

## ARGUS GROUP No 21

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2 APRIL 1987

There is a well known distinction in political philosophy which is a great help in understanding the present political dilemma in our country : it is the difference between legal and legitimate. In politics a government organisation is legitimate when it can claim to have the consent or support of those over whom it governs; it is legal when it has the authority of law and is enforcable. When the institutions of government enjoy both legality and legitimacy, the chances are pretty good that the political stability in that country will be the result of the consent of those governed. If there is maximum legality but minimum legitimacy, it is more than likely that the political stability will depend on coercion rather than consensus. There is thus an inverse relationship between coercion and consensus : the more you have of the one, the less you have of the other.

If one applies this distinction to our present situation, some disturbing conclusions become evident :

More candidates are standing in the white general election than ever before in the history of the country. At the same time, one black spokesman after the other has claimed that these elections are a farce and their outcome a foregone conclusion which will not materially affect their own progress towards "freedom" or "liberation". They may or may not be correct in saying this, but whether or not this is so, their attitude reflects a profound political dilemma in our country. Black spokesmen are in effect saying that the political institutions which govern them may be legal, but they lack legitimacy. For most whites participating in the election, the present institutions may not be entirely adequate, but they have sufficient legality and legitimacy to enjoy their consent.

Whites generally do not like it when blacks question the legitimacy of the institutions which govern them and blacks do not like it when institutions are imposed on them without their consent. The government responds to this dilemma by saying that it will create political institutions for different races first and then bring them together to discuss matters of common concern. The majority of blacks reject those institutions because they had no role to play in creating them. They demand two things : one is the creation of political institutions which do not specifically make provision for racial groups; the other is that they must be part of the process of creating those institutions.

The whole period of protest and revolt we have gone through is fundamentally about the majority of the people demanding the right to have legitimate political institutions, i.e. institutions that have their support and consent. The response of government has been to declare a state of emergency in order to cope with the unrest and protest accompanying this demand. This has compounded the problem in the sense that for many it appears that for the government it is illegal to demand legitimate political institutions.

How do we get out of this impasse ? The only way it seems is to create the circumstances under which people can freely give their support and consent for political institutions. That would mean allowing them to support the parties and choosing the leaders they prefer. Bluntly put, it must mean unbanning organizations and releasing political prisoners. If this is not done, the only other choice is to enforce law through coercion and to deny consent by withholding legitimacy. This inevitably must escalate confrontation.

The other way which certainly will not work is to go on holding white elections where they debate amongst themselves how to solve the black problem. This exercise has the least legitimacy of all in the eyes of this majority, no matter how legal it may be.