rights contained in the Constitution are actualised and promoted in practice. We shall oppose any attempt to undermine the rights contained in the Constitution and to subject them to racially-motivated political agendas that are carried out in the name of transformation.

- ◆ In the second place, we are increasingly becoming aware of the fact that changing power relationships and new realities have shown up a number of constitutional deficiencies with regard to the rights and interests of South African minorities.

We are not single-minded about these deficiencies and operate within the realities of the situation. We therefore demand for ourselves and others all the rights and duties contained in the Constitution.

We strive in particular for the realisation of the following constitutional rights:

- ◆ The promotion and protection of multi-lingualism [Section 6];
- ◆ The right to equality [Section 9]. We reject any attempt to subject, in the guise of equality, individuals and in particular members of minority communities to unequal treatment, since creative ways can be found to accomplish equality without creating new forms of inequality;
- ◆ The right to protection of human dignity [Section 10]. We shall endeavour to protect the human dignity of all and oppose, among other things, violation of human dignity through the practice of racial classification by the authorities and institutions, for which no legal basis exists.
- ◆ The right to safety [Section 12]. We demand that government eradicates violent crime on farms, in rural settlements, towns and cities;

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- ◆ The right to freedom of religion [Section 15];
- ◆ The right to freedom of expression [Section 16];
- ◆ The right to freedom of association [Section 17];
- ◆ The right to fair labour relations [Section 23];
- ◆ Rights relating to the protection of the environment [Section 24];
- ◆ Property rights [Section 25];
- ◆ The right of children and individuals to social assistance [Sections 27 & 28]. We regard it as unethical and unconstitutional to use race as a yardstick in the allocation of social subsidies, particularly in view of the fact that poverty increasingly knows no colour;
- ◆ Education, including the right to education in the official language of one's choice and the right to single-medium schools [Section 29];
- ◆ The right of each person to use the language of his or her own choice and to take part in his or her own choice of cultural life [Section 30];
- ◆ The rights of the members of cultural, religious and language communities [Section 31];
- ◆ Fair administrative processes [Section 33];
- ◆ Enforcement by the courts of rights as contained in the Bill of Rights [Section 38];
- ◆ The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Language Communities [Section 185]. We shall endeavour to ensure that this Commission serves the purpose for which it had been established and does not degenerate into a vehicle in the service of different agendas;
- ◆ The right to self-determination [Section 235].

Self-reliant and self-respecting communities must be created!

In the spirit of the republican tradition, we believe in government with limited and clearly circumscribed powers, and in a vital and active civil society. We reject excessive civil dependence on the state and believe that people should build their own future through their own efforts and initiative. For this reason we promote the creation of self-reliant and self-respecting communities as the building blocks for a successful Africa.

Peaceful coexistence and tolerance must be achieved through settlements!

We believe and are motivated by the conviction that the continued existence and progress of no community can be based on committing injustices against others. This is a recipe for polarisation and intolerance. It is for this reason that we strive for a political dispensation in which, in the midst of changing power relationships and new realities, settlements are continuously sought for the conflicting interests of communities.

We are inspired by the fact that in the spirit of the quest for win-win solutions, it is achievable to develop a formula that will promote peaceful coexistence and tolerance between communities. We are extremely concerned about the fact that such a quest for win-win solutions does not exist at present and that the interests of the majority are furthered at the expense of minorities under the guise of democracy and transformation.

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Mutual recognition and respect must be established and fostered!

Win-win solutions can be achieved if mutual recognition and respect exist between the majority and minority communities. We therefore strive for a dispensation in which diversity is not only recognised, but respected. Criminalising the history of a community and disowning place names and monuments that are crucial to the heritage of a community are acts of disparagement and disrespect.

Balance must be found between economic development, the environment and globalisation!

We acknowledge the material basis of our own existence and that of other communities and recognise that civil rights are meaningless to those who have no food. We therefore strive for a new free market school of thought that rejects both socialism and market fundamentalism. The one results in bondage; the other in hunger and misery.

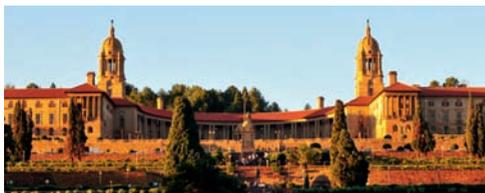
We show solidarity with all who are hungry and cannot provide their children with a decent existence and education, and we strive for a dispensation that can realise democracy and equal rights in the economic field as well. We therefore oppose large-scale government intervention in the economy, but we also oppose the culture that has elevated profit-seeking to the be-all and end-all of the private sector and in terms of which the interest of employees and the environment are merely theoretical.

We welcome the access to the rest of the world that has been afforded to us by globalisation. We are aware of the fact that to attempt to seclude ourselves from the rest of the world will result in stagnation and decline. We also realise that communal self-reliance and local economic development are vital in limiting the negative effects of globalisation. We therefore strive for a balance to be found between economic development, the environment and globalisation.

An appeal!

We appeal to all to join us in the spirit of friendship, in our quest for ways in which a middle-course may be charted between the rights and interests of the majority and those of the minority. We consider this Civil Rights Charter to be an action emanating there from as a vital contribution to the creation of a basis for future peaceful coexistence.

We will continue to labour on
this future vision and these
ideals until they are realised!



Join AfriForum today!

Postal Address: P.O. Box 17216, Lyttelton, 0140

Tel: 086 10 200 30

Fax: 012 664 1281

E-mail: afriforum@afriforum.co.za

