S. A. GOVT. & POLITICS

1991 DEC.

PAC walks out in protest


Dikgang Moseneke addresses the media.

C/Pen 1/12/91.

By SEKOLA SELLO and Sapa

THE PAC yesterday temporarily withdrew from the constitutional talks with the government and 20 other organisations in protest against alleged collusion between the government and the ANC.

The PAC is one of four major participants with the ANC, the government and the IFP. Its withdrawal from the constitutional meeting is seen as a blow against the constitutional "talks about talks".

Hopes are still high, despite setback

In a hurriedly organised press briefing, the PAC said it would hold a special national congress in Cape Town on December 16 to get a new mandate whether to engage in future talks or not.

PAC deputy president Dikgang Moseneke has not precluded the possibility of the organisation taking part in future talks, but this is becoming increasingly unlikely.

The PAC was in a sombre mood during the opening day of the talks on Friday when all the organisation's proposals were rejected by the participants.

Despite this setback, it is all systems go for the launch of a new, nonracial and democratic South Africa.

The historic two-day preparatory meeting between the government, ANC, IFP, and 18 other organisations, with the PAC being a lone dissenting voice, cleared most of the obstacles leading to a new constitutional dispensation.

At the end of yesterday's meeting the parties had resolved the contentious issues of chairman and convenor of the December 20-21 conference – now officially known as the Convention for a Democratic South Africa (Codesa). Judges Ismail Mohamed and Piet Schabort were appointed co-chairmen and convenors.

Another contentious issue, the conference meeting place, was resolved on Friday with the World Trade Centre in Kempton Park chosen as the venue.

Constitutional Development Minister Gerrit Viljoen hailed yesterday's meeting as a "watershed event in the history of our country".

A member of the NP delegation, Finance Minister Barend du Plessis, said in reaction to the PAC leaving the conference that it was "their choice".

Inkatha delegation leader and chairman of the party, Dr Frank Mdlalose, said the IFP "concludes participation in the first phase of this process with a feeling of optimism". He dismissed allegations by the PAC that issues which were dealt with were mainly between the ANC and NP.

The PAC walkout had been a long time coming, Democratic Party leader Dr Zac de Beer said.

The ANC and PAC had quarrelled over several issues during the preparatory meeting. "It is clear they were on a collision course."

ANC delegation leader and party secretary-general, Cyril Ramaphosa, said: "More than ever we are convinced that we are walking the last mile."

Ramaphosa said the "successful" conclusion of the preparatory meeting marked the opening of genuine negotiations.

"None of us can afford the luxury of clinging to party political interests. The South Africa of tomorrow needs all of us to be party to the process," he said.


CHIEFS' CHOICE ... Stunning Celani Ndlovu, 17, (centre) was voted 1991 Miss Kaizer Chiefs 1991 in the finals. She was snapped next to her princesses Mabaseka Makoti, 17, (left) and Angela Mokoti, 19. ■ Pic: TLADI KHUELE

Beauties fly into race row

Refugee burial sparks row

C/Pen 1/12/91

By SOPHIE TEMA (119)



THE alleged secret burial in South Africa of Mozambican refugees shot by the security forces has torn apart the small Eastern Transvaal village of Jerusalem in KaNgwane.

The matter came to a

to the "secret" plans to bury the refugees when 10 open graves were discovered in Jerusalem.

Villagers said they had been told at a meeting at the royal kraal that the bodies were of Mozambicans and that they were to

Sishi to testify against Bhamjee

By DESMOND BLOW

FORMER NSL chairman Roger Sishi will turn State witness against Abdul Bhamjee when Bhamjee appears in the Rand

executive of the NSL.

Others to have be subpoenaed inclu Nocsa head Sam Ra samy; two Johannesbu attorneys who were al members of the NSL e

Clouds lifting after tough year

IT has been a difficult year for South African business. The recession has proved to be one of the most protracted on record, little apparent progress has been made in the fight against inflation and appalling violence, the "Inkathagate" scandal and the political atmospherics of feuding movements and organisations have further clouded the outlook.

Businessmen have been particularly frustrated by the reappearance of the tired old rhetoric of nationalisation on the part of the ANC-SACP-Cosatu alliance just when it was believed that it was safely buried; by the inability of these and other movements to finally abandon sanctions despite the acknowledged damage they were doing to an already battered economy; and by the VAT-inspired but politically motivated two-day stayaway.

Yet beneath all of these troubling circumstances there are positive developments. These augur well for an environment which will provide greater domestic and foreign business opportunities.

In spite of appearances, there is strong political momentum to formal constitutional negotiations. All the obstacles which were said to be preventing progress this time last year have been systematically cleared.

By MICHAEL SPICER, public affairs consultant, Anglo American

The ANC has held its congress, formally rearranged its hierarchy and generally finds itself sufficiently confident to jettison delaying tactics.

The PAC, too, fearful of missing the negotiation boat (let's give the tired train a rest) has hopped on board through the Patriotic Front.

Tensions in the Conservative Party and the appearance of the "new right" herald a similar move and it can be confidently expected that when the formal constitutional talks begin, the CP will be there.

Although there was a slight hiccup in preparations for the all-party/multi-party conference, a meeting can be expected early this month.

Rhetoric

There is a progressive closing of the gap between the parties on the issues of transitional arrangements and an elected consitutional forum.

But many people, including some observers who should know better, mistake the rhetoric of the political parties and organisations, which in recent weeks has been hotting up as the MPC talks become more imminent and as passions have been fuelled by Inkathagate, continuing violence and the stayaway, for a sign that the political process is in trouble.

No doubt the important ingredient of trust between the parties has been battered during the year.

But struggle as they will for advantage in the power stakes, an inescapable reality is Tina — as Mrs Thatcher would say, There Is No Alternative — in this case to a negotiated outcome.

And while that is in process, some form of coalition rule binding the parties together is also inescapable. Moralising and handwringing are neither helpful nor useful analytical tools.

On the international front, there has also been rapid progress.

That sanctions are yesterday's debate has been amply shown as country after country has welcomed South Africa back in the international economic community.

The European Community, led by Britain, but delayed by Denmark, was first and was followed midyear by the critical scrapping of the CAAA by the Bush Administration.

In October, equally importantly, the Japanese ditched sanctions.

The result was that the Commonwealth and the South African parties it favoured had to recognise the irreversability of the trend and telescope the process they were proposing for the lifting of sanctions.

Indeed, it is evident that the ANC leadership has become increasingly worried about the impact of continued sanctions on SA's weak economy. No doubt the leaders' looming co-responsibility for the performance of the economy is a major factor.

So it may be confidently predicted that formal economic sanctions will disappear next year — earlier rather than later.

The scrapping of the Gramm Amendment, which prevents South African access to International Monetary Fund money, will be an important fillip for confidence.

Confidence, that vital ingredient of economic activity, has also been underpinned by SA's re-entry to the international sporting scene.

Naturally, this has wider implications in helping to forge a sense of national unity and common values. Those politicans who have played a vital role in these moves deserve praise, and those sports administrators delaying the process require a kick elsewhere.

In the meantime, the psychological boost to businessmen of their return to important markets has been mirrored by a strong export performance.

Safto predicts even stronger growth next year as South Africans show that they have the entrepreneurial spirit to meet the challenges and seize new opportunities.

Useful

In passing, this is one of the reasons why businessmen do not have to be as gloomy about the state of the economy as the analysis contained in the Nedperm scenarios sometimes suggests.

Much useful restructuring and improved performances on several of fronts have been going on since the mid-1980s.

As most business observers agree, the economic fundamentals for a recovery next year are still set fair.

Indeed, it is in the field of helping the politicians to find a sensible framework of macro-economic policies that businessmen can and should make an important contribution.

In my view, there is no need for kick starts or quick fixes — doing the right thing in terms of policy on a firm and sustained basis will allow the Government to pursue affordable poverty alleviation programmes and business to invest and create wealth.

In this respect, the imminent advent of an economic forum, whether it is part of the APC-MPC, or a separate but parallel process, is to be welcomed.

The forum will provide the opportunity of dealing in a sensible manner with the challenge thrown down by Nelson Mandela to businessmen to provide an alternative to nationalisation.

Business' contribution will be to draw the debate away from theoretical or ideological considerations to pragmatic ones of what works and what does not in the real world.

The politicians will find that business' essential optimism and preference for action more than words is a great asset in a time of transition when the population at large is looking for reassurance.

Assurers full of life as shares rocket

By DAVID SOUTHEY, investment analyst, Edey, Rogers & Co Inc

LIFE-ASSURANCE shares are seen as good defensive investments when the industrial market is expected to underperform. That is why most brokers retained assurance shares on their buying lists for the first half of 1991.

But the industrial market did not underperform — neither did assurance shares.

The overall insurance index — including short- and long-term insurers — rocketed by no less than 62% from 1 500 at the beginning of this year.

Cyril sums up mood as talks set SA on course for new political era

WALKING THE LAST MILE



CYRIL RAMAPHOSA . . . "all parties agreed that nothing must stand in the way"

S Times 1/12/91 (304A)

By MIKE ROBERTSON and EDYTH BULBRING

POLITICAL foes yesterday put aside historic enmities to sweep South Africa into a new era.

Twenty political organisations at the multi-party talks did not settle on a declaration of intent, but did agree on the chairmen, agenda and participants for the national convention to be held on December 20 and 21.

The pre-Christmas meeting, to be called the Convention for a Democratic South Africa, will be chaired by Mr Justice Petrus Schabort and Mr Justice Ismail Mahomed, the two men who have guided the preliminary talks over the last two days.

The meeting will be the most important gathering since the National Convention of 1909 brought the Union of South Africa into being.

Spokesmen for the main parties yesterday did not conceal their delight at the gains made at the talks at a hotel near Jan Smuts airport.

Constitutional Development Minister Gerrit Viljoen said the preparatory meeting represented a "clear, irreversible and definite break with the past".

Considering the chasms that had existed between the parties, it was a fundamental achievement.

ANC secretary-general Cyril Ramaphosa said the successful conclusion of the meeting marked the opening of genuine negotiations.

"More than ever we are convinced that we are walking the last mile."

Mr Ramaphosa said the main characteristic of the meeting was the demonstrable commitment of the overwhelming majority of organisations to flexibility so that the process could move forward.

Almost all parties, he said, had demonstrated a common understanding that nothing should stand in the way of launching the convention. All had recognised the need to rise above party political interests and be guided by the national interest.

"This spirit must be the foundation stone of the convention. There are going to be many difficult moments. The only assurance we have that we shall achieve democracy is this commitment to the national interest that has inspired us over the last two days."

Inkatha chairman Frank Mdlalose said the meeting had shown the world that South Africans could overcome "all the difficulties and divisions of apartheid and the violent society it created".

Although there had been difficulties, these were to be expected, and, in the end, the preparatory meeting had been a healing event.

Spurned

Not all parties, however, lasted the distance. The Pan African Congress delegation yesterday walked out of the preliminary meeting shortly before it ended, saying it needed a new mandate from its followers.

And there was a fair share of off-beat excitement. Just [illegible]

First step is to set common goals

S Times 1/12/91 (304A)

By MIKE ROBERTSON

THE first task of the steering committee appointed by the 20 organisations at the multi-party talks yesterday will be to draft a statement of intent.

This statement will be the founding charter of the Convention for a Democratic South Africa (Codesa) to be held on December 20 and 21.

Participants in the preliminary talks held over the past two days at a Johannesburg hotel opted to allow the steering com-

Crossing crash man gets bill for train damage

By EUGENE ABRAHAMS

A MAN whose car was wrecked in a level-crossing smash has been sent a bill for R706 — for damage to the train.

"It's ridiculous," said Cape Town boat-builder Edward Pearson. "They should pay me R14 000 for the loss of my car."

But Spoornet replied: "Our train was damaged. The money has to come from somewhere."

The crash happened last June when Mr Pearson, a father of five who lives in Heathfield, approached a railway crossing at Steenberg station.

The flashing warning lights had been turned off because of work being done on the line and only flagmen were on duty to control traffic.

Said Mr Pearson: "The flagman at the crossing had his flag down, but he was waving it in a manner which I thought meant I could cross.

Pole

"As I crossed the line, I



WELCOME . . . Miss SA Diana Tilden-Davis with Miss New Zealand Lisa Maree de Montalk and Miss France M.

By CHARIS PERKINS



Viva! Sweep kicks off tomorrow

WHEN 79 of the world's most beautiful women stepped on to South African soil yesterday, they

achieve democracy is this commitment to the national interest that has inspired us over the last two days."

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Not all parties, however, lasted the distance. The Pan African Congress delegation yesterday walked out of the preliminary meeting shortly before it ended, saying it needed a new mandate from its followers.

And there was a fair share of off-beat excitement. Justice Minister Coetsee was taken to hospital with blood pressure problems and the Conservative Party's Koos van der Merwe pitched up at the hotel venue. He claimed he was there coincidentally for breakfast, but his appearance was condemned by CP leader Andries Treurnicht. The CP has spurned the talks.

Two issues dominated yesterday's proceedings.

● Mr Coetsee proposed that Chief Justice Corbett, assisted by Judges Schabort and Mahomed — the chairmen of the preparatory meeting — should chair and convene the convention.

It was eventually decided that a neutral convenor was no longer necessary and that the steering committee of the convention could fulfil this function.

It was also decided that Judges Schabort and Mahomed should chair the plenary sessions of the convention and also be the chairmen of the steering committee.

However, disagreements continued over the role to be played by the Chief Justice. The government/NP delegations wanted him to take charge of the ceremonial opening, but the ANC and others objected — they did not want an officer of the state.

Finance Minister Barend du Plessis intervened with what one delegate described as an impassioned speech in which he argued that the Chief Justice's name had already been widely canvassed in the press and that his exclusion would be interpreted as bringing into question his credibiliy.

The matter was eventually resolved when the conference decided on a limited ceremonial opening in which the Chief Justice would welcome delegates and introduce various religious leaders to say prayers.

Heated

The religious leaders would include Methodist president Stanley Mogaba and former NGK moderator Johan Heyns, who had also been mentioned as possible chairmen, as well as leaders of the Jewish, Hindu and Muslim faiths.

● A second heated debate ensued over Inkatha's insistence that the Kwazulu government and the Zulu king also be allowed to have delegations at the convention.

It was eventually decided that as each party would be allowed 12 representatives, Inkatha could include members of these two groups in its delegation.

However, the party later issued a statement objecting to this. It is expected to raise the issue with the steering committee of the convention once it has been formed.

The conference signalled first signs of what could be an important factor in the long road ahead to negotiating a new constitution — the Democratic Party playing the role of facilitator. DP chairman Zach de Beer was chosen to chair the debate on the most difficult issue of the whole conference — the choice of chairmen for the convention.

The preparatory meeting decided that:

● The forthcoming multi-party talks on a new constitution would be called the Convention for a Democratic SA.

● They would take place at the World Trade Centre near Jan Smuts on December 20 and 21.

□ To Page 2

We are walking the last mile to a new political era

S/Times 1/12/91 (304A)

□ From Page 1

● Invitations would be issued to the 20 political parties and governments that attended the preparatory meeting as well as the CP, HNP, AWB and Azapo.

● All parties would be entitled to a maximum of 12 delegates at the conference. This would allow Inkatha to include Kwazulu government representatives in its delegation. The ANC and SACP would be able to include Cosatu representatives in theirs.

● The United Nations, the European Community, the Organisation of African Unity, the Commonwealth and the Non-Aligned Movement would be invited to send observers to the first meeting of the convention.

The parties decided the agenda of the first meeting would include: the creation of a climate for free political participation; general constitutional principles; transitional arrangements; the future of the TVBC states; the role of the international community; time frames; and the implementation of decisions of the convention.

The only sour note in the talks was the PAC walkout. Mr Dikgang Moseneke, a member of the PAC delegation, said that by lunch-time on the first day of the conference the decision-making mechanism had become clear.

On every issue the proposal was made by either the ANC or the government and supported by the other.

Except for the PAC the other parties did no more than endorse prior agreements by the ANC and the government.

However, asked whether the PAC would propose to its emergency conference on December 16 that it take part in the convention, he said the PAC took itself seriously and believed that where critical national issues were being decided it should be engaged.

● See Page 29

KIN 36501

More MPs to desert Labour

(3047)

5 Times 1/12/91

By NORMAN WEST
Political Reporter

THE National Party is poised to take over the House of Representatives next month with more coloured MPs planning to desert the Rev Allan Hendrickse's Labour Party.

The latest resignation from the Labour Party came this week when the Transvaal MEC and national chairman of the LP, Dr Willie Hoods, resigned in a huff.

The leader of the Nats in the House of Representatives, Mr Jac Rabie, said yesterday he believed Dr Hoods's resignation would precipitate a hiving off of top members of the LP on the eve of the party's 26th annual congress in Durban at the end of this month.

Inkatha

It is known that at least one other MEC is about to follow Dr Hoods.

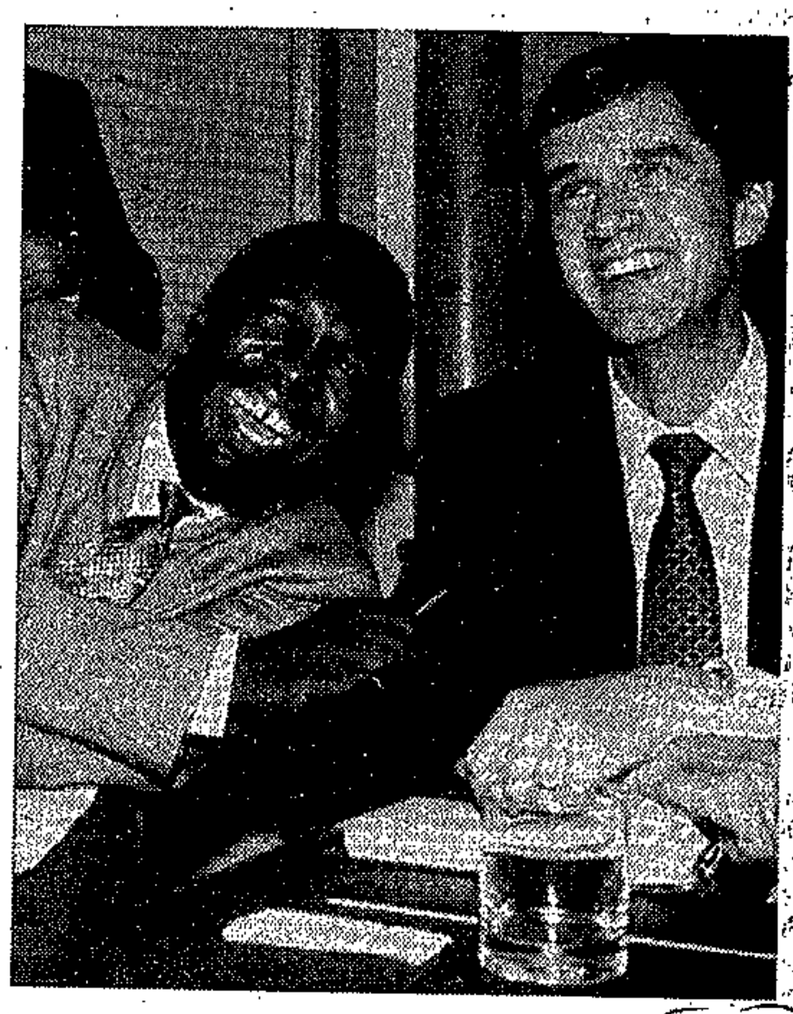
In Natal, senior LP members are questioning the wisdom of the party's association with the ANC because they were living in Inkatha territory and always believed the LP to be closer to Inkatha and the NP than the ANC/SACP-/PAC alliance.

The LP is clinging to power in the 85-member House of Representatives with 43 MPs. The NP has 35 and there are seven independents.

Sources close to the party believe that Mr Hendrickse's control over his Ministers' Council is also slipping as some ministers reconsider their political futures.

Among them are the Minister of Housing, Mr David Curry, and the Minister of Health and Welfare Services, Mr Chris April.

The real lefties



SEATING arrangements in the preliminary meeting of the multi-party talks were the last thing on anybody's mind so that when the delegates arrived on Friday everybody shook down where they could.

The National Party ended up, incongruously, between the PAC and the SA Communist Party.

Which prompted Minister of Defence Roelf Meyer, joking with the SACP's Sidney Mafumadi, to observe that all those rumours about the NP were true after all: it was positioned to the left of the communists.



Pictures: JUHAN KUUS

By CHARLES LEONARD

When the dust had settled over Virginia, the call was: One Nationalist, One Bullet

IT was not Jac Kloppers's day. The National Party candidate in Thursday's by-election in Virginia, was thrashed by his Conservative Party opponent, Kobus Beyers.

But his defeat was clear long before the announcement by Magistrate Karel Smit at 11.30pm that the CP had captured the seat from the NP with a majority of 3 166 votes.

In the run-up to the election, NP spokesmen had already started making "provisions" in case they did not make it.

At about 5pm on Thursday, four hours before the polling booths closed, Justice Minister and NP Free State leader Kobie Coetsee did something unheard of for a politician: he admitted defeat.

Deplorable

"I have fought many by-elections, but never before have the dice been so loaded against us," Mr Coetsee said outside the NP tent in Virginia.

"Politics is not the focal point here. This indifference could lead to the loss of a seat and I find that deplorable."

But Mr Coetsee said he did not feel deterred from carrying on the "road to negotiations".

Mr Coetsee and Deputy Defence Minister Wynand Breytenbach then got into their luxury German cars and disappeared. They were not seen at the polling station again.

Former MP and retired Minister of Education Piet Clase and a small band of NP canvassers were left to try to hustle the Goldfields voters back into the Nationalist fold.

Mr Clase, who left the party at what Mr Coetsee called an "unfortunate time", nervously fingered an NP rosette without ever putting it on his lapel. His fellow NP workers bravely tried to deflect the stream of voters who headed straight to the CP tent.

But they were out-Clased. The CP had all their voters on three computers on the spot and enticed the "uncertains" to vote for them with the best boerewors in the Goldfields and a three-piece boereorkes "all the way from Jo'burg" to give the election a real "opskop" flavour.

Throughout the day, CP supporters — who had arrived from all over the platteland — came in "taunting" delegations to the NP tent. One of the many "tired and emotional" CP supporters aptly described the Nationalist tent as the "hoekie vir eensames" (lonely hearts corner).

With the *Kalfiewals* blaring in the background, Mr Beyers said that about 80 percent of the Virginia voters were working for the local mining houses.

"The ghastly economic position of these workers is assuring us of many votes," he said. "The mining houses are inviting black people into white suburbs in this constituency, thus exposing white workers to forced integration. Our standpoint is clear: once the CP gets into power, these blacks' houses will be at risk."

Mr Thys Greeff, organiser for the white Mineworkers' Union, visited some of the shafts on election day.

"There is a real 'gatvol' factor here. The government is busy making the white miner poorer and poorer," he said. "The recent killings at the President Steyn mine showed that the government is unable to maintain law and order."

Many CP MPs were on hand to convince voters to make a cross for the "white man against forced integration" — just in case people did not see the signboard with blue and yellow bulbs flashing "Stem Beyers! Stem Beyers!".

CP MP for Middelburg Wynand van Wyk made sure that media people portrayed his party "fairly" by using barely veiled threats.

Warned

"If you publish pictures making our people look backward, I'll personally see that you are thrown out at Potchefstroom (where another by-election will be taking place early next year)," he warned the Sunday Times photographer.

A posse of uniformed AWB supporters arrived to great applause later in the afternoon. But the biggest applause was reserved for the leader, Dr Andries Treurnicht himself, when he arrived at 6.30pm.

At about 10.30pm, a huge crowd of enthusiastic CP supporters had assembled in front of a podium leading from the polling booth. No NP supporters were in sight.

Above the podium, three supporters had a green flag with a Springbok emblem and were encouraging the right-wingers to sing favourites like *Die Lied van Jong Suid-Afrika*, the Transvaal and Free State anthems and *Vat jou goed en trek De Klerkie*.

And then it was time for the announcement, which was a foregone conclusion. As the magistrate announced the result, Mr Beyers was already shoulder high on two burly supporters' shoulders. To roars of approval, Mr Beyers and Dr Treurnicht gave victory speeches.

Traitor

Poor Mr Kloppers also tried to make a speech.

But it was not cricket. His voice was drowned by taunts of "Verraaier! Verraaier!" (traitor), and missiles started flying towards the podium.

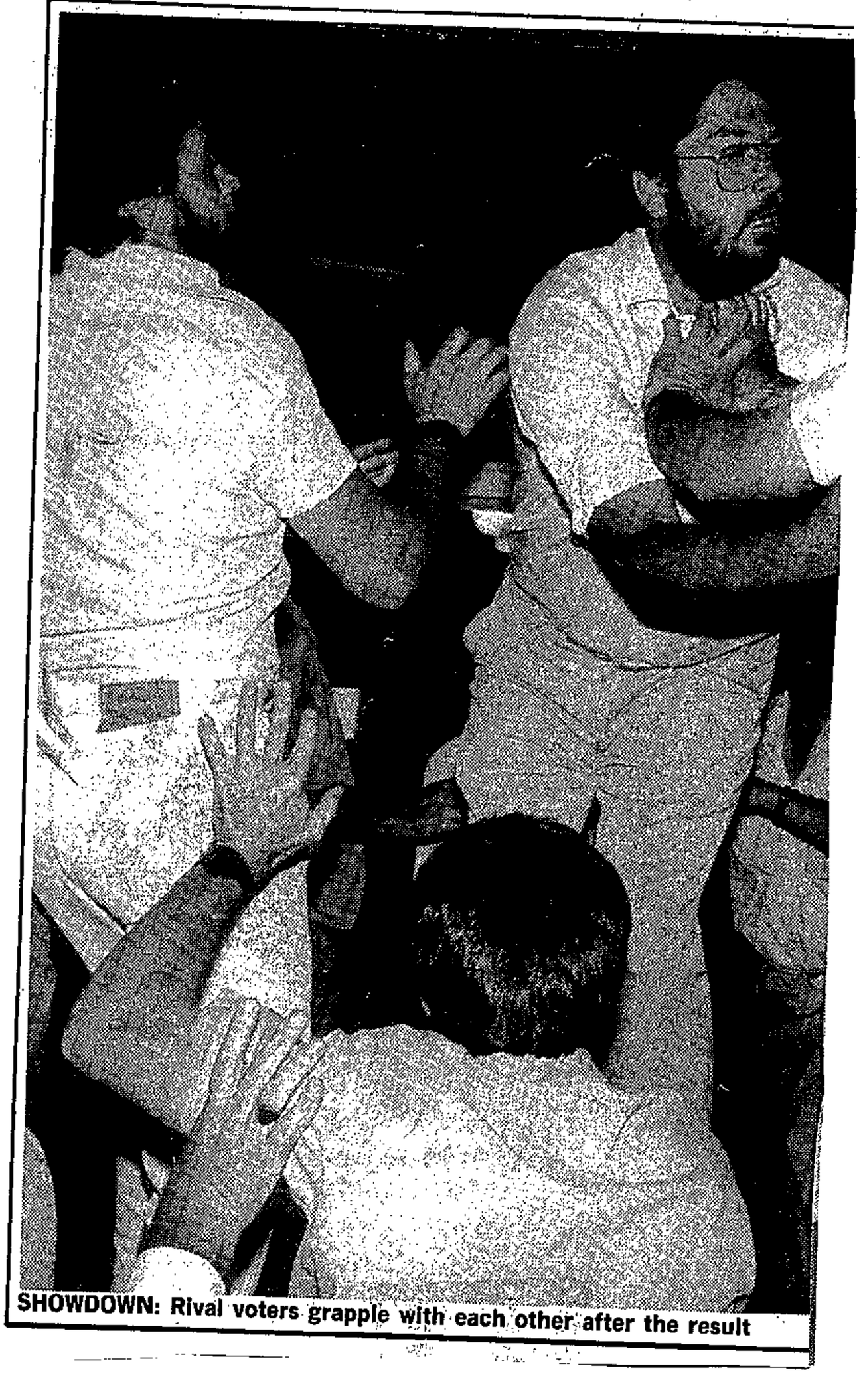
Suddenly things erupted. A huge NP canvasser tried to quieten a CP supporter, then fists started flying. The people on the podium exploded in different directions. Police came running, bottles flew and insults were flung in the pandemonium.

Once the madness subsided after police intervention, a single AWB supporter's chant summed up how Afrikanerdom has disintegrated. "One Nationalist, One Bullet!" he shouted.



OUTRIGHT WINNER: Victorious CP candidate Kobus Beyers and his wife are almost knocked off balance as they are jostled by excited supporters

(504) S. TIMES 1/12/91



SHOWDOWN: Rival voters grapple with each other after the result



Oh, stop wailing! It's not as bad as all that

304A7
ST Times
1/12/91.

OH, ye of little faith! The constitutional negotiations have hardly begun and already the air is filled with cries of alarm and woe.

When a staunch reformist and *verligte* like Professor Hermann Giliomee, a Stellenbosch refugee now at the University of Cape Town, demands that President De Klerk stop travelling abroad and stay at home to stiffen the spines of his Cabinet, he clearly sees horrors in the night that elude mere liberals like me.

The Conservatives must have cheered to read, on the eve of the Virginia by-election, Professor Giliomee's assessment of reform: the roof collapsing, leaders without authority, a stagnant labour market, violence out of control, shuddering investors, Cabinet ministers without backbone and a government incapable of holding the lines it draws in the dust.

Many pseudo-liberals, I know, have pursued both reform and negotiation not as instruments for the creation of democracy, but in the vain belief that negotiation was a substitute for change. Professor Giliomee has not been among them; he is too astute to think one can preserve the status quo by changing it.

Nevertheless, he now articulates the mood of despair — stronger in the gentle Cape than in the Transvaal — which appears to have been triggered by Cosatu's two-day stayaway. That stayaway, I thought, amounted to little more than street theatre, and did about as much economic damage as any long weekend, but it suited various special interests to exaggerate the impact.

The result is the deepest pessimism, combined with a loss of confidence in President De Klerk, even among reformists. The Virginia result, a thrashing for the Nationalists, appears to justify the mood. What good will it do if President De Klerk strikes a bargain with the ANC, only to be repudiated at the polls by white voters willing to plunge the country again into the darkness of isolation, sanctions, armed struggle, and progressive disintegration?

There are two ways of looking at this: if Professor Giliomee's worst fears came to pass, we would be back where we were in 1989. As matters stand, at least we have a chance to escape that fate. Cheer up.

Three sets of problems, however, impinge on the prospects. The first is the depressed state of the economy, which in turn is the result of nearly two decades of mismanagement: of fiscal and monetary indiscipline, of the diversion of resources to "strategic" white elephants, of inappropriate education, of urban neglect, of protectionism, of sanctions and excessive accumulation of foreign short-term debt, of corruption and nepotism.

We are now at the nadir of the recession which was necessary — inescapable, indeed — if we were to overcome inflation and to begin a new cycle of healthy growth. Thanks to the toughmindedness of the Reserve Bank, the first signs of that new growth cycle can be discerned, for example, in vigorous export growth and the strengthening national reserves.

UNHAPPILY, fiscal policy has not been nearly as severe as monetary policy, and inflation remains a corrosive blight, sustained by protectionism and subsidies, and by government expenditure on an array of useless and expensive endeavours.

This is not the place to argue details of economic policy, except to say that the business community's behaviour has, by and large, been no more admirable than the government's. Retailers howl for easy money, knowing it will rekindle inflation while it rattles their cash registers; investors bemoan inflation and howl against any attempt to remove its causes.

Mortgage companies, exploiting and exaggerating the current pessimism, demand mass house-building programmes; Eskom punts electrification; incompetent manufacturers demand tariffs; academics demand studies, bureaucrats demand plans and economists of every stripe urge us to spend our way out of trouble.

These self-serving arguments, incidentally, are pursued with reckless disregard of the political consequences. The militant middle-classes, campaigning against a tax they didn't bother to understand, set the stage for Cosatu's anti-VAT stayaway. The clamour of business for government interventions of one kind stimulates ANC demands for interventioins of another kind.

The difference on this point between business and the ANC is not, I fear, one of principle, but simply of beneficiary: whether socialism should benefit the rich or the poor?

Economic failure underlies the second problem, which is the crime wave spilling from township to suburb, breeding insecurity and reinforcing the worst racial stereotypes that underpinned apartheid. For many whites, resistance to reform has become the same thing as resistance to rape.

PRESIDENT De Klerk will not, I fear, indefinitely watch his power base erode in this manner and there are hints in the air of draconian methods to come, though what powers the government can give the police that they do not already possess is not clear to me.

There is no quick fix to crime. Partial remedies range from dogged police work to personal vigilance to court reform. For many years I pleaded for a doubling of the police force; now I say, double it again. But in the end, the only answer is to persuade the ANC to take co-responsibility for the maintenance of order, or deal with the CP.

This brings the argument to the third problem: the political negotiations, and the uncertainty they bring. For two years, the government has been at a political disadvantage, forced to keep a stoical silence in the face of provocations from left and right while it worked to bring all parties to the table. That phase, happily, has been completed, and we go into a new world where political contest has replaced armed struggle.

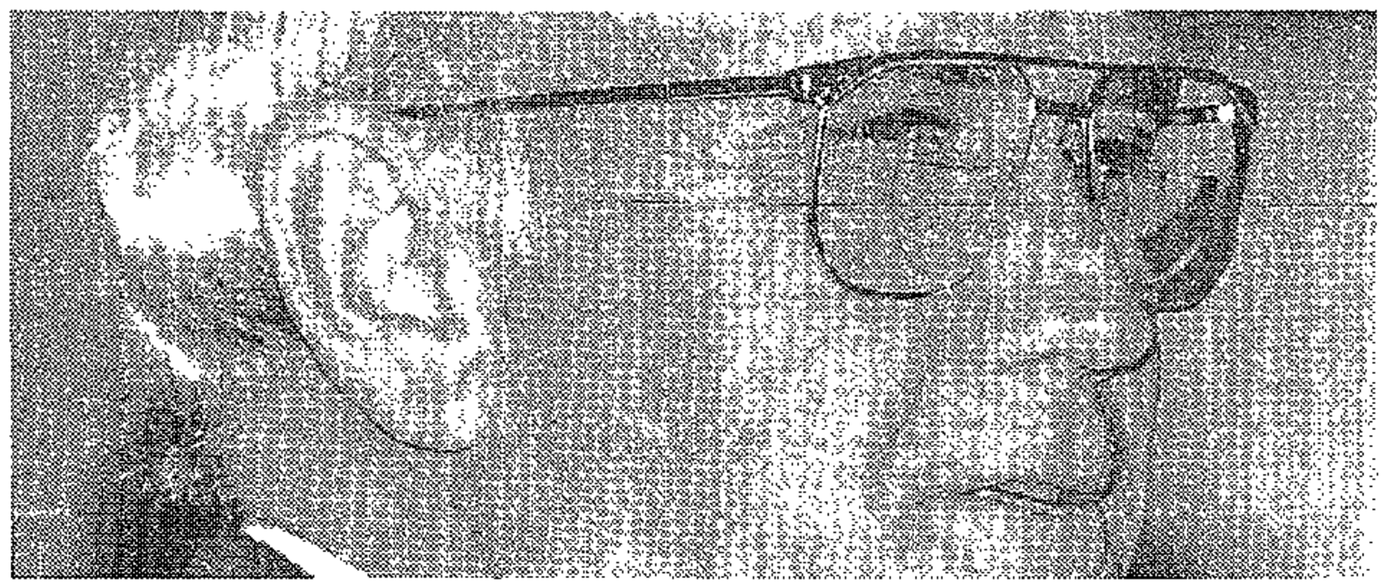
That, however, is a circumstance loaded with opportunity, a reason to hope rather than to despair. This is a time to recall that all our military might, and all the draconian laws, the assassinations, the brutality, could not bring peace or conciliation. Talks across a table may just do so.

KEN OWEN

Foot-dragging, grand-standing

S/Times 1/12/91. (3041)

MIKE ROBERTSON looks at the strategic jockeying that preceded this week's multi-party talks



HOT SEAT ... FW de Klerk, who has been under fire from business leaders for seeming to allow the ANC to dictate the course of change

(and other tricks of the talks trade)

NATIONAL Party secretary-general Stoffel van der Merwe, declined to have wine with his lunch all of last week. If his faculties were impaired by just one percent, he insisted, there could be failure.

Such was the mood among top NP members as they headed towards the Convention for a Democratic South Africa. Hardly less meticulous were ANC members. They, too, feared the last minute mistake, the unguarded moment that would lay the organisation open to snipes from its left flank that it had sold out.

The parties bring varying experience to the negotiating table and both will, no doubt, hope to retire with different results. On one thing, however, there is unanimity: both parties have staked their futures on the success of the talks which were launched on Friday.

This reason, more than any other, explains the conduct of President FW de Klerk and his senior colleagues in recent weeks.

Scourge

Until now the NP has been prepared to accept that moulding a new South Africa means living with a loss of support in seats like Virginia; it has also accepted that tough law and order measured *a la* PW Botha, to combat crime and political violence provide no lasting solution.

The NP could endure these tough realities — as long as Mr De Klerk was seen, both locally and internationally, as being in control of the process of change.

But the easy part, scrapping apartheid laws, has passed. Now the NP faces the difficulty of building a new non-racial South Africa, which not only has to be negotiated, but is also subject to the idiosyncrasies, if one can call them that, of the party's main negotiating partners.

Mr De Klerk has been under fire from business leaders and whites generally for seeming to allow the ANC to dictate the course of change. His vehement attack on the party at the recent NP Transvaal provincial congress followed one such berating by a heavyweight group of businessmen.

Recognising that these people represent the new core of the NP's constituency, he has made his displeasure with the ANC and Cosatu known on a range of issues: the VAT strike, the dropping of national symbols for the Olympic team and the ANC's claim that it is blameless for the scourge of violence. Ominously, he threatened a security clampdown.

During his recent trip to Israel and Taiwan, Mr De Klerk kept up the attacks on the ANC and laid down the NP's bottom lines. In Taipei, he said his government "would not permit the introduction in South Africa of obsolete and rejected ideologies that have failed so dramatically elsewhere in the world".

In the meantime, back at home, NP negotiators had begun to play hard ball with the ANC on the seemingly insignificant details of the multi-party talks — matters such as the venue, convenors and even which guests should be invited.

Without debating the merits of these attacks, it is clear that what Mr De Klerk sought to deal with was the perception that his government was no longer in control of the process of change.

The clampdown threat, his ministers say, will not be seriously explored until ample opportunity has been allowed for the peace accord to take effect. If violence continues, however, a clampdown remains a real alternative, they say.

Nevertheless, there are some in the ANC who are beginning to believe that the NP, now that South Africa is on the verge of real constitutional negotiations, is beginning to get cold feet.

They are wrong. It is not negotiations the party fears, but the perception that it has lost control of them.

As one senior minister remarked this week: "Every party has the right to remain at the table until they are satisfied with the outcome. We are going to exercise that right."

The ANC, for its part, is also determined to rise from the table only when replete, politically speaking. It has, in

If De Klerk disappears, we are back to square one – Mandela

ANC backs FW against Right

Star 2/12/91 (304)

By Guy Jepson

ANC president Nelson Mandela yesterday pledged to do everything in his power to ensure that President de Klerk's power base was not eroded by the resurgent Conservative Party.

Addressing a press conference at his Soweto home on the eve of his departure for a series of top-level meetings in the United States, the ANC leader also said a serious attempt would be made to woo the CP to the negotiating table.

At the conference, ANC secretary-general Cyril Ramaphosa charged that there had been "repeated secret meetings" between the PAC and the Government — a charge the PAC has recently made against the ANC.

"At press conferences and public meetings the PAC has continued to deny that such secret meetings have taken place. However, at a private level, some of their leading officials admit that such meetings have been held," Mr Ramaphosa claimed.

Discussing the question of the political threat posed by the white right wing to the thrust for a negotiated settlement, Mr Mandela said that there was "no doubt" that the CP was a danger to the NP Government.

Although the ANC had "reservations" about Mr de Klerk and had previously perceived that his Government was playing "a double game", the State President remained "the only person with whom we can negotiate" a new constitution, said Mr Mandela.

"If De Klerk disappears, we are back to square one," Mr Mandela said, adding that the ANC would do "everthing in its power" to assist the State President in the face of the CP threat.

The ANC leader said the launch of real multiparty negotiations on December 20 under the auspices of the Convention for a Democratic

See Pages 3 and 10

South Africa (Codesa) was of "crucial importance" to South Africa.

He described the controversy over the walkout of PAC delegates at Saturday's preparatory meeting as "a classic storm in a teacup".

"I am not prepared to spend a sleepless night over it. The forward movement to a democratic South Africa does not depend on the PAC. Nor can they do anything to slow down the process."

Earlier, Mr Ramaphosa read out a statement condemning the behaviour of the PAC before and during the preparatory conference as "dishonest, destructive and manipulative".

"It is clear that the PAC came to the preparatory conference with a decision to walk out. We have no doubt that this is pure showmanship and that they will return to participate in Codesa on December 20," Mr Ramaphosa said.

Mr Mandela was scheduled to fly to the United States last night, where he is due to address the United Nations General Assembly, and meet President Bush and US Secretary of State James Baker and members of Congress.

He will also be seeking financial support for the reintegration of political exiles. Meetings with top American business leaders and showbusiness personalities are also on Mr Mandela's itinerary.

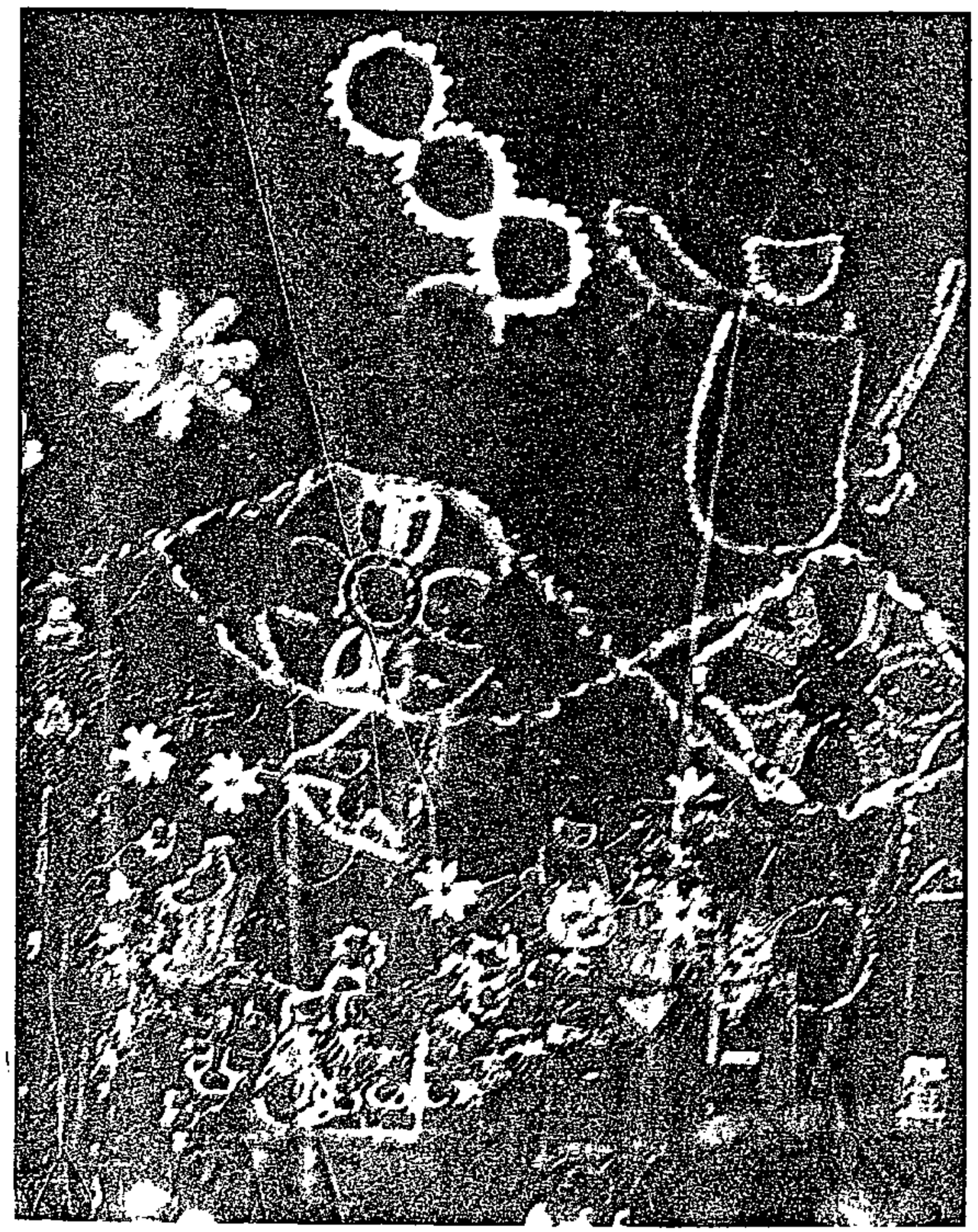
Sapa reports that the PAC has strongly denied claims that Namibian President Sam Nujoma was responsible for leaking the minutes of Thabo Mbeki's diplomatic briefing of Frontline state diplomats.

The New York briefing resulted in accusations that the ANC and the Goverment were co-operating secretly.

In a statement yesterday, PAC general-secretary Benny Alexander said he "emphatically denied" that Mr Nujoma was the source.

He was reacting to a report in the Sunday Star, claiming that the source of the leak was Mr Nujoma, whose diplomatic representatives apparently passed the document on to him.

"I reiterate that the source of our information is based in New York," Mr Alexander said.



Woman may be UK's 'spymistress'

LONDON — Britain, traditionally secretive on the subject of spies, is staying silent about reports that a woman could be named to run its foreign intelligence service.

The Sunday Express newspaper said that two women, both of them high-ranking diplomats, were among shortlisted candidates for the job of director of the Secret Intelligence Service (SIS), the foreign intelligence arm known popularly as MI6.

"The appointment of Britain's first 'spymistress' to succeed Sir Colin McColl, the present head of the Secret Service who retires on his 60th birthday in September, would end 82 years of ex-public schoolboy dominance," the paper said.

It named the two as Margaret Ramsay (55), just retired from the diplomatic service, and Rosemary Jane Spencer (50), an assistant under-secretary at the Foreign Office.

The Foreign Office refused to discuss the article.

"We never comment on intelligence matters," an FO spokesman said.

Britain is among Europe's most secretive states on its intelligence affairs. Until recently, anyone who published the names of the heads of MI6 and domestic intelligence, or MI5,

CONFERENCE BRIEFS

AT least one person from every organisation present at the preparatory All-Party Conference talks yesterday will be present at the Convention for the Democratic South Africa (Codesa) scheduled for December 20 and 21.

- The decision that the National Party and the government would field separate delegations to Codesa was welcomed by all the delegates.

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A LIST of nine items was compiled for the Codesa agenda, which included:

- Creation of a climate for free political participation;
- General constitutional principles;
- Constitution-making body/process;
- Transitional arrangements/interim government-/transitional authority;
- Future of the TBVC states;
- Role of the international community;
- Implementation of decisions of Codesa; and
- Other items to be identified by a Steering Committee and decided upon by Codesa.

Parties which had been invited but did not attend the preparatory talks will also receive invitations.

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THE PAC accused the ANC and the government of supporting each other's proposals throughout the "talks about talks".

Speaking at a Press conference held separately from the joint media conference addressed by the rest of the delegates, PAC delegation leader Barney Desai said that by lunchtime a decision-making pattern had emerged.

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BOPHUTHATSWANA'S participation in the conference should not be seen as capitulation on the issue of reincorporation, said Bop Secretary for Foreign Affairs, Israel Menong.

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THE Inkatha Freedom Party yesterday insisted that KwaZulu be represented by additional delegations – one from the KwaZulu government and another "from his Majesty, the King of the Zulus".

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THE majority of participants agreed that Justice Ismail Mahomed and Justice Petrus Schabort – present co-chairmen of the "talks about talks" – should preside over the Codesa, which would be held at the World Trade Centre in Kempton Park. – Sapa

Long, uphill road that led to Codesa

Sowetan 2/12/91 (304A)

FOCUS

ISMAIL LAGARDIEN
Political Correspondent

TALKS SPECIAL

IT was never going to be easy to formally bring South Africa's political parties together in the same room - and nobody had any delusions to the contrary.

There was a point during the days and weeks before this past weekend's preparatory meeting for multiparty talks - which will now officially be known as the Conference for a Democratic South Africa - when the ANC wanted to call off the whole concept of a multiparty conference as the launching pad for constitutional negotiations.

It was on Wednesday, November 20, after an intense six-hour debate with the Government that the ANC decided that perhaps the idea of a multiparty or all party conference was not going to work, and that perhaps its following had to come up with a better configuration to launch actual negotiations.

However, after having decided that negotiations were the only workable option for a democratic South Africa, to bury apartheid once and for all, there was no way the ANC could call them off.

The leadership did a double-take... they sat down again and resumed deliberations.

The ANC's leadership first raised the issue of an "all party congress" on January 8, which incidentally sounded similar to the idea of a "multiparty conference" which the Government was playing around with at the time.

In terms of ANC thinking at the time, such a conference would include all political parties and was aimed at reaching agreement on constitutional principles, interim arrangements and on the constitution-making body.

The ANC then entered into "exploratory constitutional talks" as stipulated in terms of the Pretoria Minute.

At the first, and only, such a meeting, at "the exploratory level", the possibility of an APC/MPC was discussed. The ANC's "open letter" to the Government on April 25 then cut these discussions short because of the violence in the country.

However, the revelation of South African Police collusion and the Inkatha funding scandal, brought a new sense of urgency in the country.

The ANC felt that the longer the process chugged along on half power, the greater the danger was of the country being plunged into total chaos.

A member of the ANC's negotiations' commission, Mr Mohammed Valli Moosa, said the movement realised then that "in terms of our analysis, the violence in the country could not end as long as the minority regime was in power".

"The existence of a white minority regime and peace was just not compatible because that was the basis of their existence."

It was then, at a meeting of the ANC's National Executive Committee on July 31, that the ANC decided to start making preparations for an APC/MPC, and simultaneously elevated the demand for an interim government of national unity "as the immediate and primary demand," he explained.

Wide-ranging discussions with the various political organisations, trade unions, religious bodies and within the movement itself commenced with a newfound sense of urgency, and in search of a mandate for an APC/MPC.

By the beginning of October, the ANC's negotiations' commission resumed its discussions with the Government - for the first time since its open letter - ostensibly to discuss the possibility of an APC/MPC.

At the time the negotiations' commission was made up of Moosa, Mr Joe Slovo, Mr Thabo Mbeki, Mr Jacob Zuma, Ms Barbara Masekela and headed by the ANC's secretary-general, Mr Cyril Ramaphosa.

This commission was strengthened at last week's NEC meeting by the inclusion of Mr Mac Maharaj and Mr Joe Modise.

A number of bilateral meetings between the Government and the ANC took place on how an APC/MPC should take place, what the possible functions, agenda, venue, participants and principles of such a conference should be.

Among other issues, too, was the question of the involvement in other organisations in the actual planning of an APC/MPC.

Intense haggling took place during most of the meetings over the shape and size, who should be the convener and where an APC/MPC should take place.

There was another development running concurrently with the planning of an APC/MPC - the Patriotic Front.

The Front was launched on the weekend of October 26 and its birth strengthened the resolve of the extra-parliamentary force. Inclusion of at least the major signatories of the front in the preparatory meeting for multitalks was inevitable.

However, as greater consensus on the APC/MPC grew, the suggestion arose that the preparatory meeting should be arranged by the ANC, the Inkatha Freedom Party and the Government.

This was when things fell apart. The IFP felt it was comfortable with the ANC and the Government only as partners in the preparatory meeting.

The ANC dug its heels in and wanted a large preparatory meeting, which included as many political parties as possible - and more especially its Patriotic Front allies.

Lengthy and sometimes acrimonious haggling took place. And it was during this period that the wheels almost came off.

But consensus grew in tandem with the proposals of the size of the envisioned preparatory meeting.

Two postponements later, and that near death of the APC/MPC (before it was even born) the number of delegates to the preparatory meeting had swelled from the three to seven, and then lurched to 24. The ANC was beaming.

Then came this weekend's actual preparatory meeting.

In summing up the meeting, the ANC's secretary general, Mr Cyril Ramaphosa said: "Through the conclusion of this meeting, we have jointly taken the future of our country into our hands ... our people will not forgive us if we do not seize this moment and move speedily towards a democratic future."

See Page 24

'A helluva misunderstanding'

Political Staff Star 2/12/91

The Conservative Party yesterday rejected furious speculation about an imminent split between pro- and anti-negotiations factions.

Speculation intensified at the weekend after the surprise appearance at the preparatory meeting for multi-party talks of senior MP Koos van der Merwe.

He said he was at the conference venue to introduce a delegation of Angolan businessmen to Finance Minister Barend du Plessis, but many observers interpreted his "coincidental" move as a indication of his keenness to be involved in the talks.

CP leader Dr Andries Treurnicht, who rebuked Mr van der Merwe, would not comment further when contacted yesterday.

Mr van der Merwe told The Star last night that the controversy was based on "a helluva misunderstanding".

"It all started because the SABC created the impression that I was there, boots and all, through the security door negotiating and selling the white man down the river."

"He (Dr Treurnicht) was given information ... that I was in fact present at the talks. This created the impression that I was negotiating. On that information he repudiated me. I was there for a completely different reason." 30A

Mr van der Merwe said he did not believe there was a rift in the CP. "I think the party is clear, we have one vision. We have nothing against negotiations — provided the Government recognises our right to self-determination."

CP MP Dr Pieter Mulder, widely regarded as a "verligte" ally of Mr van der Merwe, yesterday dismissed rumours of an immiment split as nonsense.

Preparatory talks were important more for style than content, **Peter Fabricius** reports.

Lion lies down with the lamb

STAR 2/12/91 (304A)

It was in a sense the first Parliament of the new South Africa. Sixty delegates representing 20 parties and governments from across almost the whole political spectrum sat down together to discuss the country's future, in the broadest convention of its kind in South Africa's history.

Presiding over them were two judges, functioning very much like the Speaker of Parliament.

"It had very much the atmosphere of Parliament," one delegate and MP said.

"There were some sharp disagreements but afterwards everyone was friendly again."

There was a small but telling moment when ANC secretary-general Cyril Ramaphosa got up to oppose an Inkatha Freedom Party proposal that it and the KwaZulu government should be allowed to send separate delegations to this month's Convention for a Democratic South Africa (Codesa).

Before doing so Mr Ramaphosa asked the conference to join him in wishing IFP delegation head Frank Mdlalose a happy birthday.

This was a long way from the killing fields of Natal or even the hostile rhetoric of ANC and IFP party-political platforms.

Democratic Party leader Dr Zach de Beer said beforehand that the most important aspect of the meeting would be the style of negotiations it set.



Cyril Ramaphosa . . . opposed motion that IFP and KwaZulu send separate delegations.

If political parties were ready to seek compromise in the national interest, it would succeed.

If they came, instead, looking to grandstand and score party-political points, it would be disastrous for the future.

In the event, the former approach prevailed with all but the Pan Africanist Congress.

One encouraging feature was the performance of the IFP, which, like the PAC, was expected to be at odds on some issues.

But it never broke ranks. It scored one minor victory — the decision not to involve clerics in the chairmanship of Codesa — and took a bit of a knock in the defeat of its proposal that the KwaZulu government should be allowed a separate delegation.

However, the PAC made it clear from the start that total consensus would not be possible.

It objected to the very first decision of substance, the choice of judges Ismail Mahomed and Petrus Schabort as chairmen, and then to almost every other decision.

But on every point of difference the PAC stood alone, out-voted 19 to 1.

The PAC hung in until just before the end and then walked out in protest against what it called prior collusion between the Government and the ANC on the main issues.

The conference survived this trauma rather effortlessly. In fact Dr de Beer said the PAC departure caused "hardly a hiccup" in the room.

No one followed the PAC out and all the other main players condemned it, more or less explicitly.

The principle of "sufficient consensus" had been successfully demonstrated and a new style of negotiations had been born.

The success of the conference undoubtedly enhanced the status of this sort of multi-party, consensus decision-making.

The conference decided that this should be the decision-making mechanism for Codesa.

The performance of the two judges was such that they were selected again to chair Codesa.

Essentially this was the method of negotiations favoured by the Government. And the preparatory meeting must surely have boosted the chances of it being the style of negotiations for the new constitution itself — rather than the elected constituent assembly favoured by the ANC and more vociferously by the PAC.

The Government, the ANC — and more significantly perhaps, the IFP — denied that any secret deals had been done before the conference.

But no one denied that there had been an enormous amount of one-to-one consultation where many differences had been removed.

In fact, Constitutional Development Minister Gerrit Viljoen said the conference owed its success to this preparatory work.

Nonetheless, the PAC did have a point when it complained that the conference was doing little more than rubber-stamping prior decisions by the Government and the ANC.

The term "sufficient consensus" was never defined formally, but it was clear that it essentially meant consensus between the ANC and the Government.



Zach de Beer . . . unexpected emergence as an honest broker in negotiations.

As long as those two parties agree, sufficient consensus is likely to be an adequate decision-making mechanism, as most of the other parties are either allied to one or the other or find themselves between the two.

But should the Big Two disagree, as they are more likely to when more substantial issues are decided, then the method will be more sorely tested.

Codesa itself will provide such a test when it decides whether or not to establish a constituent assembly.

The preparatory meeting demonstrated another political theory, the centripetal effect of negotiations.

As negotiations gather momentum, they tend to pull centrist parties closer together and increase the tension in peripheral parties.

The PAC's walk-out proved that its decision at last month's Patriotic Front conference had aggravated tensions among moderates and hardliners.

Similarly Conservative Party moderate Koos van der Merwe's "inadvertent" appearance at the meeting, underscored and aggravated the tensions in his party between negotiators and hardliners. Conversely, the conference benefited a perfectly centrist party such as the Democratic Party.

One of the unexpected features was the emergence of Dr Zach de Beer as an honest broker in negotiations.

The delegates spontaneously elected him to open the conference in the absence of a chairman; they chose him to take the chair during the difficult two-hour debate on who should chair Codesa and he was elected again to chair the steering committee which will finalise plans for Codesa.

The DPs' convergence theory seemed to be working.

It'll be war if ANC takes over - AWB

Sowetan 2/12/91

AFRIKANER Weerstandsbeweging leader Mr Eugene Terre'Blanche threatened war against an ANC government during a march by rightwingers carrying firearms, flags and posters through Durban's city centre at the weekend.

"If we have to talk with the ANC we will meet them over the barrel of a gun," the fiery rightwinger told about 300 people on the steps of Durban's City Hall.

"If the ANC governs this country, we will make war against the ANC ... we have no other choice but to fight against the communists," said Terre'Blanche who addressed his khaki-clad supporters on horseback.

He said State President FW de Klerk was declaring war against "boere" by "giving over to Joe Slovo and the Communist Party".

The marchers had intended to deliver a letter of thanks to the police for maintaining law and order, but police earlier indicated they would not accept the letter.

Trust

In a brief interview before the march, Terre'Blanche said he believed police had refused to accept the letter because they could not trust their members anymore.

"Ninety percent of the force support the AWB anyway... Police are afraid of force members' loyalty to the AWB."

Terre'Blanche, however, thanked the police during his address, but warned that "boere" would never again allow police to set their dogs or fire on them as happened in the recent clash in Ventersdorp.

If this happened again "we will shoot the hell out of you".

Referring to the recent Virginia by-election, Terre'Blanche said the swing to the right there indicated that the voters knew De Klerk, who he called a "jellytot", had lied to the nation. - *Sapa.*

TALKS SPECIAL





SMILES all round: SACP leader Joe Slovo (left) shakes hands with Defence Minister Roelf Meyer at the start of talks on Friday. Sydney Mufamadi of the ANC's national executive committee looks on. Photograph: AP.

Able women at meeting but none in charge

Sowetan 2/12/91

Political Correspondent

THERE were remarkably few women in decision-making positions at the weekend's preparatory talks for a multiparty conference.

There were none among the delegates, and merely a handful in the "support group" category.

The women in attendance were nonetheless the media's umbilical cord with the conference.

The ANC's Ms Gill Marcus, assertive and helpful as always and dressed in a green kaftan-type dress with black trim, waded in and out of the dishevelled press corps giving and taking instructions without a frown, a bead of sweat or a sigh.

It's hard to remember what politicians did with hungry hordes of hacks before Marcus came to town.

The PAC's Ms Patricia de Lille worked diligently and unfailingly.

She had her hands full with a top-level leadership delegation in a room at the Holiday Inn - where the meeting was held - and another delegation in the conference.

Ms Sheila Camerer, the National Party's answer to impatient journalists, was suave and swift - she got everyone what they wanted and had enough energy to smile from ear to ear non-stop.

The Inkatha Freedom Party's Ms Suzanne Voss was all over the place but nowhere in particular, but one can assume that she filled her brief. She looked comfortable with her bag of press releases.

Another functionary was Ms Val Sutton from the South African Communications Service.

Sutton, whom every journalist knew as the voice on the other side of the telephone, became a face, and a valuable aide.

There were women, too, in less prominent positions, but at the risk of being repetitive, there were none among the delegates.

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Codesa could get legal teeth



ANC general secretary Cyril Ramaphosa (left) and South African Communist Party leader Joe Slovo arrive at the venue where 22 political groups gathered for two days of talks to prepare for constitutional negotiations expected to begin this month.

New style of rule

Background reports on pages 10, 11 and 24

SOUTH Africa could have a new style of rule within months - when decisions taken at multi-party talks on December 20 and 21 are expected to be given legal clout.

The talks, which will be called the Convention for a Democratic South Africa, will be held at the the World Trade Centre near Johannesburg.

And when Codesa does get legal power, the very nature and function of the South African Parliament as it has existed since 1910 will be changed.

This will irrevocably launch South Africa into a transitional phase and a possible measure of effective joint rule through Codesa.

In the words of Constitutional Affairs Minister Dr Gerrit Viljoen, the weekend's preparatory meeting for Codesa signalled a "clear break with the past".

"It augurs well for the implementation of a new South Africa with equal rights and equal opportunities for all its people and for everybody living within its confines," Viljoen said.

ISMAIL LAGARDIEN
Political Correspondent

In a statement after the meeting, the African National Congress' general secretary, Mr Cyril Ramaphosa, said the political parties had "jointly taken" the future of South Africa into their own hands.

"We shall continue to ensure that the government of the day takes practical steps to make it possible for a climate of free political activity to prevail," Ramaphosa said.

The Pan Africanist Congress is to hold a consultative congress in Cape Town on December 16 to seek a fresh mandate from its followers after it stormed out of the Codesa meeting on Saturday.

It accused the Government and the ANC of trying to ramrod their decisions with the "rubber stamp" support of the political parties of the tricameral parliament and the homeland leaders.

The PAC also contended that the ANC had

● To page 2

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R31.

'Codesa the foundation of interim executive'

Govt in waiting

(304A) CT 2/12/91



INSPIRATION ... Mr Cyril Ramaphosa

Own Correspondent

JOHANNESBURG. — The Convention for a Democratic SA (Codesa) was set to become an informal interim government that could be transformed into a formal executive body, government sources said at the weekend.

Codesa will meet on December 20 and 21 to consider a declaration of intent that will commit South Africa's political parties to a constitution-making process and give them an effective say in national policies pursued during the interim period leading to a new government.

No overruling

A government source, impressed at the level of consensus displayed by most of the political parties and homeland governments, said major legislation or restructuring would have to be negotiated at Codesa.

However, the NP was intent on having the present government retain its ultimate sovereignty until a referendum was called if major changes to the constitution were to be made.

"In effect the interim government started at this meeting. Taken together with the peace accord, the powers that Codesa would command render it as a kind of umbrella body over the whole process of transition South Africa is going through," he said.

The ANC made it clear before the start of the weekend meeting that it was not prepared to become involved in a negotiating forum that could be overruled by Parliament or the cabinet. The compromises reached at the weekend preparatory meeting reinforced the power of the multi-party forum.

ANC spokesman Ms Gill Marcus said yesterday: "Once Codesa is off the ground and working properly its decisions would force government to implement them. Any recommendations coming from the working groups and accepted by Codesa would become policy."

The government source said Codesa would probably need to be transformed into another form during negotiations to satisfy the ANC demand for greater power over policy matters, while the government insists that any transitional authority must accept greater responsibility for implementing decisions taken.

ANC secretary-general Mr Cyril Ramaphosa said the weekend's meeting demonstrated a common understanding for all organisations to rise above party political interests and to be guided by the national interest.

"The only assurance we have that we shall achieve democracy is this commitment to the national interest that has inspired us over the last two days. This should be the primary guide to the way we conduct ourselves," Mr Ramaphosa said at the close of the meeting.

Constitutional Minister Mr Gerrit Viljoen said the meeting represented "a clear, irreversible and definite break with the past".

"We have now reached a phase where real talks will begin. This meeting is a watershed in our history. It augurs well for the actual implementation of the new South Africa, with equal rights for all within its confines," he said, adding that he was struck by the repeated efforts to find agreement "in areas where it seemed impossible".

Logistics, funds

Inkatha delegation leader Mr Frank Mdlalose said South Africa was clearly on the path to a new, democratic dispensation.

"We are very pleased that the preparatory committee will now show the world that South Africans can put right that which is wrong. The IFP concludes its participation in the first phase of this process with a feeling of optimism."

One representative of each of the participants at the weekend's meeting will sit down on Wednesday in a steering committee to finalise Codesa's logistics and funding arrangements.

In the meantime, talks between the government and the political parties will continue in an effort to reach consensus on the specifics of transitional arrangements. The government wants to bring more pressure on the ANC to be more supportive of a trilateral decision-making process involving Inkatha.

Names of committee members had not yet been decided, but it is understood that each group will submit its delegate's name by tomorrow.

Official opening

Mr Justice Ismail Mahomed and Mr Justice Petrus Schabort were elected chairmen of the steering committee which would meet throughout the negotiating process but because neither of them were available for Wednesday's meeting DP leader Dr Zach de Beer has been elected as chairman.

Chief Justice Mr Justice Michael Corbett will officially open Codesa, with Mr Justice Mahomed and Mr Justice Schabort chairing all sessions of the talks.

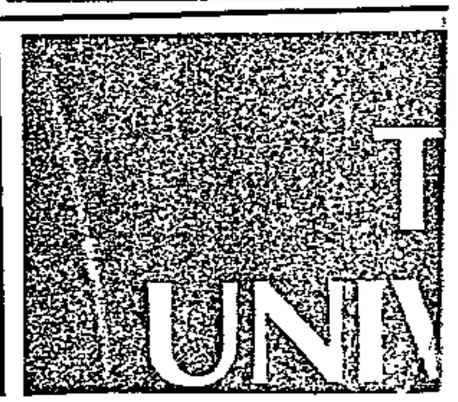
Despite the dramatic withdrawal from the proceedings of the PAC shortly before the preparatory meeting ended, participants kept their door open to its inclusion in the steering committee.

INSIDE



PAC AND HAD SECRET TALKS — MANDELA

— PAGE 2



FW prepares for secret retreat talks

(304A) ARG 2/12/91

TOS WENTZEL and MICHAEL MORRIS
Political Staff

AS President De Klerk and his Cabinet prepared to go into secret retreat to discuss strategies for the Convention for a Democratic South Africa later this month, doubt emerged about the PAC's continued participation in the process.

And Conservative Party leader Dr Andries Treurnicht made it plain he would consider taking part in Codesa only if there was a public acknowledgement by the National Party and the ANC of the right of whites to their own political self-determination.

Interim measures required before a new constitution is in place will top the agenda of the Cabinet's "bosberaad" at a secret venue in the Transvaal. The meeting, towards the end of the week, will also be attended by deputy ministers and officials.

The government is hoping that Codesa itself will be the body through which transitional measures can be taken to give extra-parliamentary groups a say in the future running of the country.

In its planning for next year the Cabinet will try to find ways in which the ANC's insistence on an elected constituent assembly and an interim government can be accommodated.

Such measures could entail amendments to the present constitution. The Minister of Constitutional Development, Dr Gerrit Viljoen, has said the government is willing to consider this.

Top Nationalist sources in Pretoria said today such changes in the constitution, which may have to be submitted to a referendum, would give the government wider options in transitional arrangements.

As attention focused on key parties absent from the talks so far, doubt emerged over whether the PAC would remain a participant in Codesa.

Senior PAC officials were not available for comment this morning, but Democratic Party leader Dr Zac de Beer — who played a key role during the weekend talks and is to chair Wednesday's steering committee meeting — said he would be surprised if the PAC remained in the process.

"I think there's a lot of pressure on them from the left and they must fear losing support.

"The PAC was quite right in its complaint that there appeared to be a high degree of collusion between the NP and the ANC — but far from being angry about this I am delighted. I have been advocating this for a year.

"It is vital for the future that these two parties work together and are seen to work together."

● See page 6.

Solidarity gets set for talks

DURBAN. — The Solidarity Party's national congress yesterday unanimously adopted the constitutional proposals the party will take to the all-party talks later this month.

The envisaged system includes a "multi-party cabinet" that reflects the composition of a national assembly to be elected by proportional representation.

Also proposed are a senate, with equal representation from the provinces, and the devolution of power to regional and third tier government.

Minorities are to be protected by inclusion at all levels.

"The inherent danger of the current pattern of mass mobilisation, disruption and destabilisation is that these unacceptable practices would be carried into the future," Solidarity leader Dr J N Reddy said yesterday.

Ethnicity was a reality that had to be taken into acount "if we are to avoid tension and conflict", he said.

— Political Staff and Sapa

(304A) ARGT 2/12/91

Codesa the real McCoy, says Gerrit Viljoen

JOHANNESBURG. — Democratic Party leader Dr Zac de Beer has been elected as the chairman of a steering committee to finalise arrangements for the December 20 and 21 convention which will begin to draft a new constitution.

The Convention for a Democratic South Africa (Codesa) has been described by Constitutional Development Minister Gerrit Viljoen as "the real McCoy — the start of real negotiations".

It will bring together at least 19 political parties and governments from across the political spectrum to decide on a mechanism to draft a new constitution and on transitional government arrangements while this is being done.

The parties to attend Codesa include the National Party, ANC, Inkatha Freedom Party, the TBVC governments, the majority parties of the self-governing territories and the 20 political parties and governments represented at the weekend preparatory committee meeting which made the arrangements for Codesa.

The PAC will decide at a national conference on December 16 whether to attend Codesa.

The Conservative Party, Herstigte Nasionale Party, the Afrikaner Weerstandsbeweging and Azapo, which declined to attend the weekend meeting, are to be approached to attend Codesa.

ANC secretary-general Mr Cyril Ramaphosa said on Saturday that the successful conclusion of the preparatory committee meeting "marks the opening of genuine negotiations".

"More than ever we are convinced that we are walking the last mile," he said.

Codesa is to take place at the World Trade Centre near Jan Smuts Airport.



Dr Zac de Beer ... sorting out the nuts and bolts.

Each party or government will be represented by a 12-person delegation. The government will attend as well as the National Party, but will have no voting rights.

Among the tasks of Codesa will be to decide on the future of the TBVC states and the role of the international community in the transition.

The PAC stormed out at the end of the preparatory committee meeting, accusing the ANC and government of having worked out all the main decisions in secret advance meetings.

The steering committee, consisting of one representative from each of the parties at the meeting, is to meet on Wednesday for the first time.

Dr De Beer said yesterday it would discuss financing, back-up staff and other logistics for Codesa.

He said it was generally assumed that the government would fund Codesa which would, however, control the allocation of funds.

Dr De Beer said the preparatory committee had made no decision about a declaration of intent, although there was a general belief that this would happen at the start of Codesa.

Mandela pledges to support FW

304A
ARG 2/12/91

The Argus Correspondent

JOHANNESBURG. — ANC president Mr Nelson Mandela has pledged to do everything in his power to ensure President De Klerk's power base is not eroded by the resurgent Conservative Party.

Speaking at a Press conference at his Soweto home yesterday on the eve of his departure for a series of top-level meetings in the United States, the ANC leader said a serious attempt would be made to woo the CP to the negotiating table.

At the conference ANC secretary-general Mr Cyril Ramaphosa charged that there had been "repeated secret meetings" between the PAC and the government — a charge the PAC has recently made against the ANC.

"At Press conferences and public meetings the PAC has continued to deny such secret meetings have taken place. But at a private level some of their leading officials admit that such meetings have been held," said Mr Ramaphosa.

Discussing the question of the political threat posed by the white right wing to the thrust for a negotiated settlement in South Africa, Mr Mandela said that there was "no doubt" that the CP was a danger to the NP government.

Although the ANC had "reservations" about Mr De Klerk and had previously perceived that his government was playing "a double game", the State President remained "the only person with whom we can negotiate a new constitution," Mr Mandela said.

"If De Klerk disappears we are back to square one," Mr Mandela said, adding that the ANC would do "everything in its power" to assist the State President in the face of the CP threat.

The ANC leader said the launch of real multiparty negotiations on December 20 under the auspices of the Convention for a Democratic South Africa (Codesa) was of "crucial importance" to South Africa.

Treurnicht slams MP's comments

JOHANNESBURG. — Dr Andries Treurnicht, leader of the Conservative Party, has issued an angry denouncement of Saturday's appearance at the Jan Smuts Holiday Inn by his party's MP for Overvaal, Mr Koos van der Merwe — who was seen having breakfast there while the preparatory talks were going on.

Mr Van der Merwe apparently raised the ire of the CP leader after the publication of an impromptu interview with a Sapa reporter.

Mr Van der Merwe denied that he had any connection with the preparatory talks and said he had merely been at the hotel to introduce two black Angolan businessmen to Finance Minister Mr Barend du Plessis.

He further told Sapa's reporter that "the CP would only reconsider its place in the negotiations if the preparatory meeting for Codesa (Convention for a Democratic South Africa) recognised the right to self-determination of all peoples".

Dr Treurnicht said in a statement that Mr Van der Merwe had not received any orders, either from the CP party leader or from the party itself, to make any media statements about the multi-party conference. — Sapa

(Sowetan CT 2/12/91)

CT 3/12/91

Few attend Natal Nat meeting

304ft

Own Correspondent

DURBAN. — The first National Party meeting in a coloured area in Natal got off to a slow start on Saturday night when Labour Party "turncoat" Mr Abe Williams addressed fewer than 40 residents at a meeting in Austerville, just outside Durban.

Mr Williams, Deputy Minister of National Education, Local Government and Housing, put this down to it being "a difficult night for political meetings".

"If we had the funds, we'd throw a party — that would attract the people," he said.

At present there are about 200 enrolled coloured members of the National Party in Natal.

PAC, govt had talks in secret

(304A) CT 2/12/91

JOHANNESBURG. — The African National Congress, castigating the Pan Africanist Congress for storming out of negotiations preparatory talks, disclosed yesterday that the PAC had held secret high-level talks with the government, a disclosure that could embarrass the militant movement.

ANC president Mr Nelson Mandela, addressing a news conference at his Soweto home, called the PAC's walkout on Saturday "a classic storm in a teacup".

"I am not prepared to spend sleepless nights over it," said Mr Mandela, hours before he was scheduled to leave the country for a working visit to the United States.

ANC secretary-general Mr Cyril Ramaphosa, reading a statement, told the news conference that Justice Minister Mr Kobie Coetsee had removed the veil over the secret meetings between the government and the PAC, which has consistently rejected any dealings with Pretoria.

"It came as a surprise for us to learn from Minister Kobie Coetsee on Friday at the preparatory meeting, a charge that the PAC did not deny, that there have been repeated secret meetings at the highest level between themselves and the PAC," he said.

"At a private level, some of their (PAC's) leading officials admit that such meetings have been held."

The PAC delegation stormed out of the preparatory meeting on Saturday after accusing the ANC, its partner in the Patriotic Front, of colluding with the government.

Mhanwhile, it was disclosed at the weekend meeting at a Jan Smuts Airport hotel, where parties gathered to finalise arrangements for the first constitutional negotiations meeting on December 20, that PAC leaders have held secret meetings with the government and arranged deals but have not disclosed this to their Patriotic Front colleagues or their supporters.

Government delegate Mr Coetsee expressed surprise at a PAC demand that the Convention for a Democratic SA (Codesa) be held outside the country because of the number of its senior membership being in exile. In secret talks with its leadership, agreements had been reached in this regard, he said.

He told the delegates that had been numerous meetings with the PAC leadership over the past few weeks and among a range of issues they discussed was the granting of indemnity to exiled members of the PAC. He said he had assured the PAC, and they had accepted this assurance, that the Justice Department would facilitate the return of their exiles in time for Codesa.

During the meeting the PAC delegation did not deny Mr Coetsee's statement.

PAC delegate Mr Barney Desai admitted that leaders had held talks with the government but said they had acted in their capacities as lawyers and not PAC leaders at the meetings. — Sapa, Own Correspondent

JOHANNESBURG. — The Pan Africanist Congress has strongly denied reports that Namibian President Sam Nujoma was responsible for leaking the minutes of Mr Thabo Mbeki's diplomatic briefing to the frontline states.

The alleged briefing resulted in accusations that the ANC and the goverment were co-operating secretly.

In a statement on Sunday, PAC general-secretary Mr Benny Alexander said he "emphatically denied" that Mr Nujoma was the source.

"I want to make it clear that at no stage were these revelations discussed with him," he said. "The source of our information is based in New York.

"We regret any inconvenience this type of irresponsible reporting would cause Mr Nujoma, as he is a trusted friend of both the PAC and the ANC." — Sapa

Declaration of intent the key

Codesa set to be informal interim govt

B/Day 2/12/91

304P

BILLY PADDOCK
and PATRICK BULGER

THE Convention for a Democratic SA (Codesa) was set to become an informal interim government that could be transformed into a formal executive body, government sources said at the weekend.

Codesa will meet on December 20 and 21 to consider a declaration of intent that will commit SA's political parties to a constitution-making process and give them an effective say in national policies pursued during the interim period leading to a new government.

A government source, impressed at the level of consensus displayed by most political parties and homeland governments, said major legislation or restructuring would have to be negotiated at Codesa.

However, the NP was intent on having the present government retain its ultimate sovereignty until a referendum was called if major changes to the constitution were to be made.

"In effect the interim government started at this meeting. Taken together with the peace accord, the powers that Codesa would command render it a kind of umbrella body over the whole process of transition SA is going through," he said.

The ANC made it clear before the start of the weekend meeting that it was not prepared to become involved in a negotiating forum that could be overruled by Parliament or Cabinet. The compromises reached at the preparatory meeting reinforced the power of the multiparty forum.

"Once Codesa is off the ground and working properly its decisions would force government to implement them. Any recommendations coming from the working groups and accepted by Codesa would become policy," ANC national executive committee member Gill Marcus said yesterday.

The government source said Codesa would probably need to be transformed into another form during negotiations to satisfy the ANC demand for greater power over policy matters, while government insists that any transitional authority must accept greater responsibility for implementing decisions taken.

ANC secretary-general Cyril Ramaphosa said the meeting demonstrated a common understanding by all organisations of the need to rise above party political interests and be guided by the national interest.

"The only assurance that we shall achieve democracy is this commitment to the national interest that has inspired us over the last two days. This should be the primary guide to the way we conduct ourselves," he said at the meeting's close.

Constitutional Minister Gerrit Viljoen said the meeting represented "a clear and irreversible break with the past".

"We have now reached a phase where real talks will begin. This meeting is a watershed in our history. It augurs well for the actual implementation of the new SA, with equal rights for all within its confines," Viljoen said, adding that he was

To Page 2

Codesa B/Day 2/12/91

struck by the repeated efforts to find agreement "in areas where it seemed impossible".

Inkatha delegation leader Frank Mdlalose said SA was clearly on the path to a new, democratic dispensation.

"We are very pleased that the preparatory committee will now show the world that South Africans can put right that which is wrong. The IFP concludes its participation in the first phase of this process with a feeling of optimism," he said.

One representative of each of the participants at the weekend's meeting will sit down on Wednesday in a steering committee to finalise Codesa's logistics and funding arrangements.

In the meantime talks between government and the political parties will continue in an effort to reach consensus on the specifics of transitional arrangements. Government wants to increase pressure on the ANC to be more supportive of a trilateral decision-making process involving

From Page 1

304P

Inkatha.

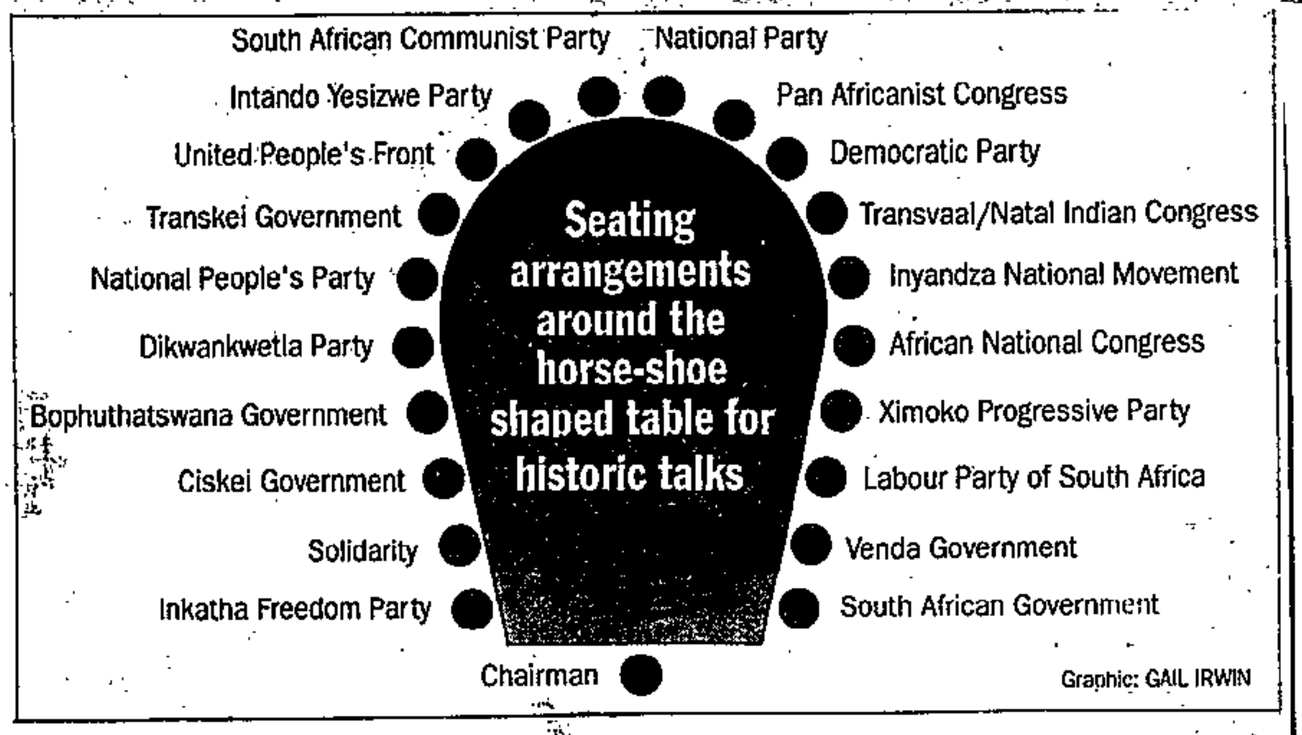
It is understood that each group will submit its nomination for the committee by tomorrow.

Mr Justice Ismail Mohamed and Mr Justice Petrus Schabort were elected chairmen of the steering committee which would meet throughout the negotiating process, but because neither of them were available for Wednesday's meeting DP leader Zach de Beer had been elected as chairman.

Chief Justice Corbett will officially open Codesa, with Mr Justice Mahomed and Mr Justice Schabort chairing all sessions of the talks.

Despite the dramatic withdrawal from the proceedings of the PAC shortly before the preparatory meeting ended, participants kept their door open to its inclusion in the steering committee.

● Picture: Page 3
● Comment: Page 6



Hopes are high for 'refuseniks'

Sowetan 3/12/91

ISMAIL LAGARDIEN
Political Correspondent

304A

THE National Party delegation at last Friday' preparatory meeting for the Convention for a Democratic South Africa was seated between the SACP delegation and that of the PAC.

The Government delegation sat at one end of the horseshoe-shaped table and the Inkatha Freedom Party's delegation sat at the other.

This was the nature of the status of the representation at Friday's talks.

Although the Government delegation and that of the NP might at first appear to be a duplication, the obvious conclusion of which would be that the Government had an unfair advantage, the Government was there as a type of observer, or in a non-vote carrying position only - not that any voting was expected.

There were four blank spaces on the official guest list under the names Azapo, Conservative Party, Herstigte Nasionale Party and Afrikaner Weerstandsbeweging ... but there were great expectations that this too will pass.

Last week's meeting resolved to extend to the four ''refuseniks'' a second invitation to multiparty talks and Codesa.

There were nevertheless 60 delegates from 20 political parties and organisations from South Africa (including the homelands and self-governing states) at Friday's meeting.

In alphabetical order, they were:

ANC - Mr C Ramaphosa, Mr MV Moosa, Mr J Zuma.

Boputhatswana - Mr SG Mothibe, Mr R Cronje, Mr BE Keikelame.

Democratic Party - Dr ZJ de Beer, Mr D Dalling, Mr KM Andrew.

Dikwankwetla Party (QwaQwa) - Rev TJ Mohapi, Mr JSS Phatang, Mr RT Ramaisa.

Inkatha Freedom Party - Dr FT Mdlalose, Inkosi SH Gumede, Mr WS Felgate.

Intando Yesiwe Party - Mr MS Mahlangu, Mr NJ Mahlangu, Mr SV Mahlangu.

Inyandza National Movement (KaNgwane) - Dr E Ginidindza, Dr P Maduna, Prof SS Ripinga.

Labour Party of South Africa - Mr M Richards, Mr P Hendrickse, Mr CJ April.

National Party - Dr DJ de Villiers, Mr BJ du Plessis, Mr RP Meyer.

National People's Party - Mr A Rajbansi, Mr K Panday, Mr S Naidoo.

PAC - Mr B Desai, Mr M Mbandazayo, Mr W Seriti.

Solidarity - Dr JN Reddy, Mr B Dookie, Mr I Omar.

SACP - Mr J Slovo, Mr S Mafumadi, Mr M Mayekiso.

SA Government - Dr G van N Viljoen, Mr HJ Coetsee, Mr SS van der Merwe (not to be confused with Stoffel van der Merwe).

Joint delegation of Transvaal and Natal Indian Congresses - Mr C Saloojee, Dr F Meer, Mr PJ Gordhan.

Transkei - Maj-General HB Holomisa, Chief P Ndamase, Mr Z Titus.

United People's Front (Lebowa) - Mr MJ Mahlangu, Mr MI Moroamoche, Mr Ramusi.

Venda - Mr TG Ramabulawa, Mr S Makhanya, Mr VS Landela.

Ximoko Progressive Party (Gazankulu) - Prof HWE Ntsanwisi, Chief SDW Nxumalo, Mr EPP Mhinga.

DP leader to chair steering committee

Star 2/12/91 304-A

By Peter Fabricius
Political Correspondent

Democratic Party leader Zach de Beer has been elected as the chairman of a steering committee to finalise arrangements for the December 20 and 21 convention which will begin to draft a new constitution for South Africa.

The Convention for a Democratic South Africa — to be called Codesa — has been described by Constitutional Development Minister Gerrit Viljoen as "the real McCoy — the start of real negotiations".

It will bring together at least 19 political parties and governments from across the political spectrum to decide on a mechanism to draft a new constitution and on transitional government arrangements while this is being done.

The parties which will attend Codesa include the National Party, ANC, Inkatha Freedom Party, the TBVC governments, the majority parties of the self-governing territories and the rest of the 20 political parties and governments represented at the weekend preparatory committee meeting which made the arrangements for Codesa.

The PAC, who stormed out at the end of the preparatory committee meeting, accusing the ANC and Government of having worked out all the main decisions in secret advance meetings, said it would decide whether or not to attend Codesa at a national conference on December 16.

The four parties which declined invitations to attend the preparatory meeting will be approached to attend Codesa.

They are the Conservative Party, Herstigte Nasionale Party, the Afrikaanse Weerstandsbeweging and Azapo.

Voting

ANC secretary-general Cyril Ramaphosa said on Saturday that the successful conclusion of the preparatory committee meeting marked the opening of genuine negotiations.

Codesa will take place at the World Trade Centre near Jan Smuts Airport. Each party will be represented by a 12-person delegation. The SA Government will attend in addition to the National Party, but will have no voting rights.

Among the tasks of Codesa will be to decide on the future of the TBVC states and the role of the international community in the transition periode.

The steering committee, consisting of one representative from each of the parties at the meeting, is to meet on Wednesday for the first time.

Dr de Beer said yesterday its tasks would include financing, back-up staff and other logistics.

He said it was generally assumed that the Government would fund Codesa which would then control the allocation of funds.

Dr de Beer said the preparatory committee had made no deicision about making a declaration of intent, although there was a general belief that this would happen at the start of Codesa.

● Lion lies down with the lamb — Page 10.

'Climate at talks was not right'

Sowetan 3/12/91



THE PAC found neither the Government nor the ANC were listening to them and therefore decided to walk out of the preparatory talks, PAC general secretary Mr Benny Alexander said yesterday.

Alexander was speaking during the *Sowetan*/Radio Metro Talkback Show.

He said the PAC had gone into the talks with a clear mandate to convince the meeting that any meaningful talks would have to be held outside the country.

"We were also uncomfortable with the fact that the two presiding judges are employees of Mr Kobie Coetsee.

Conditions

"When we made our objections both the ANC and the Government criticised us. We obviously could not continue under those conditions," Alexander said.

The general secretary of Azapo, Mr Don Nkadimeng, said Azapo rated the talks no better than the Patriotic Front conference talks.

Govt should resign over violence

THE South African Government should resign if it was unable to contain violence sweeping the country, renowned Nigerian political economist Professor Claude Ake said yesterday.

Speaking at an Institute for a Democratic Alternative for South Africa forum in Durban, Ake said the basic responsibility of any state was to maintain peace and law and order.

"If you can't do this, you cease to be a state. If the Government can't do so, it should abdicate."

He added, "The South African Government has the resources to maintain security".

Ake said he did not accept any explanation of "black on black" violence other than that it was the Government's responsibility to ensure it did not happen.

Addressing South Africa's transition, Ake said the country could expect a foreign aid package of about R100 billion for this period.

Aid injection

He said he had recently heard from informed sources in the United States that that government was considering an aid injection of about R60 billion, while the European Community could provide between R20 billion to R40 billion.

Ake said the process of democratisation taking place in South Africa was also taking place in the rest of Africa.

"Democracy in Africa is a now reality and it is an irreversible trend."

He said the lack of democracy in Africa was the major reason for underdevelopment, economic stagnation and political instability.

Most African nationalist democratic movements had in the past been hijacked by elites who had not pursued their supporters' aspirations. This had led to a gap between leaders and supporters which inevitably resulted in violence.

Many South African businesses were marketing deracialisation when they should be promoting democratisation and the upliftment of the poor, who had been prevented from participating properly in society.

Ake said the vast majority of South Africans were not incorporated into society. Instead, there was a situation where people lived in large labour reserves "waiting to be used. In the meantime they don't contribute to society, they're just there".

Party rebukes top MP

Sowetan 3/12/91 (3044)



TREURNICHT

THE Conservative Party yesterday reprimanded Overvaal MP Mr Koos van der Merwe for "certain errors of judgment" he made at the venue of the preparatory meeting for the all-party talks.

Intention

CP leader Dr Andries Treurnicht said in a statement the party's executive had had discussions with Van der Merwe yesterday following "occurrences" at a hotel near Jan Smuts Aiport last Saturday.

"The executive reprimanded Mr van der Merwe over certain errors of judgment he made," Treurnicht said.

"Mr van der Merwe assured the executive that it was not his intention to harm the party and apologised for embarrassment to the party.

"He reaffirmed that he fully endorsed the Conservative Party's standpoint on the all-party conference (Codesa) and negotiations." - *Sapa.*

DP relevant and has a constituency, but it must decide that it has a future

By DENIS WORRALL
MP for Durban Berea and DP constitutional spokesman

POLITICAL positioning and strategy are as important as policy in determining public perceptions of a party and its support base. This is especially valid while a political system is emerging.

The Democratic Party has well-formulated and relevant policies but we are not getting our policies across because our positioning is confused and uncertain.

Following the general election of 1989 and before (and it's important to say this) De Klerk's speech of February 2 1990, the party formulated a strategy which was best summed up in the term "convergence". The DP saw its task as establishing as wide a consensus around liberal democratic values as possible.

The three unarticulated premises of this stragegy were (1) that the DP uniquely expressed these values; (2) that it was desirable that the new South Africa be based on these values; and (3) that the DP had a task in strengthening the political centre and counteracting any tendency toward political polarisation. A logical corollary of this strategy is that the DP would act as a facilitator between the two major players, the ANC and the NP.

This was the right strategy at the time but it can be faulted now. What happened is that the political situation has moved beyond the strategy. The ANC and the NP don't need the DP to bring them together in the negotiation process — notwithstanding their political rivalry.

Something else has changed: the anti-apartheid democratic rhetoric of the DP is now also the rhetoric of the NP. In fact, it is the rhetoric of South African politics and consequently the DP has lost its cutting edge when it comes to values.

But most important of all is the rivalry between the ANC and the NP. While powerful domestic and international factors lock them into a negotiating mode, they are both increasingly staking out their territory. This factor has made a profound impact on the DP caucus.

Members of the DP caucus are, on the whole, young. The majority have a political vocation and would like to be around in the new politics of South Africa. And while most hope that, with proportional representation, they will survive into the new South Africa, some see their fortunes to lie in identification with one or other of the major players.

I have to say that I don't know of a single member of the DP caucus who, after Inkathagate, wants to join the NP. But I do know of several members who have made it plain that it is just a matter of time before the DP is forced to choose and who have made it equally plain that, when the time comes, they will join the ANC. And this is where the problem lies.

Zach de Beer understands this. In both his major speeches (at the beginning and the end of last weekend's congress) he called for a mandate for the position that the DP (particularly with its strongly developed views on federalism) not only has an important role in the negotiation process but will also be an important party in any future South Africa. This is what the vast majority of ordinary DP members want. The problem lies in the caucus. A long-term and a short-term view of the party's future simply don't add up.

The question is not the DP's relationship to the ANC. That is not an issue. It would be foolish of the DP to want anything but a constructive and creative relationship to the biggest extra-parliamentary organisation. Rather, the question is the relationship of DP Members of Parliament to their party.

I happen to believe that the DP, both now and in the future, has a significant contribution to make. Its main relevance lies in the following areas:

● **Economics:** This is not an issue for academic debate only. Somebody in the public arena needs to spell out South Africa's advantage relative, for example, to central and east European countries. South Africa has the developed institutions and procedures which make a market economy possible but it also has the required attitudes and value systems: much of the informal sector and a great deal of black business in this country has developed in opposition to state policy.

As David Gant, the businessman chairman of the DP's national council, puts it: "The DP is the one party that can objectively and constructively balance political idealism and power competition with sound economic judgment."

● **Donald Horowitz** in his superb book *A Democratic South Africa?* says cultural, linguistic and ethnic factors will figure in our politics and will inevitably influence the nature of the emerging South African democracy. The NP's past precludes it from raising the issue; and, because of its concept of nationhood, the ANC won't deal with the subject. But the DP can and does so sensibly and sensitively.

● **The DP has an important role in bringing expectations of the "new" South Africa into perspective.** As a traditional anti-apartheid party, and therefore a party which can empathise with the victims of discrimination, the DP is best placed to temper unrealistic expectations and unsentimentally and frankly counteract political activities which are not in the general national interest.

● **Closely related to this is the DP's relevance in ensuring an effective transition from minority rule and apartheid to broad-based democratic rule and non-discrimination.** While acknowledging the necessity of an independent and neutral supervision of the transition, this must be balanced with the recognition of the need for stability and security during that transition.

● **And, of course, the DP's policies and record equip it to make a major contribution in the development of a democratic culture and democratic style of politics.**

Neither should the DP accept, as some people would have it do, that it is necessarily a "small" party. The DP's natural following lies in that broad swathe of enterprising, individualistic, self-motivated, non-socialistic, non-statist middle to upper-income, property-conscious and internationally minded citizens from across the population who would naturally describe themselves as South Africans before they call themselves Xhosas or Zulus or Afrikaners and so on.

Moreover, our politics are changing dramatically. There is absolutely no reason to assume that the ANC, which includes several political and economic tendencies, will continue as it is or that the NP will maintain its present form.

The DP has relevance and it has a potential constituency in the new political system which is emerging. But before the party can convincingly recruit support, it has to make up its mind that it has a future. Then, and only then, will it successfully gain support in competition with other political players.



ZACH DE BEER: Has called for a mandate for the position that the DP not only has an important role in the negotiation process, but w l also be an important party in a future South Africa.

Canny moves behind the Koos story

B|Daw 3|12|91 (304A)

BILLY PADDOCK

THE brazen but shrewd appearance at the preparatory multiparty talks of Koos van der Merwe, unofficial leader of the CP's pro-negotiations faction, is set to push the CP closer to a split between the "old guard" and the "new right".

Van der Merwe arrived in the lobby of the Jan Smuts Airport hotel, which was teeming with local and international media, with two black Angolans — ostensibly for a meeting with Finance Minister Barend du Plessis. But he made full use of the opportunity for publicity and to focus on the possibility of the CP joining the negotiation process.

Immediately the "old guard", buoyed by the recent resounding victory of the party with its rigid anti-negotiations policy in the Virginia by-election, ripped into Van der Merwe with a vengeance rarely seen in public.

CP leader Andries Treurnicht and deputy leader Ferdi Hatzenberg said Van der Merwe did not have a mandate to be there or to make public statements on behalf of the CP, and did not give the official view of the party. In short, he was out of line.

Van der Merwe, who did not want to speak to the Press yesterday, told journalists at the talks that the CP would enter negotiations if President F W de Klerk would make a gesture at Codesa that would acknowledge the principle of group self-determination. His faction believes the CP leadership would then have great difficulty in avoiding participation in the process.

Van der Merwe knows Codesa participants want the CP involved because of the substantial white support it commands. He is looking for indications of compromise to strengthen his hand in attempts to bring his party into the process.

CP sources said yesterday they distrusted Van der Merwe's motives for going to the venue where the talks were taking place just "co-incidentally to meet Barend (du Plessis), the man who has been a key player in trying to woo soft CP members into the negotiations and cause a split".

Van der Merwe was fired from his job as information officer of the CP earlier this year because of his views. The tensions within the party have been simmering since the "Koos document", drafted by Van der Merwe and calling for the CP to move into the negotiations, was leaked to the media earlier this year.

These tensions surfaced at the Transvaal congress of the party, when Van der Merwe and supporters such as Cehill Pienaar (Free State leader), Willie Snyman (MP for Pietersburg), Moolman Mentz (Ermelo) and Pieter Mulder called for a special party congress to debate the issue of changing party policy to make it possible to enter negotiations. They are also putting pressure on the party leadership to call this congress or hold a party referendum to shift from a "return to apartheid" to accepting a federal system allowing for a whites-only homeland in a new SA.

It is also understood that CP members have been talking to senior NP members about ways they might enter the talks at some later stage. Apparently they are hoping De Klerk will make a gesture that will enable them to strengthen their position.

Van der Merwe and his followers have received a signal from the weekend talks, where all parties pledged themselves to try to bring the right wing into the fold.

Further gestures have come from Constitutional Development Minister Gerrit Viljoen, who said it was important to get the CP to the negotiating table. They would then have the opportunity to convince other parties of their position, and could possibly attain their goal. If they did not participate, they would risk being sidelined for ever.

De Klerk has said repeatedly he would fight to the bitter end for the right of the CP to state its case and put forward its views in totality at any negotiating forum. He also said the CP had been invited to bilateral talks with government, but as yet the party leadership had refused to take up the offer.

He reiterated this on Sunday night, and said both options were still open to the CP. He urged the CP to pursue them.

With this renewed commitment from all the parties and particularly from De Klerk, the "new right" is expected to step up its efforts for a special congress.

At the recent CP Free State congress, a resolution urging the leadership to look into this question was accepted. But Treurnicht and the "old guard" are known to be opposed to it and have so far ignored it.

Division in the party is certain, and if the pro-negotiators succeed in getting their special congress, it is quite conceivable they will get the majority vote. This would see the ascendancy of Van der Merwe within the party. If not, a split in the party seems inevitable within the next year.

CP hearing for Koos v d Merwe

(3044) CT 3/12/91

Political Staff

THE leader of the Conservative Party's pro-negotiations faction, Mr Koos van der Merwe, was hauled before a disciplinary committee of the party in Pretoria last night following his appearance at the venue of the preparatory meeting for the Convention for a Democratic SA (Codesa) on Saturday.

Mr Van der Merwe refused to comment before the meeting, claiming he did not understand "what all the fuss" was about.

It is understood there are considerable tensions within the CP over the issue and that the leadership, particularly deputy leader Mr Ferdi Hartzenberg, is angry at the publicity Mr Van der Merwe has been getting for his "deviant views". At the weekend senior party members insisted that he be brought before a disciplinary committee.

Mr Van der Merwe earlier said the fact that CP leader Mr Andries Treurnicht had criticised his presence at the venue was due to a misunderstanding with the leader thinking he had been present at the talks.

In fact he had been in the vicinity on official business with Finance Minister Mr Barend du Plessis.

CP committee reprimands Koos

(304A)

BILLY PADDOCK

KOOS van der Merwe, leader of the CP's pro-negotiations faction, was reprimanded by a disciplinary committee of the party in Pretoria last night after his appearance at the venue for preparatory Codesa talks on Saturday.

Van der Merwe apologised for his actions. Before the meeting — which lasted more than two hours — he had refused to comment, claiming he did not understand "what all the fuss" was about.

It is understood that the high profile Van der Merwe has received for his "deviant" views has contributed to some tension in the party. B1 (DCW) 3/12/91

Van der Merwe said earlier the fact that CP leader Andries Treurnicht had criticised his presence at the venue was due to a misunderstanding, with the leader thinking he had been present at the talks. His visit to the hotel involved official business with Finance Minister Barend du Plessis. Du Plessis backed him up on this.

However, Van der Merwe made full use of the media presence at the hotel to put his faction's position that the CP would be prepared to join Codesa if President F W de Klerk indicated the meeting would in principle accept the right of groups to their own homelands.

Yesterday CP chief whip Willie Snyman said the CP caucus was not in favour of negotiating with the ANC, PAC or SACP.

● See Page 8

Parties battle after talks

304A

RECRIMINATIONS flew between the ANC, PAC and Azapo yesterday, with each accusing the other of bad faith after the weekend's preparatory Codesa meeting.

The patriotic front, intended to unite extraparliamentary groups, came under particular strain after the ANC's attack on its convening partner, the PAC.

Azapo, ejected from the front's convening committee just before its formation in October, joined the fray yesterday, attacking the ANC for misleading the public and slamming the PAC for meeting "bantustan and tricameral puppets".

Also yesterday the Frontline states rejected claims by the PAC that they had minutes of a meeting at which the PAC said ANC international affairs director Thabo Mbeki had disclosed details of an ANC agreement with government on a future constitution.

3/12/91

BIDS

TIM COHEN and VERA VON LIERES

Meanwhile, the PAC's Transvaal regions called for a "purification" of the "absolutely compromised" front, after a weekend meeting in Pretoria.

In a statement yesterday, the ANC repeated its chief negotiator Cyril Ramaphosa's accusation that the PAC's behaviour was "dishonest, destructive and manipulative". It said the PAC had endorsed the positions the ANC was putting to government. It had said it would table its position regarding international conveners to satisfy its constituency, but would be willing to accept the consensus proposal of independent conveners.

Also, the PAC would merely state its position on the need for an external venue,

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Parties

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but had undertaken to support the proposal for a neutral venue inside the country the ANC statement said.

Azapo president Pandelani Nefolovhodwe said yesterday a true front had not been formed in October and repeated PAC allegations that the ANC had secretly made agreements with government.

The Transvaal PAC regions said the PAC's presence at the weekend meeting was "grossly unjustifiable" in terms of congress resolutions — but they also declared confidence in the PAC's leadership.

PAC regional chairman Thami Plaaitjie praised the PAC's exit from the talks on Saturday and said contact between government and the PAC must be strictly limited to talks on a constituent assembly.

Meanwhile Cosatu announced yesterday it would not participate directly in the negotiating process but would throw its weight behind the ANC/SACP teams. It would set up a six-member political committee to liaise with the ANC and SACP.

General secretary Jay Naidoo said Cosatu wanted to see democratic, one man, one vote elections within 18 months. "We believe an interim government should be established without delay. It should have a limited lifespan and focus on ensuring free and fair elections to a constituent assembly of a united SA."

He said Codesa was not charged with formulating a new constitution — the process belonged to "elected representatives of the people".

Win-win was the name of the game

Sowetan 3/12/91.. 304A

FOCUS

Sowetan Correspondent

ALL 20 political parties, organisations and governments taking part in the preparatory talks at the weekend walked away feeling they had won much more than they had lost.

This was what experts in negotiations would call a win-win situation, and it certainly set the scene for all South Africans - barring the right white - to be hopeful that the political leaders will indeed be able to find a negotiated political settlement.

From the ANC point of view, they feel they won because, as secretary-general Mr Cyril Ramaphosa said in words that filled media headlines around the world: "More than ever we are convinced that we are walking the last mile."

Ramaphosa went on to say: "The possibilites of achieving a democratic South Africa through negotiations have now become real. The successful conclusion of the preparatory meeting marks the opening of genuine negotiations."

This raises the question whether the ANC now thinks the reform process is irreversible, and if so would the ANC allow more sanctions to drop away?

Given the words of Dr Gerrit Viljoen, Minister of Constitutional Development, the Government and National Party seem happy. "After a long series of obstacles on the way in the long process of talks about talks, we have now come to where the real talks have commenced."

On a broader perspective, the NP is contributing to change in South Africa in a way few of their opponents thought possible before February 2 last year, so the future of their party and their own political careers is a lot brighter now than it was two Christmases ago.

The whole of South Africa, apart from the rightwing, won when Viljoen said the talks "represented a definite, clear and irreversible break with the past".

The Inkatha Freedom Party won. In the words of national chairman Dr Frank Mdlalose: "The deliberations to date have been better than we had anticipated and this augurs well for the future."

Mdlalose said the IFP walked away with a feeling of optimism.

This feeling will undoubtedly be shared by most South Africans.

The smaller parties walked away pleased that they had finally broken into the negotiation circle which has now opened to democratic participation, and were finally seeing some action.

Parties from the Tricameral Parliament and those based in the national states left, grateful that they were being recognised as legitimate by the ANC and PAC, and worthy of making some contribution to the process of change. The ANC and the PAC have not received enough credit yet for dropping their hardline opening position of having nothing to do with the national state-governing parties and those based in Parliament.

While the TBVC states will definitely disappear in the new South Africa, their delegations left the talks with at least the comfort of knowing that they would be able to play a part in their own disbandment, and would not be summarily overthrown - a prospect that once seemed inevitable.

Also, in their own way, the PAC left feeling they had won; well, at least won a moral battle.

While other parties have accused the PAC of playing to the gallery, the PAC are actually engaging in a very democratic exercise. Their leaders said look, we got beat at every turn in the opening talks: on who the convener should be, where the talks should take place, and the need for an immediate constituent assembly. Before we go further we are suspending our participation pending a fresh mandate from a special conference of our members on December 16.

The PAC feel they won morally also because they alone specifically called for trade union federations to join the talks.

While others said the PAC alone tried to score political points, and that they would not be missed, a place has been left open for them on the steering committee.

Dr Zach de Beer, the Democratic Party leader and now chairman of the steering committee, said the preparatory talks continued without a hiccup when the PAC walked out just before lunch on Saturday. The smart money, however, says the PAC will be back. In an ambiguous answer, Mr Dikgang Moseneke, vice-president of the PAC, replied when asked what direction leadership would give their special meeting: "We are aware there are critical national issues and by and large we will remain engaged."

What emerges then is a perception that delegates displayed a very mature attitude to the preparatory talks. As the talks were behind closed doors, this verdict of the atmosphere was based on what delegates said as they came out of the room to be pounced on by the media waiting in the foyer.

Their message was that there was a measure of responsibility, with people wanting to make sure they did not wreck the party just for the sake of making politics.

Delegates spoke of a willingness to be accommodating, and accepted each other's commitment to find answers and move forward. As Ramaphosa said: "All organisations recognised the need to rise above party political interests and be guided by the national interest."

Selecting De Beer as chairman of the steering committee, as proposed by Mr Roelf Meyer, the Minister of Defence, demonstrated the maturity. De Beer stands for reform. He is the one person who would not make political mileage out of the honour bestowed on him. Although impatient with fools, De Beer would never forgive himself if any person thought he acted improperly as chairman of the steering committee.

Asked by journalists if serving as chairman was not an honour, De Beer replied in his usual, unruffled, modest way: "It is one of those things that comes with age."

All the positive points earned by delegates at the preparatory talks will be challenged by the tough negotiations that lie ahead, and everybody agrees that they will be tough.

There is also widespread agreement that political violence is going to continue despite the best efforts of peacemakers.

ANC slates Cape NP official's 'party' offer

Political Staff

CAPE TOWN — The ANC yesterday said it could not stomach suggestions by a "brown Nat" at the weekend that the NP would like to boost attendance at its meetings by offers of food and drink.

The Cape branch of the ANC said it was astounded by the admission of prominent "new Nat" and western Cape MP Abe Williams, that if funds had been available he would rather have organised a party to attract the public following a poor turnout at an NP meeting.

Fewer than 40 people attended the first NP public meeting in a coloured area at Austerville outside Durban, on Saturday night.

Former Labour Party secretary and now Deputy Minister of National Education, Williams told reporters: "If we had the funds, we'd throw a party — that would attract the people."

The ANC said in a statement issued by assistant regional secretary Willie Hofmeyer that the ANC had always believed the purpose of holding political meetings was to explain viewpoints to the public.

"It surely demonstrates a remarkable lack of faith in the National Party's policy when its leaders confess that they have to hold parties (with an implicit promise of free food and drink) to attract the public to their meetings.

"It appears that the NP, and the 'New Nats' in particular, still hanker after their old ways of organising when more effort was made to 'buy' voters through free parties and other forms of entertainment," he said.

Hofmeyer said the ANC hoped that future free elections would not be conducted in this way, but that voters would have the opportunity to make an informed choice.

TrustBank cancels cheque guarantee

ROBERT GENTLE

TRUSTBANK has withdrawn with immediate effect its automatic R200 guarantee on its ordinary cheques because of rising costs associated with fraud.

Letters to clients said: "Automatic cheque guarantees on ordinary cheques offer too many opportunities for fraud and misuse by criminals when cheques are lost or stolen."

However, the bank said clients would still be able to get guarantees on an individual basis.

A "more standardised" cheque guarantee system was being introduced which TrustBank said would provide greater protection.

The decision, the bank said, was "in the interest of ensuring greater security and curtailing the costs relating to fraud, and forms part of our programme of creating a safer banking environment".

Sources in the banking industry expressed little surprise at the move, suggesting TrustBank should never have offered such guarantees in the first place because of the risks of fraud. They pointed out TrustBank's ordinary clients were not in the same league as those of say, Nedbank, which also guarantees ordinary cheques.

Nedbank said in a statement that it would not withdraw its automatic R100 guarantee on its ordinary cheques.

"Nedbank has had very few instances of fraud, as we find our clients act responsibly with their cheque books."

The R100 guarantee could even be increased, the statement said. "In this case, guarantees fall in line with the standardised clause and guarantee system of all banks." Cheques on other Nedbank products, like the N5000, were automatically guaranteed up to R1 000.

Two other Big Five banks said they had no intention of withdrawing their cheque guarantees, which in any case applied only to the higher category — and therefore less risky — accounts.

Standard Bank divisional GM personal banking John Holloway said the bank would continue to offer guarantees on accounts like AchieverPlan, PrestigePlan, ProElite and MedElite. These guarantees were linked to the cheque holder's credit card. The fraud risk associated with these guarantees was "acceptable", he said.

First National Bank senior GM Jimmy McKenzie said FNB had guarantees only on high category accounts like Status and Prestige, and these would continue.

The tough economic climate and high interest rate environment has increased the incidence of even traditionally creditworthy clients failing to honour their debts.

This has resulted in high bad debt provisions throughout the industry. Yesterday Amalgamated Banks of SA (Absa) reported bad debt provisions of R220m for the six months ending September, representing 19,5% of its net interest income of R1,127bn.

Rembrandt co-founder Hertzog dies

No fanfare for Mandela

(304A ARG 3/12/91)

ANC president's US visit overshadowed by domestic problems

HUGH ROBERTON
The Argus Foreign Service

WASHINGTON. — Americans have greeted the arrival of ANC president Nelson Mandela on a seven-day "working visit" with friendly politeness, but with none of the excitement and acclaim which marked his first visit here in June, 1990.

Domestic problems, the looming presidential election campaign, and international developments, from the on-off Middle East peace process to the continuing fragmentation of the Soviet Union, are potent distractions.

The result has been scant mention of Mr Mandela's visit in the media. Today's Washington Post, for instance, dealt with the subject in a three-paragraph snippet.

Only three of the 50 or more television channels available to cable subscribers referred to the visit in news broadcasts.

Today's Press conference, addressed jointly by Mr Mandela and New York mayor David Dinkins, was dispensed with in a brief report



GREETINGS: ANC president Mr Nelson Mandela meets African ambassadors shortly after arriving in New York. Mr Mandela will meet business leaders and address the United Nations.

Cosatu calls for full say at Codesa

STAR 3/12/91

By Mike Siluma

South Africa's biggest labour federation, the Congress of SA Trade Unions, has increased the temperature of the negotiations process by demanding the holding of constituent assembly elections within 18 months.

In a hard-hitting statement yesterday, Cosatu also announced it would only take part in the Convention for a Democratic SA (Codesa) — which holds its first meeting in two weeks' time — if it was allowed to attend in its own right, not as part of a delegation of either the ANC or the SA Communist Party.

Announcing the decision at a press conference, Cosatu general-secretary Jay Naidoo said: "We believe that the process of political transition should involve as many major players as possible, and that includes Cosatu.

"We want to see democratic, one-person, one-vote elections within 18 months, if not sooner. We believe that 18 months is enough for Codesa to complete its task of preparing for the installation of an interim government which will focus on ensuring free and fair elections to a constituent assembly."

Mr Naidoo said the decision was taken by Cosatu's central executive committee (CEC) — its highest policy-making body, after congress — after considering recent developments, including meetings between the Government and the ANC, as well as deliberations within the Cosatu/ANC/SACP alliance.

"The CEC resolved that if Cosatu could not take part (in Codesa) in its own right, (it) would not do so at all. Cosatu would throw its weight behind the ANC-SACP negotiating teams," Mr Naidoo said.

Flowing from this, Cosatu had set up a six-person committee "to liaise and strategise with the ANC and SACP in the negotiating process".

The Cosatu decision, which effectively overturns one taken last month by the federation's national executive committee, favouring the integration of Cosatu into ANC and SACP delegations to the talks, betrays fears about the Government's intentions and a desire by the organisation to reassert itself on the political stage.

It is understood from union sources that Cosatu's decision to insist on attending the talks separately followed the Government's and other conservative parties' resistance to the participation of unions.

Cosatu is understood to have been offered seats on the delegations of the ANC and the SACP, but the feeling among the 80-person CEC was that participation in this way would hinder the Cosatu delegates from independently articulating the federation's views.

Other CEC decisions included urging the Government and employers to agree to the establishment of a macro-economic negotiating forum.

Polls set to close for NP-CP contest

By Esmaré van der Merwe
Political Reporter

The Conservative Party stood a fair chance of gaining Potchefstroom from the Official National Party, said yesterday. by-elections last week was analysis by, they noted However, that Potchefstroom had been a CP stronghold for many years and that in Virginia the Nationalist Party had won by a majority of 1 589 votes in the last general election.

Virginia was a heavily agricultural district, but Potchefstroom was an academic town, with a population of 43 000 and a diverse economy, the report said.

Political analysts would not be drawn on the outcome of the by-elections, but said that the Conservative Party had a fair chance of gaining Potchefstroom from the Nationalist Party.

If the Conservatives won the seat, it would be a blow to Premier Johannes Vorster's National Party, which has a majority of 117 in the House of Assembly.

The Conservatives have been campaigning hard in the constituency for the past few weeks.

Mr Andries Treurnicht, Conservative Party leader, addressed a meeting in Potchefstroom last night.

Mr Treurnicht said the Conservatives

Preparatory meeting sparks off controversy

STAR 3/12/91.

By Kaizer Nyatsumba
Political Staff

The weekend's historic two-day preparatory meeting for multiparty talks has left in its wake raging controversy in various quarters.

As the dust settled after the conference:

● ANC president Nelson Mandela criticised the PAC for walking out of the conference, saying "forward movement to a democratic South Africa does not depend on the PAC".

● Cosatu yesterday demanded that Codesa pave the way for constituent assembly elections within 18 months. Cosatu also said that if it could not attend Codesa in its own capacity, it would not attend at all.

● Government sources were quoted as saying the idea of Codesa becoming a form of interim government was one of many ideas being considered, but the ANC strongly rejected this possibility.

● The PAC leadership, which observers believe staged a walkout to save face in the wake of dissent within its ranks, was criticised by its Transvaal regions for having attended the November 29-30 conference.

● The Azanian People's Organisation, which did not attend the conference, accused the ANC of entering into secret deals with the Government and attacked all participants in the conference.

● The Conservative Party yesterday reprimanded Overvaal MP Koos van der Merwe after his appearance at the conference.

CP leader Dr Andries Treurnicht said the party's executive had had discussions with Mr van der Merwe yesterday following "occurrences" at the hotel.

"The executive reprimanded Mr van der Merwe over certain errors of judgment he made," Dr Treurnicht said. "Mr van der Merwe assured the executive that it was not his intention to harm the party, and apologised for embarrassment to the party. He reaffirmed that he fully endorsed the CP's standpoint on the all-party conference and negotiations."

Mr van der Merwe told reporters at the talks that he was there to introduce an Angolan delegation to Finance Minister Barend du Plessis and not to attend the conference.

ANC slates Govt's Masterbond move

By Eelmarie van der Merwe
Political Reporter

The ANC yesterday labelled as "quite strange" the Government's willingness to assist Masterbond investors by using taxpayers' money to rescue victims of the failed investment scheme.

ANC spokesman Carl Niehaus said the Government should rather spend all available funds on critical national needs such as housing and education.

Political parties across the spectrum have criticised the Government's intention to jump to the assistance of investors in the Masterbond group.

Their criticism followed an invitation by the director-general of the Department of Health Services and Welfare, Dr Jannie Pieterse, who said earlier that special arrangements had been made for Masterbond investors who were strapped for cash to apply for grants.

Democratic Party finance spokesman Ken Andrew said the Government should be pressured into launching an in-depth investigation into legislation and regulations "to ensure that people feel more secure when investing in properly registered deposit-taking institutions."

Mandela hopeful about the new SA

Sowetan 4/12/91

304A

NEW YORK - There was no reason why South Africa's new constitution could not be drawn up within a year, ANC president Mr Nelson Mandela said last night.

He told the 46th session of the United Nations' general assembly that a constitution-making body or elected constituent assembly should be established speedily after the Convention for a Democratic South Africa had finished its work.

"Once established, we see no reason why this assembly should not conclude its work of drawing up the new constitution within a year."

Mandela also called for continued international pressure to encourage speedy movement forward, but said sanctions should be lifted in phases to correspond with the actual progress being achieved in South Africa.

"The two major phases ahead of us would be delineated by the establishment of an interim government and secondly, the election of the new government in terms of a democratic constitution.

"We would therefore urge this assembly and its member states to handle the issue of sanctions in this manner. We are convinced that this is the best way to use this form of pressure to realise our common objective of securing a speedy end to the system of apartheid."

He said it was "critically important" that the international community support the peaceful process leading to a democratic South Africa and stressed the ANC expected the UN to participate in the political processes in the country.

Decisive

Mandela said it was "of decisive importance" to the work of Codesa that the National Party make a commitment that the decisions of the convention be given legal force.

"Unless this is done, the convention will be no more than a mere talking shop. Obviously, this cannot be allowed."

He described Codesa as an "important step forward" in the process leading to a negotiated political resolution.

He said the convention would seek speedy decisions on a number of issues, including principles to underlie the new constitution, mechanism for its drawing-up, an interim government that would take charge of the country until a new democratically elected government was formed, the reincorporation of homelands into South Africa, the time frames for the transitional period as a whole, and the role of the international community.

Talks won't resolve SA conflict

CENTRING the national debate on constitutional negotiations as a bargaining process is to select the worst possible vehicle for conflict resolution in South Africa, according to University of Stellenbosch researcher Ms Martine Dodds.

Dodds, a senior researcher at the university's Institute for Futures Research, said in a presentation at a recent conference on conflict mediation in Cape Town that neither the vote nor increases in wages would dissolve the potential for conflict in SA until there was significant progress towards improving the quality of life of all the country's citizens.

For this reason the negotiation process ought to become a development planning forum, where all groups could take part in designing their collective future.

"Such a development process, because it is participative, will itself further the resolution of conflict, because people who plan together are partners, and not political parties with the underlying assumption that their respective interests are in direct opposition and conflict with one another."

The political dimension and its culmination in a constitution was not an end in itself but a means towards ensuring equity and just access and participation.

"Centring the national debate around 'constitutional negotiations' (which are seen) as a bargaining process of compromise, is to select the worst possible vehicle for conflict resolution and the establishment of a just society...

"We need to foster a culture of development through participative planning, whereby alignment of purpose can be achieved among our different cultures" – *Sapa*

New deal ‘in a year’

3049
CT 4/12/91

New constitution soon, Mandela tells the UN

Own Correspondent

NEW YORK. — Mr Nelson Mandela told the United Nations General Assembly yesterday that South African could have a new constitution within a year.

He said he was confident this could signal that all economic sanctions could be lifted within this period.

Mr Mandela said that after the Convention for a Democratic South Africa had done its work it would have to move quickly to establish a constitution-making body which the ANC believed should be an elected constituent assembly.

"We see no reason why this assembly should not conclude its work of drawing up the new constitution within the year," Mr Mandela said during the annual UN debate on South AfricA.

He also urged the General Assembly to keep pressure on Pretoria to compel the National Party into giving a commitment that the decisions of Codesa would be given legal force, failing which it ran the risk of becoming a "mere talking shop".

Mr Mandela said South Africa was on the final lap of its race to normality and a new society. But the new South Africa would have to embark on an extensive programme of socio-economic transformation to address the existing needs and to ensure permanence of the democratic political outcome of the process of negotiations.

This meant it would have to address as a matter of urgency mass poverty and racial imbalances in the distribution of income, wealth, land and opportunity.

The political settlement South Africa sought could not survive long if the standard of living of the people as a whole and the quality of life were not addressed.

That was why the growth of the economy and its restructuring to serve the needs of the entire population had to be an integral part of the process of reconstruction..

This would not be attainable if South Afirca had to rely entirely on its domestic resources. It would require the support of the international community, Mr Mandela said.

Economic sanctions should be maintained until an interim government was in place and the rest should be lifted once a new government had been elected.

PAC president Mr Clarence Makwetu told the General Assembly the PAC "was the only political organisation (at the talks) which was neither an establishment body nor engaged in prior negotiations with the regime".

"The PAC was outvoted by prepacked voting cattle," he said.

Cabinet summit on referendum

CT 4/12/91 (304A)

Own Correspondent

JOHANNESBURG. — A strategy to change the constitution without the need for a referendum is expected to feature highly on the cabinet's agenda at the three-day "bush summit" starting today.

The summit, to be attended by the cabinet, deputy ministers and the four administrators at a venue outside Pretoria, will be dominated by planning for the first meeting of the Convention for a Democratic SA (Codesa) on December 20.

The poor performance of the economy, the lack of domestic investment and the battle to restore consumer and business confidence in the government's ability to arrest inflation will also be key points of discussion.

This is the final cabinet meeting of the year and the last opportunity to plan a comprehensive strategy for the negotiations as President F W de Klerk will be away from his office until just before the Codesa meeting.

The government and the ANC have moved from their hardline positions on the form an interim government should take and through bilateral discussions "a certain degree of convergence has taken place", one source said yesterday.

Apparently both parties want to avoid a referendum which could delay the process and result in heavy budget costs.

The Minister of Constitutional Affairs, Dr Gerrit Viljoen, has said the government is prepared to change the constitution as early as next year if, through negotiation at Codesa, this is required. He said that if the changes were not fundamental they could be done through Parliament. However, if substantial and fundamental changes were needed, government would be forced to call a referendum.

The ANC has said the form of interim government it envisages would not require major alterations to the constitution and therefore they did not see the need for a referendum on changes.

Yesterday, sources in government and the ANC said the whole question of the form, powers and responsibil-

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ities of an interim government would have to be resolved at the first meeting of Codesa. It is expected to be a major negotiating issue, with government wanting to limit as far as possible the scope of an interim authority while the ANC wants a firm and formal executive that cannot be overruled by Parliament.

Following the Codesa decision, a team of experts will be appointed to draft the necessary amending legislation to be ratified by the second meeting of Codesa before being put to Parliament for approval.

If the new legislation gets the go-ahead from Codesa, which is likely to be representative of all parties in Parliament except for the CP, the changes are sure to be passed.

The second meeting of Codesa is due to take place some time in February because it is understood that the two judges chairing the negotiations, Mr Justice Ismail Mahomed and Mr Justice Petrus Schabort, have full diaries for January.

However, if a referendum becomes necessary, Home Affairs Minister Mr Gene Louw has a draft Referendum Amendment Bill on the table and ready to be passed into legislation giving blacks the vote. The only opposition to the bill is likely to come from the CP which is expected to fight it tooth and nail because it would remove a white stranglehold on the political process. (304A)

In this respect, the bush summit will also deal with strategy the NP will employ in the coming Potchefstroom by-election in February. The party will be going all-out to triumph at the poll to ensure that the CP does not use a victory there to bolster its bid to force government into a whites-only referendum or election. CT 4/12/91

New constitution could be ready in a year, Mandela tells the UN

ANC president Nelson Mandela told the UN General Assembly he was confident SA could draw up a democratic constitution within a year, signalling that all economic sanctions could be lifted within this period.

He said that after Codesa had done its work it would have to move quickly to establish a constitution-making body, which the ANC believed should be an elected constituent assembly.

"We see no reason why this assembly should not conclude its work of drawing up the new constitution within the year," Mandela told the annual UN debate on SA.

He also urged the General Assembly to maintain pressure on SA to compel the ruling NP to give a commitment that the decisions of Codesa would have legal force, failing which it ran the risk of becoming a "mere talking shop".

Mandela said SA was on the final lap of its race to normality and a new society. But the new SA would have to embark on extensive socio-economic transformation to ensure the permanence of the democratic outcome of negotiations.

The political settlement SA sought could not survive for very long if the living standards of the people as a whole and the quality of life were not addressed. That was why the growth of the economy and its restructuring to serve the needs of the entire population had to be an integral part of the process of reconstruction.

BILLY PADDOCK

A democratic, peaceful and stable country could not be attained if SA had to rely entirely on its domestic resources; it would require the support of the international community. Economic sanctions should be maintained until an interim government was in place; the remaining sanctions should be lifted once a new government had been elected.

But the international community should make preparations to enable it to lift sanctions immediately.

He reiterated his call on the world body to implement measures of censure and sanction on any organisation acting contrary to the purpose of the peace accord to help create a violence-free process.

He also urged the International Atomic Energy Authority to "move with all speed to inspect the nuclear installations in our country" to ensure compliance with the nuclear non-proliferation treaty.

He hailed the convening of Codesa later this month and said: "We can see rising on the horizon the new glorious entity which shall no longer be spoken of as the pariah among the nations, the detestable example of what is impermissible in the ordering of human relations."

□ Sapa-AP reports PAC president Clarence Makwethu told the General Assembly on Monday that President F W de Klerk's government had introduced only a veneer of reform.

ANC language policy

THE ANC has decided to set up a standing commission to make proposals on a language policy for a new SA. Earlier proposals for 10 official languages were criticised because of the expense and difficulties of such an arrangement.

Yesterday the ANC announced its arts and culture department's three-day conference had decided to establish standing commissions to make proposals on the implementation of a language policy; monuments, museums and national symbols; and how arts and culture should be financed.

CP man 'not ruling out talks with ANC'

Political Staff STAR 4/12/91

Conservative Party general secretary Andries Beyers yesterday appeared to endorse the view for which CP MP Koos van der Merwe was rebuked by the party on Monday — raising fresh speculation over differences in the CP over negotiations.

In a front-page article today, Beeld newspaper reported that Mr Beyers, the CP candidate in the forthcoming by-election in Potchefstroom, indicated that the CP could change its policy and negotiate with the ANC if it fully acknowledged the Afrikaners' right to rule themselves.

Contacted for comment today on Mr Beyers's statement, CP deputy leader Dr Ferdi Hartzenberg said he was not prepared to comment on the issue.

However, he said it sounded to him "like a mistake" and that CP leader Dr Andries Treurnicht had "a lengthy statement" — to be issued today.



Andries Beyers ... shift in CP's stance on talks?

Breaching the barricades of compulsory consensus

STAR 4/12/91 (304A)



Allister Sparks

A POTENTIALLY important if problematic precedent was established during last week's preparatory meeting for the Convention for a Democratic South Africa — a new principle of "sufficient consensus".

Several times during the two-day meeting the joint chairmen, Mr Justice Petrus Schabort and Mr Justice Ismail Mahomed, applied this concept in overruling minority party dissent — mostly against the PAC — when it was clear an overwhelming majority of the 20 parties agreed.

In doing so they gave a new interpretation to the notion of consensus politics, ruling that it means more than a simple majority but less than unanimity, but without defining precisely where the line should be. What is clear, however, is that this ruling removes the power of a minority-party veto from the concept of consensus decision-making.

Later, in considering the decision-making mechanisms to be used at Codesa, the preparatory meeting agreed that this principle of "sufficient consensus" should be applied there as well.

The implications are far-reaching, for consensus decision-making and minority-party vetoes lie at the heart of the National Party's constitutional proposals.

As this column noted last week, President de Klerk's concept of "power-sharing", as distinct from "majority rule", is built around an elaborate system of consensus requirements in the senate, a multi-party Cabinet and a troika presidency that would effectively give minority parties, such as the NP, a veto power enabling them to paralyse a black parliamentary majority and entrench the status quo of white advantage.

Now the very core feature of that proposal has been bent.

What makes it doubly significant is that it was the NP that proposed that this flexible concept of consensus decision-making should be applied at Codesa too.

As the NP's delegation leader, Dr Dawie de Villiers, put it: "At all times the chairmen must seek unanimity, but we must accept the principle that the convention cannot be held up by a small minority."

Well, if the principle of unanimity cannot be strictly applied in the all-important process of making the national constitution, it surely cannot be required either in the constitution that that process produces. If the convention cannot be held up by a small minority, then neither can the political process that it initiates.

Yet there are problems of imprecision in this intriguing new concept. On Saturday the Bophuthatswana delegation wanted to know what the position would be if there were a decision on the homeland's future to which everyone else agreed and it was the only dissenter. Would it be overruled on the grounds of "sufficient consensus" and then be bound by the majority decision?

No, said the South African Government. If one party was so vitally affected, it would have to be part of the consensus.

Where does that leave us? The Government and the ANC, the two major players, will be vitally affected by every decision at Codesa. Does that mean they will have a veto, but lesser parties not?

It was also the general feeling — dare one say consensus? — of the preparatory meeting that the issue should be left to the chairmen's judgment: they should strive for unanimity, but if this was unattainable they would have to judge whether they could declare a decision taken on a majority basis without causing a breakdown.

A good, pragmatic approach, but where does it leave us in terms of principle? Again, objections by the big parties are more likely to cause breakdowns than objections by small parties.

In the end the steering committee was asked to lay down guidelines for the chairmen. A difficult task, but not impossible. And the good news is that a breach has been made in the paralysing principle of decisions by unanimity.

Speaking of the steering committee brings me to another point of note about the meeting. This is the special role in which the Democratic Party has been cast, with its leader, Dr Zach de Beer, having been asked to perform several key functions as conference starter and interim chairman at delicate moments in last week's talks, and then elected chairman of the steering committee to make the arrangements for Codesa.

This is a remarkable recognition of the DP's role as a key facilitator and catalyst in the negotiating process, and a vindication of the party's bridge-building efforts to the ANC, despite attempts by a small band of DP conservatives to discredit them.

A final word about this much-vaunted preparatory meeting. I was appalled that of the 60 delegates from 20 parties who participated, not one was a woman.

Worse still, I have yet to see or hear a word of criticism from any reporter, commentator, analyst or bag-carrier about this omission.

Are we seriously intending to exclude 55 percent of our population from the making of a new national constitution?

Each party will be sending 12 delegates to Codesa in three weeks' time. They'd better get it right then. □

Top businessman in FW's new cabinet

BOYA CT 5/12/91

PRETORIA. — President F W de Klerk last night announced a major cabinet shuffle, bringing executive chairman of Gencor Mr Derek Keys in as Minister of Trade and Industry and of Economic Co-ordination.

Mr De Klerk also dropped the deputy ministership of Manpower and Tourism.

All changes and appointments will take effect on January 20.

He said the appointments were necessitated by the negotiation process and the death of Mr Louis le Grange.

"Furthermore, in view of the phase now being entered with the negotiation process and the apparent high demands that will result on members of the government, it has become necessary to make further moderate rearrangements in the responsibilities of ministers," he said.

"The new constitutional dispensation we are working at can only be successful if it is backed up by a healthy and growing economy, which requires planning and co-ordination.

"In this regard, the death of Dr Wim de Villiers left a void and the need has again arisen to appoint a business leader with wide and applicable experience to the cabinet."

Other changes to the cabinet include Minister of Public Enterprises Dr Dawie de Villiers losing his position as leader of the House of Assembly, but retaining his current portfolio.

Mr Kobie Coetsee will no longer be chairman of the Ministers' Council, House of Assembly, but will retain his portfolio as Minister of Justice. The National Intelligence Service has also been added to his ministry.

General Magnus Malan takes over from him as chairman of the Ministers' Council, and Minister of Correctional Services Mr Adriaan Vlok has been appointed Leader of the House of Assembly in place of Dr De Villiers.

Mr De Klerk said he was also appointing Mr Vlok as Minister of Housing and Works in the Ministers' Council. He will no longer be Minister for the Budget in the council.

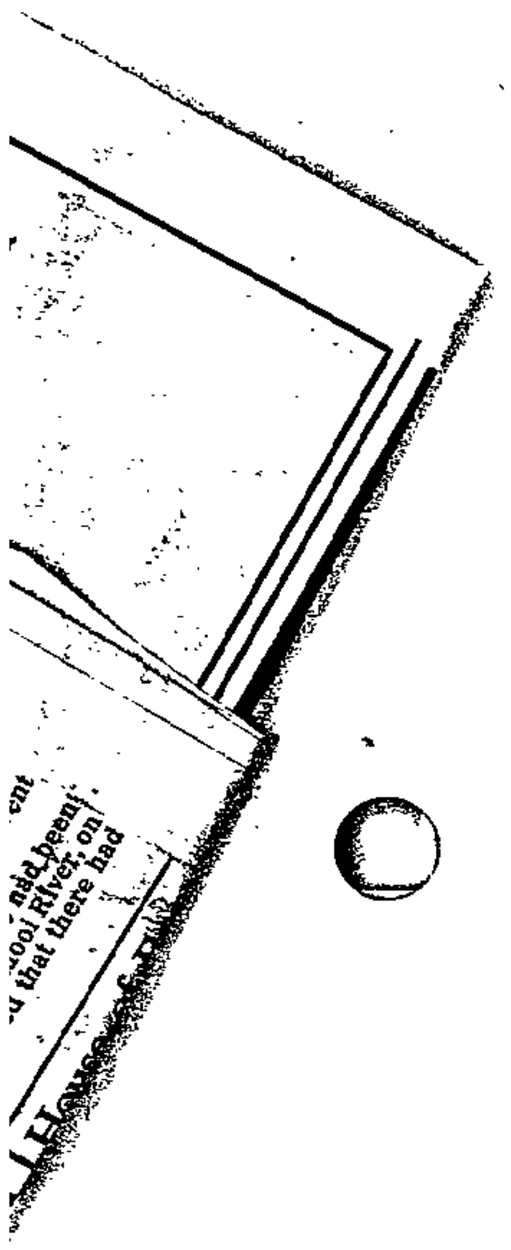
Dr Org Marais will serve as Minister for Administration and Tourism as well as Minister for the Budget in the Ministers' Council. The National Productivity Institute also falls under his jurisdiction.

Mr Piet Marais will have the Ministry of Manpower added to his portfolio.

To ease the burden on Minister of Finance Mr Barend du Plessis, his deputy, Mr Theo Alant, will serve full-time as Deputy Minister of Finance. He will no longer act as Deputy Minister of the National Intelligence Service.

Deputy Minister of Justice Education and Training Mr Danie Schutte now takes on the post of Deputy Minister of Justice and of the National Intelligence Service.

The posts of Deputy Minister for Manpower and for Tourism fall away, Mr De Klerk announced. — Sapa



Nats hoping to oust LP

THE National Party is confident of ousting the Labour Party as the majority party in the House of Representatives when Parliament resumes in January.

Officially, the NP is keeping mum about more defections from the Labour Party.

Mr Jac Rabie, leader of the NP in the House, said: "I don't want to say anything. These people have to decide for themselves."

However, a senior NP member, who asked not to be named, said LP MPs, including at least two Ministers, were nervous about their political future.

LP spokesman Mr Peter Hendrickse said he did not expect more resignations.

"The voters have elected us to represent them in Parliament. We have beaten the NP in municipal elections but have not been given the opportunity to test them in parliamentary elections."

Raped girl has Aids

Sanctions must stay – Gordimer

STH 12 5/12/91



There must be sacrifices . . . Gordimer arrives in Stockholm.

STOCKHOLM — Anti-apartheid writer Nadine Gordimer, in Sweden to receive this year's Nobel Literature Prize, called yesterday for continued economic sanctions against South Africa until it became a multiracial democracy.

But all restrictions should be lifted once South Africa introduced a new constitution, Gordimer said.

Gordimer (67) said she was convinced that the enormous changes going on in South Africa would eventually lead to blacks and whites living together in peace.

"For purely pragmatic reasons, I think many whites have realised that if they want to go on living in South Africa and if they want to have a voice in the future, they must take part in the making of a modern non-racial country. 3064

"But there will have to be sacrifices because the whites have been so privileged from birth to death. No country can afford to maintain that standard of living for the entire population."

Gordimer said economic and diplomatic sanctions were necessary to maintain international pressure on the Government. — Sapa-Reuter.

Cabinet thinktank in the bushveld

304A

CABINET will hold its annual *bosberaad* (bush indaba) at an undisclosed venue near Pretoria today and tomorrow, the State President's office confirmed yesterday. Sowetan 5/12/91

President FW de Klerk, the Cabinet, Deputy Ministers and the four provincial Administrators left for the venue - where the traditional thinktank is to be held - late yesterday afternoon following a special Cabinet meeting in Pretoria.

The decisions regarding the Convention for a Democratic South Africa - otherwise known as Codesa - which were taken at preparatory talks held last weekend, are expected to feature high on the *bosberaad's* agenda.

It is likely that the meetings tomorrow and on Friday will be used by the Government to formulate a strategy for Codesa and negotiations in general.

- *Sapa.*

Precedent set on consensus — but where were women?

(304A) CT 5/12/91

COMMENT: By ALLISTER SPARKS

A POTENTIALLY important if problematic precedent was established during last week's preparatory meeting for the Convention for a Democratic South Africa — a new principle of "sufficient consensus".

Several times during the two-day meeting the joint chairmen, Mr Justice Petrus Schabort and Mr Justice Ismail Mahomed, applied this concept in overruling minority party dissent — mostly against the Pan-Africanist Congress — when it was clear an overwhelming majority of the 20 participating parties was in agreement.

In doing so they gave a new interpretation to the notion of consensus politics: that it means more than a simple majority but less than unanimity but without defining precisely where the line should be.

What is clear, however, is that this ruling removes the power of a minority-party veto from the concept of consensus decision-making.

Later, in considering the decision-making mechanisms to be used at Codesa, the preparatory meeting agreed that this principle of "sufficient consensus" should be applied there as well.

Veto defused

The implications are far-reaching, for consensus decision-making and minority-party vetoes lie at the heart of the National Party's constitutional proposals.

As this column noted last week, the State President, Mr De Klerk's, concept of "power-sharing", as distinct from "majority rule", is built around an elaborate system of consensus requirements in the Senate, a multi-party Cabinet and a three-man Presidency that would effectively give minority parties, such as the NP, a veto to paralyse a black parliamentary majority and entrench the status quo of white advantage.

Now the very core of that proposal has been bent.

What makes it doubly significant is that it was the NP that proposed this flexible concept of consensus decision-making should be applied at Codesa as well.

As the NP's delegation leader, Dr Dawie de Villiers, put it: "At all times the chairmen must seek unanimity but we must accept the principle that the convention cannot be held up by a small minority."

Chairmen judged

Well, if the principle of unanimity cannot be strictly applied in the all-important process of making the national constitution, it surely cannot be required in the constitution which that process produces.

If minority dissenters can be overruled at the constitutional convention, then surely that principle must be carried through into the constitution which the convention formulates.

If the convention cannot be held up by a small minority, then neither can the political process which it initiates.



PRESIDENT DE KLERK: "Power-sharing" built on consensus requirements giving minority parties a veto.



DR DE VILLIERS: Seeking unanimity but accepting the convention could not be held up by a minority.

Yet there are problems of imprecision in this intriguing new concept. On Saturday the Bophuthatswana delegation wanted to know what the position would be if there were a decision on the "homeland's" future to which everyone else agreed while it was the only dissenter. Would it be overruled on the grounds of "sufficient consensus" and then be bound by the majority decision against it?

No, said the South African Government. If one party was so vitally affected, it would have to be part of the consensus.

Where does that leave us? The government and the African National Congress, as the two major players, are going to be vitally affected by every decision taken at Codesa. Does that mean they will have a veto, but lesser parties not?

If was also the general feeling — dare one say consensus? — of the preparatory meeting that the issue should be left to the chairmen's judgment: they should strive for unanimity but, if this was unattainable, they would have to judge whether they could declare a decision taken on a majority basis without causing a breakdown.

DP facilitator

A good, pragmatic approach, but where does it leave us in terms of principle? Again, objections by the big parties are more likely to cause breakdowns than objections by the small parties.

In the end the steering committee was asked to lay down guidelines for the chairmen. A difficult task, but not impossible, and the good news is that a breach has been made in the paralysing principle of decision-making by unanimity.

Speaking of the steering committee brings me to another point of note about the preparatory meeting. This is the special role in which the Democratic Party has been cast, with its leader, Dr Zach de Beer,

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There is a solution to the universities' financial problems

From PATRICIA McMAGH (Rondebosch):

AS USUAL, "the financial woes of SA universities are a cause for grave concern". In your leader (November 26) you suggest that better schooling will produce even more candidates for

'Rikkis' a godsend — keep them on the road

From MRS A HANSEN (Vredehoek):

MY DAUGHTER and I

by unanimity.

Speaking of the steering committee brings me to another point of note about the preparatory meeting. This is the special role in which the Democratic Party has been cast, with its leader, Dr Zach de Beer, having been asked to perform several key functions as conference starter and interim chairman at delicate moments in last week's talks, and then elected chairman of the steering committee to make the arrangements for Codesa.

Liberalism's goal

This is a remarkable recognition of the DP's role as a key facilitator and catalyst in the negotiating process and a vindication of the party's bridge-building efforts to the ANC, despite attempts by a small band of DP conservatives to discredit them.

That has paid off in terms of credibility and trust with the country's major black political movement, making it possible for the DP to achieve a relevance in this time of democratic transition out of all proportion to its level of electoral support and that *its* verkramptes could never have dreamed of with their white tunnel-vision.

This active relevance in shaping the new South Africa rather than offering armchair criticism from a position of detached virtuousness, of being a player on the field rather than a censorious voice on the sidelines, is surely the true fulfillment of liberalism's historical mission in this country.

A final word about this much-vaunted preparatory meeting. I was appalled that of the 60 delegates from 20 parties who participated, not one was female.

Worse still, I have yet to see or hear a word of criticism from any reporter, commentator, analyst or bag-carrier about this disgraceful omission.

Are we seriously intending to exclude 55% of our population from the making of a new national constitution? Are we all, black and white, really so steeped in bigotry and chauvinism that we don't even notice? And are the women themselves really so conditioned into subservience that they can't raise a peep about it?

Each party will be sending 12 delegates to Codesa in three weeks' time. They'd better get it right then.

Codesa organisers assert independence

304A

PETER FABRICIUS and ESTHER WAUGH
Political Staff ARG 5/12/91

CODESA organisers have asserted their independence from the government.

They have established their own infrastructure and have issued invitations to five international bodies to attend the Convention for a Democratic South Africa.

As President De Klerk led his Cabinet and other senior executives into a country retreat today to discuss negotiation strategy, the negotiation process began to take on a life of its own.

Overcoming government sensitivity about its own sovereignty, Codesa's first steering committee meeting yesterday determined that it and not government would invite "guest observers" from the UN, the Organisation for African Unity, the Commonwealth, the European Community and the Non-Aligned Movement.

It is understood that Foreign Minister Pik Botha telephoned ANC secretary-general Cyril Ramaphosa on Tuesday suggesting his department should issue the invitations.

It is understood too that the government is still sensitive about the possibility of a person like PLO leader Yasser Arafat attending Codesa.

To prevent this it persuaded the weekend preparatory committee that only officials of international organisations and representatives of internationally recognised states should be invited.

The steering committee also decided to employ a private company to handle administration for Codesa rather than the government.

The chairman of the steering committee, Dr Zac de Beer, confirmed that invitations to the five international organisations would be sent today. They will be signed by Codesa's co-chairmen Mr Justice Schabort and Mr Justice Mohammed.

Invitations will also be sent to organisations which refused to attend the preparatory meeting last weekend — the Conservative Party, the Afrikaner Weerstandsbeweging, the Herstigte Nasionale Party and Azapo.

The PAC will also be invited again after its delegates stormed out of the preparatory meeting.

Dr De Beer said no specific moves were decided on at yesterday's meeting to include these groups and parties in the negotiation process.

The meeting yesterday set up a multiparty secretariat to oversee the arrangements for the first meeting of Codesa on December 20 and 21. Three task groups were formed to reach consensus on issues such as finance, security, protocol, a declaration of intent and an agenda for Codesa.

The secretariat consists of Dr de Beer, Defence Minister Roelf Meyer, ANC secretary-general Cyril Ramaphosa, Dr P M H Maduna of Kangwane's Inyandza National Movement and Mr N J Mahlangu of the Intando Yesizwe Party in Kwandebele. It had its first meeting last night after the steering committee meeting.

The task groups will meet on Monday and the steering committee, to be chaired by Dr De Beer, on Tuesday.

SA whites pessimistic about accord

3044 ARG 5/12/91

Political Reporter

JOHANNESBURG. — South African whites were far more pessimistic than blacks about the outcome of multiparty constitutional negotiations, according to a Markinor opinion poll.

"This is only natural to the extent that they feel they have more to lose in the process," commented Markinor deputy managing director Ms Christine Woessner.

"On the positive side, we have 26 percent of whites and close to 40 percent of blacks expressing confidence in the negotiation process. Hopefully development over the next few weeks will help to reinforce this view," she said.

The study found that two-thirds of whites and nearly 50 percent of blacks were not confident talks would reduce violence.

About 57 percent of whites and 44 percent of blacks believed the major parties would not reach agreement.

Even if a new constitution was agreed to, 63 percent of whites and 44 percent of blacks expressed the concern that it would not bring peace and harmony.

The poll was conducted by the Markinor Research Group among 2 300 urban adults, using a representative sample of 1 000 whites and 1 300 blacks.

FW names top executive in major Cabinet shuffle

(304A) ARG 5/12/91

PRETORIA. — President De Klerk has announced a major Cabinet reshuffle.

Yesterday he dropped the deputy-ministership of Manpower and Tourism and appointed a top businessman as Minister of Trade and Industry and for Economic Co-ordination.

All changes and appointments take effect on January 20 next year.

Mr De Klerk said the appointments were made necessary by the negotiation process and by the death of Mr Louis le Grange.

"Furthermore, in view of the phase now being entered with the negotiation process and the apparent high demands that will result on members of the government, it has become necessary to make further moderate rearrangements in the responsibilities of ministers," he said.

"The new constitutional dispensation we are working at can be successful only if it is backed up by a healthy and growing economy which requires planning and co-ordination.

"In this regard, the death of Dr Wim de Villiers left a void and the need has again arisen to appoint a business leader, with wide and applicable experience, to the Cabinet.

"Mr Derek Keys, currently Executive Chairman of Gencor, is consequently being appointed as Minister of Trade and Industry and of Economic Co-ordination."

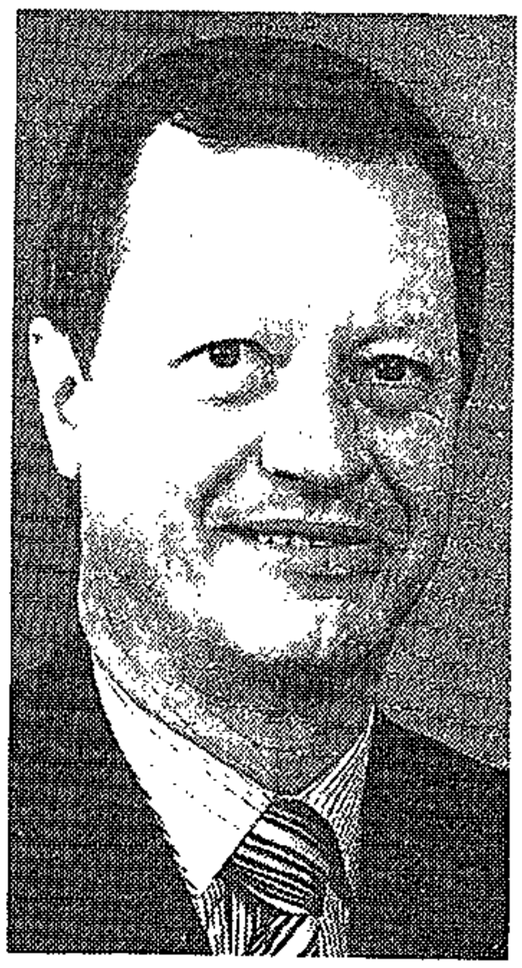
Other changes to the Cabinet include Minister of Public Enterprises Dr Dawie de Villiers losing his position as leader of the House of Assembly but retaining his portfolio. Mr Adriaan Vlok has been appointed as Leader of the House of Assembly.

Minister of Justice Mr Kobie Coetsee will no longer be chairman of the Ministers' Council in House of Assembly but will retain his portfolio. The National Intelligence Service has been added to his ministry.

General Magnus Malan takes over from Mr Coetsee as new chairman of the Ministers' Council in the House of Assembly.

Apart from Mr Vlok's portfolio of Correctional Services, Mr De Klerk said he was also appointing him Minister of Housing and Works in the Ministers' Council, House of Assembly. He will no longer be Minister for the Budget in the Ministers' Council of the House of Assembly.

Dr Org Marais will serve as Minister for Administration and Tourism, as well as Minister for the Budget in the Ministers' Council in the House of Assembly. The National Productivity Institute also falls under his jurisdiction.



Mr Derek Keys

"An upsurge in the importance of tourism is expected as South Africa progresses internally with the negotiation process and its international relations are normalised," said Mr De Klerk.

Mr Piet Marais was being appointed Minister of Manpower and retains his position as Minister of Education and Culture in the Ministers' Council of the House of Assembly.

This frees Mr Eli Louw to be acting Speaker.

Furthermore, to ease the burden on Minister of Finance Mr Barend du Plessis, his deputy, Mr Theo Alant, will serve as Deputy Minister of Finance on a fulltime basis. He will no longer act as Deputy Minister of the National Intelligence Service.

Deputy Minister of Justice, Education and Training Mr Danie Schutte now takes on the post of Deputy Minister of Justice and of the National Intelligence Service.

The posts of Deputy Minister for Manpower and for Tourism fall away, Mr De Klerk announced.

Mr De Klerk ended his statement on the reshuffle by paying tribute to those who have given up key posts in terms of status and leadership.

"To those ministers who give up key posts in terms of status and leadership positions so as to devote more time to the negotiation process, I would like to extend my thanks and appreciation for their spontaneous willingness to render sacrificial service," he concluded.

Dr Dawie de Villiers headed the National Party's delegation at last week's preparatory meeting for the scheduled Convention for a Democratic South Africa (Codesa), while Mr Kobie Coetsee was part of the government's delegation.

Codesa is scheduled for December 20 and 21 at the World Trade Centre in Kempton Park. — Sapa.

LP may object to Referendum Bill

CT 5/12/91 **Political Staff** (304A)

THE Labour Party may move to block the passage of the Referendum Bill — designed to give people of all races the right to vote in a referendum — during the next parliamentary session.

The Minister of Education and Culture in the House of Representatives, Mr Tommy Abrahams, said yesterday he thought the party would object to the distinction between races in the bill.

He said he could not comment on the position of the LP's members in the parliamentary joint committee on home affairs, which is considering the proposed legislation, but added that "I cannot see us supporting it at all".

The ANC has also indicated that it would not accept a referendum that distinguished between the various race groups.

Although the LP — while it maintains a majority in the HoR — could block the passage of the bill, it would only be a temporary measure. If necessary President F W de Klerk could resort to the President's Council to have it approved.

Official sources indicated yesterday that the government was trying to decide when to hold a referendum.

'Everyone' is welcome' at all-party talks

JOHANNESBURG. — The chairman of the Codesa steering committee, Dr Zach de Beer, said the Conservative Party and other parties that did not accept invitations to the weekend's preparatory talks were still welcome to take part in the negotiation process at any time.

Dr De Beer was speaking near Jan Smuts Airport last night after the first meeting of the steering committee of the Convention for a Democratic South Africa. — Sapa

Institute 'has enough cash'

Business Day Reporter

THE Institute for Multiparty Democracy has rejected claims made in an article in this week's Financial Mail that it is experiencing financial difficulties, saying the article is fundamentally inaccurate.

The article alleges the institute has outstanding claims against it amounting to R600 000, while in fact the organisation has outstanding claims in its favour in that ammount, the institute says in a statement.

The article was based on a confidential institute memorandum which only said that if outstanding monies from donors were not paid on time, there might be a temporary cashflow crisis in December.

In fact, some of the monies were forthcoming and the crisis the memorandum foresaw did not materialise, the statement said.

The institute received R5,2m from USAid at the beginning of this year, of which less than R1m had been spent so far, the statement said.

Institute head Oscar Dhlomo said yesterday he was "terribly upset" and regretted that he had not been approached prior to the publication of the article.

Task groups for talks set up

ANC moves to woo CP into Codesa

B|Day 5|12|91.

BILLY PADDOCK

THE Codesa steering committee has set up its first task groups to get constitutional negotiations moving.

And while it met at a Jan Smuts Airport hotel yesterday, the ANC reached across the divide to the CP, offering it a face-saving way to join the process.

Tilting the scale in favour of the pro-negotiation faction within the CP, ANC national executive committee (NEC) member Saki Macozoma said his organisation would welcome the CP and place its key demand of self-determination in a white homeland on the Codesa agenda.

At the Codesa preparatory meeting at the weekend 19 parties resolved to endeavour to woo the CP and other right-wing groups to the negotiating table.

Macozoma was responding to CP chief secretary Andries Beyers' statement that his party was not entirely inflexible on its opposition to joining negotiations if the ANC acknowledged the right of Afrikaners to rule themselves.

"There is no reason why their demand, that whites have a right to a homeland where they rule themselves, cannot be put on the Codesa agenda," Macozoma said.

He said while the ANC was opposed to fragmentation and was involved in trying to reintegrate the homelands into a unified SA, the organisation would listen to the CP and evaluate its proposals carefully.

He questioned the practicality of establishing a whites-only homeland and said its acceptability would depend on a number of factors, including where it could be situated, who would have to be removed, the implications of the removals and the relationship it would have to a unified SA.

Macozoma said no party could go into negotiations demanding that certain of its policies be accepted — this would be unreasonable and defeat the essence of negotiations. But the CP was entitled to raise its self-determination demand.

On Sunday ANC president Nelson Mandela also made a conciliatory gesture towards the CP. He said the ANC "understood the CP people's fears of being a minority and feeling dominated". But this should not happen in a democracy.

President F W de Klerk and Constitutional Development Minister Gerrit Viljoen have also assured the CP that they would fight for its right to negotiate as an equal partner and put forward its views at Codesa.

Beyers is the CP hardline candidate for the Potchefstroom by-election. His statement yesterday, which he qualified by saying he did not differ with CP policy, indicated the CP stand on joining negotiations was not inflexible.

Yesterday's steering committee meeting decided to form three task groups to organise and plan Codesa, to draft documents and statements for Codesa and to deal with the process behind the plenary meeting, chairman Zach de Beer said last night.

He said the committee had made steady progress and the consensus was that government would foot the bill. The budget for hosting more than 240 delegates to the

☐ To Page 2

Codesa

Blows 5/12/91.

☐ From Page 1

December 20 and 21 talks, including travel and venue costs; for support staff and a permanent secretariat was expected to be substantial, he said.

He said a five-member secretariat, made up of De Beer, P M H Maduna, N J Mahlangu, Defence Minister Roelf Meyer and ANC secretary-general Cyril Ramaphosa, was appointed to oversee the provision of administrative services for the task groups, the steering committee and the first plenary meeting of Codesa.

It would also arrange invitations to the first plenary meeting and the venues for next week's meetings of the task groups on Monday and the steering committee on Tuesday.

The organisation and planning group would arrange finance and the venue for Codesa talks. The process group would be responsible for setting up working groups, for finalising Codesa's agenda and for encouraging full participation.

● Comment: Page 8

Muddled parties blunder along to a political settlement

B/Day 5/12/91 **STEVEN FRIEDMAN** (304A)

WATCHING The Great South African Transition this year was a little like a particular edition of the Goon Show comedy series. During manic action that seemed to be going nowhere, a voice would repeatedly announce to listeners that "this, folks, is where the story *really* starts".

So it is with our transition.

Constitutional talks have been due to kick off since early January, when the ANC endorsed an all-party conference. It now looks as if it will probably materialise 10 days before the end of the year.

During the year we were also told that other things were just around the corner: the start of real negotiations, the end of violence, an interim government. They are still "just around the corner". Peace never broke out, but no one declared war. Both sides promised to outflank the other decisively, but neither really seemed to try too hard.

Not that there was no progress towards a settlement. The peace accord may have locked the parties into a relationship which opens the way for the constitutional negotiation story to *really* start.

Inkathagate and VAT may have pushed us further towards an interim government by underlining to the Nats the perils of trying to steer the transition on their own.

The ANC conference may have elected a team able to negotiate and with a mandate to do so. The patriotic front may defuse opposition to the ANC's left, giving it space to negotiate.

But the movement may have less to do with the major parties making things happen than with the reality that, whatever they do, only one happening — a settlement — seems possible.

This gap between what the parties want and what is possible may explain why the settlement process remains on track, even while many of the things which the parties do seem to derail it. It might also explain why no one is pursuing a coherent, consistent strategy.

Our rulers often implied they were positioning themselves to rule the future on their own by building a nonracial alliance of "moderates" and winning the first election. To do that, they would have to show they are better at delivering order and material goodies than anyone else.

Effective, even-handed policing might have helped do that. So too would improvements for "marginal" groups (shack and hostel dwellers) whose support the liberation movements cannot take for granted. Land reform which helps the dispossessed landowners and aspiring small farmers might have won them "moderate" rural allies. They achieved none of these. Some high-up Nats concede that they have not shown they can run the show without the liberation movements.

But, while they often behaved as if they wanted to outflank the popular movements, the Nat constitutional proposals suggest their real game plan is a power-sharing deal with them. They can achieve that if they draw them into joint decisions: but VAT was not the only issue on which the Nats insisted on deciding alone.

Some Nat statements suggest they did this not to avoid sharing decisions but to ensure they did so only in the multiparty conference. That way, they ensure that all other parties share in decisions, not the ANC alone. But, if they were showing they were tough enough to decide when and where decisions would be shared, concessions on VAT and other issues as soon as the heat is on do not seem the way to do it.

So, while the Nats pulled off some coups during 1991 (relaxed sanctions, shows of "coloured" support), they seemed caught in dilemmas which undermined their effectiveness.

This may have opened opportunities to the ANC in particular. It did not take them, however, because its plan was not any more coherent. It issued ultimatums and planned mass action, even as it signalled that there was little chance it would quit the negotiations.

Since it meant to stay in the game, it could have tried to present itself as a more reasonable force than the Nats. But it preferred old-time rhetoric. When it tried to present itself as conciliator, the result was support for imitation hunger strikers accused of bombing black taxi ranks. (Wot? No "Free Barend Strydom" campaign?)

Inkathagate may also have highlighted some ANC dilemmas. The Nats' biggest gain this year was their success in regaining international support. The scandal gave the ANC a chance to win it back for a push towards interim government. The response? A failed consumer boycott. More puzzlement followed. The election of an astute negotiating team seemed to pave the way for tough pragmatism. Instead, we saw a return to the protest mode by Nelson Mandela, who announced that P W Botha was a more committed reformist than F W de Klerk, and returned to the rhetoric which ANC economists had already abandoned. The toughest of the pragmatists, Cyril Ramaphosa, followed up with his warning that foreign loans might not be renegotiated.

This may have had something to do with conflict within the ANC. Mandela, returning from a trip abroad to find a "palace coup", may have moved leftwards to appeal to the masses over the head of the "cabal". Ramaphosa may have moved with him to avoid being outflanked.

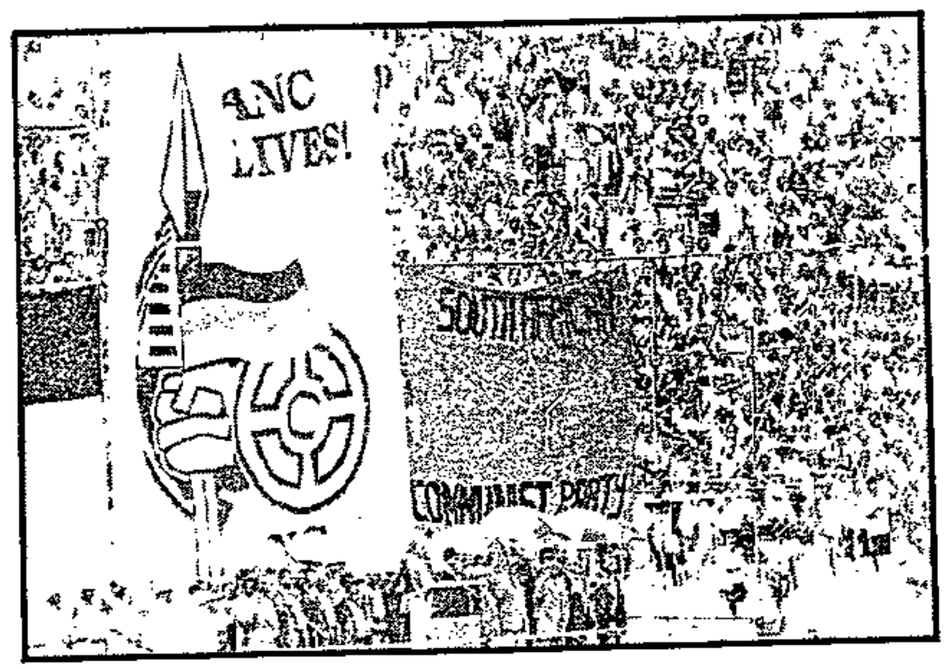
It could also have been an attempt to step up the pressure for interim government. Yet, since this means sharing responsibility for meeting expectations, why raise expectations so as to win the power to dampen them?

Like the Nats, the ANC does not seem sure what it is or wants to achieve. Is it trying to force the Nats to surrender? Win the diplomatic war? Patch up internal cracks? Prepare itself for (interim) power-sharing? Probably a bit of each. Small wonder then that like the Nats, the ANC is doing none too well. If it is trying to become a decision-making partner, why the rhetoric and mass mobilisation?

All this may show that the major parties probably know where they are doomed to go, but are not yet willing and able to get there. If they do get there, they will blunder, not glide, towards that destination.

What of 1992? This time the story probably will start. Both sides will find it harder to avoid the logical consequences of living with each other. But that does not mean they will not try to avoid it.

Whether you see the settlement as the Great Sellout or the dawn of a new era, expect more progress towards it. But expect lots of confusion, conflict and rhetoric to go with it. We are still moving towards IT. But not so as you would notice. And what IT is still seems far from clear.



The ANC . . . wedded to ultimatums, mass action and old-style rhetoric.

☐ Friedman is a researcher at the Wits Business School's Centre for Policy Studies. This article appears in the latest edition of New Era.

Controversy stalks colourful Koos

STAR 5/12/91 (304B)

Koos van der Merwe is in deep trouble again this week. It's not a situation entirely unfamiliar to the larger-than-life, almost-lovable loudmouth, writes Political Editor SHAUN JOHNSON.

THIS beefy, beaming, balding Boer has to be the most unlikely figure one could possibly dream up for the role of chief-liberal-cum-softliner in the Conservative Party.

And yet, that is precisely the part he is playing this week. Koos van der Merwe — consistently vociferous champion of white rights, occasional darling of anti-Conservatives, sometime scourge of his own party — is at his most marvellously incongruous right now.

In the course of earning the displeasure of his dour leader Dr Treurnicht by showing up "coincidentally" at the multiparty talks, he also managed to inform black delegates that he would "shoot them" if they tried to nationalise white property. The dichotomy is vintage Koos.

Mr van der Merwe, a lawyer by training, began his parliamentary career in 1977. He did so in the style destined to become his hallmark — controversially.

As NP candidate for Jeppe, the biggest issue he had to face in his campaign was his alleged bankruptcy. He conceded quite disarmingly that he was "skating on thin ice", and proceeded to win. Not too long thereafter he was again brushing up against (perhaps "bashing into" would be more accurate) the law.

The Johannesburg City Council towed away his illegally parked car, and he went to court. Mr Justice Goldstone, no less, ruled in favour of the council.

By 1982 the now-Conservative Mr van der Merwe was denying, with a hurt expression and a twinkle in his eye, that he had spat at a Nat organiser during a by-election. It was possible that "we talked till the spit flew", he said, but insisted this had been unintentional. Later, he clarified the matter: he had given the NP man (a former friend) "a playful tap so that he travelled for about 3 m — just to show him there were no ill feelings".

Early in the next year, he was involved in a "scuffle" with a Nat on the steps of the Johannesburg City Hall and narrowly escaped prosecution.

In May 1983 Mr van der Merwe was to be found at the House of Assembly — in the lobby, to be exact — at the start of a long series of ejections from the chamber. Having called a Nat MP a liar, and having refused to withdraw the remark, he gave the hallowed doors of the chamber a hefty and audible boot on the way out. He was back, very apologetic, the next day.

Not for long. He was soon embroiled in another furore when, after then-Minister Chris Heunis called him a pig, he responded with a well-known, two-fingered gesture. (The animal theme was to recur in February 1986, when Mr van der Merwe was thrown out of the House after an altercation in which he said the Nats were calling him a dog, and laughing like hyenas.)



Frequent embarrassment to his party . . . Koos van der Merwe addresses a right-wing rally in Welkom.

Big Koos was ejected again in May 1984 for "lowering the standards of parliamentary debate". In 1986 he revealed that Nat MPs had taken to sending him bananas each day and condemned this "grade one" behaviour. In the following session, he was out of the chamber yet again, this time for calling a deputy minister a liar. In 1990 it was for branding the Nats "traitors" and, most famously, a week later for saying President de Klerk had "dagga in his head". On that occasion his caucus agreed so strongly that they followed him out.

Mr van der Merwe's career within the party began to peak in May 1988, when he was elected chairman of the information and strategy committee of the CP general council. But barely a month later, Dr Treurnicht was having to repudiate him publicly for ill-considered — or at least insufficiently canvassed — pronouncements.

A fascinating aspect of Mr van der Merwe's outspokenness is its apparent inconsistency. Dr Treurnicht was angry on this occasion because his MP had said Hillbrow might have to "stay black". On another occasion, though, Mr van der Merwe proposed off his own bat the radical strategy of a "white general strike", and Dr Treurnicht had once again to bring him to heel.

Similarly, his May 1990 statement that the CP would set up "Nuremberg trials" for Nationalist politicians was an embarrassment to the party. So was his hint that the CP might call on white miners to carry arms, and his exchange in Parliament with Labour Party Minister Chris April, which ran as follows: "You're a fat old toad, man, and a rude one to boot ... I will donder you, you hear!"

But the real controversy surrounding Mr van der Merwe was not provoked by these righter-than-thou utterances. On the contrary, he has put the CP through some of its most embarrassing moments because of his proposals to make the party's anti-negotiations policy more flexible.

The leaking of the "Koos document" in April this year caused much the most fuss. He floated the possibility that President de Klerk might win a referendum, and encouraged more creative thinking within the CP. This time around, he paid the price for his personality, being summarily dumped as information chief two months later. (He retained his position as spokesman on defence matters.)

In fact, the theme of the document predated its publication. In October 1990 he had begun to talk of a "smaller" white state possibly being acceptable to the CP, and in December said he would be prepared to go to his caucus to ask for a change in its negotiating stance if "De Klerk and Mandela accept that self-determination is an option in the new SA. The we can talk about the method".

His surprise appearance at the multiparty preparatory conference — transparent explanations aside — can be seen as a logical, if risky, step along this road. But it would be a foolish observer indeed who concluded that Mr van der Merwe has now become predictable.

It is widely thought that he is testing the limits of CP tolerance, pulling back with an apology right at the brink, and that he could be part of an eventual breakaway group that enters negotiations.

But don't mistake him for a latter-day, wishy-washy liberal. Mr van der Merwe said in 1987 he "would rather die fighting" than live under a black government. And this is one statement he has never withdrawn. □

SA diplomat visits Morocco

A South African diplomat has arrived in Rabat to prepare for the establishment of diplomatic relations with Morocco, diplomats said. A spokesman for South Africa's Department of Foreign Affairs confirmed in Pretoria last night that Reinhard Mostert was in Rabat, that he had been there for two or three months and had opened a South African interests office there.

STAR 5-12-91

Poll: whites gloomy on talks

South African whites are far more pessimistic than blacks about the outcome of multi-party constitutional negotiations, according to a recent Markinor opinion poll.

Markinor deputy managing director Christine Woessner commented: "On the positive side, we have some 26 percent of whites and close to 40 percent of blacks expressing confidence in the negotiation process."

The study found that two-thirds of whites and almost 50 percent of blacks were not confident that talks would reduce violence. 30419

Some 57 percent of whites and 44 percent of blacks believed the major parties involved would not reach agreement on a new order.

The Gallup poll was conducted by the Markinor Research Group among 2 300 urban adults, using a representative sample of 1 000 whites and 1 300 blacks. — Political Reporter.

Invitations to five international bodies

Codesa cuts its first teeth

STAR 5/12/91 (3041)

By Peter Fabricius and Esther Waugh

The multiparty organisers of negotiations have begun to assert their independence from the Government by establishing their own infrastructure and issuing invitations to five international bodies to attend the Convention for a Democratic South Africa (Codesa).

As President de Klerk led his Cabinet and other senior executives into a countryside retreat yesterday to discuss negotiations strategy, the negotiations process began to take on a life of its own.

Codesa's first steering committee meeting yesterday decided it, and not the Government, would invite "guest observers" from the United Nations, the Organisation for African Unity, the Commonwealth, the European Community and the Non-Aligned Movement.

It is understood that Foreign Minister Pik Botha telephoned ANC secretary-general Cyril Ramaphosa on Tuesday night suggesting that the Department of Foreign Affairs should issue the invitations.

It is understood too that the Government is still sensitive about the possibility of a person such as PLO leader Yasser Arafat attending Codesa.

To prevent this, it persuaded the weekend preparatory committee that only officials of international organisations and representatives of internationally recognised states should be invited.

Confirmed

The steering committee also decided to employ a private company to handle administration for Codesa rather than the Government, which has so far done most negotiations administration.

The chairman of the steering committee, Dr Zach de Beer, confirmed that invitations to the five international organisations would be sent today. They will be signed by Codesa's co-chairmen Mr Justice Schabort and Mr Justice Mohammed.

Invitations will also be sent to organisations which refused to attend the prepatory meeting at the weekend — the Conservative Party, the Afrikaner Weerstandsbeweging, the Herstigte Nasionale Party and Azapo.

The PAC will also be invited again after its delegates stormed out of the preparatory meeting.

"The steering committee remains determined to make the process as inclusive as possible. The groups which did not attend the preparatory meeting clearly qualified to attend and will have the option to join the process," said Dr de Beer.

He said no specific moves were decided on at yesterday's meeting to include these groups and parties.

The meeting yesterday established a multiparty secretariat to oversee the arrangements for the first meeting of Codesa on December 20 and 21. Three task groups were formed to reach consensus on issues such as finance, security, protocol, a declaration of intent and an agenda for Codesa.

The secretariat consists of Dr de Beer, Defence Minister Roelf Meyer, Mr Ramaphosa, Dr P M H Maduna of KaNgwane's Inyandza National Movement and N J Mahlangu of the Intando Yesizwe Party in KwaNdebele.

The task groups are to be chaired by Dr Maduna, Walter Felgate of the Inkatha Freedom Party and M J Mahlangu of Lebowa's United People's Front.

The task groups will meet on Monday and the steering committee, to be chaired by Dr de Beer, on Tuesday.

The two-day Government retreat will discuss broad Government strategy for the year ahead.

Keys 'exceeds anything govt has had'

CT 6/12/91 Political Staff (304A)

PRESIDENT F W de Klerk's cabinet reshuffle has drawn mixed responses from political organisations, with most praise being reserved for the appointment of businessman Mr Derek Keys as Minister of Trade and Industry and for Economic Co-operation.

Democratic Party leader Dr Zach de Beer was particularly warm in his response to the decision to bring Mr Keys, Gencor's executive chairman, into the cabinet.

It would amount to a "formidable strengthening of government's responsibility in the finance and economic field".

His "extraordinary success in the as a private sector businessman ... vastly exceeds anything government has had before", said Dr De Beer. "Surely it cannot be long before the bungling Minister of Finance makes way for the expert Keys."

ANC Department of Information and Publicity member Mr Carl Niehaus said he thought Mr Keys was a natural successor to the late Dr Wim de Villiers.

"The main element appears to be preparing certain ministers for the demands of the negotiations."

Business has generally welcomed the move, with Sacob deputy director-general Mr Ron Haywood saying it would bring a "wealth of business experience to the cabinet".

The Conservative Party's manpower spokesman, Mr Frank le Roux, questioned the credentials of new Manpower Minister Mr Piet Marais. As far as he was aware, Mr Marais was not qualified for the portfolio.

Dr De Beer, however, hailed the appointment.

He said President De Klerk's decision to shed responsibility for the National Intelligence Service could, theoretically, have "sinister implications" in some circumstances.

There might be a suggestion that this would enable the Minister of Justice to build a security power base, "but in this case it is very unlikely".

Seifsa CE Mr Brian Angus said he had no doubt Mr Keys's appointment — which he described as an excellent development — would enhance economic and business know-how in government circles.

"Keys understands the problems and realities facing business."



IN CABINET ...
Mr Derek Keys

Who is Dr Pasque?

w/Man 6/12 - 12/12/91 304A

By DREW FORREST

Dr Louis Pasque, the man at the centre of the "Christian cultural" funding mystery, made an abrupt shift from government service to private business in the crisis-ridden mid-1980s.

Pasque (66), a Unisa Doctor of Education, was continuously employed by the National Education Department from 1948 until 1986, as a teacher, inspector and assistant director of education.

Between 1979 and 1980 he was inspector of the controversial "Youth Preparedness" programme. Introduced at white schools, this was accused of heavy National Party bias.

In 1986, he shifted to the Pretoria-based Adult Education Consultants, his own company. In an interview, he said this had been disbanded and replaced by two companies providing educational packages, Pasque Development Enterprises, operating in South Africa only, and Inter-Africa, operating outside its borders.

These provided leadership, management and teacher training, he said.

Pasque confirmed that he provided a consultancy service for the coloured Labour Party. "They asked me to give them a bit of information, political guidance," he said.

Asked about the Star of Africa, which was awarded him in 1987 for his "contributions to state security", Pasque said this was in recognition of the work he had done in bringing the different race groups together through training programmes.

Dhlomo denies money crisis: We're in the black he says

Sowetan 6/12/91

THE Institute for Multi-Party Democracy has denied reports that it is facing a financial crisis, saying that for an organisation which depends solely on donations its situation is "far from critical".

In a statement issued yesterday, IMPD executive director Dr Oscar Dhlomo said the institute had received a donation of R5,2 million from the United States Agency for International Development at the beginning of the year and had so far spent less than R1 million of that money.

The German-based Hans Seidel Foundation, Dhlomo said, was also sponsoring the IMPD's Political Leadership Programme for almost R1 million, in addition to other "relatively smaller donations" the institute had received from the private sector and some Western governments.

Dhlomo was responding to an article in this week's *Financial Mail*, which claimed the IMPD was "under severe financial strain" and had outstanding claims of more than R600 000 against it.

The FM story, based on the contents of a confidential internal memorandum, said IMPD financial chairman Mr Robin Lee had instructed institute financial and administrative manager Ms Marian Nell to "place a moratorium on all future payments . . . until further notice".

In his response, Dhlomo said the confidential memorandum was a projected cash-flow analysis for December that anticipated "a temporary cash-flow crisis" this month if outstanding money from donors were not paid on time. Some of this money had since been paid "and the crisis the memorandum foresaw did not materialise", he said.

In another development, IMPD national director Dr Saths Cooper has not renewed his contract with the Institute, Dhlomo has confirmed.

Cooper, former leader of the Azapo before leaving for the United States in 1986 to further his studies, yesterday said he had not renewed his contract "for a variety of personal reasons", but will remain a member of the institute's board of trustees.

Cooper will resume lecturing psychology at the University of the Western Cape. - *Sowetan Correspondent.*

A nation of worried pessimists

Sowetan 6/12/91

304A

SOUTH Africans are unduly cautious about the timetable for political negotiations, research has revealed.

Johannesburg-based Markinor Research Group said yesterday a Gallup poll in September showed that only 42 percent of whites and 39 percent of blacks were confident that negotiations would begin this year.

Since then, preparatory talks have been successfully completed and negotiations for a new constitution should begin this month.

Markinor polled 2 300 urban adults and discovered deep-seated concern about the outcome of the talks, particularly among whites.

Two-thirds of these whites and nearly half the blacks were "not very confident" or "not at all confident" that the talks would reduce the level of violence.

More than half the whites and 44 percent of the blacks believed the major parties would fail to agree on a new order.

Even if a new constitution was agreed upon, most whites (63 percent) and nearly half the blacks (44 percent) worried that it would not bring about peace and harmony.

Christine Woessner, deputy marketing manager of Markinor, said the higher level of pessimism among whites was because they felt they had a lot to lose.

But, she added, the picture was not entirely gloomy.

"We had about 26 percent of whites and nearly 40 percent of blacks who expressed confidence in the negotiation process.

"Hopefully, developments over the next few weeks will help reinforce their views."

Among the 1 300 black participants in the poll, regional differences were rife.

Port Elizabeth and East London scored 49 percent for those who believed talks would reduce violence and that agreement would be reached, and 56 percent believed in a peaceful outcome.

In Cape Town, only 19 percent believed less violence would result.

Among whites, regional variations were less pronounced.

Durban residents were the least optimistic about talks starting this year. - *Sapa.*

FW praised for reshuffle

304A

PRESIDENT FW de Klerk was widely praised yesterday for moves to relieve key Cabinet negotiators of extra duties and to boost flagging business confidence by appointing Gencor boss Mr Derek Keys as Minister of Trade and Industry. Sowetan 6/12/91

De Klerk announced the Cabinet shuffle on Wednesday night before leading the Cabinet and other senior Government executives into a bush retreat to discuss constitutional and economic strategy for 1992.

ANC spokesman Ms Gill Marcus said that by divesting negotiators Dr Dawie de Villiers and Mr Kobie Coetsee of their minor duties in the House of Assembly, De Klerk showed he was serious about negotiations.

De Villiers was recently appointed as head of the National Party team involved in planning the constitution-making process. Coetsee is also a key member of the Government negotiating team.

De Klerk's decision to replace Trade and Industry Minister Dr Org Marais with Keys was characterised by a Cabinet source today as a slap in the face for Marais.

But Marais's replacement by Keys would do much to restore business confidence in the economy and Government, the source said.

Democratic Party leader and former Anglo executive Dr Zach de Beer praised the move. He bluntly described Marais as "plainly incompetent" and said that Keys was one of the best mining executives he had met.

Since the death of Dr Wim de Villiers there had been a "huge need" for a capable businessman in the Cabinet, De Beer said.

He also welcomed De Klerk's decision to promote rising star Mr Piet Marais - who took over the portfolio of white education a few months ago - into the Cabinet as Minister of Manpower.

The manpower portfolio had been temporarily filled by Coetsee for the last few weeks, since De Klerk appointed its previous holder, Mr Eli Louw, as Acting Speaker of Parliament to replace the late Mr Louis le Grange.

De Beer said Marais was one of the most "intelligent, enlightened and constructive of the young Nats."

2 shift:
15% pensionable

So what's new about our Russian friendship?

W/Mail 6/12 - 12/12/91.

Exploring our links with Mother Russia has practically assumed the scale of a national pastime. MARK GEVISSER reports on the latest in a growing line of public entertainments aimed to prove that, deep down, we've always been the best of friends.

MANGOSUTHU BUTHELEZI walks into a marquee on the Oppenheimers' Brenthurst Estate, followed by a phalanx of bearded Russian orthodox priests, and tries to slide past Walter Sisulu, who is chatting to Gavin Relly. But Relly catches him, and, like a benevolent but firm schoolmaster, looks on while the two shake hands. Meanwhile, in a corner, African National Congress member Joel Netshitenzhe chats in Russian to a visiting 10-year-old from Moscow.

The "new South Africa" meets the "new Russia". Given the fact that South Africa and Russia are two of the largest mining nations, it's not surprising that all this glasnost is happening at the opening of an exhibition arranged by De Beer's Centenary AG, currently on view at the Oppenheimer library at Brenthurst.

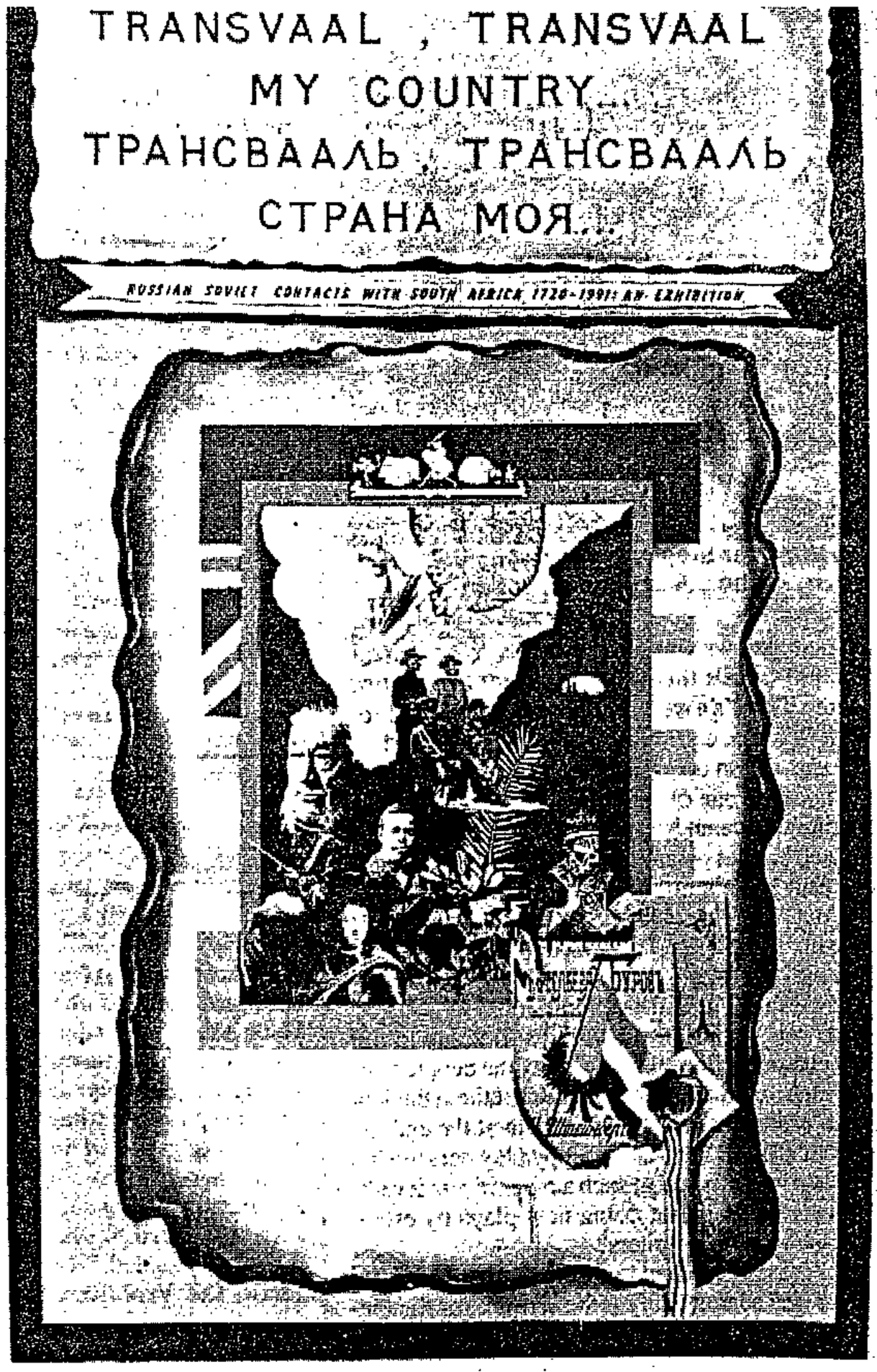
The exhibition is entitled *Transvaal, Transvaal My Country* — a Russian folk song dating from the Boer war — and it traces the relationship between the two nations from 1720 to the present day.

Until recently, the most direct contact South Africa had with Russian culture was down the barrel of an AK-47. Now, ever since the explosions of the "new" in Russia and South Africa, we've had circuses and dance-troupes, ballerinas and virtuosi — not to mention an ever-increasing stream of returned ANC cadres who are fluent in Russian and prefer Tchaikovsky and Dostoevsky to mbaqanga and Mphahlele.

And so this exhibition, put together by Russian and South African diplomats and scholars, is the culmination of a year of frenzy in Russo-South African interaction. Emphatically "Russian" and not "Soviet", it is particularly comprehensive in its retelling of Russian involvement in early South African history, including, for example, a letter dated 1886 from the chief of the Pondos to Czar Alexander III asking for protection from Britain, and the fascinating correspondence between Leo Tolstoy and a then-Johannesburg-based Mohandas Ghandi on the subject of human rights and discrimination in South Africa.

Most interesting is the exhibition's documentation of Russian support for the Boer war effort: Afrikaner pleas for help; the cover-page of a 70 000-strong Russian petition of support; a *bratina* (or fraternity drinking cup) sent to the Boer forces, as ugly and as massive as the Voortrekker monument; Russian songbooks, written at the turn of the century, called The *Marseillaise of the Boers* and *The Martial Song of the Boers*.

This last item features, on its cover, a depiction of happy tribal Africans in the foreground and relegates a rather savage-looking kommando of Boers to a back corner — evidence, perhaps, of how confused the romanticised Russian pro-Boer sentiment was, and a portent, certainly, of the shift in Russian sympathy from oppressed Boers to oppressed blacks that would characterise Soviet-South African relations for the rest of the century.



Ek verlang na die ou Transvaal ... The poster specially created for the exhibition of Russian contacts with South Africa since the 18th century

In his opening speech, Harry Oppenheimer made some very astute observations about the "international imperialism" that precipitated "Russia's involvement with both the Anglo-Boer war and the ANC", and spoke at length of the importance of Soviet support for the South African liberation movement. But what is astonishing about this exhibition is the way it glosses over what is undoubtedly the strongest link between our two countries: the ANC-SACP-Soviet friendship.

In a Russian-made promotional film accompanying the exhibition, the ANC is not even mentioned: the narrative skips from Stalin's severing of relationships with South Africa to the present, where "an approach based on sanctions is no longer called for" — skilfully associating sanctions with Stalinism and neglecting to mention something that the exhibition itself documents: the fact that the two countries had full diplomatic relations from World War II until 1956.

The exhibition does include a couple of panels with photographs of early South African Communist Party cadres who visited Russia and an etching of SACP leader David Jones' funeral in Moscow, but all it sees fit to depict of Soviet-ANC relations is one photo of Oliver Tambo with Mikhail Gorbachev and another of Mandela with Soviet Foreign Minister Eduard Shevarnadze. And these two photos are symmetrically counterpoised with another two, on an opposite panel, of FW de Klerk and Pik Botha with Soviet officials.

There is also another strange oversight: after the ANC link, South Africa's strongest connection with Russia must surely be the tens of thousands of Jewish immigrants who brought borscht, blinzes and other elements of East European culture to these shores at the turn of the century and who kept up a vigorous communication with the Motherland until at least World War II. But the only reference to Russian Jews is a photostat of a photograph of industrialist Sammy Marks.

And so, while this exhibition is impressive in its recording of fascinating historical minutae in the relationship between Russia and South Africa, its glossing over of the ANC and Russian Jewry — the former clearly ideologically motivated and the latter possibly just careless — renders it historically incomplete.

Fida attacks NP over its exclusion from all-party talks

BY ISMAIL LAGARDIEN
Political Correspondent

THE National Party is "spineless" and has "sold out" the aspirations of law-abiding citizens, the Federal Independent Democratic Alliance said this week.

Angered by its exclusion from last weekend's preparatory talks for the Convention for a Democratic South Africa, Fida said the Government had "bowed to" the demands of the ANC to have Fida left out of the talks.

In a scathing attack, Fida said in a statement that the ANC had "the audacity" to talk about democracy when it purposefully excludes an organisation that had no less than 400 000 members.

Fida also attacked the Inkatha Freedom Party, which it criticised for accepting Government funds and for being part of the violence in the country.

"Fida on the other hand is known to withhold any form of violence, in conformity with its Christian standpoint," the statement said.

The ANC yesterday said Fida never came up in any discussions before last weekend's meeting.

'No peace without land deal'

PORT ELIZABETH — Former ANC executive Govan Mbeki warned yesterday that there would be no peace in SA unless the question of the redistribution of land, income and wealth was addressed properly by government.

Mbeki told the Eastern Province Clothing Manufacturers' annual lunch the ANC specifically wanted land taken from blacks in the past 40 years to be given back.

It also wanted government to honour promises made in 1936 for the acquisition of additional land. The division of land made in terms of the Native Land Act of 1930 which favoured whites at the expense of Africans was a cause for conflict.

"At the time it was estimated that the total area of SA was 143-million morgen. The 1,25-million whites took 133-million morgan and left the 4-million Africans 10-million morgen."

In 1936 government promised Africans a further 7-million morgen, but all this land had not yet been bought by the state. Meanwhile the African population had growth to an estimated 30-million.

The ANC would have to take steps to change the whole network of policies which affected the disadvantaged people.

Mbeki said the state should intervene to make education accessible to disadvantaged people. "It is estimated that 60% of the able-bodied workforce is illiterate."

He said the ANC was interested in economic growth because only a growing economy could give employment to the millions of jobless.

The manufacturing sector needed investment on a big scale to provide for exports, but in a situation where the rate of unemployment was high stability could not be expected. Prospective investors would steer clear of unstable areas.

Business should in its own interest force government to provide training. It was not enough for business to wait for ANC policy proposals and then criticise them. Business should also make suggestions on how to address poverty.

He said the intervention of the state in the economy should be aimed at helping to solve the poverty problem. For this reason the ANC opposed the privatisation of public utilities.

SACP will resist 'hardline acts' by govt

TIM COHEN

SA COMMUNIST Party (SACP) general secretary Joe Slovo hinted yesterday that his party would use force to oppose any hardline acts of government, which, he predicted, would use every device at its disposal to prevent a full-blooded democracy.

At the opening of the SACP's eighth congress, the first inside SA for 40 years, Slovo said as the "moment of truth" drew near, government's agenda was being spelt out "with ominous clarity".

Government feared "like the devil" the idea that the final shape of the constitution would be left to a constituent assembly elected by the whole of SA's population.

In a wide-ranging speech, Slovo criticised Soviet President Mikhail Gorbachev, defended the SACP's alliance with the ANC and said his party would press for increasing degrees of socialism.

He spoke in glowing terms about Marxism and the Russian revolution, but said there was nothing in Marxist theory which prescribed the one-party state as a permanent feature of socialist rule.

There was room for compromise in negotiations, but he warned the SACP was facing an enemy "with an agenda to rescue racist privileges in key political and economic sectors of post-apartheid SA".

● See Page 4

On the fault line: The CP closes ranks ...

W/Mail 6/12-12/12/91. (304A)

Divisions within the Conservative Party are real enough but, for the moment at least, its leadership is putting up a united front.
GAVIN EVANS reports

THE Conservative Party is not about to split — at least not unless it loses a white referendum, or until leader Andries Treurnicht retires.

That there are important differences in strategy, and some over principle, is hardly in dispute. But for the moment, the two wings of the party have no other home but the one they are currently sharing.

CP leaders on both sides of the negotiations fissure have been quick to dismiss talk of an impending breakup as "wishful thinking" and have stressed that while there are different emphases on some questions, the party is united in its approach to negotiations.

They stress that the latest "Koos van der Merwe incident" — when he made a surprise appearance at the Jan Smuts Holiday Inn during the negotiations conference on Saturday — was nothing more than an "unfortunate misjudgment".

Treurnicht promptly reiterated the party's anti-negotiations stance and rebuked Van der Merwe, who in turn said it was all a "misunderstanding" and that his presence had nothing to do with the conference. Several other party leaders have since stressed that they have no plans to enter the negotiating process.

But reading between the lines of even on-the-record comments, it is apparent that the differences are real enough.

Acting general secretary Paul Fouche told *The Weekly Mail* the party was "embarrassed" by Van der Merwe's presence at the conference and that he had apologised after being "reprimanded in a very friendly way". But he did not deny there were differences between Van der Merwe and others in the party leadership.

"Put it like this, if I am enthusiastic about a certain strategy and another member is less enthusiastic, you could say there is a degree of difference," he said.

"But after all, this is also a democratic party and if a member feels he wants to put his demands on the table and 99 percent of the party feels differently, then he has to conform and I think this is what Koos van der Merwe has done. But there is no question of a split."

In other words, Van der Merwe and those with him — said to include the Mulder brothers, Pieter and Corne, Cehill Pienaar, Willie Snyman and Moolman Mentz — are keeping their heads low for the time being.

Pieter Mulder was equally emphatic that the party stood united on the question of negotiations, whatever other differences might exist. "Sure there are differences in emphasis," he acknowledged to *The Weekly Mail*. "For instance, there are some CP members outside the party caucus who have different points of view — but not in the caucus.

"If we differ on strategy, it is because we read (President FW) de Klerk differently, but there are no real differences on negotiations."

Mulder summarised the position of the party's parliamentary caucus on the planned Convention for a Democratic South Africa: "We are willing to negotiate if self-determination is acknowledged, otherwise negotiations are useless.

"There's a big difference between putting your case and negotiating. De Klerk says you can just come to the table and put your case. But I do that all the time. At the moment the point of departure is one man, one vote, which is unacceptable."

This is almost identical to the position outlined by Van der Merwe earlier in the week: "I think the party is clear, we have one vision. We have nothing against negotiations, provided the government recognises our right to self-determination."

Contrast this with the statement made on Wednesday by secretary-general Andries Beyers, who is currently the party's candidate in the Potchefstroom by-election: "We will not speak to the African National Congress. The ANC is our nation's enemy which wishes to rule over us and which has proved its enmity by terrorising our people."

He added that when the CP was in power it would negotiate with nations "which will recognise our nation's right to self-determination in our own fatherland".

Van der Merwe has spoken to the ANC several times and on Saturday he went as far as getting South African Communist Party leader Joe Slovo's autograph, though in characteristic style he said that "if the ANC wants to nationalise our banks, mines and farms, we will shoot them".



Koos van der Merwe ... Looking for a 'sign'

And it was Van der Merwe who drafted the "Koos document", a paper leaked to the press earlier this year arguing against the prevailing CP Verwoerdian wisdom and stating that there was no alternative but to negotiate for a place in the sun.

Speaking off the record, senior sources on the party's left wing told *The Weekly Mail* there were major differences between the Van der Merwe-Mulder group and the currently dominant far-right group led by the party's deputy leader, Dr Ferdie Hartzenberg.

Treurnicht, who tends towards the right, is presently holding the ring, but when he leaves the extent of the pro-negotiations group's support will become apparent. The sources said that Treurnicht, who turns 71 in February, wants to retire but fears that if the hard-line Hartzenberg took over this would lead to an open, and extremely damaging, war between the factions.

Meanwhile, the Van der Merwe group is looking for a "sign" from De Klerk — a concession, such as putting the issue of self-determination on the Codesa agenda — to tip the balance.

What has become apparent is that while until last year the fault lines on negotiations went through the middle of the ANC on the left and the National Party on the right, they have now shifted to dividing both the CP and the Pan Africanist Congress. But while the PAC has no feasible option other than negotiations, the CP has a lot more room to manoevre.

Most of its representatives are still pressing for an all-white election, but several recognise they will probably have to rely on their fall-back of winning a white no-vote in a referendum on constitutional principles — now likely to take place in the second half of next year.

The opening has been made by De Klerk, who has promised on numerous occasions that if white voters reject the principles he will go back to the drawing board. Elaborating on this, government spokesmen have said there will be facility for counting the white vote separately.

Given the current CP resurgence in the polls, this offers the right the possibility of victory. If that happened, the ANC could be expected to refuse to make further compromises and De Klerk would be forced to throw in the towel or to go back on his word to the CP — which would give the right the ammunition to launch a full-scale civil war.

The way out for the NP is to phrase the referendum question as vaguely as possible, offering loose motherhood-and-apple-pie principles and leaving the specifics to the imagination. But even then there is no guarantee of victory — which should be enough to keep the CP together for a while longer.

Slovo hits at FW's 'war talk'

304A
CT 6/12/91

JOHANNESBURG. — South African Communist Party general-secretary Mr Joe Slovo accused President F W de Klerk of "the worst kind of war talk" during his opening speech at the party's eighth congress yesterday.

He said Mr De Klerk had once again begun to use the "language of the Vorsters and Bothas" ... threatening emergencies, the use of his army and police force and what he menacingly calls 'other measures'.

"He should be warned that he is not the only one with the power to use 'other measures'," Mr Slovo told 600 delegates.

"What De Klerk has been saying recently is not table talk; it is the worst kind of war talk. It is the kind of talk which can only help pollute the air surrounding the forthcoming Convention for a Democratic SA (Codesa)."

Mr Slovo described the convention as a "major watershed" but to ensure that it did not become a mere talking shop, its decisions had to be binding and have the force of law.

In a sharply critical attack on the Soviet Union, Mr Slovo said its president, Mr Mikhail Gorbachev, had "completely lost his way".

"It is saddening that some of those in the Soviet Union who helped diagnose the disease have now allowed themselves to be pushed into a treatment which addresses the disease by killing the patient."

'Inspiration'

Mr Gorbachev had responded to the attempted coup by hardline Stalinists by issuing a Stalinist decree to dissolve the party "as if it were his personal property", said Mr Slovo.

The record of Soviet internationalism, despite a number of Stalinist perversions, was a "shining inspiration to every struggling person".

"This, too, has been completely sacrificed on the altar of the so-called new world order. And nowhere is this more evident today than in the indecent haste with which the new Soviet establishment is rushing to make friend with racist Pretoria."

The SACP rejected "old-style statism and commandist bureaucratic control" and its draft constitution committed the party to respecting all personal non-exploitative property "and such other private property as may be necessary for effective economic development and growth".

This was the broad vision of the SACP for the immediate shape of the post-apartheid mixed economy. "But we give notice that we ... will exert every political effort to orientate this mixed economy in a socialist direction.

"This must imply a steadily growing socialisation of the economy involving social organisations and the people as a whole."

● Mr Slovo hinted that his party would use force to oppose any hardline acts of government which, he predicted, would use every device at its disposal to prevent a full-blooded democracy.

● The results of a secret ballot for the SACP's senior leadership are expected by midday tomorrow, election officer Mr Kadar Asmal said. — Own Correspondent and Sapa

FM6/12/91 304A

VIRGINIA BY-ELECTION

Race and recession

304AT

Victory for the Conservative Party (CP) in the Virginia by-election last Thursday came as no surprise. A prolonged economic recession combined with deeply entrenched racism gave a reformist National Party (NP) no chance. FM 6/12/91.

In a 55% poll, CP candidate Kobus Beyers got 7 980 votes to trounce the NP's Jac Kloppers (4 814). In 1989, the Nats (6 911 votes) only just managed to hold off the CP (6 864). The swing underlines the potency of the rightwing as a factor to be taken into account in the negotiations for a new constitution.

Talk in Welkom and Virginia focused on three issues: violence on the mines, economic hardship and the broken promises of the Nationalists.

Economic hardship has become a way of life on the Free State gold fields. In Welkom, unemployment among the 240 000 black community is estimated as high as 80%. Neighbouring Virginia mirrors similar statistics.

Dependent on the mining industry, shops hotels and restaurants in Welkom have seen business plummeting to an all-time low. Business was also besieged by two harsh consumer boycotts — a direct result of simmering racial tension.

Parts of Virginia have turned into a ghost town. Rows and rows of vandalised, deserted houses characterise the suburbs of the mining sector. In less than two years, some 2 000 white miners have faced retrenchment.

Vacated homes subsequently let by the mining houses to black families were pounced on by Conservative candidate Kobus Beyers as a major rallying point. Beyers, a seasoned politician, exploited every sign of racial prejudice and distrust.

The white mining community is a hotbed of rightwing activity. With the gold fields being one of the best organised AWB regions, the CP relied on their active support. The strongly entrenched White Mineworkers Union added their muscle to the CP campaign.

Rightwing militancy has become a feature of life on the gold fields and acts as a constant threat to attempts at peaceful coexistence between white and black. Last year's crippling consumer boycotts came as a direct result of white vigilante action.

The AWB, in particular, encourages people to take the law into their own hands to "protect" themselves from their neighbours.

The tension between white and black has an impact at all levels. Talks of a common tax base between white Welkom and Thabong, with its 250 000 inhabitants, is a major point of conflict on local government level. The general feeling is that the cake is too small to share.

Serious rightwingers are in the process of setting up alternative social structures. A whites-only private school and whites-only residential area are already in the pipeline.

The victory heralds a bleak dawn for the gold fields and further afield. Welkom and Virginia are no different from other gold mining towns or their industrial counterparts on the East and West Rand, where racism has become a parasite feeding on economic chaos. ■

INSTITUTE FOR MULTI-PARTY DEMOCRACY FM 6/12/91 304A

Falling among the thorns

Former Inkatha secretary-general Oscar Dhlomo's vision of democracy is under severe financial strain. In a potentially explosive development, a confidential crisis plan has been devised to rescue Dhlomo's Institute for Multi-Party Democracy (IMPD) after a cash shortfall resulted in the institute's failure to meet outstanding claims against it of over R600 000.

In a confidential memorandum, dated November 28 1991, the institute's financial chairman Robin Lee instructed financial and administrative manager Marian Nell "to place a moratorium on all future payments ... until further notice." This resulted from



Lee ... *has devised crisis plan to rescue institute*

Lee's review of the institute's current bank balance.

Dhlomo launched the IMPD in February this year as a thinktank on democratic alternatives. Appointed executive chairman, he told delegates at the launch that leaders from across the political spectrum, including the ANC, NP, SA Communist Party, CP and Azapo supported establishing multi-party democracy in SA.

Despite this support, Dhlomo said, "it is ironic indeed that we have found ourselves in the situation in which foreign foundations, governments and institutes gave more generously and cared more deeply about the development of a genuine multi-party democracy in SA than did SA businessmen."

These same businessmen looked forward to doing business in a stable, democratic socio-political environment in the future, Dhlomo argued.

Lee's memo paints a picture of crisis. The only exception to the payments moratorium would be Nell's November fee of R10 500, which had been authorised. Lee says he will inform Dhlomo "by promptest means of this decision and will be submitting to him a crisis plan of action." Payments could resume only after that document had been discussed, Lee adds.

Lee further instructs Nell that "it will be appreciated if requests for payment by personnel are dealt with discreetly, ie the moratorium remains absolutely confidential and the request is simply not processed administratively."

In response to queries, personnel should be informed that a review of finances would "delay" payments by seven to 10 days, Lee said. (A copy of the fax was also sent to Dhlomo.)

The *FM* has a copy of the "Highly confidential crisis plan: December 1991-January 1992" which Lee has devised. Under the heading "finance" Lee describes the situation as so bad that the IMPD "will go into deficit by December 15 1991 unless additional income is obtained."

He proposes that the moratorium on all payments be in effect until the end of this week (December 6 1991), except for Nell's R10 500. Nell has since resigned and now works only as a consultant to the institute.

Lee also proposes that Nell discuss certain financial matters with the US Agency for International Development (USAid), a contributor to the IMPD.

Dhlomo would also see USAid's Farooq Mangera "about urgent interim funding against outstanding claims." According to the memo, there were three such claims amounting to R643 433.

Mangera this week told the *FM* he could not discuss the matter. He confirmed Nell had been to see him and explained that his agency had pledged "an amount of funds" and that the IMPD (or any such organisation) could claim against this amount. "I am



Dhlomo ... *disappointed with SA business*



Cooper ... *resignation has nothing to do with cash problems*

not aware of their crisis," he said.

Lee also deals with the resignation of former Azapo leader Saths Cooper as the IMPD's national director. He proposes that Nell draft Cooper's letter of resignation as well as Dhlomo's reply to it — "mentioning payment of final salary less deductions on January 31 1992 only." Payment in December would be for salary and bonus less a "large element of tax."

Dhlomo will urgently advise the IMPD's trustees and donors of the position and indicate that steps will be taken in mid-January, Lee concludes.

Dealing with staff matters, Lee says there is a critical need to offset any "negatives" which the changes and financial position may have. In a sub-heading, Lee says that a "decision" from the IMPD's programme director, Seshi Chonco, had to be obtained in writing by December 1.

However, Chonco told the *FM* he knew of no "decision" he had to take and that he would take up the matter with Dhlomo. He was aware that the institute had some cash flow problems.

The *FM* has learnt that since Cooper's resignation — for personal reasons — a plan was devised for key operations to move to Durban where they would fall directly under Dhlomo. As part of this move, Chonco was asked whether he would be prepared to move to Durban.

Last week, the IMPD issued a press statement in which it announced the move of its head office to Durban. The statement further indicated that three successful pilot programmes in "political leadership" had been completed with generous funding by the Hans Seidel Foundation.

Lee, in his crisis plan, mentions the foundation and writes that Dhlomo was to have

continued

contacted it urgently. An amount of R16 000 is recorded in the document next to the foundation's name.

The press statement says Cooper's political profile and communications ability will be missed. He stays on as a trustee.

In his comment to the *FM*, Cooper says his resignation had nothing to do with any cash problems the institute may have encountered. The reason why his resignation is mentioned as part of the "crisis plan" could only be "because they have to pay me."

He explains that the institute, like many others which rely on income from contributions and donations, encounters cash flow problems from time to time. "They move from cash flow crisis to crisis," he says.

However, some of the funds promised to the institute had been received, Cooper says. "It was more than had been anticipated and the cash flow situation has eased for December. That does not mean it cannot happen again."

Nell at first denied the institute had been under financial strain. When she learnt the *FM* had a copy of Lee's crisis plan, she admitted there had been problems — "but they have all been sorted out." Nell said money which had been expected had now been received.

Dhlomo was out of town and could not be reached for comment. Lee, who is also attending a workshop out of town, referred the *FM* to the institute's press statement issued last week. *Eddie Botha*

PRISONS

Just passing through

The trial of one of the men accused of the murder of *FM* journalist Pat Kenny remains suspended after his disappearance from Diepkloof Prison near Soweto in October. Office Nkuna (23) had not entered a plea when he joined 100 other prisoners who vanished without trace from the same facility.

The *FM* spoke to two men claiming to have been part of this escape. Neither has any knowledge of the other, nor do they recollect Nkuna, but each version is similar in detail.

They say those who escaped did not stage the most stealthy break-out in penal history. Rather, they slipped from custody in dribs and drabs over the past year. By making use of an administrative weakness in the legal process, whereby the State confines awaiting-trial prisoners like Nkuna with illegal immigrants about to be deported on completion of a short sentence, an individual in one category of prisoner swaps identity with an accomplice in the other.

Both parties benefit — a consideration that would explain the scam's enduring success and delayed detection.

Organised escape from black prisons is usually the preserve of the "Airforce" or "24" gang operating in the general prison population. Diepkloof, by contrast, has a high transit population — illegal immigrants are not around long enough to warrant placement in the general prison population and the awaiting-trial prisoner is not included since he is not a convict. So warders find it difficult to put a name to a face.

The illegal immigrant benefits from the scam by extending his stay in SA after doing the time his new persona requires after conviction; or, in the case of acquittal, secures immediate release. "The trick," says one *FM* informant, "is to find the right person who is not known to the *boere* and has a small crime."

Sex and money (many prisoners keep sizeable cash reserves swathed in plastic in their rectums) may also act as inducements. How Nkuna may have persuaded another prisoner to assume an identity on a capital charge remains speculation.

For the awaiting-trial prisoner the advantage is that he is able to dodge a criminal trial and secure an escort, courtesy of the Home Affairs Department, to the appropriate border post nearest his supposed country of origin. Smart prisoners choose Mozambique rather than Zimbabwe because at Beit Bridge a further prison term of one month or fine of Z$25 is imposed.

Release is automatic in the case of Mozambique because few or no details are taken or verified. Return to the PWV is as speedy as a walk into northern Swaziland and the hiring of a taxi. Lack of a valid passport is only a small hindrance. The electrified "fence of death" is avoided — besides which "Renamo shoot first and then strip the body later."

In Diepkloof, once identities are swapped, the would-be emigrant reports to a Home Affairs official the next time a visit is made to the pool of deportees.

After answering simple questions the details are put on paper, stamped with a seal and given to the prisoner as proof of his identity until he leaves the country. The Home Affairs clerk then puts the name on a list and later the Prisons Department staff take it off their roll.

After a while the clerk's list is called and a batch of deportees file out to the waiting transport. The size of the vehicle determines the number of those sent out of the country on that run.

As a prisoner, getting the clerk to record you is done on a first-come, first-served basis and the crush to make the front of the queue is brutal. Weaker and less motivated souls have allegedly been known to sojourn in jail for up to nine months, presumably in excess of the full term of sentence. (The prison's department flatly denies this.)

Observers familiar with the prison system believe that if this is indeed the general method of escape used by the 100, then fingerprints and other biometric data taken before the prisoners were held for trial were inadequately checked. Cases have occurred. some say, where a prisoner's docket does not always follow him, especially when he is transferred from one facility to another. Others hold to the view that the "*witkaart* system is an utter shambles."

Both *FM* informants state as a matter of conviction that, for white bureaucrats, one black face looks like any other, a factor that worked to their definite advantage in the ruse.

Assuming all this is true, the tantalising questions remain on how and when the prisons services finally concluded something was amiss.

☐ The Department of Correctional Services says that, while a comprehensive investigation into this matter has not yet been finalised, "appropriate measures have already been implemented to prevent the recurrence of alleged events which led to the disappearance of the 75 prisoners."

Among the measures taken are strict control of inmates' movements and refined identification of prisoners in co-operation with fingerprint experts of the SA Police, which is investigating possible criminal actions. ■

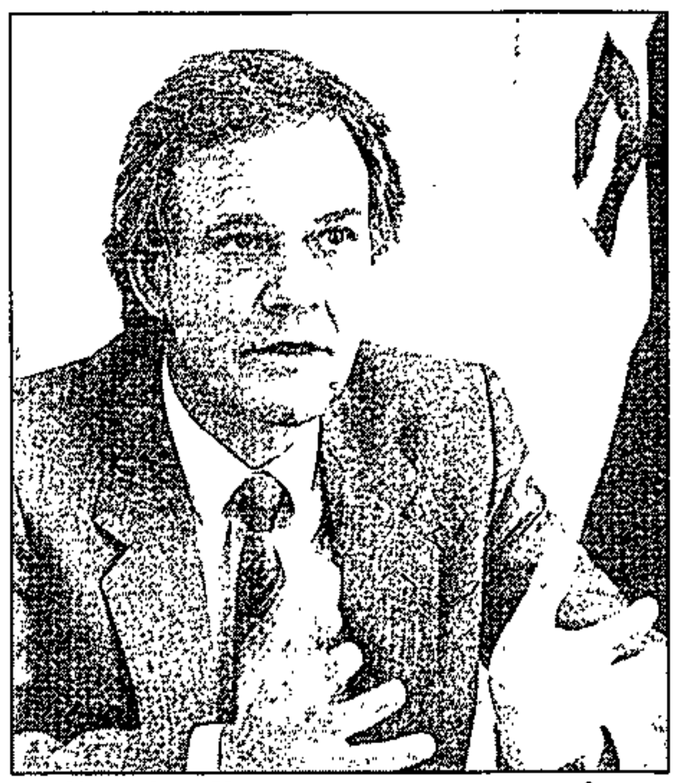
ALLIANCE POLITICS

Going it alone

National Party hopes of constructing a broad Christian democratic alliance appear to have gone up in smoke. The idea of such a broad alliance of "moderates" — long mooted in Nat circles as an ideal strategic vehicle to counter the force of the ANC during negotiations — has lost favour. And not only among possible co-players, but in NP circles as well.

At the moment, it's every man for himself, says NP secretary-general Stoffel van der Merwe. That means the parties will probably end up speaking for no-one but themselves in the Great Indaba.

Labelling the forging of a DTA-type alliance of minority groups (à la Namibia) by the NP as "purely speculative," Van der Merwe added that in any run-up to an election, a different approach might be possible. Then "each party will look at the best way of



Van der Merwe ... *every man for himself*

FM 6/12/91 (304A)

entering elections." But not now.

The idea of a broad Christian democratic alliance was always regarded as the brainchild of Constitutional Affairs Minister Gerrit Viljoen, who has consistently pursued avenues for minority protection. The outline of such an entity focused on co-operation between the NP, Inkatha, the "tricameral" and homeland parties and such groupings as the Zion Christian Church, John Mavuso's National Forum and the now Inkathagate-discredited Fida of John Gogotya. At last weekend's preparatory meeting of the participants in constitutional negotiations, prospects of such an alliance were disappearing.

There was no sign of the homeland parties, the tricamerals or the Inkatha Freedom Party treating the NP or government delegations as special allies. On crucial points, such as the role of the Chief Justice and the presence of the Non-Aligned Movement at the convention for a Democratic SA (Codesa), the Nats stood isolated. In both cases, the house supported the ANC position.

Van der Merwe argued that the NP was not seeking allies — and that in the run-up to a new constitution, every party should be free to put its own position. He pointed out, however, that the Nationalist emphasis had changed considerably as far as its former demands for protection of minorities were concerned. One would rather seek a few adequate checks and balances on the power of government by constitutionally ensuring the participation of the smaller parties, was how he put it.

Individual rights

This shift away from the explicit protection of minority groups — whether ethnic, religious or linguistic — had arisen in the belief that they would be protected by individual rights, Van der Merwe said.

Democratic Party (DP) leader Zach de Beer welcomed the disintegration of the envisaged alliance and described it as a bad idea which was largely aimed at collecting together people who had a dislike for the ANC. "It was a hodgepodge of all on the Right, without a clear policy," he said.

De Beer added that both the NP and ANC had done their homework and managed to reach agreement on conflicting issues. This was important: "Stability depends on a reasonable working relationship between the Nats and the ANC."

It would be wrong to suggest that the IFP is in the pocket of the NP, De Beer felt. Zulu pride is real and the IFP is a strong force on its own.

The DP leader is of the opinion that alliances are not all that crucial — and that all the political parties were much closer than their public demonstrations would suggest. He pointed to a growing consensus on such points as support for a proportional system of one person one vote, a bicameral legislature and increasing support for a type of federal system.

The first real flashpoint would develop around economic policy, he predicted. ■

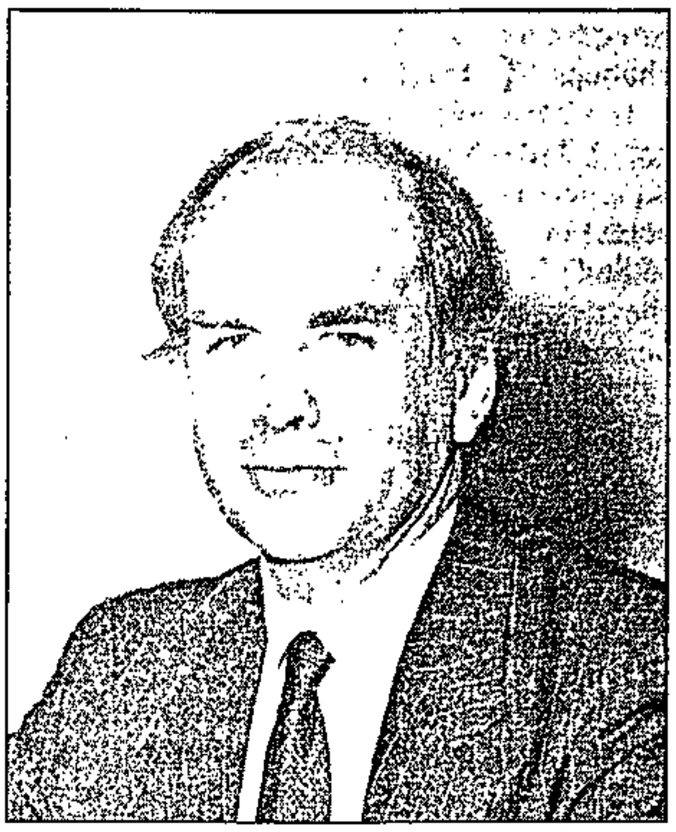
UK RELATIONS

Staying involved

Democracy is not enough as SA needs to develop a new political culture with greater importance attached to tolerance and respect for human rights, says Britain's new ambassador to SA, Anthony Reeve.

Talking about his first impressions of a changing SA, at a meeting of the SA Institute of International Affairs recently, he said: "For too long this country has been a place where the other man's point of view has not been respected. The task facing those who are negotiating the country's future is to devise a framework in which this is possible."

Reeve said that while some South Africans did not believe the Westminster model could be applied successfully in SA, "we are proud of our democratic institutions and we think we can help, at least in some areas, by making our experience of them available to South Africans."



Britain's Reeve ... *benefit of democratic experience*

Referring to the need for investment and job-creation in the country, he confirmed Britain was determined to remain one of SA's key trading partners.

Trade each way is running at an annual figure of about R5bn and Britain remains the largest single investor in SA.

Without sufficient economic growth, implementing a negotiated settlement on a new dispensation would be difficult.

Britain, he said, had tried to get away from outdated talk about punishing ordinary South Africans through sanctions and had instead encouraged UK companies to invest in SA's future.

Reeve said recent changes had made the political arena far more fluid and he was impressed by the strength and sophistication of the local economy.

The urgent need, as he saw it, was for the economy to grow, to provide jobs and an income for people who had no money.

Hope for the future, he added, lay in the fact that all South Africans had themselves decided the status quo was unacceptable.

"In the national peace initiative, the country now has a framework for the peaceful resolution of disputes and it is vital that this machinery is shown to be effective."

Good government

Paying tribute to the initiatives undertaken by President F W de Klerk, the ambassador said it was his firm view that the profound political and economic reforms could not be reversed.

"Enormous ground needs to be made up to correct the mistakes of the past, but I firmly believe the clock could never be turned back."

Commenting on the degree of British involvement in the reform process, Reeve said the UK had a real interest in the prosperity and good government of the region.

This year, Britain will contribute more than R70m to development projects in SA.

Emphasising the close ties between the two countries, he pledged British support during the transition to democracy and outlined the way in which he believed Britain could help.

British experience in the field of community policing was now under scrutiny as a possible option in SA. The ambassador stressed the need for trust to be developed between the police and the local community.

Outlining the steps being taken in the field of public administration training, Reeve stressed that his government was not trying to replace the civil service; it was for the people of SA to decide who should govern them.

Training in the UK is to be offered to recruits from across the political spectrum who might have a role to play in administering the new SA.

He also detailed an intensive community development programme undertaken by several members of his staff. It aims to find projects based on good ideas and backed by local communities. About 300 of these projects are undertaken each year.

It is clear Britain looks set to play an extensive, yet nonprescriptive, role in SA's future, he said.

"There is no time to lose and bridges need to be built over the railway tracks that for too long separated South Africans from one another." ■

URBANISATION FM 6/12/91

Cape Flats burden

The operating deficit for sprawling Khayelitsha township on the outskirts of Cape Town has rocketed to R40m a year, says Lingelethu West town clerk Graham Lawrence.

Only about 13% of residents pay rent and service charges, which are already heavily subsidised. Financial aid from the Cape Provincial Administration is shrinking and sup-

continued

CONSTITUTIONAL NEGOTIATIONS

FM 6/12/91

304A

The end of the beginning

Codesa marks a good start to the process — but now comes the hard part

Multiparty negotiations on a new constitution formally kicked off in a good and optimistic spirit at last weekend's preparatory meeting of 19 parties and organisations, dominated by the ruling National Party and the ANC.

Though marred a little by the non-attendance of the rightwing parties, the most important being the Conservative Party, and by the staged walkout of the Pan-Africanist Congress, the parties agreed to style their watershed forum the Convention for a Democratic SA. And so the latest acronym, Codesa (the emphasis is on the second syllable), is set to loom large in SA politics.

The name — suggested, incidentally, by SA Communist Party chief Joe Slovo — recalls another historic indaba: the 1909 National Convention which led to the formation of the Union of South Africa. Agreement was also fairly easy on appointing Judges Petrus Schabort and Ismail Mohammed as chairmen and, after some disagreement, it was settled that the Chief Justice, Michael Corbett, together with religious leaders, would ceremonially convene Codesa's first substantive meeting on December 20-21.

Optimism is not misplaced, says a member of the ANC negotiating team, Mohammed Valli. The reason was the meeting's swift agreement on procedures, which, he observed, can often hold up negotiations.

Delight at the outcome of the preparatory meeting was palpable. "More than ever," said ANC secretary-general Cyril Ramaphosa, "we are convinced that we are walking the last mile." Constitutional Development Minister Gerrit Viljoen, who led a separate government delegation (as distinct from the NP one led by Economic Co-ordination Minister Dawie de Villiers), declared that the meeting represented "a clear, irreversible and definite break with the past." Inkatha chairman Frank Mdlalose was similarly upbeat: the meeting had shown that South Africans could overcome "the difficulties and divisions of apartheid and the violent society it had created."

According to Ramaphosa, the preparatory meeting "marks the opening of genuine negotiations." He went on to say: "The main characteristics of this meeting have been the demonstrable commitments of the overwhelming majority of organisations that attended to show flexibility to engage in discussion so that the process can move forward. If there have been any jarring moments they have not been of a nature that can arrest this process now under way to realise a democratic SA.

"And yet it is necessary for us to say to all formations that remain outside this process: the entire SA people demand their involvement. None of us can afford the luxury of clinging to party political interest."

This spirit, Ramaphosa added, must be the foundation stone of Codesa. There would be many difficult moments, he warned; however "the only assurance we have that we shall achieve democracy is this commitment to the national interest that has inspired us over the last two days . . . Through the successful conclusion of this meeting, we have jointly taken the future of our country into our hands. The momentum must not be lost."

Despite the PAC-ANC slanging match over an alleged secret deal between government and the ANC, the latter is convinced that the Africanists will attend Codesa's first meeting in a fortnight's time. Nor does it seem cut and dried that the CP will stand aloof from Codesa. The appearance of the CP's leading pro-negotiations advocate, Koos van der Merwe, at the venue last Saturday clearly had more to it than his claim that he had previously arranged an appointment there. Van der Merwe caused a bit of a spectacle by not only claiming the nameboard prepared for the CP, but by having Slovo, of all people, autograph it as well.

The preparatory meeting decided that all parties, including the CP, HNP, AWB and Azapo — none of which attended last week — would again be invited to the meeting later this month and that each could send up to 12 delegates. That would allow Inkatha to include, as it demanded, a team from the KwaZulu government as well; and the ANC, perhaps, to include Cosatu representatives. Further, observers from the UN, EC, OAU, the Commonwealth and the Non-Aligned Movement would be invited to Codesa.

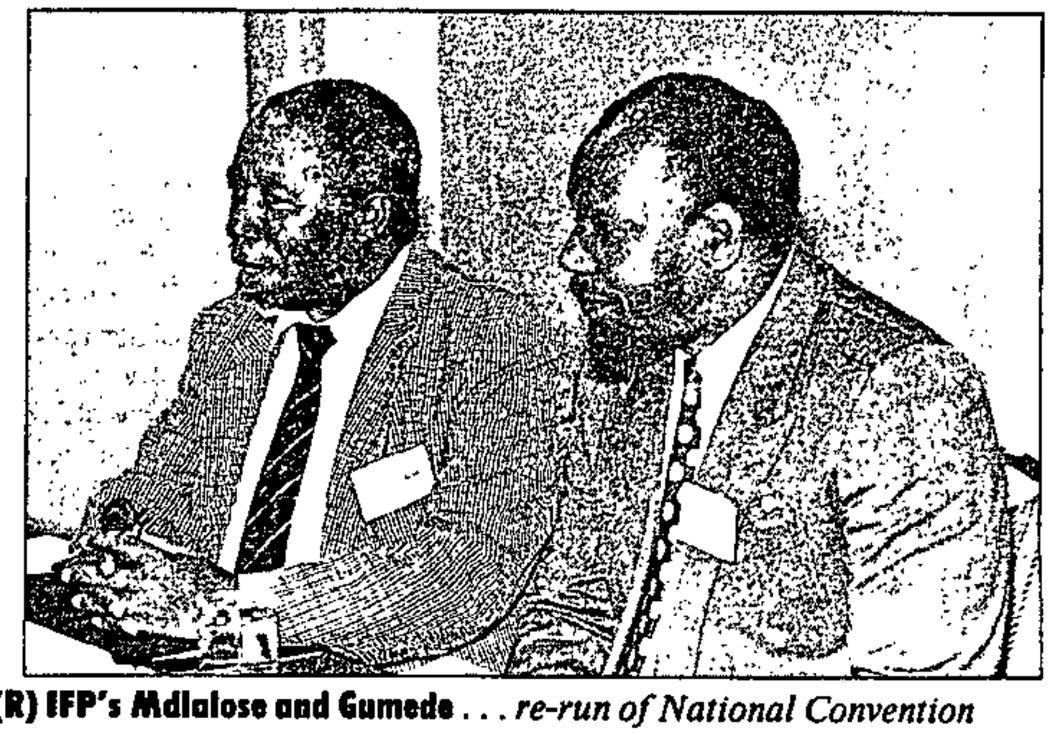
The convention's momentum is being maintained. A logistical steering committee composed of a representative from each organisation and temporarily chaired by Democratic Party leader Zach de Beer, was due to meet as the *FM* went to press. The steering committee is expected to draft a Declaration of Intent and to refine the agenda for the December 20 plenary meeting, to take place at the World Trade Centre near Jan Smuts airport.

The agenda agreed last week includes:

- ☐ Creating a climate for free political activity;
- ☐ General constitutional principles;
- ☐ Transitional arrangements;
- ☐ The future of the TBVC States;
- ☐ The role of the international community;
- ☐ Time-frames; and
- ☐ Implementation of decisions.

The December 20 meeting, says NP secretary-general Stoffel van der Merwe, will deal with certain procedural matters such as electing a chairman and hearing opening statements. Then, most important, it will appoint a number of working committees which will meet from time to time between plenary sessions.





Delegations to Codesa: (L) ANC's Valli, Ramaphosa and Jacob Zuma; (R) IFP's Mdlalose and Gumede . . . *re-run of National Convention*

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Other issues, such as a constituent assembly, will no doubt be placed on the agenda too — though "not by us," avers Van der Merwe. He adds: "This is where transitional arrangements become important. They have to be the result of negotiated agreement. When and whether this will happen is problematic and will require very intricate negotiation."

The NP has some fundamental objections to a constituent assembly, Van der Merwe points out. It would require a great deal of negotiation simply over mechanisms and even the ANC, he says, has acknowledged it would have to operate under predetermined constitutional principles.

Another problem with such an assembly is that it necessitates an election. At this point, Van der Merwe asks, on what platforms would it be held? His point is that, in being forced to distinguish their platforms, the parties would become locked into them, thus making the process of give and take much more difficult. In any case, the precise strengths of the parties is not material since their consent would be needed in any case for drawing up the constitution. The constitution should "preferably be drawn up by Codesa," though "some kind of election" would of course be needed to give it legitimacy.

"We say, let's negotiate and see how far we get," is how Van der Merwe puts it.

He is loath to place a time-frame on all of this, though the NP "would like the process concluded as soon as possible." The life of an interim government would depend on progress in Codesa, as some form of transitional arrangement would be needed "until a new constitution is in place."

To the ANC, interim government appears to mean suspending the present constitution, which is not on as far as the NP is concerned. While Codesa has no legislative powers, says Van der Merwe, morally it would have some sway and resolutions it agreed on would have to be honoured and translated into law.

The hard part — aside from agreeing, further down the line, on constitutional nuts and bolts and in what forum that should occur — seems at this stage to have settled on the mechanics of arriving at an interim government (as the ANC would have it), or government's transitional arrangements.

While government sources had indicated that Codesa could, as one option, transmogrify into an interim government, the ANC rejects this notion. The ANC's Valli says Codesa is a negotiating forum and cannot be an interim government: "Its task is to negotiate what sort of interim arrangements are necessary for the transition." Interim government is viewed by the ANC as having certain sovereign, though temporary, powers, which will set up a constituent assembly and elections to it and oversee the transition.

Van der Merwe was somewhat peeved by a newspaper headline after the preparatory meeting which said: "Codesa set to be informal interim government." Though the convention "could have developed into something like that informally, and with good results, this avenue is now closed because it is perceived as an NP aim," Van der Merwe explained. He sounded a bit dubious.

However, says ANC spokesman Carl Niehaus, there is already enough agreement on the question of interim arrangements to start a discussion. Codesa will determine their precise shape based on "sufficient consensus" being reached. It was impossible to put a time-frame on this matter, but the weekend's good progress had left everyone feeling pretty "upbeat," Niehaus said.

The ANC envisages an interim government as having a "limited life-span with clearly defined goals." That is: "To create conditions for an equal playing field preparatory to constituent assembly elections."

Valli says the ANC sees an interim government being in place for "a maximum of 18 months," whereas, he believes, government would like it to go on "for 10 years."

Interim government will come "after all the items on Codesa's agenda have been agreed on," Valli reckons. "Its first task then would be to organise elections for a constituent assembly. The interim government will conduct these elections in terms of the new constitution and as soon as a new government is elected the interim government will dissolve."

However, the constituent assembly has to draft the new constitution, Valli maintains. What, then, is the point of Codesa looking at general constitutional principles in terms of its agenda? To the ANC — at least according to Valli — this is meant merely to act as "a vision" and the ANC would, therefore, like this embodied in a statement of intent.

The ANC wants early agreement on a constituent assembly "so we can get down to the business of constitution-making. The regime places less emphasis on this than on transitional arrangements."

Such has been the apparent "convergence" of government-ANC thinking — at least over the stuff of which constitutional preambles are made — that it is hard to detect serious differences emerging over "a vision" (*Current Affairs* November 29). Yet there are different nuances and emphases, Valli points out. Similarly, while there is, "at the level of general principles," agreement on a bill of rights, "the details are for the constituent assembly" to work out.

Another big problem area that Valli foresees is over the time-frame. He believes government wants to drag out the process as long as possible and detects nervousness on its part at the speed at which events are moving, since "once the process is over, they won't be in power anymore."

But surely government's whole thrust is on power-sharing precisely to ensure a place for itself in running the country? But the NP notions of a multiparty Cabinet and so forth "just won't go down and haven't received support from any quarter. We are convinced it won't fly," asserts Valli. He dismisses the Nat proposal for an upper house of parliament based on equal representation and a veto regardless of voter strength.

So where, then, will the trade-off be? "Look at the preparatory conference," Valli suggests. "All the positions agreed on were ANC [ones]. Government will find it difficult to resist our proposals. The concessions have all along come from the government. Remember they have not agreed to Codesa, or our unbanning, or Mandela's release out of choice."

Perhaps much of that can be taken with a pinch of salt as bargaining for position — even now. After all, the real bargaining has yet to begin. ■





Chairmen: (L) Justices Mohammed and Schabort; (R) government's Kobie Coetsee and Viljoen ... *irreversible change?*

FM 6/12/91 (304A)

contacted it urgently. An amount of R16 000 is recorded in the document next to the foundation's name.

The press statement says Cooper's political profile and communications ability will be missed. He stays on as a trustee.

In his comment to the *FM*, Cooper says his resignation had nothing to do with any cash problems the institute may have encountered. The reason why his resignation is mentioned as part of the "crisis plan" could only be "because they have to pay me."

He explains that the institute, like many others which rely on income from contributions and donations, encounters cash flow problems from time to time. "They move from cash flow crisis to crisis," he says.

However, some of the funds promised to the institute had been received, Cooper says. "It was more than had been anticipated and the cash flow situation has eased for December. That does not mean it cannot happen again."

Nell at first denied the institute had been under financial strain. When she learnt the *FM* had a copy of Lee's crisis plan, she admitted there had been problems — "but they have all been sorted out." Nell said money which had been expected had now been received.

Dhlomo was out of town and could not be reached for comment. Lee, who is also attending a workshop out of town, referred the *FM* to the institute's press statement issued last week. *Eddie Botha*

PRISONS

Just passing through

The trial of one of the men accused of the murder of *FM* journalist Pat Kenny remains suspended after his disappearance from Diepkloof Prison near Soweto in October. Office Nkuna (23) had not entered a plea when he joined 100 other prisoners who vanished without trace from the same facility.

The *FM* spoke to two men claiming to have been part of this escape. Neither has any knowledge of the other, nor do they recollect Nkuna, but each version is similar in detail.

They say those who escaped did not stage the most stealthy break-out in penal history. Rather, they slipped from custody in dribs and drabs over the past year. By making use of an administrative weakness in the legal process, whereby the State confines awaiting-trial prisoners like Nkuna with illegal immigrants about to be deported on completion of a short sentence, an individual in one category of prisoner swaps identity with an accomplice in the other.

Both parties benefit — a consideration that would explain the scam's enduring success and delayed detection.

Organised escape from black prisons is usually the preserve of the "Airforce" or "24" gang operating in the general prison population. Diepkloof, by contrast, has a high transit population — illegal immigrants are not around long enough to warrant placement in the general prison population and the awaiting-trial prisoner is not included since he is not a convict. So warders find it difficult to put a name to a face.

The illegal immigrant benefits from the scam by extending his stay in SA after doing the time his new persona requires after conviction; or, in the case of acquittal, secures immediate release. "The trick," says one *FM* informant, "is to find the right person who is not known to the *boere* and has a small crime."

Sex and money (many prisoners keep sizeable cash reserves swathed in plastic in their rectums) may also act as inducements. How Nkuna may have persuaded another prisoner to assume an identity on a capital charge remains speculation.

For the awaiting-trial prisoner the advantage is that he is able to dodge a criminal trial and secure an escort, courtesy of the Home Affairs Department, to the appropriate border post nearest his supposed country of origin. Smart prisoners choose Mozambique rather than Zimbabwe because at Beit Bridge a further prison term of one month or fine of Z$25 is imposed.

Release is automatic in the case of Mozambique because few or no details are taken or verified. Return to the PWV is as speedy as a walk into northern Swaziland and the hiring of a taxi. Lack of a valid passport is only a small hindrance. The electrified "fence of death" is avoided — besides which "Renamo shoot first and then strip the body later."

In Diepkloof, once identities are swapped, the would-be emigrant reports to a Home Affairs official the next time a visit is made to the pool of deportees.

After answering simple questions the details are put on paper, stamped with a seal and given to the prisoner as proof of his identity until he leaves the country. The Home Affairs clerk then puts the name on a list and later the Prisons Department staff take it off their roll.

After a while the clerk's list is called and a batch of deportees file out to the waiting transport. The size of the vehicle determines the number of those sent out of the country on that run.

As a prisoner, getting the clerk to record you is done on a first-come, first-served basis and the crush to make the front of the queue is brutal. Weaker and less motivated souls have allegedly been known to sojourn in jail for up to nine months, presumably in excess of the full term of sentence. (The prison's department flatly denies this.)

Observers familiar with the prison system believe that if this is indeed the general method of escape used by the 100, then fingerprints and other biometric data taken before the prisoners were held for trial were inadequately checked. Cases have occurred, some say, where a prisoner's docket does not always follow him, especially when he is transferred from one facility to another. Others hold to the view that the "*witkaart* system is an utter shambles."

Both *FM* informants state as a matter of conviction that, for white bureaucrats, one black face looks like any other, a factor that worked to their definite advantage in the ruse.

Assuming all this is true, the tantalising questions remain on how and when the prisons services finally concluded something was amiss.

☐ The Department of Correctional Services says that, while a comprehensive investigation into this matter has not yet been finalised, "appropriate measures have already been implemented to prevent the recurrence of alleged events which led to the disappearance of the 75 prisoners."

Among the measures taken are strict control of inmates' movements and refined identification of prisoners in co-operation with fingerprint experts of the SA Police, which is investigating possible criminal actions. ■

ALLIANCE POLITICS

Going it alone

National Party hopes of constructing a broad Christian democratic alliance appear to have gone up in smoke. The idea of such a broad alliance of "moderates" — long mooted in Nat circles as an ideal strategic vehicle to counter the force of the ANC during negotiations — has lost favour. And not only among possible co-players, but in NP circles as well.

At the moment, it's every man for himself, says NP secretary-general Stoffel van der Merwe. That means the parties will probably end up speaking for no-one but themselves in the Great Indaba.

Labelling the forging of a DTA-type alliance of minority groups (à la Namibia) by the NP as "purely speculative," Van der Merwe added that in any run-up to an election, a different approach might be possible. Then "each party will look at the best way of



Van der Merwe ... *every man for himself*

Continue →

Slovo accuses De Klerk of war talk

BIDemy 6/12/91

TIM COHEN

SACP general secretary Joe Slovo accused President F W de Klerk of "the worst kind of war talk" during his opening speech at the party's eighth congress yesterday.

He said De Klerk had once again begun to use the "language of the Vosters and Bothas" ... threatening emergencies, the use of his army and police force and what he menacingly calls 'other measures'.

"He should be warned that he is not the only one with the power to use other measures," Slovo told about 600 delegates.

"What De Klerk has been saying recently is not table talk; it is the worst kind of war talk. It is the kind of talk which can only help pollute the air surrounding the forthcoming Convention for a Democratic SA (Codesa)."

Non-negotiable

Slovo described the convention as a "major watershed" but to ensure that it did not become a mere talking shop, its decisions had to be binding and have the force of law.

He said also the calling of a democratically elected constituent assembly to finally decide on a future constitution was "absolutely non-negotiable".

Slovo welcomed the new sense of realism across a wide political spectrum that had been displayed at the recent preparatory meeting which discussed Codesa.

In a sharply critical attack on the Soviet Union, Slovo said its president Mikhail Gorbachev had "completely lost his way.

"It is saddening that some of those in the Soviet Union who helped diagnose the disease have now allowed themselves to be pushed into a treatment which addresses the disease by killing the patient."

Gorbachev responded to the attempted coup by hardline Stalinists by issuing a Stalinist decree to dissolve the party "as if it were his personal property", said Slovo.

"He is colluding in the chorus of vilification against Lenin, the greatest Soviet and world revolutionary which this century has produced," he said.

"The 10 days of October that shook the world are being treated like a shameful family legacy. November 7 this year was officially wiped out from Soviet history. Even simple patriotism is being sold in an attempt to fill the begging bowl of charity from the West."

The record of Soviet internationalism, despite a number of Stalinist perversions, was a "shining inspiration" to every struggling person.

"This too has been completely sacrificed on the altar of the so-called new world order. And nowhere is this more evident today than in the indecent haste with which the new Soviet establishment is rushing to make friends with racist Pretoria."

The SACP rejected "old-style statism and commandist bureaucratic control" and its draft constitution committed the party to respect all personal non-exploitative property "and such other private property as may be necessary for effective economic development and growth".

This was the broad vision of the SACP for the immediate shape of the post-apartheid mixed economy. "But we give notice that we ... will exert every political effort to orientate this mixed economy in a socialist direction.

"This must imply a steadily growing socialisation of the economy involving the independent participation in economic life of social organisations and the people as a whole, in their capacity as producers, consumer and owners."

Slovo said he respected members who were critical of the notion of "democratic socialism", but emphasised that some supporters genuinely questioned whether, in the light of East European practices, socialism could ensure real democracy.

They also questioned whether the SACP, as earlier supporters of these practices, could be trusted to respect real democracy. Therefore inclusion of the word "democratic" in the phrase was justified.

● See Page 14



ANC leaders Steve Tshwete and Cyril Ramaphosa at yesterday's SACP congress in Johannesburg listen to SACP general secretary Joe Slovo's speech. Picture: ROBERT BOTHA

Editor-in-Chief **Richard Steyn** reviews a book on power-play in political bargaining

Tactics for transforming SA

STAR 6/12/91

304A

DELEGATES to the forthcoming constitutional talks would do well to study carefully a short, timely and well-argued primer on bargaining tactics for transforming South Africa*. The author, Pierre du Toit, a Stellenbosch University political scientist, pours a bucket of cold water over prospects for successful "quick-fix" negotiations. Not for him the wishful thinking of angst-ridden liberals or the claptrap about "democracy" emanating from some of the progressive camp. He points out forcefully that the basis needed for a genuine democracy — namely a community that shares values and agrees on fundamental principles — is absent in South Africa.

Does this mean that the contending parties should pack their briefcases and cultural weapons and head back to the trenches? Not at all. But it does mean that the journey towards democracy will be long rather than short, and that its driving force will be the power the main contenders hold over each other. Crucially, it suggests that the proper tactics for a democratic outcome are to increase the mutual dependence of each main political force upon the other. No one stands to gain from winner-takes-all tactics.

Du Toit's argument may be simply stated: The foundation of any successful negotiation is that each party has some commodity to offer the other. A bargaining relationship is maintained by a mutually profitable exchange of commodities. The way for one party to increase its power is not to undermine its opponent, but to make that opponent more dependent upon it. Coercive tactics like strikes, hit squads and sanctions, which undermine the mutual profitability of the exchange, threaten the relationship itself.

The point has been partially grasped by both the Government and the ANC. By conceding the armed struggle, the ANC has locked the Government into certain commitments, thereby making the ANC rather more than less powerful in negotiations. The Government, while weakening itself by concessions to the ANC, has gained the major prize of international recognition and a loosening of sanctions. By giving away a measure of power, each side has actually gained power over the other.

But each side has made life difficult for its opponent. The coercive tactics used in the past — sanctions and strikes by the ANC and an assortment of destabilising tactics by the Government — bedevil any future relationship. Together, sanctions, hit squads, strikes and boycotts have exacted a huge toll in human suffering and made the task of national reconciliation much more difficult. By raising the costs to their opponents, pro- and anti-apartheid forces have raised their own costs considerably. Forces have been set in motion that are eroding the basic structure of civil society. Economic hardship, unemployment, low growth, poor education and a general breakdown of law and order have combined to produce a poisoned chalice from which any future government will drink.

The point is important enough to bear repeating. If you make the country ungovernable for others, you make it ungovernable for yourself. The advocates of sanctions will have to reckon with the damage they have inflicted; at the same time they have strengthened the power of those needing to create wealth in the new South Africa. Given Du Toit's view that a liberal-democratic constitution, while eminently desirable, is not possible without the existence of a middle ground, how does he propose to create conditions under which a democratic polity might develop?

He falls back on Professor Donald Horowitz's complex proposals for an electoral system that takes account of ethnic differences and forces public representatives to compete for support across ethnic boundaries. The three contending "regime models" currently on offer — the "radical" people-oriented vision of the ANC, the "technocratic" vision of the NP and the "liberal" vision of the DP — are largely incompatible, he says. The middle ground will have to be manufactured by the bargainers themselves.

One of the trickiest questions that Codesa will have to resolve is how to bring a new constitution into being by fair and reasonable means. The ANC insists that a constituent assembly, chosen by the people, should devise the constitution. The Government argues that to do so is to put the cart before the horse: a new constitution should first be negotiated and then put to the popular vote. The standoff, Du Toit argues, is unresolvable by purely democratic means. The only way out is to use undemocratic procedures — such as were used centuries ago in Britain and America, when an unrepresentative Parliament and a group of Founding Fathers respectively laid the foundations for democracy without obtaining a prior mandate from the people.

Transitional societies, the author points out, do not have the luxury of a consensus on basic pre-constitutional matters. Yet there are examples of successful transitions that might be followed here. Democratisation by "heavyweight pact" of political parties has worked in Spain, Brazil and Hungary, while negotiated agreements by opposing forces within authoritarian regimes have been successful in Poland, South Korea and Hungary. A similarly undemocratic though well-intentioned arrangement may be needed to break the logjam here.

But the options are narrowing as the economy falters and social pressures grow. Successful transitions to democracy seldom take place in rapidly declining economies. As every newspaper reader knows, the threat posed by an under performing economy and the accompanying social dislocation is now at least as formidable as the political conundrum confronting our constitution-makers. □

* *Power Plays — Bargaining Tactics for Transforming South Africa by Pierre du Toit (Southern Books.)*

Bush and I agree on pressure – Mandela

STAR 6/12/91

304A

WASHINGTON — ANC leader Nelson Mandela said yesterday that he and US President George Bush seemed to agree on most issues, including the need for continued US pressure on South Africa to end apartheid.

"I come out of this meeting full of confidence and hope that we are seeing eye to eye with the president on a number of points," Mr Mandela said at a news conference after he and Mr Bush had held a half-hour discussion at the White House.

"One thing is clear: the American government is deadly opposed to apartheid and any form of racial discrimination.

"There are, of course, differences on the question of how we should tackle the question of apartheid. But I believe that he (Bush) is exacting pressure on (President) De Klerk to speed up the reform process. And we urged that this morning," Mr Mandela said.

He said he and Mr Bush had been in frequent contact since they met during Mr Mandela's first trip to the United States 18 months ago.

Mr Mandela is on a week-long visit to the US to promote investment in a post-apartheid South Africa.

On Tuesday he addressed the UN General Assembly in New York and urged other nations to continue economic sanctions against South Africa until apartheid was ended.

Reforms

The United States lifted its sanctions on Pretoria recently.

Mr Mandela said the De Klerk Government should be replaced with an interim government while reforms were being worked out.

"It is a minority regime, without credibility, without legitimacy, and that is why we are demanding the installation of an interim government of national unity, which can be seen by the masses of our people that this is a government which represents all South Africans, without discrimination."

Mr Mandela said the ANC believed in a free-enterprise economy but with some intervention by government.

"You require a measure of State intervention to ensure that land is equitably distributed," he said.

Mr Mandela said Mr Bush had shown a great deal of interest in a proposed development bank to promote investment in post-apartheid South Africa, which the ANC supports.

He was optimistic about the success of meetings beginning on December 20 between the ANC and other anti-apartheid groups and the SA Government to discuss a new political system.

"We are hoping that that convention will constitute a milestone in our quest for a democratic South Africa. It gives an opportunity to all the people of South Africa to be involved in determining the future of this country," he said. — Sapa-Reuter.

STAR 6/12/91.

Dhlomo denies (304A) cash crisis allegation

By Kaizer Nyatsumba
Political Staff

The Institute for Multi-Party Democracy has denied reports that it is facing a financial crisis, saying that for an organisation which depends solely on donations its situation is "far from critical".

In a statement issued yesterday, IMPD executive director Dr Oscar Dhlomo said the institute had received a donation of R5,2 million from the United States Agency for International Development at the beginning of this year and had so far spent less than R1 million of that money.

The German-based Hans Seidel Foundation, Dr Dhlomo said, was also sponsoring the IMPD's Political Leadership Programme with almost R1 million, in addition to other relatively smaller donations the institute had received from the private sector and some Western governments.

Confidential

Dr Dhlomo was responding to an article in this week's Financial Mail that claimed the IMPD was "under severe financial strain" and had outstanding claims of more than R600 000 against it.

The Financial Mail report, based on the contents of a confidential internal memorandum, said IMPD financial chairman Robin Lee had instructed the institute's financial and administrative manager Marian Nell to "place a moratorium on all future payments ... until further notice".

In his response, Dr Dhlomo said:

- The IMPD had outstanding claims of R600 000 in its favour and not against it. This money was outstanding from donors at the time the internal memorandum was written.
- The confidential memorandum was a projected cash-flow analysis for December and foresaw "a temporary cash-flow crisis" this month if outstanding money from donors were not paid on time. Some of this money had since been paid "and the crisis the memorandum foresaw did not materialise".

In another development, IMPD national director Dr Saths Cooper has not renewed his contract with the institute, Dr Dhlomo confirmed.

Personal

Dr Cooper, former leader of the Azanian People's Organisation before leaving for the United States in 1986 to further his studies, yesterday told The Star he had not renewed his contract "for a variety of personal reasons" but would remain a member of the institute's board of trustees.

He said he had a one-year contract with the IMPD, renewable for three years, and had informed the institute that when his contract expires on December 20 he would not renew it.

A former University of the Western Cape psychology lecturer who still has ties with the institution, Dr Cooper said that once he had wound up his personal business he would "resume formal duties" at the university some time next year.

ANC turns focus on rural voters

(304A)

CT 7/12/91

Political Correspondent

THE ANC will focus its attention on the long-neglected rural constituency from today when it hosts its first national rural conference in Worcester.

The two-day conference represents the most concrete acknowledgement to date by the ANC that about 53% of voters in South Africa's first non-racial election will be from rural areas.

The rural conference was organised following complaints from delegates at recent ANC conferences that the urban areas dominated the organisation's resources and concerns and that ways had to be found to redress these imbalances.

Concerns have also been voiced by ANC members, including Mr Nelson Mandela, that the ANC lacks appeal within the often conservative coloured rural communities.

Keynote speakers at the conference will be the ANC's Western Cape leader, Dr Allan Boesak, and the ANC's director of information and former Capetonian, Dr Pallo Jordan. ANC secretary general Mr Cyril Ramaphosa will also brief the 300 delegates.

EC campaign for interim SA govt

CT 7/12/91

JOHANNESBURG. — One hundred and sixty-five members of the European Parliament have backed a call for the installation of an interim government to oversee South Africa's transitional period.

The Liaison Group of National Anti-Apartheid Movements in EC countries said in a statement yesterday that members of nine out of the 10 political groups in the European Parliament have endorsed the group's call on an interim government to be set up in South Africa.

"The 165-plus signatories represent almost one-third of the members of the European Parliament."

The ANC has made similar calls for the setting up of an interim government in South Africa.

The group described its statement on interim government as part of a co-ordinated campaign for the run-up to the Convention for a Democratic South Africa, which opens on December 20 and 21.

The letter also requests the EC to respond to an invitation to observe the opening of the Convention by being represented at the highest possible level.

The statement added the group was "totally opposed" to moves by some EC member states, notably Britain, to try to get the remaining EC sanctions lifted at Maastricht, although such moves have recently again been blocked repeatedly by France, Ireland and Denmark. — Sapa

(304A)

CP rejects ANC gesture

304M
CT 7/12/91

Political Staff

THE Conservative Party has rejected an ANC offer to participate in the Convention for a Democratic South Africa (Codesa) and place the issue of a white homeland on the agenda.

CP general-secretary Mr Andries Beyers said his party had not changed its views on negotiating with the ANC.

When the CP was in power, it would negotiate with nations "which will recognise our nation's right to self-determination in our own fatherland".

"The ANC is our nation's enemy. It wishes to rule over us and has proved its enmity by terrorising our people," Mr Beyers said.

"We will not speak to the ANC."

This hostility would only end if the ANC recognised the Afrikaner nation's right to self-determination, freedom and independence in its own fatherland.

Suggestions that the CP was divided over participating in negotiations were wrong and nothing more than an election ploy with an eye on the Potchefstroom by-election, Mr Beyers said.

A member of the ANC's national executive committee, Mr Saki Macozoma, said on Wednesday that his organisation would welcome the CP at Codesa and be free to place its key demand of self-determination in a white homeland on the agenda.

He was responding to a statement by Mr Beyers that his party was not entirely inflexible on its opposition to joining negotiations if the ANC acknowledged the right of Afrikaners to rule themselves.

Makes one want to FLIP

STAR 7/12/91 (304A)

Undercurrent Affairs

SHAUN JOHNSON



IF you want to invent your own acronym in this country these days, you'd best do it quickly. And you'd better make sure to get it registered with the appropriate acronym-copyrighting authorities which surely exist in some office somewhere in Pretoria with a deputy director-general, a staff of several hundred and a pension scheme.

There can, after all, only be a limited number of possible acronymical options — the sum of permutations among 26 letters of the alphabet — and in the past few years South Africa must have come close to using them all up. A sign of how low the supply is came this week with an announcement from a group calling itself COSAS (the Congress? Committee? Convention? of South African Sport). I foresee a messy wrangle with COSAS (the Congress of South African Students) who got there first although they haven't been doing much lately.

But I am particularly peeved to find that the acronym "CODESA" has been hijacked by the politicians. When it was announced, I was just putting the finishing touches to the launch of my own initiative under that very title. Sadly, now, the Campaign to Oppose the Development of Even a Single new Acronym (CODESA) is still-born. If you can think of another name for it, let me know ASAP. (Acronyms only please.)

Politically, it has been another acronym-stuffed, apparently inconclusive week. FW went into the bush, NM spoke to the Bush, the IFP said it was being ambushed and the GSAP (Great South African Public) was plain bushed.

It was left to NOCSA to provide some real excitement, this time by proposing a diamond as the appropriate symbol for a new SA flag. Now NOCSA (which, I confess, I had always thought was some kind of pimple-removing ointment — and perhaps, in a way, it is), surprises me by taking this step. I would have thought they'd have had quite enough controversy over their last suggestion and would lay off matters heraldic for a while.

White skins are evidently still very thin on the subject of national banners. One only had to watch the reactions of newspaper readers this week to a certain full-page advertisement to see this. Under a huge picture of a black-red-and-green flag ran the headline: "A new flag flies SA skies". Defenders of the orange-white-and-blue gagged on their cornflakes throughout suburbia, before realising that it was only a promotion for Kenya Airways.

You can see why journalists refer to this period each year as the "Silly Season". Nothing much that matters much happens, so we have to make it sound and look like it does.

The politicians, sweet things, do their best to help. (Thanks for the Cabinet news, FW, although it must be said that if the Cabinet was a pack of cards, the lamination would be peeling off by now due to excessive reshuffling.) Thanks also to Big Koos, our living and breathing Van der Merwe joke who never runs out of ways to make his leader weep — with mirth, one hopes.

And let us not forget the sundry sports celebrities who try to do their bit too in these lean times. Bruce Fordyce has been a brick, announcing that he will represent South Africa in Nepal in the international Elephant Polo champion ships. John Bland was great on the first day of the Million Dollar, playing awful golf just to make the weekend hackers feel better about themselves. Ms Diana Tilden-Davis, contortionist, was a runaway favourite after her "how to put your foot in your mouth and keep on smiling" trick in Johannesburg.

And then, of course, there's been the undisputed highlight of the season: the extraordinary, unforgettable display of Bhamjee-jumping in the Supreme Court.

Other than that? Well, it was announced that Walter Louw will be South Africa's new Ambassador to Venda. Arguably one of the great career moves of our time, but not enough I'm afraid to set the jaded public's pulse pulsating. Christmas approaches with us in an intellectual torpor, and the horrors of 1992 seemingly far off. Small mercies.

PAC's absence from negotiations is a signal of good news for rest of us

STAR 7/12/91

Notebook

30411



CHRIS GIBBONS

LONG may the PAC continue to walk out of negotiations. As long as that is happening, most South Africans will be able to sleep soundly at night.

Why do I say that? Simply because it means that everything is on track.

Like the puff of smoke from the enclave of cardinals at the Vatican, it tells the world waiting outside that what's happening inside is going smoothly.

More specifically, PAC walkouts tell the world waiting outside that, inside, the National Party and the ANC are getting closer and closer.

Don't misunderstand me: I don't have it in for the PAC any more than for any other political grouping.

But reality dictates that a serious and workable settlement will have to be between the National Party on one side and the ANC on the other.

The PAC appears to have a limited power base and, therefore, the more it squeals, the more it is being marginalised by the Nat/ANC bloc.

The same, to greater or lesser extent, will apply to the other would-be-major player jostling for power at Codesa — Inkatha.

For the rest, like the various odds and ends masquerading as homeland political parties, discount them from the political game — they are doing nothing more than wasting oxygen.

Don't be alarmed, either, when I mention the Nat/ANC bloc: This is unlikely to turn into a permanent political alliance, with one party swallowing the other.

There is simply too much distance and too much bad blood between them for that to happen.

But in terms of negotiating a settlement and a new constitution, the more billing and cooing that appears to go on, the better for us all.

It's been said repeatedly that the Nats need the ANC and vice versa.

That sentiment was echoed this past weekend by Nelson Mandela who believes firmly that President de Klerk is the man to carry sufficient numbers of white voters to endorse whatever blueprint emerges for the new South Africa.

Equally, De Klerk needs Mandela to carry the bulk of the black population and stave off the ravening radicals of the far left wing.

Nowhere is this mutual need more critical than at the negotiating table itself.

If a constitution can be hammered out which leaves both Nat diehard and ANC cadre happy, then there is reasonable chance that it will suit the rest of us too.

And if the more radical elements, like the PAC, continue to grumble, then there is also a reasonable likelihood that this document will be sufficiently middle-of-the-road to guarantee our futures.

Once the constitution is settled, then you can expect both parties to go their own sweet way and fight it out at the polls. And we will all live happily ever after.

Well, that's the way its supposed to end in all the best political fairy tales. Unfortunately, in this case, waiting out in the woods are several rather big and rather bad wolves.

For example, there is the Conservative Party, which after the Virginia by-election result can claim, with some degree of confidence, to represent just under half the white voters.

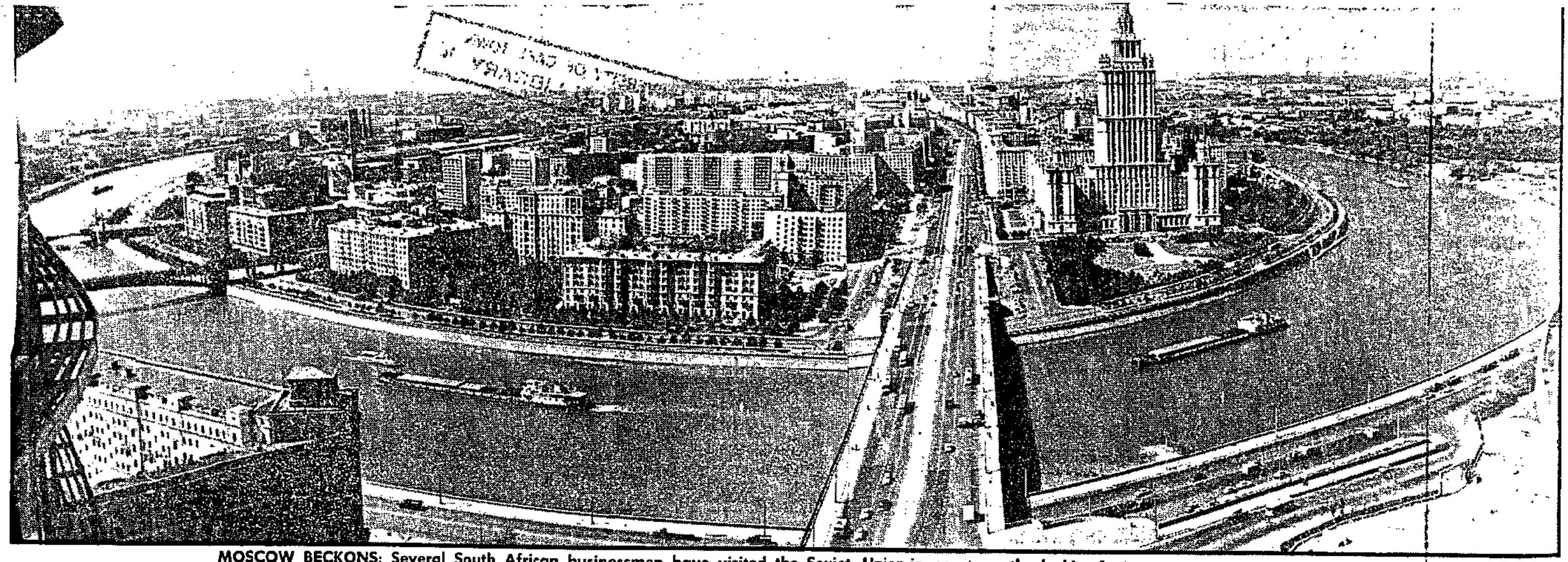
Where does the CP fit into the cosy little scenario outlined above?

Believe me, if the PAC carried the same kind of weight among black voters, no one would be writing about them being marginalised, nor dreaming up clever little newspaper columns about what a good thing it is when they walk out of talks.

Nelson Mandela needs F W de Klerk to carry the bulk of the white voters if a settlement is going to work. But as things stand at the moment, De Klerk may be able to deliver just over half. And that will not be enough.

So far, the pieces in the negotiation puzzle seem to be fitting quite nicely. The next major step will be to try to place the CP in the jigsaw.

Without them, I suspect the picture will be incomplete.



MOSCOW BECKONS: Several South African businessmen have visited the Soviet Union in recent months, looking for investment possibilities.

De Klerk heads for Moscow

STAR 7/12/91 (3049)

End of decades of enmity points to co-operation



DE KLERK: Leaves on Friday.

MOSCOW — President de Klerk will visit Moscow on Friday next week, hastening the end of decades of enmity between Pretoria and a Soviet leadership whose sympathies have lain with African nationalist movements.

Soviet Foreign Ministry spokesman Vitaly Churkin told a news briefing yesterday that Mr de Klerk's visit had been arranged on Pretoria's initiative.

Moscow aimed to encourage further progress in a complex process of negotiations taking place in South Africa on gradually dismantling minority rule, he said.

He said Mr de Klerk's visit reflected progress made in talks on introducing majority rule to SA.

"We have taken into account the positive changes in atmosphere in South Africa as well as our striving to be involved in the negotiating process taking place there, to help create contacts with the main players."

Mr Churkin was cautious about whether setting up full diplomatic relations would even be discussed during Mr de Klerk's ground-breaking visit.

"I suppose that an exchange of opinions on the problems of bilateral relations will probably come within the scope of the talks," he said.

He was careful to mention Moscow's traditional links with nationalist groups, principally the ANC.

"We also attach great importance to our contacts with the leadership of anti-apartheid organisations in that country, mainly the African National Congress and its leader Nelson Mandela," Mr Churkin said.

"The ANC plays a very constructive role in the process of talks and we consider that the process of negotiations on the dismantling of apartheid has reached a crucial stage."

Several South African businessmen have visited the Soviet Union in recent months, looking for investment possibilities and trying to break their country's diplomatic isolation.

Both countries have vast mineral wealth, and businessmen have proposed technology swops in diamond and gold mining.

Foreign Minister Pik Botha visited Moscow, St Petersburg and Kiev last month. He told reporters that the next move in establishing full diplomatic links should come the Soviets.

Moscow and Pretoria were the main protagonists in a generation of conflict in southern Africa.

Moscow bankrolled black nationalist movements inside South Africa and in neighbouring Angola and Mozambique.

Pretoria, backed in the Angolan conflict by the United States, funded right-wing movements fighting the installation of Marxist-Leninist governments in the region.

But difficulties have recently crept into Moscow's relationship with its socialist allies in South Africa.

The South African Communist Party has been lukewarm about Soviet President Mikhail Gorbachev's perestroika reforms and has stuck firmly to Marxist ideas which have lost favour in Moscow.

Relations between the Soviet and South African governments have thawed since a December 1988 regional peace accord which brought Namibian independence after the withdrawal of South African troops and the pullout of about 50 000 Cuban soldiers from Angola. — Sapa-Reuter.

Helen's brave years as voice in the wilderness

S/Times 8/12/91 (304A) (JB)

HELEN SUZMAN'S SOLO YEARS edited by Phyllis Lewsen (Jonathan Ball)

THROUGHOUT her life Helen Suzman has been both insistent and irrepressible.

Confronting police dogs, trekking through the resettlement camps, her voice rising above the baying of the National Party backbenchers in Parliament: these are all familiar images of a doughty campaigner.

Everybody has a favourite recollection. Mine is of the time the Reaction Unit arrested protest marchers outside Caledon Square police station in Cape Town. As the diminutive Helen Suzman threaded her way through the crowd of detainees towards the police, the ferocious commander muttered loudly enough to be heard: "Oh no, it's Helen. Here comes big trouble."

Phyllis Lewsen has collected 51 speeches in Parliament, or in report-back meetings, to cover this remarkable woman's political life from 1962 until 1974 — the period during which, as lone representative of the Progressive Party, she was the liberal voice in Parliament. Her prescience can be tracked through the pages of Lewsen's book.

Future

Opposing the General Law Amendment Bill (Sabotage) on April 24 1963, she said: "This bill will undermine the rule of law. It will build up tensions outside against this country and it will go on increasing tensions within the country. It will enable extremist African leaders to find thousands upon thousands to join their cause."

Report-back meeting in Houghton on August 7 1963: "The immediate present belongs to the extremists. The future belongs to us."

Report-back meeting in Houghton, January 22 1964: "What we all have to realise is that our friends in the outside world are finding it increasingly difficult to withstand the demands that are being made for positive action against South Africa's apartheid policy. Whether we like it or not, the issue of this half of the 20th century is racial discrimination..."



HELEN SUZMAN ... her early speeches reflect her prescience

Responding to Prime Minister Verwoerd on June 6 1968: "The government should realise that they are endangering the security of South Africa, in their arrogance, believing they can go on without let or hindrance in this utterly irresponsible and heartless fashion."

Discussing the cancellation of the MCC cricket tour on April 22 1971: "My great fear is that one form of isolation, if successful, would lead to other forms of isolation."

Had Lewsen extended the scope of her book slightly, she would have encountered similar examples of prescience in Mrs Suzman's later years — the warnings about the growing intolerance of the left, the dangers of sanctions, the shortsightedness of tactics of ungovernability and the compelling duty to defend liberal values against attacks from left and right.

That, it is hoped, will be for Mrs Suzman's autobiography, due out next year.

Brian Pottinger

New SA 'has to satisfy the poor'

S|Times 8/12/91

By LOUIS BECKERLING: Perth

THE successful transition to a post-apartheid South Africa will depend on the ability of the economy to match the increased expectations of the newly enfranchised poor.

This view was expressed by a majority of academic panelists at the conclusion of a three-day conference of the African Studies Association at the University of Western Australia this week.

In the panel were Professor Hermann Giliomee and Dr Eddie Webster of Wits, Professor Deryck Schreuder of the University of Sydney, Professor Shula Marks, director of the Institute of Commonwealth Studies at the University of London and Dr Frene Ginwala, head of research for the ANC.

Earlier, the Australian audience heard from Professor Giliomee that economic sanctions, while contributing to the decision by Afrikaners to negotiate an alternative to apartheid, had not played the central role their proponents claimed.

Identifying the key causes for the shift in Afrikaner thinking was more than an academic exercise, as "the direction of the shift will depend on what caused the shift".

He said: "If it was from a sense of defeat, then a fairly straightforward form of universal franchise could be expected to emerge from the negotiations."

3044

But the evidence suggested the Afrikaner community was not negotiating from a postion of weakness.

Revealed: Judge Mahomed's angry clash with communist delegate

INSIDE THE SECRET TALKS



MR JUSTICE MAHOMED: Demanded apology

S/Times 8/12/91 (304A)

By Norman West: Political Reporter

THE secret minutes of last week's multi-party talks show that they came to the point of breakdown when the two chairmen threatened to walk out after an attack on their impartiality by prominent communist Moses Mayekiso.

One of the chairmen, Mr Justice Ismail Mahomed, rescued the situation when he forced an apology from a reluctant Mr Mayekiso.

The Sunday Times has acquired a 400-page transcript which reveals the drama behind the bargaining at last week's preparatory meeting of the Convention for a Democratic South Africa.

The meeting at the Jan Smuts Holiday Inn set the ground rules for the historic December 20 and 21 talks which will negotiate a new constitution for South Africa.

The minutes show that a crisis loomed when Mr Justice Mahomed felt his impartiality, and that of co-chairman, Mr Justice Petrus Schabort, had been impugned.

The drama arose after Mr Justice Mahomed had allowed considerable debate by the Inkatha Freedom Party delegates on why the Kwazulu government and the Zulu king should have separate delegations.

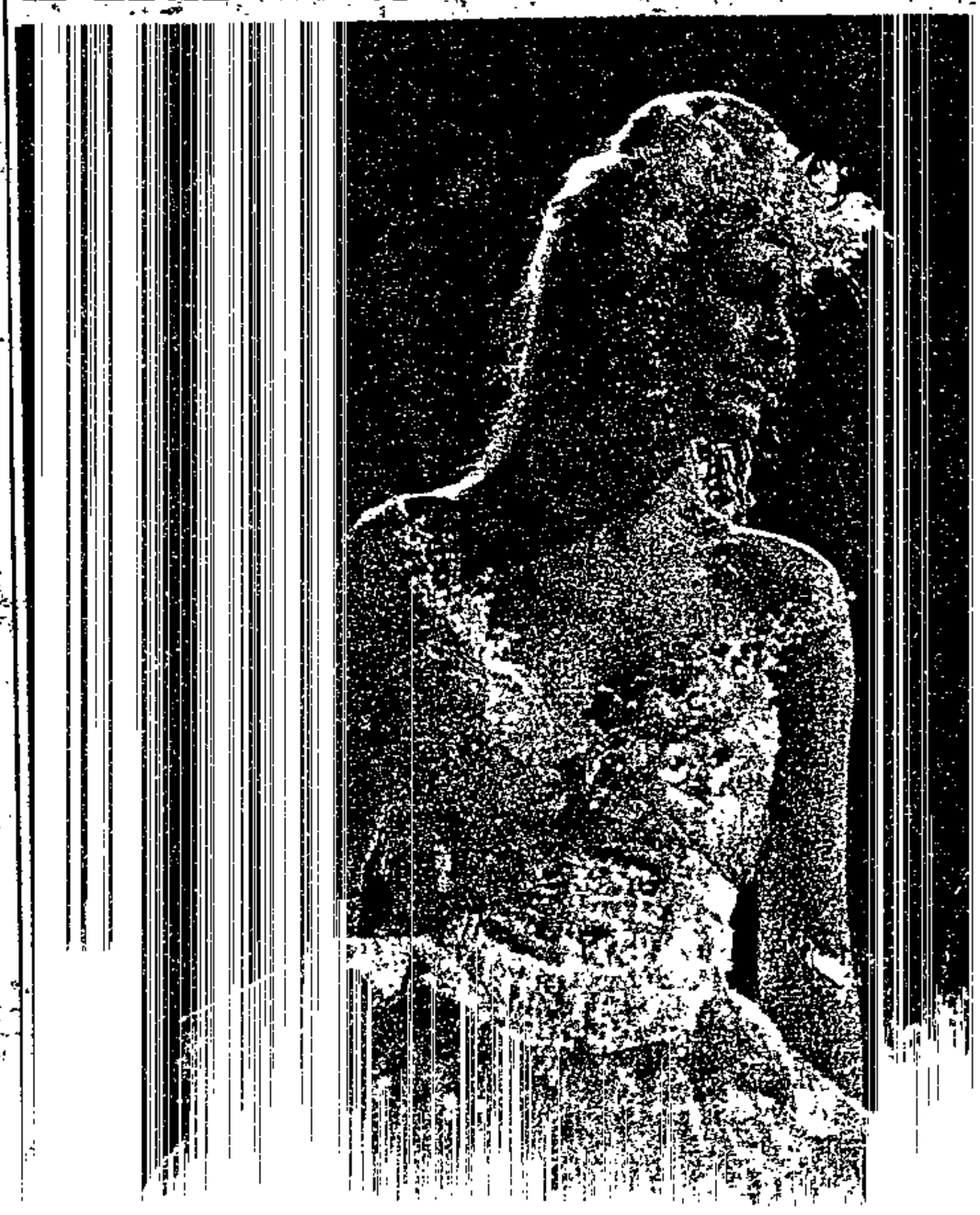
Mr Mayekiso remarked that it seemed as if "you want to satisfy a certain party".

The judge responded: "No, I do not think that is fair. If there is any issue as to my impartiality, let us develop it straight away, because I do not particularly need to be here . . . if there is a perception that this (his efforts to resolve conflict) constituted bias on the part of me and my colleague, we are quite happy not to carry on in our present position.

Apologise

"We need the confidence of this assembly in order

DIANA'S WINNING LOOK



Doctors' fury over Rina's bid to slash health bills

S/Times 8/12/91 By CHARLENE SMITH

DOCTORS are fighting a proposed new law which would allow the establishment of medical care systems that have proved they can slash medical costs by almost half.

Such schemes, claim their supporters, could extend medical aid benefits to 11-million more South Africans.



Anger at the proposed law is at the root of the recent demand by the 12 500 doctors in the Medical Association of South Africa for the resignation of Dr Rina Venter, the Minister of Health.

The draft Medical Schemes Act — which has been rejected in its entirety by Masa — would for the first time allow medical schemes to contract only with doctors or medical services that are prepared to operate within affordable rates.

It would also spur the establishment of what is called Managed Health Care Sys-

The judge responded: "No, I do not think that is fair. If there is any issue as to my impartiality, let us develop it straight away, because I do not particularly need to be here ... if there is a perception that this (his efforts to resolve conflict) constituted bias on the part of me and my colleague, we are quite happy not to carry on in our present position."

Apologise

"We need the confidence of this assembly in order to carry out our function. We cannot allow such a reflection to be made and if that perception is persisted with, we would have to consider our positions. No, I want to know what is the response on the issue because I cannot carry on for another minute unless it is understood what the motivation was ..."

Mr Mayekiso's colleague, Mr Sydney Mufamadi, intervened by saying: "Mr Chairman, I would like to apologise if we understood perhaps that ..."

But the judge was quite clear where the problem lay.

"The reflection did not come from you. The apology must come from where it started."

Mr MUFAMADI: We are part of the delegation ...

Mr JUSTICE MAHOMED: Well, I would like it to come from the person who has made it.

Mr MAYEKISO: What we are trying to do is ...

Mr JUSTICE MAHOMED: Just do not repeat yourself. You are either apologising or you are not.

Mr MAYEKISO: I am apologising ...

Mr JUSTICE MAHOMED: Well then, let us not hear anything else.

The document reveals that the final choice of the name, Codesa — an acronym for Convention for a Democratic South Africa — which was proposed early in the proceedings by the NP's Dawie de Villiers and seconded by ANC secretary-general Cyril Ramaphosa, came from a suggestion by Mr Joe Slovo, former head of the SA Communist Party.

But the PAC's Barney Desai proposed that it should be labelled the "Conference for a Constituent Assembly".

He said: "PAC is attending this conference on the basis that it is negotiating the modalities for the calling of a constituent assembly. We, therefore, propose that it be called the Conference for a Constituent Assembly."

The former London barrister and PAC strategist was overruled by "the sufficient consensus principle", the yardstick by which decisions were reached. The PAC delegation, the minutes show, was intractable on several issues.

There was also dispute, and a few witticisms, over the question of foreign observers.

Drama

Four organisations — the UN, the Organisation of African Unity, the Commonwealth and the European Community, were accepted as observers without debate. There was considerable sparring between the ANC and the government delegation over the inviting of the Non-Aligned Movement — including a hasty telephone call Dr Gerrit Viljoen made to Foreign Minister Pik Botha — before the government finally capitulated.

The drama of the PAC's walk-out from the meeting is also captured in the minutes.

Mr Justice Mahomed tried in vain to dissuade Mr Desai from pulling out by saying: "Can I not appeal to you on a personal basis to defer it for a few moments?"

Mr Desai: "Unfortunately, it is not a personal matter, it is a firm decision that has been taken in consultation with my senior colleagues and I am not in a position to alter it nor do I desire to do so."

The question of participation in Codesa was also raised. Dr Zach de Beer opposed the inclusion of anyone other than political parties.

He said: "Once you breach the principle that this is an organisation made up of political organisations, heaven knows where we shall end up ... if we go

□ To Page 2

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Nat MP rejects call to resign

S/Times (CM) 8/12/91 (Post) 30(A)

REV Allan Hendrickse's challenge to defecting MPs to resign and fight by-elections, has been answered with a rebuke by the man who led the defections, Mr Gerald Morkel, Nationalist MP for Retreat.

At the same time the Minister of Health and Welfare Services in the Ministers' Council, of which Mr Hendrickse is chairman, said speculation that he was reconsidering his future in the LP-run Ministers' Council was "incorrect".

"I am not reconsidering my position — and if I should, I would first resign my seat as LP MP for Outeniqua and fight a by-election," Mr Chris April said.

Mr Hendrickse had written to the MPs, challenging them to prove they had the support of their constituency by fighting by-elections.

Mr Morkel wrote a four-page letter back to Mr Hendrickse in response to his challenge.

"The electorate was not consulted when your party took the unilateral decision to collaborate with the ANC and through them, with the SACP, and yet you have the audacity to allege that I took a unilateral decision to join the NP," Mr Morkel wrote.

"I find it difficult to comprehend that your party would want me to resign my seat in Parliament because I have 'defected'.

Mr Morkel said he found it "odd" and "contradictory" that the LP had not made the same demand on MPs who "defected" from other parties to join the LP — that they should first resign their seats.

"On the contrary, those MPs were received with open arms into your party.

"Your party's double standards and inconsistency are rather disturbing," he wrote.

Plan to battle 'crony cultism'

S/Times 8/12/91. 3044

By ROY RUDDEN

A REPORT sponsored by the Human Sciences Research Council has put forward important proposals for South Africa's constitutional future based, in part, on findings of the Kwazulu/Natal Indaba.

Among measures to safeguard against totalitarianism and the dangers of what it calls the kind of "personality-cultish cronyism" found in many countries, especially in Africa, it recommends:

Rights

- Firm limitations on the president's or prime minister's terms of office (which would also guard against coups d'etat);
- The replacement of voters' rolls and the "corrupt" postal voting system by the use of identity books at polling stations;
- A system, under proportional representation, whereby people could vote wherever they chose.

It further cautions that a constitutional failure to place firm limitations on presidential or prime ministerial terms of office could endanger the future of multi-party government and discourage robust intra and inter-party competition.

The report warns that a geographically based second chamber could inadvertently undermine the rights of minorities.

It was written under Human Sciences Research Council sponsorship and under the auspices of Natal University's centre for social and development studies by Mr Peter Mansfield, the last executive director of the disbanded Indaba. It was completed in October but has not yet been generally released.

Mr Mansfield emphasised the system of proportional representation favoured by the Indaba would render voters' rolls inessential: a voter would simply produce a book of life proving SA citizenship and eligible age (the books would either be marked or a dye used to prevent double-voting).

It would also allow a vote-where-you-like procedure.

This would reduce the potential for intimidation and obviate the "provenly corrupt" postal voting system.

A further benefit encouraged freedom of choice, because people could vote either for a party in their own constituency or for the same party in another constituency.

Busy days ahead for Parliament

S/Times CCM 8/12/91 (304A)

WITH 30 Bills already tabled by Friday, Parliament will have a full programme when it resumes business in all earnest on January 27.

By NORMAN WEST
Political Reporter

The Chief Whip of Parliament, Mr Alec van Breda, has announced that Budget Day 1992, will be on March 18 when the Minister of Finance, Mr Barend du Plessis, introduces the main budget.

The part appropriation budget will be introduced on February 18 and the provincial budgets will be debated on April 6, 7 and 8 in the different provincial capitals.

The 1992 session of Parliament will begin on January 22 when a new Speaker — likely to be Minister Eli Louw — will be elected to fill the vacancy caused by the recent death of Parliamentary Speaker, Mr Louis le Grange.

Stunned

Parliament will be officially opened by President FW de Klerk on January 24.

In line with the style of Mr De Klerk, no pomp and ceremony is expected to accompany the opening.

When Mr De Klerk opened Parliament for the first time as President on February 2, 1990 he stunned the world by announcing the unbanning of the ANC, PAC and other political movements.

He did it again on February 1, 1991 when he announced the scrapping of all race-based laws.

Further dramatic announcements are expected on January 24.

Mr De Klerk is expected to give further clarity on the road ahead to a new democratic, nonracial and equal-opportunity South Africa.

He is also expected to deal with the timeframe for the phasing-out of the Tricameral system. He may do this by announcing the amalgamation of different "own affairs" departments and merging them into single Ministries.

The life of the present Parliament and the last from which blacks have been excluded, runs out in September 1984.

In terms of the constitution, Parliament gets an extra six months's "grace" before it must be dissolved and another election held.

However, if there is consensus in all three Houses, the constitution may be amended (by majority approval in all three Houses) to extend the life of Parliament — there exists precedents for such extentions of the term of office of Parliament.

Observers believe it is highly unlikely that there would ever be another election that would exclude blacks.

The likelihood exists, therefore, that should the Convention for a Democratic South Africa (Codesa) negotiations be not completed by the time Parliament must be dissolved, the present Parliament, through an amendment to the constitution, may decide to extend its life.

Among the 30 Bills tabled by Friday, the most controversial are perhaps the Corruption Amendment Bill and the Referendums Bill — which seeks to allow all South Africans (including blacks) over the age of 18 the right to cast a vote in either a single or multiple referendums.

Azayo slams talks

By SUSU MOTSHUTSHU

THE newly-formed Convention for a Democratic South Africa (Codesa) will come under the spotlight during a conference of the Azanian Youth Organisation (Azayo) in Port Elizabeth next weekend.

Azayo president Thami Mcerwa told journalists in Johannesburg this week that Codesa was trying to find "a quick-fix solution" to the country's problems.

Mcerwa said Codesa would compromise the liberation struggle and was doomed to fail like the Patriotic Front.

He also criticised the ANC's rejection of a "black Christmas", saying Azayo would continue the campaign.

About 1 000 delegates, including ANC members, are expected to attend the conference in New Brighton's Centenary Hall from Saturday to Monday, he said.

NEWS ANALYSIS



BY NORMAN WEST

Junior houses set to be sidelined

THE advent of the Convention for a Democratic South Africa (Codesa), which meets later this month to begin the countdown to a new and democratic South Africa, has now totally marginalised the role of the "Indian" and "coloured" ethnic chambers in the Tricameral Parliament.

In the past they attracted at least some attention as they went through the motions (pun intended) but from January 24 when President FW de Klerk opens Parliament, attention will be focused almost solely on the white House of Assembly in terms of its responses to Codesa inputs.

Now that the power of the Labour Party is being eroded by the expected defection of more MPs to the Nats, the NP is about to regain full control over Parliament, as it was in the days before tricameral politics.

If this should happen, it would pave the way for Mr De Klerk to painlessly pilot through Parliament Government-sponsored legislation and amendments to the constitution to implement decisions reached by consensus at Codesa.

As the majority party in the HoR, Mr De Klerk can steamroller the whole process with the approval of his expected majority in the House of Representatives and the support of Dr JN Reddy's ruling Solidarity Party in the House of Delegates.

Solidarity, with 26 out of the 45 seats in the HoD, has a comfortable majority over Rajbansi's miniscular official Opposition National Peoples Party of only seven members.

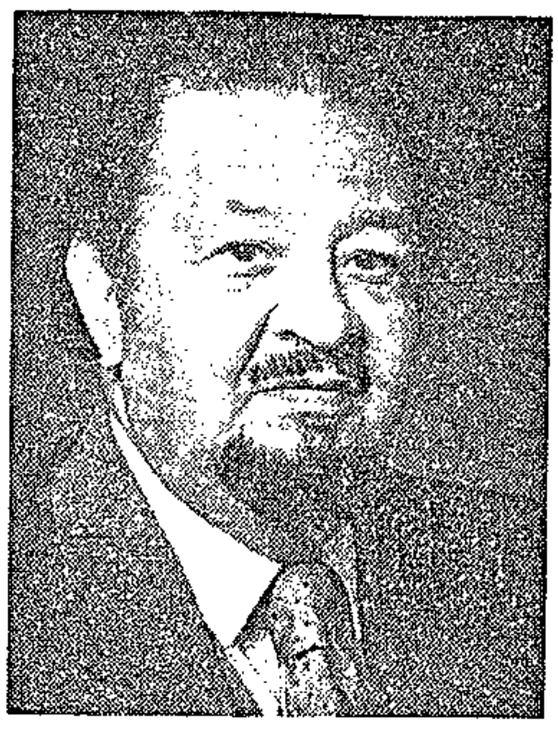
Boast

In terms of the existing constitution, all amendments to the constitution requires a majority approval in all three chambers of Parliament.

It is unlikely Solidarity would want to cross swords with the NP on legislation, particularly since Solidarity forms part of Codesa and for practical reasons, would not want to upset either the ANC and Inkatha Natal constituents.

Rev Allan Hendrickse has in the past boasted — with good reason — that the Labour Party was, in fact, the "real" opposition to the Government — not the official Opposition Conservative Party.

He was right because the constitution gives him (the majority party in the HoR) the veto right over amendments to the constitution.



ALLAN HENDRICKSE
'Role marginalised'

He demonstrated this constitutional clout when he refused to support an amendment proposed by the Government to postpone the 1989 general election (for whites).

Hendrickse came within a hair's breadth of being dethroned during the final days of the last session of Parliament.

It is predicted that by the time Parliament resumes on January 22 the number of Nats in the House of Representatives would have increased sufficiently for the NP to grab power.

The LP is clinging to power in the HoR with barely 43 MPs against the 35 of the NP and seven Independents in the 85-member House.

MPs from the Cape and Transvaal who intend leaving Labour cite anger at Hendrickse's unilateral decision to strike an accord with the ANC.

In Natal LP MPs and other Labour supporters say they live in fear of an Inkatha backlash because of Labour's association with the ANC.

The other "bogeyman" for some MPs is the "communists".

Desert

When Transvaal MEC and national chairman of the Labour Party, Dr Willie Hoods, resigned he said the "coloured" people he had to do with daily wanted nothing to do with an Labour-ANC "accord" because of "the ANC's alliance with the communists (SACP).

The Natal MPs said to be ready to desert Hendrickse are Mr William Whyte (Natal Midlands9, Mr Peter Napier (Natal Interior) and Mr Edward Twynham (nominated).

Among the Transvaal MPs planning a walkover to the Nats are Mr Patrick da Gama (Eersterus, Pretoria), Mr Jannie Douw (indirectly elected), Mr Anthony Reeves (Klipspruit West) and Mr Gregory Wessels (Newclare).

They, like Dr Hoods, are obviously sensing the inevitable marginalising of the LP and the futility of sitting in a junior chamber "going through the motions" until this last ethnic-based Parliament finally expires in September 1994 with six months of injury time allowed by the constitution until March 1995.

By then Codesa should have done with its task and the political field narrowed to accommodate only relevant political parties and alliances.

No crystal ball is needed to predict which parties will be part of apartheid's memorabilia.

rugby and paragliding added to the f

FW to meet Gorbi

304A

cr 9/12/91

Own Correspondent

JOHANNESBURG. — President F W de Klerk will meet Soviet President Mikhail Gorbachev and Russian President Boris Yeltsin during his trip to Moscow this week, government sources confirmed.

The Soviet Union will be the 20th country Mr De Klerk has visited since April last year.

Government sources said Mr De Klerk would definitely meet the Soviet Union's two most powerful leaders, although a spokesman for Mr De Klerk's office said yesterday his itinerary had not yet been finalised.

Sapa-Reuter reports that Soviet foreign ministry spokesman Mr Vitaly Churkin told a news briefing in Moscow that the visit was arranged on Pretoria's initiative.

It follows a similar visit last month by Foreign Minister Mr Pik Botha during which the two countries signed an accord restoring consular relations.

Ironically, Mr De Klerk will visit the Soviet Union before Mr Mandela, whose organisation received extensive backing from Moscow during the period of his imprisonment.

Mr Mandela was invited to the Soviet Union this week, but could not make the trip because of his visit to the US.

3041
STAR 9/12/91

Codesa must be more inclusive, says Buthelezi

Inkatha Freedom Party president Chief Mangosuthu Buthelezi yesterday reiterated his view that the KwaZulu government and the Zulu king should have separate representation at the Convention for a Democratic South Africa (Codesa) to be held on December 20 and 21.

Addressing a rally at the Jabulani amphitheatre in Soweto, he said: "There will be no new South Africa which KwaZulu has not helped to shape, just as there was no real armed struggle without KwaZulu, and just as the National Party's earlier homeland policy came to nought because of KwaZulu."

Appealing for support for his stance, Chief Buthelezi, nevertheless, fully endorsed Codesa.

"It is only in this way that black and white can be brought together to act in unity. We will need this unity if threats, which are always present in times of radical change, are not going to become disruptive."

However, Codesa needed to be more inclusive.

"In this great task that faces us of building a new South Africa, we must be quite sure to harness all the forces that are necessary to harness if we are going to succeed." — Sapa.



Rallying to the call . . . an Inkatha Freedom Party supporter brandishes a traditional weapon at yesterday's rally to back Chief Mangosuthu Buthelezi's call for greater influence in the constitutional talks. Picture: AFP

De Klerk will accomplish little on his Moscow visit, says Mandela

B(Dail) 9/12/91

PRESIDENT F W de Klerk would meet Soviet President Mikhail Gorbachev and Russian President Boris Yeltsin during his trip to Moscow this week, government sources confirmed.

However, ANC president Nelson Mandela predicted at the weekend that the visit, confirmed by the Soviet government on Friday, would accomplish little.

The Soviet Union will be the 20th country De Klerk has visited since April last year and, in the light of the traditional animosities between the two countries, his most historic to date.

Government sources said De Klerk would definitely meet the Soviet Union's two most powerful leaders during his visit, although a spokesman for De Klerk's office said yesterday his itinerary had not yet been finalised.

Sapa-Reuter reports Soviet foreign ministry spokesman Vitaly Churkin told a news briefing in Moscow the visit was arranged on Pretoria's initiative.

It follows a similar visit by Foreign Minister Pik Botha last month during which the two countries signed an accord restoring consular relations.

Business Day Reporter

(304M)

However, Churkin was cautious about whether the restoration of full diplomatic links would even be discussed during De Klerk's ground-breaking visit.

He was careful to mention Moscow's traditional links with the ANC.

Ironically, De Klerk will visit the Soviet Union before Mandela, whose organisation received extensive backing from Moscow during the period of his imprisonment.

The announcement that the trip was on came only a day after the attack on Gorbachev by SA Communist Party chairman Joe Slovo. Slovo accused the Soviet leader of issuing a Stalinist decreee by dissolving the Soviet Communist Party which, Slovo said, Gorbachev treated like his personal property.

Mandela, who arrived in Houston on Saturday on a tour to promote investment in a post-apartheid SA, said De Klerk's visit would accomplish little because of government's history of racial oppression.

"We (the ANC) have no objection to the visit," Mandela said. "Whether he (De Klerk) goes to a country or not makes no difference to us, because nothing can advance his cause. Nothing can advance the cause of racial oppression in our country or in the world."

Mandela said he also had been invited to visit Moscow. He said De Klerk "has nothing to sell and we have something to sell" regarding future investments in SA.

Mandela was invited to the Soviet Union this week, but could not make the trip because of his visit to the US and the UN.

Earlier this year, Soviet Deputy Foreign Minister Niko Lynako travelled to SA for talks with government and other leaders.

Codesa meets today to clear way for December 20-21 conference

Political Staff (304A) ARG 9/12/91

PRETORIA. — The multiparty organisers of the Convention for a Democratic South Africa (Codesa) are getting down to business today to finalise arrangements for the two-day conference on December 20 and 21.

The five-man secretariat — Democratic Party leader Dr Zac de Beer, Defence Minister Mr Roelf Meyer, ANC secretary-general Mr Cyril Ramaphosa, Dr P M H Maduna of Kangwane's Inyandza National Movement and Mr N J Mahlangu of the Intando Yesizwe Party in Kwanadebele — met briefly today.

The three task groups, formed at the steering committee's first meeting last Wednesday, hope to reach consensus on issues such as finance, security, protocol, a declaration of intent and an agenda.

They are also expected to finalise invitations to five international organisations: the United Nations, the Organisation for African Unity, the Commonwealth, the European Community and the Non-Aligned Movement.

The invitations will be signed by Codesa's co-chairmen, Mr Justice Mohammed and Mr Justice Schabort.

Members of the task groups will also today decided on a logo for the steering committee after each of the 19 parties represented was asked to suggest an emblem.

Codesa task will 'take six months'

(204A) CT 9/12/91

By ANTHONY JOHNSON
Political Correspondent

CODESA could complete its work in six months and there was "no reason" why South Africa's first non-racial election should not be held in 12 months, ANC secretary-general Mr Cyril Ramaphosa said in the city at the weekend.

While it was difficult to say whether an interim government would be in place "in April, May or July", the ANC wanted the whole transition process "to move as speedily as possible, without any obstacles", he told a press conference.

Mr Ramaphosa said the ANC had started preparing for an election "some time ago".

The "buzz word" in ANC circles was how the party would sweep to a landslide election victory and this was "sending shivers down the spine of the National Party", he said.

A member of the ANC's negotiating team, Mr Mohammed Valli Moosa, said the ANC wanted to reach agreement with other parties on the general constitutional principles for a new South Africa at the very first meeting of Codesa on December 20-21.

Other issues such as an interim government and a constitution-making body would be referred to working groups charged with preparing reports and proposals for Codesa's second meeting "early next year".

Mr Valli Moosa said the ANC wanted the transition period to a new constitution and government "to take a maximum of 18 months".

The ANC leaders, who visted the Western Cape as part of a national tour to brief party formations on progress in negotiations, said they had encountered overwhelming support from branches for the ANC's stand at the preparatory talks and for Codesa.

Mr Ramaphosa said attempts would continue to draw all parties into the process but that no party would be allowed to hold Codesa to ransom.

He was confident that the PAC, despite its walkout at the recent preparatory meeting, would attend the Codesa negotiations next week, adding: "The Conservative Party is not going to put brake on the process or disrupt it. It is unstoppable."

SACP slams lack of consultation in alliance

SACP delegates yesterday sharply criticised what they said was a lack of consultation within the SACP/ANC/Cosatu alliance and resolved to develop the party's independence within the alliance.

Following four days of discussions, the SACP congress committed itself to abide by the result of free and fair elections, support the continued participation in the Congress for a Democratic SA (Codesa) and provide support for Cuba.

Newly-elected SACP general secretary Chris Hani said after the congress that he would have to be phased out of his job as Unkhonto We Sizwe chief of staff as he would be working full time for the party.

TIM COHEN

In his closing address, Hani criticised capitalism as "a danger to humanity". He also expressed support for Cuba and the international socialist movement.

In the party's resolution on negotiations, the SACP noted that it had not adequately consulted its membership in working out its positions and participation in the negotiations process.

It also slammed the NP for attempting to delay the adoption of a democratic constitution by proposing that interim arrangements should last for an unacceptably long time.

Codesa should establish an interim government to govern for a period of not longer that 18 months and all its decisions should have the force of law.

The SACP decided to call on the inaugural meeting of Codesa later this month to ensure the release of all political prisoners before Christmas.

In a resolution on the tripartite alliance, the congress noted that there had not been adequate consultation on major initiatives of common concern and decisive leader-

☐ To Page 2

SACP

☐ From Page 1

ship has not always been forthcoming.

The congress therefore resolved to strengthen the alliance and decided that delegates to alliance meetings had to be specifically mandated by, and accountable to, their respective organisations.

The resolution also committed the SACP to "ensure that the SACP develops its independence within the alliance and ... advance the cause of socialism".

Hani said yesterday that this criticism was aimed at the SACP itself as much as other alliance members.

The new SACP central committee consists of five members of the leadership and 25 other members elected by the congress.

The five leadership members are Hani, Joe Slovo, Charles Nqukala, Ray Mhlaba and Kay Moonsammy.

The 25 elected, in order of the votes they received, are: Jeremy Cronin, Ronnie Kasrils, Chris Dlamini, Sidney Mufamadi, John Gomomo, John Nkadimeng, Billy Nair, Moses Mayekiso, Blade Nzimande, Harry Gwala, Sizakele Sigxashe, Essop Pahad, Geraldine Fraser-Moleketi, Raymond Suttner, Jenny Schreiner, Sam Shilowa, Tony Yengeni, January Masilela, Garth Strachan, Thenjiwe Mthintso, Stan Nkosi, Brian Bunting, Govan Mbeki, Matthew Makhalima and Nozizwe Madlala.

(304A)
STAR 9/12/91

Codesa must be more inclusive, says Buthelezi

Inkatha Freedom Party president Chief Mangosuthu Buthelezi yesterday reiterated his view that the KwaZulu government and the Zulu king should have separate representation at the Convention for a Democratic South Africa (Codesa) to be held on December 20 and 21.

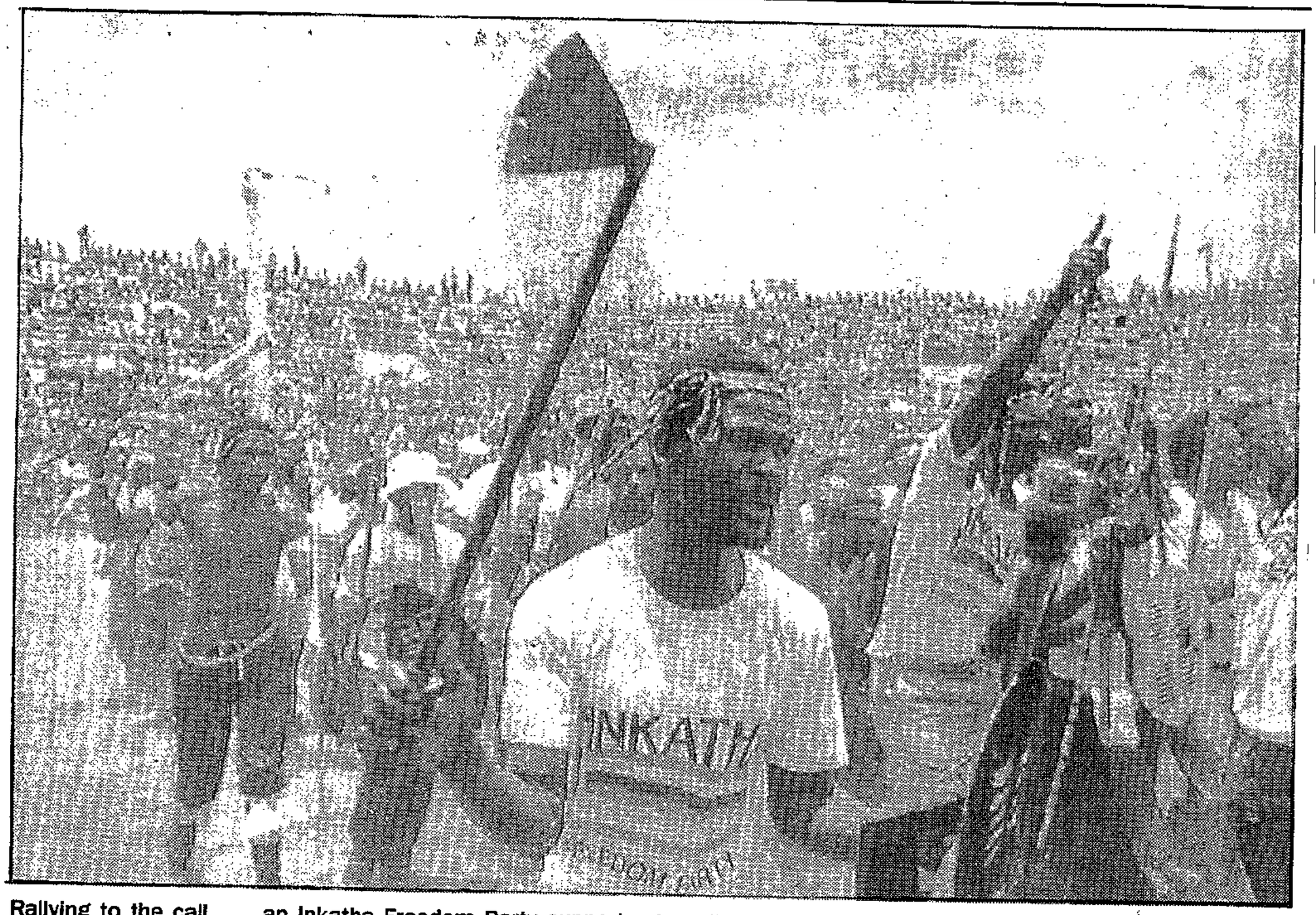
Addressing a rally at the Jabulani amphitheatre in Soweto, he said: "There will be no new South Africa which KwaZulu has not helped to shape, just as there was no real armed struggle without KwaZulu, and just as the National Party's earlier homeland policy came to nought because of KwaZulu."

Appealing for support for his stance, Chief Buthelezi, nevertheless, fully endorsed Codesa.

"It is only in this way that black and white can be brought together to act in unity. We will need this unity if threats, which are always present in times of radical change, are not going to become disruptive."

However, Codesa needed to be more inclusive.

"In this great task that faces us of building a new South Africa, we must be quite sure to harness all the forces that are necessary to harness if we are going to succeed." — Sapa.



Rallying to the call . . . an Inkatha Freedom Party supporter brandishes a traditional weapon at yesterday's rally to back Chief Mangosuthu Buthelezi's call for greater influence in the constitutional talks. Picture: AFP

TALKS

Codesa plan coming together?

3044 ARGT 10/12/91

PETER FABRICIUS, Political Staff

THE crucial question of what force the decisions of the Convention for a Democratic South Africa (Codesa) will enjoy, is close to being resolved in multi-party talks, it is understood.

Sources said that the government had agreed yesterday to commit itself to carry out the decisions of Codesa. But where they clashed with the law, the law would have to be changed constitutionally, through parliament.

The issue was thrashed out in one of the three Codesa task groups which met for the first time at the World Trade Centre, near Jan Smuts airport where Codesa will be held on December 20 and 21.

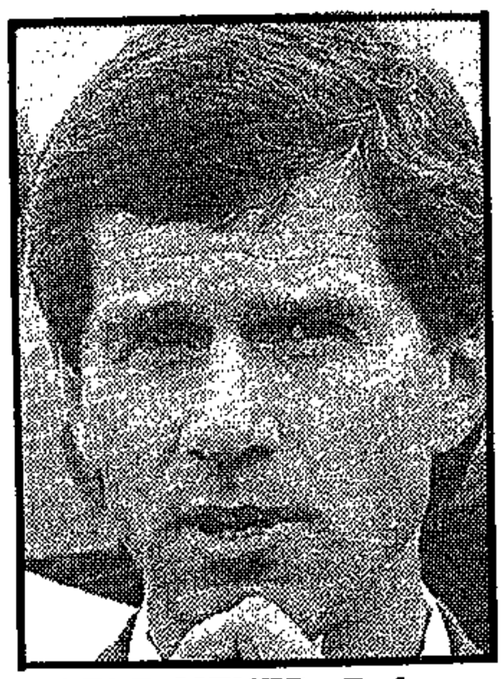
Codesa will have to reach agreements on far-reaching questions such as the nature of an interim government or transitional authority, the kind of institution which will draft a new constitution and the broad principles that will underlie a new constitution.

According to some sources, the issue of the status of Codesa's decisions took up so much of the time of the task group on drafting, that the group will have to meet again today.

The ANC has previously expressed the view that Codesa's decisions will have to be given the force of law or it



ZACH DE BEER: leading the steering committee.



ROELF MEYER: Defence Minister, with the Nats at the talks



and other organisations on the left in negotiations, South Africa would not know peace, justice and freedom.

At a press conference in Johannesburg, Azapo president Pandelani Nefolovhodwe warned that participants in the Convention for a Democratic South Africa (Codesa) had to realise that without the involvement of his and other organisations in "genuine negotiations", no true settlement could be found to the country's problems.

The other organisations mentioned by Mr Nefolovhodwe, most of whom are presently opposed to negotiations with the Government, are the Black Consciousness Movement of Azania, the New Unity Movement, the Workers' Organisation for Socialist Action and the Pan Africanist Congress.

Mr Nefolovhodwe said at its two-day meeting at the weekend, the Azapo central committee agreed that no single liberation organisation was capable of transferring political and economic power from the Government to the oppressed majority.

Mr Nefolovhodwe said the Azapo central committee also:

- Reiterated the organisation's call for a "Black Christmas" between December 16 and January 2.
- Called for the maintenance of the sports and cultural boycott.
- Called for the integration of its military wing, the Azan-

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will degenerate into no more than a talk shop.

But non-government sources close to yesterday's talks said that there was general agreement among the parties that the government could not be expected to implement decisions that were unlawful.

On the other hand the government could not be given a veto right over decisions reached by consensus of the main negotiating parties.

The sources said they believed a practical compromise was in the process of being worked out and would probably be agreed to today.

The agreement would probably form the basis of a declaration of intent or commitment by participants at the start of Codesa.

Some sources said the issue was complicated by the government's commitment to go back to its white electorate for a mandate to make any fundamental changes to the constitution.

Three Codesa task groups were set up last week at the first meeting of the Codesa steering committee under Democratic Party leader Dr Zach de Beer.

One is dealing with the organisation and planning of Codesa, one with the drafting of the declaration of intent, the broad principles, the commitment of parties and the government and the decision-making mechanism of Codesa.

Another group is dealing with issues such as the identifying of working groups at Codesa.

Meanwhile it is clear now that the Inkatha Freedom Party is digging in its heels over its demand that it, the KwaZulu government and the Zulu king should be allowed to send separate delegations to Codesa.

Provisional agreement was reached at a multi-party preparatory committee meeting ten days ago that only political parties, the SA and TBVC governments and the majority parties in the six self-governing territories should attend.

It was suggested then that only those organisations invited to the preparatory committee meeting should attend Codesa but that they could include other organisations in their 12-person delegations.

But a final decision was held over to be dealt with by the committees planning Codesa. IFP sources made it clear yesterday that they felt very strongly about their demand and would be sticking to it.

They said that the KwaZulu Government could not be dealt with like any other homeland.

● The Argus learned yesterday that the NP delegation to Codesa will include some of the coloured MPs from the House of Representatives who joined the party this year, mostly from the Labour Party.



ABE WILLIAMS: Former Labour party man, will be with the Nats.



EUGENE TERRE'BLANCHE: The AWB won't be there.



CAREL BOSHOFF: The Volkswag will talk, next year.

Among the NP delegation are likely to be senior coloured members such as Deputy Minister of National Education Abie Williams.

The NP delegation will also include NP secretary-general Dr Stoffel van der Merwe, Finance Minister and Transvaal leader Barend du Plessis and Defence Minister Roelf Meyer.

It will be led by Cape Leader Dr Dawie de Villiers.

No peace without Azapo

KAIZER NYATSUMBA, of the Political Staff

writes that without the participation of the Azanian People's Organisation (Azapo) Army, into the country's future army.

AWB's final No to talks

HELEN GRANGE, of the political staff

writes from Pretoria that the Afrikaner Weerstandsbeweging (AWB) has refused — despite last ditch talks with the Government last night — to participate in the Convention for a Democratic South Africa (Codesa).

AWB leader Eugene Terre'Blanche — together with AWB secretary-general Piet Rudolph and publicity secretary Ernie van der Westhuizen — held a lengthy meeting with Constitutional Development Minister Gerrit Viljoen over the question of participation — but came out saying their demand for a "Volkstad" was not acknowleged.

There could be no negotiation if the Government did not acknowlege the AWB's "legitimate and rightful claim to our land", Mr Terreblanche said.

"The Government is waiting for the Boere to deal with communists and has offered us no other forum to negotiate. Therefore we have decided to fight for our own fatherland," said Mr Terreblanche.

Asked what the AWB would do in the light of its standpoint, Mr Rudolph said: "We must prepare for war. We'll have to fight for what is ours."

But Volkswag will talk next year

JOHANNESBURG. — The Afrikaner Volkswag would like to put its case for Afrikaner freedom to all participants in the Convention for a Democratic SA (Codesa) and foresees meetings with all the parties involved early next year, the organisation's leader, Professor Carel Boshoff said last night.

Professor Boshoff said participation in the two-day Codesa meeting next week would not be possible since "the whole process will take a while".

He would not say with whom the Afrikaner Volkswag had already held discussions, but he indicated that the organisation was attempting to ascertain the reaction of opposition groups to his organisation's policies.

Consultation with political parties would take place at individual meetings or by means of a general memorandum.

"It is essential to all involved in negotiations that our case for Afrikaner freedom and an own state ("volkstaat") must be put."

Govt 'agrees to carry out Codesa decisions'

STAR 10/12/91.

By Peter Fabricius
Political Correspondent

The crucial question of what force the decisions of the Convention for a Democratic South Africa (Codesa) will enjoy, is close to being resolved in multiparty talks, it is understood.

Sources said that the Government had agreed yesterday to commit itself to carry out the decisions of Codesa. But where they clashed with the law, the law would have to be changed constitutionally, through Parliament.

The issue was thrashed out in one of the three Codesa task groups which met for the first time yesterday at the World Trade Centre, near Jan Smuts airport where Codesa will be held on December 20 and 21.

Codesa will have to reach agreements on far-reaching questions such as the nature of an interim government or transitional authority, the kind of institution which will draft a new constitution and the broad principles that will underlie a new constitution.

According to some sources, the issue of the status of Codesa's decisions took up so much of the time of the task group on drafting, that the group will have to meet again today.

The ANC has previously expressed the view that Codesa's decisions will have to be given the force of law or it will degenerate into no more than a talk shop.

Some sources said the issue was complicated by the Government's commitment to go back to its white electorate for a mandate to make any fundamental changes to the constitution.

It is now clear that the Inkatha Freedom Party is digging in its heels over its demand that it, the KwaZulu government and the Zulu king should be allowed to send separate delegations to Codesa.

IFP sources said that the KwaZulu Government could not be dealt with like any other homeland. This refers to the decision that only the majority parties in the six self-governing territories should attend.

The Star learnt yesterday that the NP delegation to Codesa will include some of the coloured MPs from the House of Representatives who joined the party this year, mostly from the Labour Party.

Among the NP delegation are likely to be senior coloured members such as Deputy Minister of National Education Abie Williams.

The NP delegation will also include NP secretary-general Dr Stoffel van der Merwe, Finance Minister and Transvaal leader Barend du Plessis and Defence Minister Roelf Meyer. It will be led by Cape Leader Dr Dawie de Villiers.

Opinion

Nothing sinister in ANC objective

CT 10/12/91 (304A)

ANC Viewpoint
By DULLAR OMAR & MZIWONKE JACOBS

SOUTH AFRICANS have lived through an eventful few days recently which saw the birth of the Convention for a Democratic South Africa and the withdrawal of the PAC amid accusations by it of collusion between the ANC and the government.

The PAC accusation is as hollow as it sounds and therefore there is no need to respond. As a liberation movement, the ANC has remained steadfast in its objective of achieving the transfer of power from the white minority regime to the people as a whole.

There is nothing sinister in this. In concrete terms it implies an end to white minority domination and the establishment of a non-racial, non-sexist, democratic South Africa based on one person, one vote.

The ANC bases its approach on the OAU Declaration adopted in Harare in July 1989 and the UN Consensus Resolution of December 1989, both of which call on all parties to enter into negotiations for a new constitution based on democratic principles (which are spelt out).

There is therefore no uncertainty as to the objective of negotiations. For the ANC, entering negotiations is not just a publicity gimmick. We are serious in our resolve to explore every possibility of achieving our objective (namely an end to apartheid and the achievement of a truly democratic constitution) by peaceful means.

Right to exist

Our fundamental objective insofar as Codesa is concerned is to win an elected constituent assembly which will be responsible for drawing up and adopting a new constitution for the country.

The South African regime is seeking ways of bypassing a constituent assembly and getting the parties to adopt a new constitution at Codesa itself.

This is unacceptable to the ANC. While all existing parties need to be involved in the process of negotiations, these parties can demand no more than the right to exist, to subject themselves to elections, to campaign for support in the political process and to participate in elections to determine their representivity and support.

In South Africa the central issue is to transform South Africa into a democracy. Elections form the core of democracy. Hence it is elections that must determine the composition of the body which must draw up the constitution for the country.

None of the parties represented at Codesa can claim either to be representative or mandated. A constitution produced by such a body will lack legitimacy and will not last much longer than the Muzorewa constitution did in Zimbabwe in 1979.

Fair manner

Central to the strategy of the ANC at Codesa will therefore be the winning of such an elected constituent assembly. All the other demands underpin this central demand.

Thus we want an interim government now because elections to a constituent assembly cannot be left in the hands of the De Klerk government. It is inherently incapable of managing the period of transition in a fair manner. It cannot be referee and player at the same time.

At Codesa, therefore, we also want to win an interim government made up of the various parties. This interim government must at the very least take control over the electoral process, state media, security forces and certain areas of finance and budget, to ensure that the transitional process is not manipulated and that the elections to the constituent assembly are fair and free.

The government has a different view. It wants to remain in control over the process from beginning to end. It argues that it is the lawful government and South Africa has a valid constitution. It argues further that the tricameral parliament will remain in existence throughout the period of transition and ultimately will adopt the new constitution.

This means that the process itself will remain at De Klerk's mercy until the very end, thus making the process of transition reversible at De Klerk's instance. The transitional measure the government has thus far proposed implies being sucked into government-created structures.

Obviously this is unacceptable to the ANC. De Klerk's government must give way to an interim government. De Klerk and his party would become part of an interim government but in an entirely different capacity.

Time frame

At Codesa the ANC also wants a clear time frame to be agreed upon for the whole process.

The ANC also wants maximum participation by the international community in the transitional period — especially to ensure that elections are fair and free, that peace is maintained and that there is no intimidation or violence.

At Codesa the issue of the reincorporation of the Bantustans must feature high on the agenda. It is our view that the people of the Bantustans should have the right to participate in the process of constitution-making from the very beginning and that the fragmentation of South Africa must come to an end.

Need for struggle had not waned — Tambo

KWAMHLANGA, KwaNdebele. — While "the regime" was conceding ground on numerous fronts, the fundamental need for struggle had not waned, the honorary president of the ANC Youth League (Ancyl), Mr Oliver Tambo, said yesterday.

Opening the Ancyl conference here, Mr Tambo said the youth had been at the forefront of the ANC struggle, at all times acquitting themselves with distinction. (304A) ET 10/12/91

"As a result of the contributions of our youth and other formations, we are poised to grasp our freedom. However, the forces of the past are still intent on arresting our march to freedom," he said. — Sapa

Let's get real: there is no magic formula for prosperity in SA

3/Day 10/12/91

304A

SIMON BARBER in Washington

IN 1856, a Xhosa prophetess, Nongqawuse, had a dream instructing her to convince her people that they must slaughter their cattle. The Xhosa, sensing their sovereignty and way of life crumbling before the onrush of British colonialism, in a fit of mystical desperation obeyed; then starved to death in their tens of thousands.

In 1991, the crusty prophet of another embattled SA tribe, the white northern suburb liberal, is suggesting to his followers that they perform a similar, if rather less drastic, sacrifice. Let them, he argued in a recent newspaper column, join him in killing their swimming pools. Historical sea changes do strange things to people caught in the middle of them.

Obviously, in terms of their respective life-sustaining properties, a swimming pool is not a cow. All that goes to prove, however, is that Nongqawuse's latter-day counterpart is slightly more rational in his estimate of material consequences.

More interesting is the belief, shared by both, that a prosperous future may be secured only by a totemic purification of the evil spirits which one felt lurked in her constituents' cattle and the other has located in his pool cleaner. In each case, the thing to be cleansed is deemed to inhabit a store and symbol of wealth.

Such urges to destroy property, even if only the luxurious variety, are a sure sign of demoralisation. History does not reward the demoralised. The survivors of Nongqawuse's prophecy were reduced to virtual servitude as a source of cheap labour in the Cape. All SA and much of the rest of its continent besides stand to lose on an even more heroic scale if angst- and guilt-ridden elites throw up their hands and descend to magic now.

Unfortunately, the call for a mass pool-slaying is not an isolated instance. Far too many South Africans are appealing to fifth-dimensional forces to see them through to that millenarial place, the new SA.

President F W de Klerk can only have been relying on such forces when he arose, at the Sunday Times Top 100 Companies banquet last month, to command the SA business community to start investing.

Such was his resort to nautical metaphor that he apparently conceives the deities that inspire investment to be of the aquatic variety. Let us hope they do not live in swimming pools; they might soon be driven away for good.

Like Joe Slovo, genial priest of what has turned out to be an epically self-defeating superstition called socialism, De Klerk appears to have had a vision telling him the reason SA's economy is stagnating is that the country's wealth creators are greedily hoarding large wads of money in their mattresses. Ergo, all will come right if they can somehow be prevailed upon to release the stuff.

The only real difference between Slovo's and De Klerk's dreams is that Slovo has suggested the remedy to be wholesale expropriation; the President's voices have told him that mere incantation may, for the time being at any rate, be sufficient.

In the empirical world, of course, there are no cash-filled mattresses. Much less, to use Slovo's hilarious phrase in the Financial Times a few years back which De Klerk now seems to be echoing, is there any such thing as an investment strike.

The problem, put with childish, but evidently necessary, simplicity, is that try as political and other sorcerers might, capital flows to where it can get the best return in relation to risk. If government wants it to flow towards industrial expansion and job creation, government must use what earthly powers it has to foster the requisite fiscal, monetary and regulatory environment. Prayer and the shaking of bone-filled bags are no substitute.

Nor, for that matter, are any of the other twilight zone options now being bandied about. Thankfully, nationalisation seems headed down the same credibility gulch as a muti which promised to turn bullets into water before its wearers ran into 32 Battalion. Less happily, it is being replaced by the notion, a seeming compromise with the nationalisers, that SA's financial and industrial pyramids must be unbundled.

Okay, so we will not actually kill the cattle which feed the country, we will just carve the herd into internationally uncompetitive, capital-starved little pieces, each unable to defend itself in the global marketplace, much less against the political whims of the state. If the urge to jackhammer something is irresistible under present circumstances, swimming pools would seem the saner choice.

For all that, perhaps the most pernicious bit of mysticism currently pervading SA is the cargo cult of foreign aid. Like the ancestors Nongqawuse promised would arise from the dead once her instructions had been carried out, the handouts are not coming; certainly not on a scale to finance "an historic turning point" in SA development, as ANC president Nelson Mandela reportedly remarked in Washington last week.

There seems to be a jolly fantasy that once SA has transited to non-racial democracy, the rest of the world will feel an obligation to nurture it. Wrong. As far as Western politicians responsible for dishing out their taxpayers' money on worthy causes are concerned, SA will have been "done" the moment apartheid is seen to be formally dead.

This is especially true of American congressmen, most of whom thought SA had been sufficiently dealt with the moment President George Bush lifted the sanctions contained in the Comprehensive Anti-Apartheid Act, and whose constituents, black and white, believe strongly that the national treasure would be better spent at home.

The worst of it all, however, is not that the concessional grants and other support will not be pouring in on the currently advertised scale, but that SA's next government may be tempted to behave as though they will be. For if aid, as Lord Bauer has so long argued, has regularly been a crutch for rotten government, the expectation thereof may all too easily be a crutch for rotten governments-in-waiting.

Which is not to argue that the forthcoming regime need necessarily be as foolish, corrupt and inimical to national prosperity as the one it replaces. It is rather to contend that the promise of foreign subsidy will tend to lead it in that direction by seemingly deferring its need to take the tough, politically unpopular decisions essential for the economy's long-term success.

If, for example, the ANC thinks that billions of free dollars will be pouring into the country the moment it takes power, it will have little incentive to be honest with its constituents about what it can and cannot achieve for them once in office. It will make all kinds of rash undertakings on the theory that foreigners will somehow make up the deficit between what it has promised and what it is capable of delivering.

When the account comes due, and the external support is not forthcoming, the new government will feel it has little option but to plunder what there is in the storeroom. Start doing that and not even multilateral institutions like the World Bank are going to show much sympathy. They and their major shareholder have seen it all too many times before.

Time, as they say over here, to get real.

dent or around Natal. from the printed

TIM COHEN

Codesa task groups 'make good progress' on summit

Sday 10/12/91.

THREE Codesa task groups made good progress yesterday in preparation for today's steering committee meeting, sources said.

The steering committee will prepare for next week's Codesa summit at which at least 20 political parties will negotiate SA's future constitutional direction.

(KM) (304A)

The task group on organisation and planning discussed arrangements for Codesa's plenary session and the task group on future mechanisms, called the "process" task group, prepared for discussions on the transitional period and the constituent assembly.

The three meetings took place in an "extremely positive" atmosphere, a source said.

PAC representatives, who walked out of the preparatory meeting, did not attend the talks.

None of the groups completed their agendas and will meet again next week, but substantial progress was made, one source said.

Extra Rights to Mauritius London
ADDRESS:

Volkswag seeks to put its case

STAR 10/12/91 (304A)

By Jacqueline Myburgh

The Afrikaner Volkswag would like to put its case for Afrikaner freedom to all participants in the Convention for a Democratic SA (Codesa) and foresees meetings early next year with all the parties involved, the organisation's leader, Professor Carel Boshoff, said last night.

Professor Boshoff said participation in the two-day Codesa meeting next week would not be possible since "the whole process will take a while".

He would not say with whom the Afrikaner Volkswag had already held discussions, but he indicated that the organisation was attempting to ascertain the reaction of opposition groups to his organisation's policies.

"Further developments will depend on the reception by other groups of our demands," Professor Boshoff said.

Consultation with political parties would take place at individual meetings or by means of a general memorandum.

"It is essential to all involved in negotiations that our case for Afrikaner freedom and an own state (volkstaat) must be put."



Dr Carel Boshoff . . . whole process will take a while.

A UK expert's views on the 'pain and progress' in this country

SA on the path of compromise

STAR 10/12/91

3044

SOUTH Africa could yet implode, like the Soviet Union or Yugoslavia, if the current negotiations break down.

This is the opinion of southern Africa expert and London University emeritus professor Bernard Crick, writing in The Guardian.

His lengthy report on Pretoria's "pain and progress" points out that the National Party and the ANC have now become locked together.

"Each needs to give the other what the other can present to its own supporters as a victory — or at least save it from losing the support of its own supporters amid cries of 'treachery' and 'sell-out' reminiscent of Northern Ireland," he writes. "If that happened there would be no one to negotiate with."

Although all concerned agree broadly on the principles of one-person-one-vote, a multiparty democracy and a mixed economy, both parties know they must still make big compromises, he adds.

"Inkatha has no choice but to fall in behind the National Party's negotiating line with a lot of noise for honour, the PAC likewise behind the ANC. The alternative is clamorous and isolated importance."

But, since violence remains the overwhelming preoccupation of both blacks and whites, strong nerves are needed, Professor Crick warns.

"Sudden spasms of violence are often a sign of political violence ... and yet one must remember that political violence is by far the smallest part of all violence. With 50 percent unemployment in many townships, dehumanising poverty, appalling schools, poorly trained police, much violence will continue whatever the immediate pace of economic and political reform."

Big and painful compromise for all parties lie ahead, he writes. "Formal negotiations will be difficult and long — but genuine. Violence will continue all the while. But neither side can afford to fail.

"The resulting constitution will have some flexibility. Even the signatories of the US Constitution or Treaty of Rome didn't get it right first time, nor are ever likely to — just much better than before." — Star Bureau, London. □

AWB is poised to go to war

By Helen Grange
Pretoria Bureau

The Afrikaner Weerstandsbeweging has refused — despite last-ditch talks with the Government last night — to take part in the Convention for a Democratic South Africa.

AWB leader Eugene TerreBlanche — with AWB secretary-general Piet Rudolph and publicity secretary Ernie van der Westhuizen — met Constitutional Development Minister Dr Gerrit Viljoen on the question of participation — but left saying their demand for a "volkstaat" had not been acknowledged.

"The Government is waiting for the Boere to deal with communists and has offered us no other forum to negotiate. Therefore, we have decided to fight for our own fatherland," said Mr TerreBlanche.

Mr van der Westhuizen said the AWB's legitimate claims had been "thrown off the table" and it was apparent the Government had no intention of acknowledging what the AWB had said.

Sowetan 11/12/91

Rights programme launched

304 17

By MONK NKOMO

A NEW constitution and bill of rights would exist in a vacuum unless urgent steps were taken to promote knowledge of human rights in South Africa, Lawyers for Human Rights said yesterday.

LHR executive director Mr Brian Currin, at the official opening of "Human Rights for All" at a Pretoria hotel, said a bill of rights would be of no significant value unless it was a reflection of a socio-legal-economic order to which the entire nation was committed.

Currin said: "The majority of South Africans have been brought up in a culture of rights deprivation, of oppression, exploitation and of brutalisation - the antithesis of a rights culture.

"The State has treated rights with contempt, it has treated our courts with contempt, eroding their power increasing over the past 40 years.

Currin said it was for that reason that LHR had initiated a Human Rights Education Project. "Our target groups will be the police, defence force, MK, prisons, civil service, school and the magistrate, especially on the platteland for that is where human right violations most often occur."

The project was to be launched yesterday at each of LHR's 14 regional offices, said project director Mr Cecil van Reit.

Political Correspondent **Peter Fabricius** on the meeting that so nearly happened

FW packs away his fur hat

STAR 11/12/91. (304A)

CRESTFALLEN South African diplomats are cursing their bad luck at the eleventh-hour cancellation of what would have been the crowning achievement of President de Klerk's campaign to re-enter the capitals of the world.

The deepening crisis in the Soviet Union robbed Mr de Klerk of an extraordinary public relations triumph — red carpet treatment on Red Square, before such an honour had been bestowed upon the ANC by its former patrons.

Friday's scheduled meeting with Soviet President Mikhail Gorbachev would have meant more to Mr de Klerk than the signing of a protocol to establish full diplomatic relations.

It would have been a living symbol of the rapidity of the change in the world order over the last two brief years. It would have been perhaps the most eloquent symbol yet of the changes that have taken place in the Soviet Union and in SA.

How this came to pass is a bit of a mystery.

Certainly Mr Mandela had been offered a meeting with Mr Gorbachev before.

According to some diplomatic sources, an open-ended invitation was conveyed to him the moment he was released from jail. And at least two specific dates for meetings have been suggested.

Then, when it emerged recently that Mr de Klerk planned to visit the Soviet Union, Mr Mandela was suddenly offered a meeting with Mr Gorbachev in the first week of December — possibly to avoid Mr de Klerk getting there first.

But he turned this down as it clashed with his address to the UN General Assembly. Although both men have certainly led busy lives during the last 22 months, it is hard to believe they could not have met if both really wanted to.

Some South African political observers who have visited the Soviet Union recently believe Mr Gorbachev's invitations to Mr Mandela were at best half-hearted and that he is much too preoccupied with wooing Western aid to bother with — or is it risk? — contact with the ANC.

A year ago, after the postponement of the first meeting, a person close to the ANC reported on returning from the Soviet Union that Mr Gorbachev was more likely to meet Mr de Klerk than Mr Mandela. Prophetic words, as it turned out, although at the time it seemed unlikely.

Diplomats believe Mr de Klerk would not have been invited if it were not for the failed coup in the Soviet Union in July this year. That rid Mr Gorbachev of much of the conservative ballast that had been burdening his reforms.

Some of that ballast consisted of ANC sympathisers in the Soviet Communist Party who were pushing the line that there should be no recognition of the De Klerk Government until the ANC gave the nod. During the clean-up in the aftermath of the coup, they were swept away. Vladimir Shubin, for more than 20 years the ANC's chief contact in the Soviet Union, no longer has a job.

That cleared Mr de Klerk's route to Moscow, although the precise genesis of his planned visit is also a little misty. As far as can be established, the Soviet interests office in Pretoria never conveyed an official invitation. The initiative came from Pretoria and the visit seems to have been originally mooted as a mere stopover on a planned visit to Japan.

Then the Japanese leg fell away, reportedly because the dates did not suit the Japanese. Then the Soviet visit was supposed to form part of a wider tour that included three Eastern European countries.

They were dropped a week ago because Mr de Klerk wanted to get back in time to prepare for Codesa. It is probable that the plans were sealed only when Foreign Minister Pik Botha visited Moscow a few weeks ago.

There is a strong suspicion among some diplomats and politicians that the sole purpose of the De Klerk visit was to embarrass the ANC. South African diplomats deny this and even suggest Mr de Klerk delayed the visit to give Mr Mandela a chance to get there first.

Although Mr Mandela has publicly put a brave face on it, ANC leaders concede in private that they have been slightly embarrassed. But they also argue that so thoroughly have the Soviet communists been routed, so different is the Soviet Union today from the one that backed their armed struggle, that it is questionable whether a De Klerk-Gorbachev meeting would have been any stranger than a Mandela-Gorbachev one.

Apart from the similarity of their roles as reformers, there would have been a less pleasing symmetry about a De Klerk-Gorbachev meeting. Both "bald guys" have attracted flak for courting popularity abroad while neglecting the erosion of their support at home.

Lately political commentators have begun to liken Mr de Klerk to Jan Smuts in that respect, and the National Party press this week suggested Mr de Klerk should forget Russia and stay at home to attend to critical negotiations. If that is the perception from his own supporters, Mr de Klerk might well have to heed it — although there is no suggestion that this consideration influenced his decision.

But if Mr Gorbachev is another Smuts, this is not true of Mr de Klerk. Far from seeking fame as an international statesman, he has calculated his overseas visits shrewdly to boost the country's interests — and those of his party.

There is little doubt that his series of foreign tours materially helped to break down the barriers of sanctions and international isolation. Mr de Klerk and his advisers are banking heavily on this to gain domestic support, not only through an improvement in the economy but also through the symbolic importance of South Africa once again competing in international sport.

Beating Mr Mandela to the Soviet Union would also have been extremely important psychologically in dramatically demonstrating to nervous whites how cut off from its traditional support lines the ANC is. □

● *Allister Sparks's regular column has been held over and will appear later.*

Tony Leon explains the thinking behind the DP's voting model

Providing new incentives for moderation

304m
STAR 11/12/91

THE Democratic Party recently took a major leaf from American political scientist Donald Horowitz's compelling book "A Democratic South Africa? Constitutional Engineering for a Divided Society".

At its congress, the party accepted the principle of "alternative voting" for the foundation election of a non-racial, democratic South Africa.

Accepting that South Africa is a deeply divided society, along the lines of race, class and interest, the DP's formulation rests on "vote pooling" as a device that, while ethnically and racially neutral, will avoid the first political contest simply being a polarising census. It will reward moderation by making politicians reciprocally dependent on the votes of members of groups other than their own.

The electoral system will compel inter-group (however such group is defined or formulated) accommodation. It envisages a fairly complex formula of large multimember constituencies where, for a candidate to win, he will require a plurality (say 50 percent of the vote) plus 20 percent of the vote in two-thirds of the total polling districts comprising the constituency.

Since each voter will have second, third and fourth preference votes, most successful candidates will require these alternative votes to win. With, for example, 10 seats in each constituency and with five or six parties fielding candidates, few parties or candidates will receive 50 percent of the vote without receiving the second and third preference votes of those voters whose own candidate is eliminated.

This will oblige parties and candidates to reach out beyond the narrow confines of their own support base. Thus the electoral system itself will be the most potent incentive for moderation and reconciliation.

Clearly, this is constitutional engineering, but, as Horowitz notes, South Africa desperately requires "institutions that are appropriate for the divided society it is".

We also need to eradicate the inequalities in political opportunities that exist due to the vestigial effects of centuries past, purposeful discrimination. Twenty-five years ago, America confronted the same dilemma but opted for a different course, through the Voting Rights Act of 1965.

This much-amended, highly contentious piece of legislation is explicitly ethnic in purpose and effect — a fact graphically illustrated some five years ago in the leading American case of Thornburg vs Gingles (1986 US Supreme Court), where black political activists challenged the redistricting plan for the North Carolina State Senate and House of Representatives on the grounds that the boundaries of the voting districts involved "impairing the ability of black citizens to elect representatives of their choice".

What they were, in reality, saying, and what the court, in fact, held, was that the voting districts were designed in such a manner as to dilute black voting blocs by spreading out geographic concentrations of ethnic minorities into several districts, thereby minimising or cancelling out their ability to elect their preferred candidates.

Given that North Carolina — home of Senator Jesse Helms, public enemy number one of the civil rights movement — lies in the bedrock of the old segregationist South — the court noted that before World War 2 only one black had been elected to public office this century. However, despite the enactment of progressive legislation since then, progress has been so slight as to be abysmal. It was found that while they constituted 22,4 percent of the population, only one to four percent of the State Senators were black.

The court scrutinised 53 elections in the districts concerned, and gloomily concluded that, in all but two of them, the degree of racial bloc voting was so severe as to prove that the results of the individual election would have been different depending on whether it had been held only among the white voters or only among the black voters. To bolster this conclusion, polling data established that 81,7 percent of white voters had never voted for a black candidate in their own party's primary election, while two-thirds of white Democratic Party voters refused to vote for a black Democrat, even after such candidate had won their party's primary and the choice was then to support an opponent from the opposition Republican Party or to vote for no one at all. The results from the black electorate proved, also, that, in overwhelming numbers, they preferred supporting black over white candidates.

Armed with this apartheid-like scoreboard, and enabled by the Voting Rights Act so to do, the court simply redrew the boundaries of the voting district and created new seats in several of which blacks constituted an ethnic majority. With the stroke of the judiciary's pen, blacks thus no longer were submerged into districts in which they constituted an ineffective minority, nor over-concentrated into others where they represented an excessive majority.

Of course in South Africa the situation is doubly reversed. It is whites (and coloureds and Indians) who will be the future minority when stripped of their artificial power monopoly. Secondly, while in the United States everyone is a hyphenated American (from African-American to Jewish-American), race and ethnicity at home are the facts that dare not speak their name as an ill-defined "non-racialism" becomes the politically correct palliative for post-apartheid South Africa.

While proportional representation is seen as the best method of ensuring future minority representation in the South African Parliament, this is really the starting point of the issue, not the final word about it. Hence the DP's formulation for an electoral system based on alternative voting.

In order to avoid saddling South Africa with the contortions of the American system, we must at the outset devise apt institutions, not based explicitly on race and ethnicity, but not, on the other hand, ignoring the realities of our sharply divided, ethnically sensitive society. □

● *Tony Leon is DP MP for Houghton.*

FW Moscow trip called off after day of drama

STAR 11/12/91

304A

By Peter Fabricius
Political Correspondent

President de Klerk's on-off visit to the Soviet Union on Friday was finally scuppered last night after a day of high drama and top-level consultations with governments around the world.

After a series of contradictory news reports all day, Foreign Minister Pik Botha officially announced in a statement last night that the trip had been postponed indefinitely.

Mr de Klerk was scheduled to meet embattled Soviet President Mikhail Gorbachev on Friday and Russian President Boris Yeltsin on Saturday. He was also expected to sign a protocol establishing full diplomatic relations with the USSR.

The increasingly critical situation in the Soviet Union — prompted by Sunday's declaration of an independent Slav commonwealth — persuaded the SA Government to postpone the five-day visit.

Mr Botha said that recently reinstated Soviet Foreign Minister Eduard Shevardnadze had informed him yesterday afternoon that Mr de Klerk was still "most welcome".

However, Mr Botha said, it was "evident that important constitutional and national issues are preoccupying the leaders in Moscow and in various former Soviet republics at the present time and the South African Government would not wish to add to their already heavy workload".

It is understood that Mr Botha spent most of Monday night and yesterday telephoning diplomatic contacts around the world, including Mr Shevardnadze, to seek advice on whether to go ahead with the trip.

The advice was contradictory. Some embassies in Moscow were advising him to go ahead while their home offices were advising against. In the absence of clarity, he recommended that the trip be postponed.

Mr Botha said he had asked SA's representative in Moscow to convey to Mr Gorbachev and Mr Yeltsin the SA Government's sincere appreciation for their readiness to proceed with the visit and to express the hope that it could take place at a more opportune time.

The postponement of the visit will give Mr de Klerk more time to prepare for the December 20-21 Convention for a Democratic SA.

Arrangements had initially been made for Mr de Klerk to visit Moscow, Poland, Hungary and Czechoslovakia after the multiparty conference planned for November 29, Mr Botha said.

When the conference was postponed to December 20-21, the Eastern European countries were dropped from the itinerary to give Mr de Klerk time to prepare for it.

FW packs away his fur hat — Page 22

Fears of Soviet turmoil lead De Klerk to cancel visit to Gorbachev

PRESIDENT F W de Klerk last night called off his trip to the Soviet Union and a scheduled meeting with Soviet President Mikhail Gorbachev because the developing constitutional and political crisis in Moscow made the visit inopportune.

Previous statements, saying a decision was not yet final, indicated a debate within government about what to do, especially in view of Soviet Foreign Minister Eduard Shevardnadze welcoming the visit earlier yesterday.

Senior government sources said yesterday that De Klerk reconsidered the visit because of the crisis caused by the secession of Russia, Byelorussia and the Ukraine (the most powerful Soviet bloc with about 70% of the population), fears of another coup, and speculation that Gorbachev might resign.

De Klerk had been due to leave tomorrow for a five-day visit to Moscow and St Petersburg to meet Gorbachev, Shevardnadze and Russian President Boris Yeltsin. A protocol agreement establishing full diplomatic relations was to have been signed.

A Foreign Affairs source said Foreign Minister Pik Botha and his senior directors had been consulting "top people in Moscow and other governments" since the early hours yesterday. There were also extensive consultations within Foreign Affairs and with De Klerk.

BILLY PADDOCK

Dominating the debate were fears that the President might "arrive in the middle of a chaotic environment and only add to the problems of key people who are correctly preoccupied with saving the disintegration of their country", the source said.

Others held that it would be good for De Klerk to be associated with a successful resolution of the Soviet crisis.

However, the visit might be overshadowed by developments in the Soviet Union.

In an official statement last night Botha said the visit had been postponed because "it is evident that important constitutional and national issues are preoccupying the leaders in Moscow ... and the SA government would not wish to add to their already heavy workload".

This decision was made despite the readiness of Gorbachev and Yeltsin to proceed with the visit and Shevardnadze's telling Botha that De Klerk would be most welcome.

Both said SA's representative in Moscow had been asked to convey De Klerk's sincere appreciation for their readiness to continue with the engagements and "to express the hope that it could take place at a more opportune time".

Botha said the representative had been asked to assure Gorbachev and Yeltsin "that because SA also faces tremendous risks and challenges in the transformation ahead of us, we have deep appreciation for the efforts of all leaders of the Soviet Union and its republics in their time of change".

He said the postponement gave De Klerk more time to devote to arrangements for Codesa.

● See Page 5

CODESA

Executive empowerment and accountability

304A
ARG 11/12/91

THE first in a three-part series by **HUGH CORDER,** Professor of Public Law at the University of Cape Town, who examines Codesa and its implications.

CONSTITUTIONAL lawyers generally accept that the three main divisions of government — the legislature (law-maker) ie Parliament, the executive (policy-maker and administrator of laws) ie Cabinet and bureaucracy, and the judiciary (law-interpreter and enforcer) ie the Courts — should be separated as far as possible, as regards function and personnel.

The chief purpose of this doctrine of the "separation of powers" is to facilititate a process of mutual checks and balances by the separate divisions on each other.

Thus, to use a well-known example, the American President (the chief executive) nominates federal court judges, but they have to be confirmed in office by vote of the Senate (part of the legislature, Congress). Similarly, the President can veto a law passed by Congress, and the Supreme Court has the task of measuring laws against the standards set by the Constitution (eg laws which discriminate on the basis of race).

A feature of government in the late 20th Century is the growth of executive power at the expense of the legislature. As the process of governing large numbers of people makes day-to-day administration more complex, so it becomes necesary to vest increasingly wide and discretionary powers in the hands of bureaucrats.

This is all the more so when the public demands that the State provide socio-economic benefits, like housing, education, pensions, pollution controls etc. Because Parliament by its nature cannot be on the spot to make all decisions, it lays down general guidelines in the Acts which it passes, and empowers the executive to administer such laws.

But who controls the decisions and actions of this powerful administration, known as the Cabinet and Public Service?

In traditional South African constitutional law (inherited from Westminster), cabinet ministers are politically responsible to Parliament for the actions of their departmental officials, usually in the form of answers to questions put by MPs, and sometimes in the form of motions of censure or no-confidence in a minister.

Maladministration, serious error of judgment or corruption would usually lead to the resignation of of the minister, a practice which still applies in the UK, but has been treated with disdain by National Party Cabinets, particularly over the past 20 years.

A second form of control is exercised by the courts through that branch of the law known as administrative law. In theory, no executive official has any power other than that granted to him by the law (usually in the form of an Act of Parliament) and he must satisfy certain basic procedural requirements of the common law in order to act legally.

Therefore, if a State official exceeds his power (acts "ultra vires") or acts corruptly, someone whose interests are detrimentally affected by that act may go to court to challenge its legality. This is known as an "application for judicial review of administrative action".

Note that, provided that the official stays within his power and follows the correct procedure, his decision *cannot* be questioned on its merits, even if apparently unreasonable.

In practice, while this theory was eminently suited to the State of the late 19th century, it has severe limitations in the context of an activist executive (including that of the apartheid state) which is trying to restructure society, in whatever direction.

Unless Parliament is prepared to intervene to give itself and/or the courts a greater measure of control over executive action, bureaucrats and ministers will come to believe that they are beyond the law. In the absence of such Parliamentary intervention, it is up to the courts to develop the procedural requirements of the common law to meet the challenge of changing power relations. South African judges (with some prominent exceptions) have failed to adapt the law in this way (which would have been quite consistent with their role according to Westminster tradition), most noticeably during the early stages of apartheid and during the recent States of Emergency.

In stark contrast, in the legal systems of those members of the British Commonwealth whose roots are closest to ours, as well as in the UK itself, Parliament and/or the courts have acted vigorously to create new structures and procedures whereby the courts could hold the executive accountable to the law.

So, for example, Australia established an Administrative Appeals Tribunal to hear appeals *on the merits* of an administrative decision from people dissatisfied with it; Canada set up a range of specialist ombudsmen, each to investigate complaints of a particular kind, like allegations of race and gender bias, or invasions of privacy or language rights; India's Supreme Court changed the common law regulating who may bring a complaint against hte administration to court, thus allowing someone to sue as the representative of a class of complainants; the English courts developed the common law procedural requirements so as to demand higher standards of good administration form the bureaucracy; and Namibia and New Zealand entrenched the right of judicial review of administrative action in their Bills of Rights.

At present, both the ANC and the SA Law Commission propose that a future Bill of Rights in this country should contain a right of judicial review of administrative action. Beyond that, none of the parties to the negotiations about a future SA Constitution has published any ideas for reform or change in this crucial area of government. *Whatever* the form of a future Constitution, the executive government will legitimately demand substantial powers to make South Africa a safer, more equitable and less corrupt society. It will thus have to be *empowered* to act by Parliament, but at the same time it will have to be *accountable* to the people, through their Parliamentary representatives, the law as interpreted by the courts, and popular and community pressure-groups (like religious, cultural and labour organisations).

A further way of tackling the problem *at source* is to formulate a code of Principles of Proper Decision-making, to the observation of which the administration would be legally bound (as in the Nigerian Constitution of 1979).

The public has a right to know how those negotiating on their behalf, being the likely future executives in government, intend to make themselves accountable to the people of South Africa under a new Constitution.

Rightist groups rally against Codesa

The Argus Correspondent 304A

PRETORIA. — Rightwing organisations have rallied in support of the Afrikaner Weerstandsbeweging's (AWB) refusal to participate in the Convention for a Democratic South Africa (Codesa).

This is in spite of government's slamming of the decision as "irresponsible" and warning against rightwingers using armed conflict as an alternative. ARG 11/12/91

The Boerestaat Party and the Afrikaner Weerstandsbeweging have expressed open support for AWB leader Mr Eugene Terre'Blanche's decision.

The Boere Vryheidsbeweging (BVB) — although it rejects Mr Terre'Blanche as a representative of the right wing — has also rejected Codesa as a legitimate negotiating body.

Professor Carel Boshoff of the Afrikaner Vryheidstigting was unavailable for comment yesterday but has indicated it will participate in Codesa only if a separate 'volkstaat' is recognised as a right.

Parliamentary rightwing groups, the Herstigte Nasionale Party and the Conservative Party, have also thrown down the gauntlet and refused invitations to join the multiparty talks.

Meanwhile, the government has lashed out at remarks by AWB leaders that it will now "prepare for war", warning that it will monitor rightwing extremists and act strongly against organisations planning subversive activities.

Law and Order spokesman Captain Craig Kotze said police had information on "subversive activities" being planned by some rightwing organisations and would not tolerate illegal activities.

Mr Terre'Blanche, after leading his delegation out of a meeting with Constitutional Development Minister Dr Gerrit Viljoen on Monday, said the AWB would not negotiate with "communists and anti-Christians".

'Progress' by Codesa group

CT 11/12/91 (3049)

Own Correspondent

JOHANNESBURG. — Encouraging progress was made at a Codesa steering committee meeting yesterday, with a consensus being developed that the group should meet on a monthly basis until a new constitution was in place, sources said.

The steering committee, which was given the task of preparing next week's first Codesa meeting, ended its meeting yesterday without issuing a formal statement.

But sources said the committee intended to propose that Codesa should meet monthly or at least bimonthly, even if it was agreed that a Constituent Assembly should draw up a new constitution.

There was growing consensus that even if there was acceptance of proposals by the ANC and other groups for a constitutional assembly and interim government, there would still be work for Codesa.

Between Codesa meetings, it is proposed that task groups should be formed to discuss and achieve consensus on specific issues.

Three task groups have already been established. The first is to draw up a statement of intent, which will be Codesa's founding charter. The second group has been discussing the organisation and planning of Codesa while the third has been discussing possible future mechanisms such as the Constituent Assembly and how the country should be governed during the transitional period.



Midweek Politics
By ANTHONY JOHNSON

304A

SA politicians feverishly at work on new dispensation

ET 11/12/91

WHEN politicians, particularly those in government, allow their work schedules to clash with the Transvaal school holidays you can be sure things are getting serious.

But with the prospect of long-delayed negotiations for a new constitution looming large, parties from across the spectrum are infusing a new urgency and momentum into the political process. Instead of tapering off for the silly season, political activity is more frenetic than ever.

The government and National Party brass have been hard at work fine-tuning their negotiation strategies at a three-day brain-storming session in preparation for next week's Convention for a Democratic South Africa (Codesa).

Government ministers and senior Nationalists have been told to cut short or cancel their treasured summer vacations and prepare instead for the nitty-gritty of bargaining for a new dispensation. Some ministers have even been forced to forgo overseas trips planned months ago.

A number of government bureaucrats will be having only the briefest of vacations this year and Parliament will be convened in 1992 earlier than has been the case for many years.

'Unstoppable'

President De Klerk has added to the new sense of urgency, sweeping the political process by reshuffling his Cabinet and lightening the ministerial load of key negotiators.

The ANC has also moved into top gear. Its senior negotiators are on a lightning tour of the country to brief ANC formations on the progress of talks and obtain fresh mandates for Codesa.

At the weekend, ANC secretary-general Mr Cyril Ramaphosa labelled the negotiation process "unstoppable" and emphasised that the ANC was now determined to see the whole transition process moving "as speedily as possible, without any obstacles".

Underling the "let's just do it" attitude gaining ground among a number of parties after intermi-

nable setbacks and delays, the ANC's chief negotiator expects the 20-odd parties participating in the Codesa talks to complete their work within six months. And he sees "no reason" why South Africa's first non-racial election cannot be held before the end of next year.

In belated recognition that the rural population will represent about 53% of eligible voters, the ANC held its first rural conference at Worcester at the weekend. Similar conferences on how the ANC can improve its organisation and image among rural communites will be held throughout the country.

CP wallflowers

The Inkatha Freedom Party has also just given fresh impetus to the negotiating process by releasing its draft constitutional proposals.

The SA Communist Party resolved at its first congress in South Africa in more than 40 years at the weekend to continue with negotiations and retain a separate delegation from the ANC for the upcoming constitutional talks.

The PAC will hold a special national consultative conference in Cape Town this weekend to decide whether to remain part of the negotiation process.

On the far Right of the political spectrum, the AWB this week decided to stay out of Codesa, with its leader, Mr Eugene Terre'Blanche, making ominous noises about "preparing for war" instead.

The Conservative Party has also been a wallflower so far but could come under renewed pressure if the negotiations show progress next year. Indeed, the party could eventually split on this issue.

Meanwhile, the various Codesa task groups and its steering committee are working away feverishly in preparation for next week's talks.

Politicians have never worked this hard over the festive season before.

Share of land is 50-50, says Dr T

(3044) ST 11/12/91

By BARRY STREEK
Political Staff

THE allocation of land between black and white people in South Africa was 50% to 50% if the large areas which were sparsely populated were taken into account, according to Conservative Party leader Dr Andries Treurnicht.

He also said the CP did not accept black members because black people should have their own organisations.

Dr Treurnicht was asked by the Venda government newspaper, Thohoyandou, how his party would address the imbalance of whites occupying 87% of the land in South Africa and blacks only 13%.

He replied: "You cannot give independence to large territories being occupied by blacks and then say the rest is distributed 87% and 13%.

"I think I would adjust this allocation to 50% to 50% taking into account large areas which are sparsely populated."

Asked what the CP would do if Mr Nelson Mandela became president, Dr Treurnicht replied: "We don't expect Mr Nelson Mandela to become the president of the whole of South Africa.

"The white people will accept a white leader, the Zulu people will accept a Zulu leader and I presume that the Venda people will accept a Venda leader."

n to be on both sides of the trans-
uld imagine I would be very
about that," Aaron said.

Boksburg, Vosloorus hold talks

WILSON ZWANE

TALKS which could lead to a merger of a CP-controlled East Rand town and its neighbouring township had been held, an informed source said yesterday.

The source said Boksburg and Vosloorus had discussed a number of issues in past weeks, including industry development on land adjoining the two towns.

"Although there is nothing definite on the cards, the possible amalgamation of the two town councils has not been ruled out," the source said.

Boksburg Town Council spokesman Andries du Toit said while his council had agreed to provide technical expertise in "certain fields" to Vosloorus, it had no thoughts of merging with the township.

Such a merger would be against CP policies, Du Toit said.

However, Boksburg would keep a close watch on the planned unification of four other municipalities in the region — Germiston, Bedfordview, Palm Ridge and Katlehong — with a view to "learning something from it".

The four town councils agreed in principle earlier this year to form a single council. Bedfordview management committee chairman Lew Leppan has said the merger would create an atmosphere conducive to negotiations.

The amalgamation, believed to be the first of its kind in SA, is expected to take place early next year.

Codesa committee makes progress

B | pay 11/12/91. 304A

ENCOURAGING progress was made at a Codesa steering committee meeting yesterday, with a consensus being developed that the group should meet on a monthly basis until a new constitution was in place, sources said.

The steering committee, which was given the task of preparing next week's first Codesa meeting, ended yesterday without issuing a formal statement.

But sources said the committee intended to propose that Codesa should meet monthly or at least bi-monthly, even if agreement was reached that a Constituent Assembly should draw up a new constitution.

There was growing consensus that even if there was acceptance of proposals by the ANC and other groups for a constitutional assembly and interim government, there would still be work for Codesa to do, the sources said.

Between Codesa meetings, it is proposed that task groups should be formed to discuss and achieve consensus on specific issues.

Three task groups have already been established by the steering committee. The first has been chraged with drawing up a statement of intent, which will be Codesa's founding charter.

This task-group has been further charged with discussing, among other things, a statement of commitment which will indicate Codesa's guiding principles.

The second task group has been discussing the organisation and planning of Codesa while the third, called the "process task group" has been discussing possible future mechanisms such as the Constituent Assembly and how the country should be governed during the transitional period.

TIM COHEN

This task group will continue meeting during the week, and will report back to the steering committee, which is due to meet again on Wednesday next week.

Constitutional Development Minister Gerrit Viljoen said yesterday encouraging progress had been made, emphasising that a personal understanding was developing amoung negotiators.

Chairman of yesterday's meeting, DP leader Zach de Beer, agreed, saying many of the participants did not know each other before the meetings began and so the development of mutual trust was of the utmost importance.

De Beer said the issue of Inkatha's demand that it, the KwaZulu government and the Zulu king all be represented independently of one another was not debated at yesterday's steering committee meeting, apart from the meeting deciding this issue should be discussed at a later date.

Delegates said the steering committee was making substantial progress and there was, at this stage, no intention to delay Codesa, which is due to take place on December 20 and 21.

Government slams AWB war talk

B 10 pay 11/12/91. 304A

THE ministries of Law and Order and Constitutional Development slammed the AWB yesterday for its "irresponsible" war talk. Law and Order predicted the AWB could expect to be monitored by state security forces.

Their statements follow AWB leader Eugene Terre'Blanche's threat this week that the AWB would prepare for war after he walked out of a meeting with Constitutional Development Minister Gerrit Viljoen on Monday.

Viljoen said yesterday it was unfair and irresponsible of the AWB to conclude there was no alternative to armed conflict and added that the door to Codesa remained open.

Terre'Blanche said yesterday that the AWB was not prepared to present its demands in front of communists and anti-Christians and claimed government was not prepared to consider its demands for a Boerestaat in any forum other than Codesa.

Viljoen said it was incorrect for the AWB to presume its policy would be dismissed when it took part in debate.

TIM COHEN

"The purpose of Codesa is to achieve consensus between opposed and clashing points of view through negotiation ... instead of resolving differences through violence," Viljoen said.

Law and Order spokesman Capt Craig Kotze said yesterday that there was a direct correlation between war talk and acts of violence.

People or organisations making such statements laid themselves open to monitoring by the state's security organs.

Boere Weerstandsbeweging (BWB) leader Andrew Ford said yesterday he was pleased that the AWB would not take part in Codesa, reports Sapa.

Ford said he had stated three years ago that should the AWB get involved in a war, the BWB would give it its full support to restore "our Boer republics".

The Boerestaat Party said yesterday that the AWB had no option but to turn down the invitation to take part in the negotiations.

QwaQwa drafts federal constitution for SA

STAR 11/12/91

WITSIESHOEK — The QwaQwa homeland's ruling Dikwankwetla Party has drafted constitutional proposals calling for a Federal Republic of South Africa comprising all territory which formed the Union of South Africa before May 31 1961.

The proposals, released yesterday, also call for the inclusion of "such areas and/or territory as may from time to time be declared by an Act of Parliament to be part of and to constitute the Federal Republic of South Africa".

The party said it had put forward the proposals after realising how society was being plagued and torn by tribal divisions and colour and class differentiations.

"It dawned upon us that the best law of any land is the law that resides in the hearts of men ... that tolerance and forgiveness cannot be legislated. These are either ... in the hearts of men or they do not exist at all."

It said the party therefore proposed the adoption of a federal system and structure of government in which the constitution divided governmental powers between the national (central) government and constituent autonomous regional (state) governments, "giving substantial functions to each level of such government".

The constitution would be the supreme law of the country. The right of all citizens to achieve and to be afforded the highest possible quality, level, standard and type of education of their choice would be constitutionally guaranteed.

The proposals also state that the country should "practise and indulge in a market economy of perfect competition". — Sapa.

Right wing spurns Codesa



Won't negotiate with communists . . . Eugene TerreBlanche.



Door remains open to AWB despite its stance . . . Dr Gerrit Viljoen.



Wants to hold a Boere referendum next year . . . Robert van Tonder.



Wants right to volkstaat recognised . . . Professor Carel Boshoff.

(304A

By Helen Grange
Pretoria Bureau

Right-wing organisations have rallied in support of the Afrikaner Weerstandsbeweging's refusal to take part in the Convention for a Democratic South Africa (Codesa).

This is despite the Government criticising the decision as "irresponsible" and warning against rightwingers using armed conflict as an alternative.

The Boerestaat Party and the Blanke Weerstandsbeweging (BWB) have expressed open support for AWB leader Eugene TerreBlanche's decision.

The Boere Vryheidsbeweging (BVB) — although it rejects Mr TerreBlanche as a representative of the Afrikaans right wing — has also rejected Codesa as a legitimate negotiating body.

STAR 11/12/91

Afrikaner Vryheidstigting leader Professor Carel Boshoff was not available for comment yesterday, but has indicated that the organisation would take part in Codesa only if a separate volkstaat were recognised as a right.

Parliamentary right-wing groups — the Herstigte Nasionale Party and the Conservative Party — have also refused invitations to join the multiparty conference.

The Government has lashed out at remarks by AWB leaders that the organisation will now "prepare for war", warning that it will monitor right-wing extremists and act strongly against groups planning subversive activities.

Mr TerreBlanche, after leading his delegation out of a meeting with Constitutional Development Minister Dr Gerrit Viljoen on Monday, said the AWB would not negotiate with "communists and anti-Christians" and that Dr Viljoen had not been prepared to accept the organisation's demand for a volkstaat.

In an angry response yesterday, Dr Viljoen said the AWB's decision to declare violence as its only option had been "unjustified and irresponsible" — but that the door remained open for the AWB to attend Codesa and "state its case".

He added that he was convinced most AWB supporters expected it to join in the search for peaceful political solutions — "instead of resolving differences through violence".

Boerestaat Party leader Robert van Tonder wished the AWB luck in its decision — adding that the organisation would hold a "Boere referendum" next year in every town "to show the world that we Boere, just like all the people of the world today, want our national freedom back".

BWB leader Andrew Ford said he had already stated that should the AWB get involved in a war, the BWB would give it its full support to restore "our Boere republics".

BVB leader Professor Alkmaar Swart said the BVB would have nothing to do with Codesa, but he rejected Mr TerreBlanche as a leader of the Boer community.

Suzman will join DP delegates at Codesa

By Peter Fabricius (BDFM) STAR 11/12/91

Retired MP and civil rights champion Helen Suzman is to serve on the Democratic Party's delegation to the December 20-21 first meeting of the Convention for a Democratic South Africa which will begin preliminary negotiations for a new constitution, DP leader Dr Zach de Beer announced last night.

Mrs Suzman, who represented Houghton in Parliament from 1953 until she retired in 1989, said last night she was extremely pleased to be in the DP delegation.

"I'm presuming it's not just because I'm a woman, but I suppose that played a part."

The rest of of the party's delegation is Dr de Beer, Sea Point MP and caucus chairman Colin Eglin, national chairman and Gardens MP Ken Andrew, southern Transvaal chairman and Johannesburg North MP Peter Soal, former University of Western Cape rector Richard van der Ross, House of Delegates MP Mamoo Rajab, former co-leader and Berea MP Dr Denis Worrall, chairman of the national council David Gant, his deputy Umhlanga MP Kobus Jordaan, Sandton MP and chief whip Dave Dalling, and Albany MP Errol Moorcroft.

STAR 11/12/91



Veteran politician Helen Suzman . . . extremely pleased to be part of delegation.

Agreements pave way for negotiations

By Kaizer Nyatsumba
Political Staff

Agreements were reached in meetings of the steering committee and task groups of the Convention for a Democratic South Africa (Codesa) this week, paving the way for the beginning of serious bargaining when real negotiations begin next week.

Democratic Party leader Dr Zach de Beer, who heads the Codesa steering committee, confirmed to The Star this morning that the Monday-Tuesday meetings had reached some crucial agreements.

These, Dr de Beer said, included the appointment of the ANC's Murphy Morobe to head a Codesa office at the World Trade Centre where the negotiations will be held.

Isolation

Mr Morobe, a former United Democratic Front (UDF) leader, was among those who publicly called for the isolation of Winnie Mandela at the height of the Stompie Seipei controversy in 1989.

After his return from a year-long study programme in the US this year, Mr Morobe has gradually risen in ANC structures. He was the ANC's representative in the Patriotic Front's preparatory committee and was also nominated by the organisation's powerful PWV region for the position of regional chairman, but he did not stand.

Other issues agreed on at the steering committee meetings included that:

- Transkei will have a role, jointly with the South African Ministry of Law and Order, in being responsible for the security of delegates.

This development is sure to enhance Transkei military ruler Major-General Bantu Holomisa's position in Codesa, especially after various Government spokesmen had often alleged General Holomisa had been harbouring and training Umkhonto weSizwe cadres.

- The ANC and the Government will be responsible for media arrangements for the conference. However, a special media committee made up of representatives of all convention participants will be created to handle publicity.
- Dr Theuns Eloff's Consultative Business Movement will handle the administration and logistics for Codesa, with the help of participating parties' representatives.
- Deon Swanepoel of the Department of Constitutional Development was appointed head of finances, and will also have an office at the World Trade Centre with Mr Morobe.
- The Government and the Inkatha Freedom Party (IFP) will be responsible for protocol at the convention.

The steering committee meeting also ratified the November 29-30 preparatory conference's decision that each delegation to Codesa will have 12 delegates each. However, the committee decided that each delegation can bring along "a support component" of five members and 12 others who will not be allowed into the hall.

Despite these agreeements, the steering committee left unresolved the question of whether Codesa's decision should be given a force of law and whether the IFP's demand that it, Zulu King Goodwill Zwelithini and the KwaZulu Government should have separate delegations.

CODESA

(304A)

Judicial power of constitutional review ALG 12/12/91

THE second in a series of three articles discussing Codesa by **HUGH CORDER,** Professor of Public Law at UCT.

AS pointed out in the previous article, the power of the legislature (Parliament) in many democratic systems has waned over the past few decades.

Ironically, Parliament is the organ of government most directly representative of the general population in a democracy. The necessities of modern life, however, have forced Parliament to delegate more discretionary powers to the executive, and we saw how some other legal systems have changed the rules to make the executive more accountable to the public it serves (a process of 'democratisation,' to an extent).

Constitutionally, in many countries and in the international sphere, there has been a simultaneous shift to the documenting, in Charters and Bills, of basic rights which are applicable to all human beings.

On the national level, such documents are usually sovereign, in the sense that no government or private body or individual may act contrary to another's rights without risking the sanction of the law. While mechanisms like permanent commissions (on human rights or race relations, for example) and "ombudsmen" are often established to implement programmes which propagate such rights, some form of Court is also usually designated as the highest authority in the enforcement and protection of those rights.

In addition, this Supreme (or Constututional) Court is generally the ultimate interpreter of the meaning of the Constitution, as it is the forum within which challenges to the constitutional validity of laws and official actions are argued and decided. Should it conclude that the standards and procedures laid down in the Constitution are not met by the law or action complained of, the Court is empowered to declare it invalid.

This obviously places the judiciary, and especially the judges of the Supreme Court, in a very powerful position. To paraphrase an eighteenth-century English Bishop: "he that has the ultimate authority to interpret the law, is the true law-maker." The extent of their power is indicated by the passions aroused when judges are appointed to such a Court; this was recently graphically illustrated on our TV screens by the American Senate hearings held to consider Judge Clarence Thomas's nomination for a seat on the US Supreme Court.

The crux of the problem here is that, while the law reports and legal journals and textbooks contain many attempts to define theories of interpretation and to argue that one is better than another, there is no definitive theory which is followed, let alone consistently applied, by all judges. Such a situation is impossible to achieve: words and language are tools far too imprecise to admit of only one meaning; the language of law (and especially the Constitution) is often deliberately general and open-textured, in order to cater for a class of situations, rather than a single event; and each human being brings his own intellectual and social baggage, fears and prejudices to bear on the process of interpretation.

But there is no machine which can do the job, so we must trust human beings. In order to minimise the risk, we rightly demand a high level of honest, ability, training and experience from our judges — appearances here are almost as important as substance, which is one of the reasons why Judge Thomas had such a hard time. In addition, legal academics and practitioners and the judges themselves constantly subject the judgments handed down by the Supreme Court to the closest scrutiny. In turn, the media convey such "lawyerly" criticism and popular responses to the perceived correctness of judicial decisions to the wider public. (Yet another reason for having a free Press).

These control mechanisms, which attempt to make the (unelected and untouchable) judges accountable to the people, give rise to much political controversy. The chief feature of this debate is a dispute about which method of interpreting the Constitution is the "correct" one. Should the judges stick to the letter of the Constitution, abstracted from the historical conditions in which it was adopted? May the judges use records of the debates among delegates to the Constitutional Convention to aid them in interpreting a particular provision? Should the Court adapt the language of a hundred-year-old Constitution to modern circumstances? In concrete terms, in the American context, does the right to privacy (provided for in 1789) include a woman's right to use her body as she sees fit and so have the choice to abort a foetus which she is carrying?

Such disputes between "strict constructionists" and "liberal (or conservative) revisionists" have characterised heated discussion of the judicial policy of the American Supreme Court for 150 years. In Canada, which has had a written Charter of Rights and Freedoms for almost a decade, many of the same issues have been raised by lawyers and politicians. The Canadian case is closer to ours, in that the South African and Canadian judiciaries share very much the same traditions and values, taken over from Britain.

Any written constitution and entrenchment of rights will demand a large measure of adaptation and reorientation among all South African lawyers, of whom the judges will be in the front line. While there is every reason to expect that most of them will adjust to the changes successfully, their heightened power and public profile will have certain further consequences, particularly as regards judicial appointment and accountability.

At present, there is woefully little by way of ideas and debate on future *judicial policy* as regards the power of constitutional review, a function which is substantially different from any which the present judiciary discharges. *The public has a right to know what the negotiating parties' policy is in this crucial area of the Constitution, and to voice its views in reaction thereto.*

No easy road to democracy in SA

South 12/12 - 18/12/91 30K14

As South Africa's hopes rise for the successful negotiation of democracy at next week's high powered convention, **QUENTIN WILSON** examines whether it will be enough to speedily secure an interim government and a constituent assembly:



DIVISIONS : The PAC's Patricia de Lille and Benny Alexander take a break during preliminary Codesa talks

THERE IS NO INDICATION that next week's negotiations are going to be easy. Desperadoes clinging to racist rule will almost certainly attempt to drive South Africa deeper into chaos.

There are fears that assassination attempts, taxi warfare, train massacres and other forms of violence too awful to consider will "coincidentally" escalate as negotiations progress.

This ongoing violence will remain a key issue the Convention for a Democratic South Africa will have to act on for its deliberations to succeed. The sooner joint control is established over security machinery and strong measures are taken against those who destabilise talks, the better.

It is necessary to see how the two main protagonists, the ANC and NP, square up next Friday before determining the outcome.

The ANC appears to be entering the Convention on a strong footing. Internationally, Mr Nelson Mandela was accorded head of state status at the recent UN South African debate. Even on prime time American television he was introduced as "South Africa's leader" — which indicates how much credibility there is abroad for the ANC's programme — particularly that of a constituent assembly.

Domestically, Mr Cyril Ramaphosa of the ANC's negotiating team claimed overwhelming support for the organisation's participation in Codesa.

Another significant factor for the ANC is that the working class is possibly the best equipped it has ever been. The November VAT stayaway showed Cosatu could muster an enormous number of people in support of ANC objectives. Although not directly represented at Codesa, Cosatu could do a lot to influence talks through its future actions.

The ANC has indeed the space to insist that an interim government and a constituent assembly are two bottom-line demands at Codesa.

These two demands should be supported by the other 90 organisations in the Patriotic Front.

However, a massive split has already materialised between PAC leadership and membership — their walkout at the preliminary Codesa talks can be seen as a token gesture of "hardline militance" to appease their seething supporters.

The fact it occured after almost all discussions had ended, shows the leadership's willingness to be involved — with or without support on the ground. This will, however, have a negative effect on the impact the Patriotic Front could make from next Friday.

That Codesa comes in the wake of the Inkathagate scandal is also significant.

Politically, it has forced a wedge into the Nationalist Party/Inkatha axis. Chief Mangosuthu Buthelezi, once the black moderate hope of the NP, has subsequently become an embarrassment to President FW de Klerk.

The two parties certainly will not be going to Codesa as a united bloc, which limits the NP's clout.

The scandal also placed in serious light the role of the two players in South Africa's "low intensity civil war" — that they are being increasingly perceived as the guilty parties, diminishes their chances of reaching the moral high ground during talks.

The common ground among most Codesa participants is the establishment of an interim government to oversee transition up to democratic elections. However, the ruling period for this structure and its nature will be difficult for Codesa to agree on.

Government sources have indicated they would like to see an interim government manage the country for at least a decade. The ANC is saying its lifespan should be no more than 18 months — its brief being to set up and oversee impartial conditions for an elected constituent assembly whose representatives arrive at a new South African constitution.

These impartial conditions would include the establishment of joint control over the SABC, security forces and other measures aimed at ensuring free and fair elections.

The government will be pushing for the interim government to draft South Africa's new constitution, by-passing a constituent assembly. Whether the government will capitulate to the ANC process remains to be seen and will largely depend on the impact ANC-aligned forces make outside the negotiation arena during this time.

Many organisations from the democratic fold will currently be having their yearly congresses — an opportune time to coherently conceptualise how best to assist the ANC's agenda at this complex historical moment.

The maintenance of discipline during their forthcoming programmes is of vital importance — the NP cannot be given the space to get away with another crippling state of emergency during renewed mass action.

At the same time, however, the voice of ordinary South Africans must be clearly heard at the negotiation table. Delegates should be left in no doubt as to what the majority of South Africans want, expect and demand from Codesa before they preach how best South Africa can be democratised.

If organisations fail to co-ordinate these efforts, Codesa could very well establish a transitional government that is no more than an NP-controlled caucus, successful in co-opting the ANC leadership into its programmes. Pointing to black faces in this government would relieve a lot of pressure from the NP in moving towards democratic elections.

ANOTHER KEY ISSUE on Codesa's agenda is the re-incorporation of bantustans. There seems to be enough unanimity to suggest their long-overdue dismantling will be cemented at the talks. The ANC's policy of canvassing support among homeland leaders will pay dividends during this point on the agenda.

Codesa's steering committee, geared to draw up a common set of constitutional principles, shouldn't be a major stumbling block to proceedings.

The majority of groupings will almost certainly pay lip service to a most democratic-sounding document. It will probably include provision for a bill of rights; a common voters' roll, with one person one vote; proportional representation; an independent judiciary and some form of minority protection.

Whether allegiance to this democratic rhetoric will be transformed into real commitment during later stages is altogether questionable.



McKenzie: 'I am a comrade'

Deep in the heartland of Ashley Kriel territory: a Nat MP

The 'interesting struggle' of Patrick McKenzie

South 12/12/-18/12/91 304ff

After finding a 'Nasionalis' in my letter box, urging me to sign up, I called my MP. My MP (a Mr Rhoda), however, refused an interview. He had nothing to say to SOUTH, his secretary said. I eventually got hold of Patrick McKenzie, Nat MP for Bonteheuwel, who promised me the Nats would not bus pensioners from church to polling stations, tricameral style, in democratic elections. **KAREN WILLIAMS** reports:

MR PATRICK MCKENZIE, the black National Party MP for Bonteheuwel, who regards himself as a comrade, represents the township of slain ANC cadre, Mr Ashley Kriel.

"I guess the struggle was and is my life," he says firmly.

His "very interesting experience of the struggle" goes from dodging police bullets to calling his oppressors "liberators".

Forcibly moved from District Six, the "wickedness" of apartheid shunted the McKenzies first to Mowbray and then to the "concentration camp of Bonteheuwel".

"The old National Party destroyed our dignity and our heritage," he believes.

Involved in every part of the struggle, McKenzie claims he was instrumental in the 1976 Bonteheuwel riots as part of the black consciousness movement.

Nostalgically he recounts running down Turksvy Road in Bonteheuwel "with the police helicopter shooting at me"; the police van parked outside his door to keep him under virtual house arrest; sleeping in his jeans and T-shirt so he would be ready if the police came to arrest him.

The turning point in his "radicalism" came in a visit to the United States and Britain.

After meeting many revolutionaries from South America, as well as Mr Oliver Tambo, he reconsidered his role in the struggle.

"Then I was a young person and highly emotional," says the 39-year-old MP.

"I hated the regime and anyone white and thought change could only come through the barrel of the gun."

Following a wave of soul-searching practicalism, McKenzie realised his stones could never measure up to the guns in the hands "of virtually every white person".

"I will not swim through rivers of blood in order to get freedom," says the companero who had only the air between him and police bullets in 1976.

Political strategies were studied, including those of Mahatma Gandhi and Mao Tse-Tung.

"You see, my dear, if I continued on the violent road, it would have been mass suicide for our people. Why did I need to burn down today what I was going to use tomorrow?"

He was part of the Labour Party for 23 years: he signed up in 1962 when he was about 16.

"That was a time which I call a period where spies were spying on spies," he whispers confidentially.

"All our organisations were either locked up or banned and I went to the Labour Party where I could at least have a political platform.

"The LP at that time enjoyed mass support and people viewed it as fighting against a wicked regime."

But as a coloured-only party, the LP has now served its purpose and President FW de Klerk, oppressor of yesteryear, is now a freedom fighter.

"You can't blame De Klerk for what Verwoerd did, even though De Klerk benefited from apartheid."

Besides joining the NP for less money, McKenzie also now has more members in his constituency since joining the NP.

The liberation movements had "positive effects" towards what De Klerk has done, he concedes.

"When I joined the National Party, I told Mr De Klerk that he may loose the support of white people, but you are going to win South Africa if you lead us to justice."

He saw the effects of communism on a trip to East Germany five months ago. "Roads were sand, not concrete like in Bonteheuwel."

The poverty was appalling. Poverty in Khayelitsha is worse but that is only because of urbanisation.

Despite the massive opposition to the 1984 tricameral elections, McKenzie firmly believes he was asked by the people of Bonteheuwel to stand for election.

"Nowhere in any of my speeches have I ever condoned the tricameral parliament. While other radicals were destroying apartheid from the outside I wanted to destroy it from inside."

"If the National Party is part of murdering people, the people who asked me to join the NP must give me a fresh mandate," he answers after I show him Nico Basson's allegations that De Klerk is directly involved in political violence.

Young people in his party visit his constituency and if people need any further information or want to meet him, he does house calls.

When I question the NP's bona fides during democratic elections, he says NP constitutional guidelines make provision for other parties to take part in the transition, and therefore Mr Nelson Mandela would also be part of the presidency. If any abuses occurred, the world would know.

I point out the world was in Namibia (in the form of the United Nations), yet it did not stop the South African government's dirty tricks.

The UN was not part of the Namibian government, he snaps.

"Like in any job, some things got away," he adds as an afterthought.

Confident a new parliament could be elected in the next three years, he is convinced the NP is strong enough to win an election without alliances.

He refutes the possibility of a Conservative Party-NP alliance.

Yes, Inkathagate hurt Inkatha, and Chief Mangosutho Buthelezi's support base, but Inkatha is anti-Communist and stands for a "free world".

Although the NP was implicated in Inkathagate, it was the "old" NP that was responsible. When I point out it happened in the post-February 2 period, he says the NP did explain the money was used in anti-sanctions campaigns.

McKenzie leaves, assuring me the black Nats would not repeat the LP's electioneering style of busing old people to polling stations.

"Things of the past and present will come out. The electorate must keep the NP on its toes — the people will govern."

Buthelezi stays out, but 'no Inkatha split'

Own Correspondent

JOHANNESBURG. — The Inkatha Freedom Party will take part in Codesa but yesterday poured cold water on the convention's political significance.

This follows IFP president Chief Mangosuthu Buthelezi's announcement that he was pulling out of the talks because of an impasse on separate delegations for the KwaZulu government and for King Goodwill Zwelethini.

Yesterday, IFP national chairman Dr Frank Mdlalose moved to dismiss speculation that the delegation's decision to participate might indicate a split between party members and Chief Buthelezi.

"We support him in this move . . . he was correct not to come," Dr Mdlalose said. "The king has been marginalised."

Dr Mdlalose also said the IFP was "fully committed to the success of Codesa" and "still stands committed to this historic occasion".

He added, however, that "we wish . . . to place on record our profound scepticism as to the political significance of any Codesa debates or solutions that may be arrived at in the absence of key relevant players".

Chief Buthelezi's decision has met with coolness from other delegates and from the foreign observers.

In London the British government yesterday expressed "disappointment" at Chief Buthelezi's decision.

women, from

Physically raped the

BY SONTI MASEKO

28-Year Jail sentence for

South African author Nadine Gordimer receives the 1991 Nobel Prize In Literature from Swedish King Carl XVI at the Stockholm Globe Arena this week.

Codesa goes to work

Sowetan 12/12/91 (304A)

THE Convention for a Democratic South Africa is poised for action.

Steering committee chairman Dr Zac de Beer said yesterday a great deal of progress had been made over the past few days to clear the way for Codesa to commence on December 20 without any foreseeable hitches.

He confirmed that duties such as administration, organisation, funding and security had been farmed out to various political organisations, while at least two office-bearers had been installed at the venue.

The ANC's Mr Murphy Morobe has been appointed to head the Codesa office, established at the World Trade Centre near Jan Smuts Airport.

This office has been rigged up with fax and telephone facilities, while Codesa also has its own letterhead and a postal box at Isando Post Office.

Senior Assistant Editor **Joe Latakgomo** on the prospects for continued inter-

Reading the writing on the wall

STAR 12/12/91. 304A

THE message is quite clear: there will be no peace without freedom. It is not a message from the African National Congress nor its military wing, Umkhonto we Sizwe. Nor is it from the Pan Africanist Congress nor its military arm, the Azanian People's Liberation Army.

This message, which adorns overhead bridges, road signs and every possible visible point in some towns and cities, is from the right wing. That it is in Afrikaans is perhaps a measure of the bitterness that seems to have revisited the Afrikaner, reminiscent of the old anti-British sentiment that resulted from the Anglo-Boer War.

There is an irony in this message, though. For years, the Afrikaner, through the National Party, and even before that, systematically eroded the rights and freedoms of the black people of this country. When blacks spoke of the doctrine of consent, which states that no government is legitimate if it governs without the consent of the governed, they were jailed and banned. Through repression, white interests were protected and black interests suppressed.

Even as the right wing — and it would be wrong to assume it is only Afrikaans-speaking — preaches its message of fight or be doomed and pleads the need for its own freedom, the Azanian People's Organisation is making the same statement. For it, too, there will be no peace without freedom. Its statement, however, is made for different reasons, but it is significant that both organisations have chosen to use the same clarion call.

Pandelani Nefholovodwe, president of Azapo, declared that without the involvement of his organisation, the Black Conciousness Movement of South Africa, the PAC, the New Unity Movement and the Workers' Association of South Africa in real negotiations, there would be no peace, justice or freedom in this country.

When people no longer feel obliged to obey those in authority, the slide to anarchy clearly begins. While the ANC and the National Party may believe they have the support of a reasonable majority of people, it must be clear that — unless they wish to rule through sheer terror and repression — political and democratic demands, based on legitimate issues, will continue being made. The very instruments used by particularly the ANC can and will be used in pursuit of political ideals. Only this time it will not only be black opposition engaged in these activities of making the country ungovernable.

The temptation to draw parallels with the events in the Soviet Union is often great. That Mikhail Gorbachev has been caught in the rush of his own creation could suggest that perhaps President de Klerk will face the same here.

Clearly, resistance to reform in the Soviet Union provided the initial inertia, and it is for that reason that Mr de Klerk and his partners will need to move with considerable haste if they are not to be caught in their own creation. He will need to deliver, and deliver well, to survive politically and create a climate that would say to the right wing, in particular, that it was worth it in the end.

Already, the Afrikaner Weerstandsbeweging has warned that it would be preparing itself to go to war after leader Eugene Terreblanche walked out of talks with Constitutional Development Minister Dr Gerrit Viljoen. Mr Terreblanche even refused to be interviewed in English by an independent radio station. But the AWB's position was stated quite clearly: it would not negotiate with "communists and the anti-Christ".

While the AWB demands the creation of a *boerestaat*, it has stated clearly that it is not prepared to be ruled by "foreigners" — and that, to them, means blacks. The ANC's Pallo Jordan has called on the organisation to present its demand at Codesa, and said that it had a legitimate right to its view, which needs to be articulated. However, there seems no likelihood of right-wing participation in Codesa. Indeed, the AWB has said it would prepare itself for war. But if wars were fought with slogans on walls and roadsigns, the world would be a different place today.

Many analysts play down the strength of the AWB. One often mathemetically works out its strength on the basis of available data and generally comes to the conclusion that right-wing support is insignificant. To blacks, however, there is a growing realisation that inter-racial strife will grow rather than diminish as we move into a post-apartheid South Africa. Race hatred is certainly getting more and more evident; from the petrol attendant who has to deal with hostile whites, to the black supermarket manager who has to deal with responses like "Do I look like somebody who needs help?" when asked in the simply courteous manner demanded of him whether he can be of help.

To them the threat is real and not just a matter of politics. What leaves doubts in the minds of black South Africans is what the response of whites generally would be when the crunch came

and they had to make a cross in the appropriate box. Would commonsense prevail, and whites vote for the best person, or would they simply vote with their hearts and hope for the best? Privately, most whites express concern about their future. Like the filling station owner who invites me into his office, then in an almost hostile manner demands of me whether his son has a future in South Africa. Even before I can answer, he declares that he will make sure that the boy has a future — even if he has to use his gun to secure that.

The boy is obviously proud of his father. But so is my son, and the sons of other blacks and right-wingers. And so the stage looks set for continued hostilities. What if the Government and the ANC reached some solution excluding some of the major black and white political players, and civil war broke out? Could the country deal with such a situation, or would we make Yugoslavia look like a Sunday school picnic?

To coin a phrase, the prospect is too ghastly to contemplate. □

Talks pave way for Codesa

STAR 12/12/91 STAR 12/12/91 (304A)

By Kaizer Nyatsumba
Political Staff

Agreements were reached in meetings of the steering committee and task groups of the Convention for a Democratic South Africa (Codesa) this week, paving the way for the beginning of serious bargaining when real negotiations begin next week.

Democratic Party leader Dr Zach de Beer, who heads the Codesa steering committee, confirmed yesterday that the meetings on Monday and Tuesday had reached some crucial agreements.

These, Dr de Beer said, included the appointment of the ANC's Murphy Morobe to head a Codesa office at the World Trade Centre, near Jan Smuts Airport, where the negotiations will be held.

Mr Morobe, a former United Democratic Front leader, was among those who publicly called for the isolation of Winnie Mandela during the Stompie Seipei controversy in 1989.



Murphy Morobe . . . to head a Codesa office at the World Trade Centre.

After his return from a year-long study programme in the US this year, Mr Morobe has gradually risen in ANC structures.

He was the ANC's representative in the Patriotic Front's preparatory committee and was also nominated by the organisation's powerful PWV region for the position of regional chairman, but did not stand.

Other issues agreed on at the meetings included:

● Transkei will have a role, jointly with the South African Ministry of Law and Order, in being responsible for the security of delegates.

This development is sure to enhance Transkei military ruler Major-General Bantu Holomisa's position in Codesa, especially after various Government spokesmen have often alleged General Holomisa had been harbouring and training Umkhonto we Sizwe cadres.

● The ANC and the Government will be responsible for media arrangements for the conference. However, a special media committee made up of representatives of all convention participants will be created to handle publicity.

● Dr Theuns Eloff's Consultative Business Movement will handle the administration and logistics for Codesa, with the help of participating parties' representatives.

● Deon Swanepoel of the Department of Constitutional Development was appointed head of finances, and will also have an office at the World Trade Centre.

● The Government and the Inkatha Freedom Party will be responsible for protocol at the convention.

The steering committee meeting also ratified the November 29-30 preparatory conference's decision that each delegation to Codesa will have 12 delegates each. However, the committee decided that each delegation could bring along "a support component" of five members and 12 others who would not be allowed into the hall.

Despite these agreements, the steering committee left unresolved the question of whether Codesa's decision should be given a force of law and whether the IFP's demand that it, Zulu King Goodwill Zwelithini and the KwaZulu government should have separate delegations.

Come to Codesa, CP urged

(304A)

By Peter Fabricius
Political Correspondent

In a further attempt to draw the Conservative Party into negotiations, the ANC last night gave the assurance that the CP principle of self-determination for all peoples could be addressed at the Convention for a Democratic South Africa (Codesa) which starts on December 20.

Asked how far the ANC was prepared to go to attract the CP to Codesa, ANC secretary-general Cyril Ramaphosa said at a press briefing that the principles which every party held dear — such as self-determination or black consciousness — could be addressed at Codesa.

"The CP should come to Codesa in the full knowledge that their fears, concerns and demands will be addressed in the discussions at Codesa level."

Mr Ramaphosa's assurances fell far short of an agreement to guarantee the right of self-determination — which seems likely to be the CP's minimum condition for joining negotiations.

● Talks pave way for Codesa — Page 8

FW briefs Bush on talks

Political Reporter

PRESIDENT FW De Klerk has told US President George Bush he was confident that good progress could be made in the negotiation process.

As part of ongoing discussions between the two leaders, De Klerk also mentioned "several problems" in a telephone conversation to Bush on Wednesday night, according to a statement by the Office of the State President.

In the conversation, initiated by Bush, he reiterated his support to De Klerk for the negotiation process.

The two leaders also exchanged opinions on the situation in the United Soviet Socialist Republics. De Klerk was due to leave for Moscow yesterday for meetings with Soviet President Mikhail Gorbachev and the Russian leader Mr Boris Yeltsin.

The visit was cancelled at the last minute after the formation of a commonwealth by the Russian, Byelorussia and the Ukranian Republics.

Bush also noted the positive developments regarding the release of political prisoners in Bophuthatswana. The US Government earlier this year said all political prisoners had been released in South Africa.

De Klerk stressed the need for economic growth to support the negotiation process in order to establish a successful future democracy in a stable South Africa.

Govt jittery about level of Codesa observers

STAR 13/12/91

By Garner Thomson and Peter Fabricius

304A

The high level of the Commonwealth delegation which is to attend the Convention for a Democratic South Africa (Codesa) next week is causing some jitters within the South African Government.

The Commonwealth announced yesterday it would send a mission of prominent former politicians, including former Zimbabwean president Canaan Banana, former British deputy prime minister and foreign secretary Sir Geoffrey Howe, and former foreign ministers Tan Sri Ghazali Shafie of Malaysia and Shri Dinesh Singh of India.

A senior Government official responded to the news last night by asking: "Is such a high-level delegation only going to observe Codesa?"

However, other Government sources played down these fears and pointed out that when Commonwealth Secretary-General Chief Emeka Anyaoku visited South Africa recently on a fact-finding mission, he had told President de Klerk that the Commonwealth had no intention of interfering in South Africa's transition.

Mr de Klerk accepted this.

Diplomats in South Africa have stated they wished the Commonwealth and the other invited international organisations to send high-level delegations to underscore the gravity of Codesa.

● To Page 3

Right-wing organisations oppose talks

304A
STAR 13/12/91

Five right-wing organisations yesterday rejected their participation in Codesa on the grounds that the conference agenda did not make "any sincere effort to pre-acknowledge the Afrikaner-Boer nation's right to autonomy".

The joint statement was issued by the Boere Vryheidsbeweging, the Society of Orange Workers, the Association of Orange Business Circles, the Society "Bybel en Volk" and the Foundation for Christian-National Education.

The five organisations also warned in their joint statement that Afrikaners and Boers who viewed the "autonomous freedom within their own fatherland as an unnegotiable right" would never be able to take part in the Codesa talks.

The organisations also warned that if the Afrikaner nation's right to self-determination were ignored or offered "in a watered-down version" at the forthcoming negotiations, it would lead to violence similar to the war in Yugoslavia.

Attacked

So far, only one breakaway faction of the militant right-wing Boere Weerstandsbeweging, led by Piet Bester, has indicated a definite interest in taking part in Codesa. Mr Bester said yesterday he would definitely attend the Codesa meetings "on the BWB's behalf".

However, party leader Andrew Ford in turn attacked Mr Bester's decision, warning that Mr Bester was not a recognised leader of the BWB.

Anna Boshoff of the Afrikaner Vryheidstigting, which created the Afrikaner-only Orania settlement in the north-western Cape, said the organisation would not consider taking part in Codesa unless the meeting agenda "pre-recognised and included a serious discussion about the Afrikaner's inalienable rights to his own autonomous homeland".

Boerestaat Party leader Robert van Tonder and AWB leader Eugene TerreBlanche have also rejected participation in Codesa by their organisations.

The Conservative Party, in spite of heavy lobbying in its ranks, has also indicated it will not take part. — Sapa.

cember 13 1991

Forget past - Minister

Soweto 13/12/91

By IKE MOTSAPI

PEOPLE of all races must work together to build a new South Africa which knew no colour, Mr Leon Wessels, Minister of Provincial Affairs and National Housing, said yesterday. 3047

Speaking during a visit to the Soweto Council, Wessels said South Africans of all races needed each other badly at this stage of negotiations.

"What all the people should do is to forget the past and work towards shaping a new constitution that will make sure that no one is discriminated against.

"What South Africa needs now during this time of Christmas is the spirit of peace and co-operation by all its people," he said.

Wessels said negotiations taking place were going to affect local government.

"It is therefore imperative that people who are involved in the day to day running of local governmental affairs should also prepare themselves for negotiations that are going to change the face of their departments," he said.

Team in 'unique' position to help

● From Page 1

STAR 13/12/91

Chief Anyaoku told a London press conference yesterday he was optimistic that the Commonwealth team for Codesa would be in a unique position to assist the peace negotiations.

The decision to send a mission to South Africa also marked what he saw as an "important development" in the Commonwealth's relations with South Africa.

Until the Harare meeting of Commonwealth heads of state in October, the organisation's role had been "largely adversarial".

Now that the South African Government had accepted and embarked upon political change, the relationship between the two was entering a new and constructive phase.

The other members of the mission are Sir Ninian Stephen, former governor-general of Australia, and Mr Justice Telford Georges, former chief justice of the Bahamas.

Despite the presence of other foreign missions, including those from the European Community, the United Nations and the OAU, Chief Anyaoku believes the Commonwealth could offer unique insight into the problems being encountered in the country.

"One of the main challenges facing South Africa is how to cope with the pluralism. It is a pluralistic state and they need to address that issue in their negotiations," he said.

Commonwealth to send observers

Top-level teams named for Codesa

304/1

B/Day 13/12/91

TIM COHEN and
KIN BENTLEY

HOPES rose yesterday for a successful start to constitutional negotiations with the announcement of high-level national and international delegations to next week's Codesa meeting.

The Commonwealth announced a six-member observer team, including former British foreign secretary Sir Geoffrey Howe and former Zimbabwe president the Rev Canaan Banana.

President F W de Klerk will lead the government delegation, which includes just one non-Cabinet member. The NP delegation, led by its Cape leader Dawie de Villiers, includes three coloured members.

The ANC will announce its delegation soon, but it is sure to be led by its president Nelson Mandela and include secretary-general Cyril Ramaphosa.

The Commonwealth delegation includes two other former foreign ministers: Malaysia's Tan Sri Ghazali Shafie and India's Shri Dinesh Singh. The other members are former Australian governor-general Sir Ninian Stephen, and Telford George, former chief justice of the Bahamas.

Commonwealth secretary-general Chief Emeka Anyaoku said the attendence of the delegation was an important development in Commonwealth relations with SA.

Other foreign organisations invited to attend — the EC, the OAU and the UN — have yet to announce their delegations.

The NP delegation also includes Natal leader George Bartlett and two other Ministers — Defence Minister Roelf Meyer and Law and Order Minister Hernus Kriel.

The other members are Natal chairman Jurie Mentz, Cape vice-chairman the Rev Andrew Julies, NP leader in the House of Representatives Jac Rabie, Bloemfontein North MP Frik van Heerden, Durbanville MP Frik van Deventer, President's Councillors Anne Routier and Peter Marais, and secretary-general Stoffel van der Merwe.

The government delegation includes Foreign Minister Pik Botha, Constitutional Development Minister Gerrit Viljoen, Justice Minister Kobie Coetsee, Finance Minister Barend du Plessis, Education Minister Sam de Beer, Health Minister Dr Rina Venter, Provincial Affairs Minister Leon Wessels, Deputy Development Aid Minister Piet Marais, Deputy Constitutional Development Minister Tertius Delport, Deputy Education Minister Abe Williams and Constitutional Affairs director-general Fanie van der Merwe.

Du Plessis has switched from the NP delegation at the preparatory meeting to the government delegation for Codesa.

Anyaoku said yesterday he would personally return to SA "from time to time" next year as negotiations proceeded, bringing with him "appropriate advisers whose expertise might be helpful to (Codesa)".

He expected the observers "to hold consultations with the leaders of the political parties and to be available to assist in whatever way might be helpful".

☐ Sapa reports that US President George Bush expressed his support for the negotiation process to De Klerk in a telephone conversation on Wednesday.

The President's office said in a statement De Klerk told Bush he was completely confident that good progress would be made, and informed him of problems expected to be the main point of focus in the weeks ahead.

World leaders for SA

304A

CT 13/12/91

Own Correspondent

JOHANNESBURG. — Former British foreign secretary Sir Geoffrey Howe and former Zimbabwe president the Rev Canaan Banana will be among the high-level international delegations to South Africa's historic peace negotiations, it was announced yesterday.

President F W de Klerk will lead the government delegation. The National Party delegation will be led by its Cape leader Dr Dawie de Villiers, and includes three coloured members.

The ANC will soon announce its delegation for next week's talks, but it is sure to be led by its president, Mr Nelson Mandela, and include secretary-general Mr Cyril Ramaphosa.

The Commonwealth delegation includes two other former foreign ministers: Malaysia's Mr Tan Sri Ghazali Shafie and India's Mr Shri Dinesh Singh. It also includes former Australian governor-general Sir Ninian Stephen and Mr Justice Telford George, former chief justice of the Bahamas.

Commonwealth secretary-general Chief Emeka Anyaoku said the attendence of the delegation represented an important development in the Commonwealth's relations with SA.

Other foreign organisations invited to attend — the EC, the OAU and the UN — have yet to announce their delegations.

US President George Bush telephoned President De Klerk yesterday to express his support for the negotiation process.

The State President's office said the telephone call was a follow-up to previous discussions between the two leaders.

Mr De Klerk told Mr Bush he was completely confident that good progress would be made in the negotiating process. He also informed Mr Bush about several problems that existed and which were expected to be the main point of focus in the weeks ahead.

The two leaders also exchanged opinions and points of view on the situation in the Soviet Union.

Mr De Klerk's scheduled visit to Moscow was cancelled on Wednesday because of the crisis in the Soviet Union.

During the discussion Mr De Klerk also emphasised the need for economic growth to support

To page 3

CP councils defy Dr No's line

w\mail 13/12 - 18/12/91 (304A)

By GAVIN EVANS

LOCAL-LEVEL negotiations between members of the Conservative Party and the African National Congress are happening in several areas of the country — in direct defiance on a CP ban on such contact.

While the ANC is keen for the Conservative Party to be drawn into talks at both national and municipal level, the CP officially remains implacably opposed to meetings at any level with the ANC, the Pan Africanist Congress or "unelected" civic associations.

Putting the official party line, acting CP general secretary Paul Fouche said that it was completely against party policy for even individual town councillors to be engaged in talks with such organisations.

However, CP councils and councillors have been involved in negotiations with ANC, PAC and Congress of South African Trade Unions members in areas such as Standerton, Messina, Phalaborwa, Louis Trichardt, Uitenhage and Witbank — in most cases in response to consumer boycotts.

In Standerton, in the south-eastern Transvaal, the town council is CP-controlled while the Sakhile Civic Association (SCA) includes members of the ANC, PAC and Inkatha.

Negotiations began after rent and consumer boycotts led to the resignation of the local black councillors.

"It puzzles me that the CP says there are no negotiations, because we have been involved in negotiations with the Standerton Town Council," said SCA chairman Dan Soko.

He said the CP mayor, Ian Thorn, went as far as raising money from local businesses to help the community pay back its electricity arrears, and the council appointed one of its members, HV van der Merwe, to administer the township after the resignation of the councillors.

Thorn, who confirmed that he and most of his council were CP members, said he'd had "a lot of meetings" with the SCA and that he'd raised R80 000 to pay off the arrears.

A very different situation exists in Louis Trichardt where the CP mayor, Louis Hartzenberg, was involved in talks with the ANC-controlled Tshikotoa Consumer Boycott Committee last year.

The issue at stake was that the boycott committee and the local residents' association wanted the new township incorporated into a single municipality while the CP council wanted a separate black authority.

CP members were involved in talks whenever a new consumer boycott got off the ground, but so far this year there have been no boycotts and no talks, and the council has dug in its heels by refusing to meet the residents' association.

This was also the initial strategy adopted by CP-controlled council in Phalaborwa — which stated emphatically it would never talk to the ANC.

But last month, after a long consumer boycott they mandated their town clerk to attend meetings between the ANC-dominated boycott committee and the chamber of commerce.

Ditching the ox-wagon in the donga

W 'Mail 13/12-18/12/91

What does that emotion-charged celebration, the Battle of Blood River, mean to the people who live near the battlefield? Not very much, discovers **RAY NXUMALO**... *"I think they celebrate the slaughter of our forefathers," says one black teenager, hesitantly* 304A





Jannie Bouwer ... Children should be told the truth, so that they don't grow up with hate

Bhekizwe Buthelezi ... In the old days they would whip us. Now they leave us alone

Photos: RAY NXUMALO

THE last 20km of loose, dusty road that leads to the Blood River monument leaves you in no doubt as to where you are headed — the markers along the way are on a blood-red background, not green as they are on the main tar road between Dundee and Vryheid.

Inside the monument's tidy information office — which also serves as a grocery shop — Mirriam Fakude goes about her business cleaning the floors, selling biscuits, sweets, souvenirs of the Zulu-Boer war of 1838 and information brochures. One of the brochures which she sells for R2,50, compiled by the Blood River Festival of the Covenant Committee, reads: "This monument also reminds us of the co-operation between the two civilised races, namely, Boer and Britain, in Southern Africa. Together the two groups fought against the tyranny of a barbaric Zulu king ... But also the non-White races can look at this monument with gratitude. Also for them it brought an end to the wars of annihilation so that the light of the Gospel of the Cross might be preached to them."

Born in Tayside, a village some 25km away from the battle site at Blood River — called Ncome by the Zulus — Fakude started working there 18 years ago, at the age of 15. Fakude says the battle of Blood River is not talked about much by her friends and family. "Even my own grandfather, who is now dead, never told us about the war. The little I know about it I have got from reading here at work. I understand that their annual get-together is about celebrating the slaughter of our forefathers," she said.

In the past black employees were allowed to stay around the monument on December 16. However, this changed in the last three years. "A major commotion broke out between some kind-hearted Boers and the more stubborn ones on Kruger Day, October 10 1989. After that the enthusiasm among them to have us here on that day seems to have dwindled," she said.

On December 16 1989 — for the very first time — the black people who work at Blood River were given the day off. "We now sit at home and have a quiet day because they don't want us anywhere near them," Fakude said.

Fakude said many Zulus came to Ncome to visit the monument but on December 16 they were not allowed to visit the site. The approach of this day is marked by a heavy police presence in the area, "maybe to stop the Zulus from getting too close to the monument", she said.

George Shawe is an English-speaker who farms cattle nearby. He believes the Day of the Vow commemorations at the monument cling to the past when there are other things that need serious attention. "Shouldn't people be getting on with their lives instead of sticking to events that happened over 100 years ago?" he asked.

"It's time to face up to reality," he said, his eyes wandering off in the direction of the monument. "I think these ox-wagons belong in the past — they should be thrown into the dongas," he said in impeccable Zulu.

I set off for a neighbouring farm. Shawe had volunteered his foreman, "Mabuza", to accompany me to the farm of Jannie Bouwer. "You never know with these guys," Shawe had warned. "Anything can happen especially if you are planning to discuss such things."

It was clearly a busy time for Bouwer and his workers — shearing sheep and baling the wool. He ignored us for half an hour as he went about marking the bales with black ink.

Bouwer won't be going to the commemoration on Monday. He said he had not commemorated the Day of the Vow for a few years now. "Too much politics," he said. "The day seems to be losing its meaning. People are using this day for their own political agendas — yet it is supposed to be religious. A day of thanksgiving and prayer."

Bouwer said he had made sure he told his children of the events of that fateful day in 1838, when some 3 000 Zulu warriors died and the Boers suffered just three men wounded. "That is one of the promises in the Vow — 'that we will also tell our children to join with us in commemorating this day'.

"But I never told them that they should hate Zulus. Back then they were the enemy — we were at war," he said. "But we are not war anymore."

One of his wishes is that the next government should keep this day on the calendar. "Say Mandela becomes the next state president — it would be unfair of him to take away this important day from the Boerevolk," he said.

"I don't believe it will fall away. The important thing is that children should be told the truth, so that they don't grow up with hate. The war was only about boundaries and about the breaking of an agreement. It should not be politicised," he stressed.

Bhekizwe Buthelezi, an old man in the area, is not too sure when he was born, but he says he has seen many, many Afrikaners arrive at Blood River for the commemoration. What fascinates him most, he says, is their loyalty to tradition. "I tell you, my boy, the Boers have strong faith in their ancestors."

He says that on Monday the whole place will be swarming with Afrikaners in their old attire: "Men riding on horsebacks in breeches, tailcoats and big guns," he says. "I believe shooting has been outlawed though," he observed.

"In the past they would just attack us without provocation and whip us," he said, slightly twisting his face as if in pain. "The most unlucky would be men with beards. They might have their hair plucked out of their faces on sight," Buthelezi said.

"But nowadays, they have become human. They just go about their business and leave us alone," he said.

Govt, NP announce delegations

STAR 13/12/91 (304A)

Both the Government and the National Party delegations for the Convention for a Democratic SA on December 20 and 21 were announced yesterday.

President de Klerk is to lead the Government delegation.

The other members are: Foreign Minister Pik Botha, Constitutional Development Minister Dr Gerrit Viljoen, Justice Minister Kobie Coetsee, Finance Minister Barend du Plessis, Education Minister Sam de Beer; Health Minister Dr Rina Venter, Provincial Affairs Minister Leon Wessels, Deputy Development Aid Minister Piet Marais, Deputy Constitutional Affairs Minister Tertius Delport, Deputy Education Minister Abe Williams and Fanie van der Merwe.

The NP's Cape leader, Dr Dawie de Villiers, will head the NP delegation to Codesa.

The delegation includes several former Labour Party MPs in the House of Representatives who crossed the floor to the NP earlier this year.

The members are: George Bartlett, MP for Amanzimtoti and leader of the Natal NP; Minister of Law and Order Hernus Kriel; Minister of Defence Roelf Meyer; Natal NP chairman and MP for Vryheid Jurie Mentz; vice-chairman of the Cape NP and MP for Kalahari, the Rev Andrew Julies; leader of the NP in the House of Representatives and MP for Reiger Park, Jac Rabie; MP for Durbanville Frik van Deventer; President's Councillors Anne Routier and Peter Marais; MP for Bloemfontein North Dr Frik van Heerden; and NP secretary-general Dr Stoffel van der Merwe. — Sapa.

CITY/NATIONAL

Commonwealth profile team to Codesa talks

high-level Commonwealth sending mission to Codesa talks

(South) ARG 13/12/91

GARNER THOMSON and PETER FABRICIUS

THE Commonwealth has announced that it will send a high-level mission of former politicians to the Convention for a Democratic South Africa (Codesa) next week, including the former President of Zimbabwe Canaan Banana, former British Deputy Prime Minister and Foreign Secretary Sir Geoffrey Howe, and former foreign ministers Tan Sri Ghazali Shafie of Malaysia and Shri Dinesh Singh of India.

A senior South African government official responded to the news last night by asking: "Is such a high-level delegation only going to observe Codesa?"

However, other government sources played down these fears and pointed out that when Commonwealth secretary-general Chief Emeka Anyaoku had visited South African recently on a fact-finding mission, he had told President De Klerk the Commonwealth had no intention of interfering in South Africa's transition.

Mr De Klerk had accepted this.

Chief Anyaoku told a London press conference yesterday he was optimistic the Commonwealth team for Codesa would be in a unique position to assist the peace negotiations.

Commonwealth expertise of the highest order would continue to be made available to all parties involved as long as the process continued.

The decision to send a mission to South Africa also marked what he saw as an "important development" in the Commonwealth's relations with South Africa.

Until the Harare meeting of Commonwealth heads of state in October, the organisation's role had been "largely adversarial", he said.

The other members of the mission are Sir Ninian Stephen, former Governor General of Australia and Mr Justice Telford Georges, former Chief Justice of the Bahamas.

Meanwhile, Codesa steering committee negotiators are locked in bargaining about the Inkatha Freedom Party's demand that the Kwazulu government and the Zulu king should be allowed to send their own separate delegations to the Codesa conference.

The ANC and other parties are believed to be resisting the IFP demand which has twice been deferred by the steering committee.

IFP negotiator Walter Felgate said the Kwazulu government was not the same as other self-governing territories (which will not be sending separate delegations).

"We say Kwazulu is distinctly different from other homelands. It has an existence of its own and is not just a child of apartheid. It was once an independent sovereign kingdom.

"You can't debate the future of a kingdom without the king being present. If one is disposing of a kingdom, surely it is not unreasonable to expect the king to be there?"

● Hugh Roberton reports from Washington that one of the most distinguished research centres in the United States, the Centre for Strategic and International Studies, is to form a 50-member working group on South Africa to monitor and assess political and economic developments in the country during the transition to a non-racial society.

It will be one of the largest and most influential "think tanks" on South Africa in the world and will include top executives of US companies with a presence in the country, specialists drawn from the US government and Congress, retired US diplomats who have served in South Africa, officials from international financial institutions who have a special knowledge of the country, and academics and researchers.

In a statement today, the CSIS said preliminary discussions with US, European, Asian and southern African corporations had shown that there was particular interest in the working group addressing three major developments. These were:

● The confusion generated by conflicting statements emanating from all South African business and political groupings regarding the role of the private sector, including foreign investment, will play in a post-apartheid era.

● The potential economic and political implications for the southern African region as a whole of the changes now under way in South Africa, and

● The need within the US, South Africa and the broader international community to improve channels of communication between the policy and corporate communities.

The statement noted that "US corporations manifest a special need for continuing guidance on the extent and longer term relevance of state and local legislation" on investment in South Africa.

Each meeting of the working group will focus on a specific aspect of the South African transition process, with special attention to shifts in schools of thought on economic policy options.

Constitutional role for judges

304A (S) ARG 13/12/91

New mechanism for appointments needed

This is the last in a three-part series of articles discussing Codesa by HUGH CORDER, Professor of Public Law at UCT.



AMIDST many uncertainties about the structures and procedures of a future South African constitution, one thing is sure: the courts will emerge as a more powerful and overtly political part of government than they are at present.

This of course means that the judges who preside in the superior courts will be far more closely screened before appointment and scrutinised while on the Bench than is currently the situation.

How are our judges appointed at the moment, and to whom are they accountable?

The law states that Supreme Court judges are appointed by the State President, who acts in consultation with his cabinet, but chiefly on the recommendation of the Minister of Justice.

The Minister usually consults the Judge President of the division of the court where the vacancy exists, and he in turn is likely to have an informal exchange of views on the matter with his fellow judges and the leaders of the Bar in that region.

Although the Hoexter commission report of 1984 urged the formalisation in law of this consultative process, the government refused.

Once appointed, judges have security of tenure until retirement at 70 years of age, which means that they may only be dismissed (for serious misconduct or incapacity) by the State President after a majority in parliament has requested him to do so.

Short of dismissal, there are no disciplinary steps which can be taken against judges for their actions on the Bench. Judges are accountable to the law and their consciences.

It is highly likely that a new mechanism for appointing judges in the future constitution will have to be found, in recognition of their new role and the legitimate claims of the electorate for less secrecy and informality in the process.

Even the English Lord Chancellor, whose procedures provided the model for our own, now has a judicial appointments division within his ministry, whose officials work full-time advising him on whom to appoint as judges, and there is a rising clamour for thorough reform of the system.

While Australia continues along our lines, New Zealand and Canada have bound themselves to informal processes of consultation with their serving judges and provincial attorneys-general, respectively.

India's constitution provides for a formal approach to the Chief Justice for advice on appointments, while Nigeria has adopted the American model of presidential nomination subject to approval by the federal senate.

But by far the most common model is that followed (in various forms) by countries such as Israel and at least 12 African members of the British Commonwealth.

This involves the creation of a Judicial Service Commission (JSC), which nominates up to three persons to fill a judicial vacancy. The executive, which remains the formal appointer of judges, must then choose one of those names.

The legitimacy of this process depends crucially on the composition of the JSC. The pattern adopted in Commonwealth Africa is to have a fairly small body (three to four members), chaired by the Chief Justice, with the other members typically being the chair of the Public Service Commission, a senior judge and one other person, the last two being appointed by the Head of State on the advice of the Chief Justice. These bodies tend, therefore, to be lawyer-dominated.

South Africa might prefer to adopt a model closer to that of Israel or even Ontario in Canada.

Israel's judicial appointments committee is composed of three judges (the president of the Supreme Court and two others, elected by all the judges); two government Ministers; two members of the Knesset (parliament), elected by secret ballot of all the members, and two practising lawyers elected by the council of the Israel Bar Association.

The province of Ontario has gone further. It is currently trying out a Judicial Appointments Advisory Committee consisting of six non-lawyers (including the chair) and four lawyers, the latter representing different parts of the organised legal profession.

This committee advertises vacancies on the provincial Bench, interviews candidates and selects up to three of them as persons worthy of appointment by the provincial attorney-general. The system is apparently working very well.

The existence of such a JSC can ensure a broader representation of interests in the judicial appointments process.

But the functions of most JSCs are wider than mere involvement at the appointment stage, as they usually are required to keep a watch over the salaries and service conditions of the judiciary, as well as to recommend disciplinary action (short of dismissal) against judges whose conduct necessitates it.

This is obviously an extremely sensitive matter which must be treated highly confidentially, because the JSC must not be seen to be interfering with judicial independence.

The JSC's advice is also sought should there be any serious thought of impeachment of a judge by parliament.

There are many more aspects of the judicial office which need to be clarified during the negotiations for a new constitution.

Women launch fight for inclusion

Political Correspondent

AN organisation calling itself the "Women's Lobby" (WL) has been launched to fight for the inclusion of women in the negotiation process.

The WL, which has members from a number of women's organisations countrywide, hopes to persuade political groupings like the ANC and Inkatha women's leagues, to join them in pressing for the inclusion of women in the Covention for a Democratic South Africa (Codesa). (304A)

WL chairman Ms Babette Kabak said from Johannesburg yesterday: "It is vital that capable women be included in the delegations of all political parties participating in Codesa.

"Women form more than 50% of the population and if South Africa is to have a democratic process, women must be part of this important conference." ST 3/12/91

No women were included in the delegations of the 20 parties participating in the preliminary talks for Codesa.

According to Ms Kabak: "If we are going to have a democracy, women will have to be part of the process rather than part of the wallpaper."

She said the primary aim of the lobby was to ensure that in future women were included in all decision-making at national, regional and local levels in South Africa.

DHLOMO'S INSTITUTE

(304A) FM 13/12/91

Oscar Dhlomo, executive chairman of the Institute for Multi-Party Democracy (MPD), has reacted to the article in last week's *FM*, based on an internal memorandum, reporting that the MPD is under severe financial strain.

Says Dhlomo: "It is alleged that the MPD has outstanding claims against it amounting to R600 000. The truth is the MPD has outstanding claims in its favour amounting to R600 000 which its donors are about to refund. The practice in the MPD is that funds are first spent and a refund is then applied for from the donors, with supporting invoices.

"A claim for a refund amounting to R600 000 has been incorrectly represented by the *FM* as a claim against the MPD. An incorrect impression is given that the MPD is in perpetual 'severe financial strain.'

"The confidential memorandum is in fact a projected cash flow analysis for December. All the memorandum states is that, if outstanding monies from donors are not paid on time, there might be a temporary cash flow crisis in December. Some have since been paid and the crisis therefore did not materialise.

"However, we see nothing untoward in the financial administrative steps proposed in the memorandum.

"For an organisation that depends solely on donations, we would have thought that the MPD's financial situation is far from critical. The MPD received a R5,2m donation from US Aid at the beginning of 1991. Less than R1m of this has thus far been spent. The Hans Seidel Foundation is also sponsoring the Political Leadership Programme for close to R1m. There have been other smaller donations from the private sector and some Western governments."

□ On November 28, MPD financial chairman Robin Lee wrote a memo to the institute's financial and administrative manager Marian Nell (who has since resigned and now acts as a consultant to the MPD). The memo instructed her to put a moratorium until December 6 on all payments by the institute.

In another document titled "Crisis Plan: December 1991 — January 1992," Lee wrote the "MPD will go into deficit by December 15 unless additional income is obtained." He added that Dhlomo would see donors "about urgent interim funding against outstanding claims."

Dhlomo claims that the *FM* misunderstood the phrase "funding against outstanding claims."

FM 13/12/91 (304A)

THE CABINET

Clearing the desks

Derek Keys has been a member of the National Party "for some years." That has been confirmed to the *FM* by NP secretary-general Stoffel van der Merwe.

The appointment of Keys to the vital post of Trade & Industry and Economic Co-ordination Minister is undoubtedly the most important of President F W de Klerk's Cabinet shuffle. While at a glance there is nothing of interest in the way portfolios have been reallocated, an important element has been the separation of negotiators from housekeepers.

The main focus is now on negotiations, with the Convention for a Democratic SA (Codesa) headed for an action-packed programme next year after the ceremonial launch on December 20.

On the housekeeping side, the appointment of former Gencor chairman Keys is widely welcomed as an astute move by De Klerk to get some action on the economy. Keys takes over the important portfolio of Economic Co-ordination from Dawie de Villiers and the equally important Trade & Industry from Org Marais.

This will make him one of the most powerful Ministers, with the advantage that he is the personal choice of De Klerk and owes nothing to the NP caucus — though previous membership of the party will no doubt smooth his way.



De Klerk



Viljoen

Keys is no stranger in government circles, having served on a number of advisory bodies. He was brought into the Commission for Electricity by the late Wim de Villiers, whom he now succeeds in the Cabinet. Keys also served on the Tax Advisory Committee and has been a member of the State President's Economic Advisory Council since July. Democratic Party leader Zach de Beer says Keys has one of the clearest minds in the business world.

Keys' major contribution is expected to be in economic co-ordination, shaking up government enterprises to run more efficiently and cutting the cost of the civil service machinery. De Beer points out that efficient services from government departments will remain important in attracting investors. As chief economic co-ordinator, Keys is expected to reach into the domain of Finance Minister Barend du Plessis (**see *Leaders***).

Among the other Cabinet moves, the shift



Keys



Meyer

P.T.O.

MOSCOW-SA RELATIONS

Mandela's cargo cult

The cancelled visit of President F W de Klerk to the leaders of the former Soviet Union nonetheless represents a remarkable development. It shows a diplomatic détente unthinkable only a brief time ago, when the spectre of communism produced rabid responses in Pretoria. Now communism is dead. De Klerk will yet be in Moscow.

Of course, as diplomacy establishes its priorities, it will be a problem for the President, in the months ahead, to know precisely with whom to resume full diplomatic ties. Ethnic fission on even a sub-Yugoslavian scale could well replicate itself across the remnants of Stalin's empire. Boris Yeltsin's newly announced Slavic commonwealth — Russia, Ukraine and Byelorussia — is obviously a big-ticket number, but it is inherently unstable.

That aside, the significance of the mooted visit was that De Klerk would get to Moscow before ANC president Nelson Mandela. This was extraordinary, given that the Soviet Union was the major backer of the ANC throughout its years of exile. Mandela has at least twice cancelled trips to Moscow because the time was not propitious — leaving the impression that the fate of the ANC is now of less commanding interest to Mikhail Gorbachev than it might once have been.

Mandela's response to news of the De Klerk visit was ungracious: "We have no objection to the visit . . . Whether he goes to a country or not makes no difference to us because nothing can advance his cause. Nothing can advance the cause of racial oppression in our country or in the world."

This is sufficient to suggest that Mandela still hasn't got the idea of what the fall of communism means. Strictly interpreted, he also appears to believe that De Klerk is attempting to extend the life of apartheid; but this is probably not so.

Mandela must understand that if Gorbachev and Yeltsin give their blessing to De Klerk's reforms, it will be all that more difficult to persuade ANC followers that the "liberation struggle" remains a purely black-white affair with inevitable victory for the victims of oppression, hand in hand with progressive nations.

This is rather like the belief that once Mandela is in Tuynhuys, foreign aid and handouts will rush to the rescue of an economy that sanctions have helped to ruin. It has the authentic ring of the cargo cult — the faith that, as one encyclopaedia has it, "a new paradise will be heralded by the arrival of a supernatural cargo of goods brought by spirits."

It takes no cognisance of new world realities. ■

Small steps to democracy

STAR 13/12/91 (304A)

Dr Van Zyl Slabbert speaks about the meaning of "bottom-up" negotiations to the national constitutional talks. JO-ANNE COLLINGE reports.

THE BIG Bang approach to constitution-making holds little appeal for Dr Van Zyl-Slabbert, political analyst, former parliamentarian and, most pertinently, chairman of the Central Witwatersrand Metropolitan Chamber.

"Quite frankly I would say it would be wrong to rush into a constitution at the national level if there isn't an infrastructure at the local, metropolitan and regional levels."

"That's why I believe that this kind of negotiation in the Metro Chamber — replicated all over the country — is very important to provide a civil societal infrastructure to carry the democratic constitution at the national level."

Getting the right constitution takes the country only part of the distance to democracy, argues Dr Slabbert. Covering the rest of the distance depends on developing a democratic political culture.

"Where do you want to learn this — all over the country, in little towns and cities and villages, where you can eyeball it out with one another, begin to share services, begin to try and take some civic pride in the situation?

"Or do you have a big one-off event where the major constitution is going to be implemented, say, between January 2 and 3? That won't be a learning experience; that'll be a major shock to the society."

What makes South Africa so shock-prone, he says, is that the authoritarian political management of apartheid denied communities the autonomy to manage themselves. When the central authority began to collapse from the mid-'80s onwards, it left only "fragile and controversial entities from the past" on which to rebuild — bodies like the racially defined councils, the liberationist civics.

The Metro Chamber experience, which Dr Slabbert regards as a stepping stone through inevitably troubled waters, has drawn the Soweto Civic Association and other civics from around Johannesburg into close bargaining with four white municipalities, three black town councils and the Transvaal Provincial Administration. They had three central tasks to address.

Firstly, they had to find ways to upgrade and maintain services in Soweto and Alexandra. Secondly, they had to find funding for improved services — not least by persuading township residents to start paying to a much greater degree than at present. And thirdly, they had to begin to develop urban finance and planning policies and appropriate nonracial structures to overcome the worst inequities of the apartheid city.

Obviously, parties had different priorities. The civics, over the months, refused to agree to higher service tariffs, until they secured undertakings on improved services and a process for creating new nonracial planning and administration bodies. The white municipalities had no wish to inherit the headaches of the bankrupt township councils. They were not about to take responsibility for any services in the townships without some prior idea of residents' commitment to paying.

Negotiation shuffled along and, in the end, a package settlement was announced containing all sorts of trade-offs. It featured a tight schedule of improvements to services; a phased programme of tariff increases; and a phased schedule of structural change at metropolitan and local government level, with nonracial negotiating forums playing an increasingly important part in budgeting and policy-making for town and township alike.

"What you've got to use is a common sense of crisis — like the collapse of services — to focus the minds of parties on forging a new kind of consensus," observes Dr Slabbert.

Consensus decision-making has been the modus operandi in the chamber. It is about to affect national political life as the Convention for a Democratic South Africa lifts off before Christmas.

Dr Slabbert says his spell in the chair of the chamber has left him none the wiser as to the meaning of the notion of "sufficient consensus", which will govern Codesa deliberations. He questions whether it can simply imply a substantial majority.

"All I can say is that in the chamber I postponed all issues on which there could not be consensus, hoping that through horse-trading, informal bargaining and trade-offs outside the formal chamber circumstances, people would come to some kind of agreement."

Did they? "Oh yes, it worked. People came back. They'd found ways; they'd negotiated; they'd seen what deadlocks could do; they'd seen what would happen if one of the parties was excluded."

It's a long process — much longer than the simple majority decision-making employed in the parliamentary process. And, by its nature, a lot happens behind closed doors, away from public scrutiny.

The negotiating process embodies a major contradiction: both secrecy and mass communication are vital to its success. In the early phases, when distrust and antagonism between parties are palpable and agreements tentative, there is a tendency for all parties to clam up in the interests of preserving the process. Nobody is about to rock (and wreck) the boat by going public.

Yet, says Dr Slabbert, maintaining the relationship between parties and their constituencies is vital. "You have to be able to communicate back to the people. You have to depend on the newspapers, on pamphlets, radio, television, so that people out there begin to understand what is happening.

"We can go into heavy sweatshops here in the chamber — for days on end — and come out exhausted but elated at the newfound solidarity. But out there, people haven't got the vaguest clue of what we're talking about."



South Africa is shock-prone . . . Slabbert.

Because the masses do not bargain — but leaders do; the masses do not settle — but leaders do, negotiations are inevitably pursued by an elite, Dr Slabbert acknowledges.

The process should not be confused with elitism, which purposely sets out to exclude the broad populace "by some kind of constitutional fiat".

He adds the cautionary note: "The masses back up, they support, they question. There is not a leadership settlement that can survive without the backing of supporters."

All the major features of the first year in the Metro Chamber will "reveal themselves" much more distinctly during national negotiations, Dr Slabbert confidently predicts. As well as one additional disturbing feature: the impact of parties on the Right who are excluded from the process. "The worst thing that can happen is to make all right-wing formations hostage to the militarist elements on the Right." □

The PAC has to decide this weekend whether to rejoin Codesa, writes **Ismail Lagardien**

The Africanists stand at the crossroads

STAR 13/12/91

THE Convention for a Democratic South Africa (Codesa) is not in crisis as a result of the PAC walkout. Leaders of the various political parties who will gather at the World Trade Centre next week are emphatic that the show will go on with or without the turbulent Africanists.

In fact, so confident are they of pressing on regardless that "Codesa 2" is already being discussed, according to sources within the steering committees established after last month's preparatory meeting.

It is perhaps more accurate to say it is the PAC that is in crisis over its on-off participation in Codesa. This makes its special consultative congress in Cape Town on Sunday and Monday extremely important: the organisation will have to find its own way out of the impasse.

The PAC did what it believed to be the honourable thing when it walked out of Codesa's preparatory meeting on November 30, on the grounds that the ANC and the Government had in preliminary discussions secured a series of "agreements" during bilateral discussions. The Africanists contended at the time that the Government and the ANC were using the preparatory meeting for the express purpose of receiving the "rubber stamp" of the self-governing states and homeland governments, as well as the political parties within Parliament for these agreements.

Another contention was that the ANC had broken all the agreements it had made with the PAC at the launch of the Patriotic Front. The PAC therefore felt it could not continue to take part in Codesa within the framework that had been established by the preparatory meeting, and that it had to seek a fresh mandate from its membership to continue within this established context.

Hence this weekend's consultative congress. The PAC thus finds itself at a crossroads on the question of entering into formal multiparty talks — which Codesa has officially become. For the PAC the options are twofold: if it decides not to continue in Codesa, it could be relegating itself to the periphery of South African politics; if it chooses to continue, it stands to play only a marginal role in the creation of the next South Africa.

Going into Codesa and retaining its integrity as a liberation movement is the PAC's biggest problem — and it sees the ANC losing the initiative in this regard. The thinking in the PAC is that the ANC has fallen for the Government's "grand scheme", will gradually be sucked into a compromising position where it will be forced to drop its role as a liberation movement, will lose the support of the international community (against the Government) and be forced to drop the sanctions campaign.

This is not a fate the PAC would like to share, and PAC sources are worried that it might inevitably be what lies in store for whoever takes part in Codesa — and in time an interim government of national unity. It is believed the Government favours some sort of interim structure with a lifespan of five to 10 years. The Government wants to use this time to "stabilise the economy and encourage economic growth", as well as create jobs and preserve the basic infrastructure of the country — including roads, railways and communications systems as well as the civil service. The Government believes, too, that through such an interim government it will be able to stop the violence in the country.

The problem is compounded not only by the fact that the Government appears to have a well-worked-out plan, but that it also has an equally well-oiled engine to implement it. The PAC fears Pretoria's capacity to co-opt outsiders into a "super Cabinet" and interim structure through which it will co-administer South Africa.

After incorporating into this super-Cabinet as many political parties as it chooses (in order to give it maximum credibility) the interim government could then safely run the country for an extended period. The PAC's problem — and that of the ANC — is that it has no better thought-out alternative.

The ANC has said that it prefers an interim period of about 18 months, but has given little additional detail. The PAC has given no detail at all. Both parties have thus exposed themselves to the possibility of being incorporated, by default, into the kind of transitional or interim government the National Party has in mind.

In broad terms, these are the reasons why PAC leaders' brows will be furrowed this weekend. The PAC faces a tough choice — made tougher by the uncompromising militancy of many of its followers. It can choose to stay "pure", but will then have to watch mute as Codesa takes off without it. □

Wrangle over IFP demands for Codesa

STAR 13/12/91

(28) (29) 30(4)

By Peter Fabricius
Political Correspondent

Codesa steering committee negotiators are locked in bargaining about the Inkatha Freedom Party's demand that the KwaZulu government and Zulu king be allowed their own delegations at the first Codesa conference next week.

The ANC and other parties are believed to be resisting the IFP demand, which has twice been deferred by the steering committee.

It is understood that several meetings are taking place this week to try to resolve the issue before the December 20 conference.

It is likely to be finalised at the steering committee meeting next Wednesday.

One suggested compromise is that the Zulu king should be invited to the December 20 and 21 Codesa conference as a non-voting guest along with other dignitaries.

Some sources close to the talks said the IFP had already softened its position this week and was prepared to withdraw its demand for a separate KwaZulu government delegation, but still wanted the king represented.

IFP negotiator Walter Felgate said this week that the KwaZulu government was not the same as other self-governing territories (which will not be sending separate delegations to Codesa).

"We say KwaZulu is distinctly different from other homelands. It has an existence of its own and is not just a child of apartheid.

"It was once an independent sovereign kingdom. You can't debate the future of a kingdom without the king being present."

Although it is understood that the ANC has opposed the IFP demands, ANC sources were noncommittal about the dispute this week.

They expressed confidence that it would be resolved before December 20 and indicated they believed the IFP would back off its original demand for three delegations.

National Party sources said the NP had not taken a hard position, but was inclined to oppose separate representation for the KwaZulu government and the Zulu king.

The NP appreciated that the king played an important role in Zulu culture and politics, but the basic guideline was that participation in Codesa was for political parties or movements vying for popular support.

If one went outside these boundaries, it would become difficult to draw the line, and organisations such as Contralesa (the ANC-linked body of traditional leaders) and the trade union federation Cosatu could also be included.

CP turns down talks invitation—again

304A CT 14/12/91

PRETORIA. — The Conservative Party has again turned down an invitation — this time by one of the two Codesa chairmen, Mr Justice Ismail Mahomed — to attend the multi-party discussions next weekend.

A copy of a letter replying to the invitation and signed by CP secretary Mr Andries Beyers, reads: "The party acknowledges receipt of your invitation of December 9 to attend the Codesa meeting on December 20 and 21. The Conservative Party does not accept the invitation."

● The leader of the Labour Party, Mr Allan Hendrickse, will head the party's 12-man delegation to the convention. The other delegates are Mr Miley Richards, Mr Chris April, Mr David Curry, and MPs Mr Peter Hendrickse, Mr Ken Lategan, Mr Douglas Josephs, Mr John Douw, Mr Desmond Lockey, Mr William Whyte, Mr Anver Essop and Mr Godfrey Macalagh.

● Solidarity leader Dr J N Reddy will head his party's delegation to the talks. Other members of the delegation will be Mr Ismail Omar, Mr Yunus Moolla, Dr Kisten Rajoo, Dr S V Naicker, Mr M F Cassim, Mr P I Devan, Mr M Mohanlall, Mr N Jumuna, Mr Yacob Makda, Mr Aboo Khan and Mr A S Akoob.

● In Harare, President Robert Mugabe yesterday said Zimbabwe welcomed the progress in the constitutional negotiations in South Africa and urged the parties involved to use gains obtained so far for future progress. — Sapa

General Assembly urges restoration of sporting, cultural ties

Open doors to SA – UN

3044 STAR 14/12/91

UNITED NATIONS — The General Assembly yesterday unanimously urged all nations to restore sporting, cultural, scientific and academic exchanges with South Africa because of progress made towards ending apartheid.

In its annual resolution on apartheid, the assembly also encouraged countries to review and lift remaining economic sanctions as South Africa creates a new transitional multiracial government and drafts a democratic, nonracial constitution.

For decades, the General Assembly had called for a sports and cultural boycott of South Africa while apartheid was firmly in place.

Many governments have already lifted their sports boycotts of South Africa and the country has been readmitted by the International Olympic Committee.

The UN decision comes days before the Government, ANC, Inkatha Freedom Party and other political parties meet for the Convention for a Democratic South Africa (Codesa) on December 20, to begin to lay the groundwork for a new democratic government.

Proposals for an interim government to organise new elections will be considered at the talks, but it is not certain whether such a transitional administration will be formed.

The General Assembly's apartheid resolution was adopted by consensus, without a vote.

As usual, the South African seats in the assembly hall were empty. South Africa's voting rights were suspended in 1974 for the country's defiance of UN resolutions calling for racial equality.

Glaring inequalities

The resolution also addressed the wave of violence that has convulsed South Africa, urging officials to redouble their efforts to suppress violence and terrorism "by ensuring that all competent authorities act effectively and impartially".

The resolution also called on the signatories of the National Peace Accord — the ANC, IFP and the Government — to live up to their pledges of non-violence, and urged other parties to support the accord.

The Government should encourage the reform process by immediately releasing any remaining political prisoners and assisting the return of refugees and exiles, it said. The assembly also urged "the repeal of repressive and discriminatory legislation still in place and to address the glaring inequalities created by apartheid".

Diplomats said it was the most positive resolution in many ways that the assembly had adopted on South Africa, and this was evident by the extensive Western support it had received.

But in a statement, Minister of Foreign Affairs Pik Botha did no hand-stands over the outcome, although he said elements of the resolution were encouraging.

The assembly might better have spent its time

Stage set for crucial talks on charting SA's future

THE GOVERNMENT'S total monopoly of State power is beginning to slip from its grasp as high-powered South African and international delegations gather for the Friday and Saturday meeting of the Convention for a Democratic South Africa which will start to determine the country's future.

"It is in Codesa that the future government will be determined," ANC sources are now saying, for the first time conceding that the reform process is irreversible.

"Codesa is going to make it impossible for the Government to refuse to hand over power to a democratically elected government."

"We are beginning to see what irreversibility really means," one senior Government official said.

As heavyweight delegations from five international organisations and about 20 political parties and homeland governments begin to assemble for Codesa, elements in the Government began to get jittery about the implications.

Codesa rekindled the the Government's perennial sensitivity about its sovereignty when the Commonwealth announced a high-level delegation including a former national president and several former foreign ministers to observe Codesa.

And it became clear that all the South African parties to Codesa were according it the necessary gravity by sending their top people.

PETER FABRICIUS STAR POLITCAL CORRESPONDENT 14/12/91

President de Klerk will lead the Government delegation which includes only one member not in the Cabinet. The NP delegation led by Cape leader Dr Dawie de Villiers includes three other Cabinet ministers.

The ANC is still to announce its team, but it is sure to be led by Nelson Mandela and to include other heavyweights such as secretary-general Cyril Ramaphosa.

The Labour Party will be led by its leader, the Rev Allan Hendrickse, and Solidarity by its lead-

● TO PAGE 2.

Mango season sure to rock you



MANGO Groove are back in South Africa, after a highly successful tour of Australia, to kick off their "Do You Dream" national tour with performances at Sun City this weekend.

South Africa's hottest ethnic-pop act has got the Aussies in a positive tizz with their sparkling, original pop music and vibrant stage performances.

After performing in Perth, Melbourne and Canberra, the group were so well received by Sydney audiences that they put on two extra shows.

The 11-piece outfit have also won over the Australian media, which have predicted that Mango Groove will be the next international band to break records in that country.

Blessed

The respected Sydney street-music newspaper, The Drum Media, hailed their act as "blessed with some extraordinary music talent".

The group were also praised by leading Australian music promoter Lawrence Jackson, who rated their appearances as one of the best international tours of the year. He added: "Mango Groove had Australians crying out for more at



STAR 14/12/91

All set for Codesa

● FROM PAGE 1.

er Dr J N Reddy.

The Inkatha Freedom Party was expected to announce its delegation last night. It is becoming clear that Codesa will be the sort of crucial gathering that no one wants to miss if they can help it.

Apart from about 20 political parties and homeland governments, it now seems that the Zulu king and other tribal leaders may also send delegations.

But in a major disappointment, the CP and other right-wing organisations have all refused to attend.

For the first time the ANC — hitherto sceptical about the Government's intentions — is expressing confidence that the momentum to a new democratic constitution is irreversible.

This week the Codesa secretariat set up office in the World Trade Centre at Jan Smuts Airport where the December 20 and 21 conference will be held. And in intense behind-the-scenes negotiations in a plethora of committees, the ANC and other parties have been trying to persuade the Government to make a formal commitment to implement the decisions that Codesa makes.

There is pressure to go further by insisting that Codesa itself should draft the legislation that will give legal force to its own decisions. Confidence is expressed that this move will succeed.

Several parties would like the commitment to become part of the declaration of intent which all parties to Codesa make at the start of the first meeting.

This could be the most crucial aspect of the first meeting as it could irreversibly set in train the further unfolding of negotiations.

The declaration is also likely to include a commitment to aim at attaining broad constitutional principles.

This will be the main business of the first meeting, which is then likely to break up into working groups to thrash out issues such as the nature of a transitional government, the type of forum to negotiate the constitution.

These committees could report back to a second Codesa plenary meeting late in February or early March which could take the key decision — whether or not an elected constituent assembly will draft a new constitution.

Once this is resolved, the momentum to a new government ought to be fast — with ANC leaders predicting a new constitution in six months.

Stage set for crucial talks on charting SA's future

PETER FABRICIUS STAR
POLITICAL CORRESPONDENT 14/12/91

THE GOVERNMENT'S total monopoly of State power is beginning to slip from its grasp as high-powered South African and international delegations gather for the Friday and Saturday meeting of the Convention for a Democratic South Africa which will start to determine the country's future.

"It is in Codesa that the future government will be determined," ANC sources are now saying for the first time concerning that the reform process is irreversible.

"Codesa is going to make it impossible for the Government to refuse to hand over power to a democratically elected government."

"We are beginning to see what irreversibility really means," one senior Government official said.

As heavyweight delegations from five international organisations and about 20 political parties and homeland governments begin to assemble for Codesa, elements in the Government began to get jittery about the implications.

Codesa rekindled the the Government's perennial sensitivity about its sovereignty when the Commonwealth announced a high-level delegation including a former national president and several former foreign ministers to observe Codesa.

And it became clear that all the South African parties to Codesa were according it the necessary gravity by sending their top people.

President de Klerk will lead the Government delegation which includes only one member not in the Cabinet. The NP delegation led by Cape leader Dr Dawie de Villiers includes three other Cabinet ministers.

The ANC is expected to announce its team, but it is sure to be led by Nelson Mandela and to include other heavyweights such as secretary-general Cyril Ramaphosa.

The Labour Party will be led by its leader, the Rev Allan Hendrickse, and Solidarity by its lead-

● TO PAGE 2.

UNITED NATIONS — The General Assembly yesterday unanimously urged all nations to restore sporting, cultural, scientific and academic exchanges with South Africa because of progress made towards ending apartheid.

In its annual resolution on apartheid, the assembly also encouraged countries to review and lift remaining economic sanctions as South Africa creates a new transitional multiracial government and drafts a democratic, nonracial constitution.

For decades, the General Assembly had called for a sports and cultural boycott of South Africa while apartheid was firmly in place.

Many governments have already lifted their sports boycotts of South Africa and the country has been readmitted by the International Olympic Committee.

The UN decision comes days before the Government, ANC, Inkatha Freedom Party and other political parties meet for the Convention for a Democratic South Africa (Codesa) on December 20, to begin to lay the groundwork for a new democratic government.

Proposals for an interim government to organise new elections will be considered at the talks, but it is not certain whether such a transitional administration will be formed.

The General Assembly's apartheid resolution was adopted by consensus, without a vote.

As usual, the South African seats in the assembly hall were empty. South Africa's voting rights were suspended in 1974 for the country's defiance of UN resolutions calling for racial equality.

Glaring inequalities

The resolution also addressed the wave of violence that has convulsed South Africa, urging officials to redouble their efforts to suppress violence and terrorism "by ensuring that all competent authorities act effectively and impartially".

The resolution also called on the signatories of the National Peace Accord — the ANC, IFP and the Government — to live up to their pledges of non-violence, and urged other parties to support the accord.

The Government should encourage the reform process by immediately releasing any remaining political prisoners and assisting the return of refugees and exiles, it said. The assembly also urged "the repeal of repressive and discriminatory legislation still in place and to address the glaring inequalities created by apartheid".

Diplomats said it was the most positive resolution in many ways that the assembly had adopted on South Africa, and this was evident by the extensive Western support it had received.

But in a statement, Minister of Foreign Affairs Pik Botha did no hand-stands over the outcome, although he said elements of the resolution were encouraging.

The assembly might better have spent its time dealing with "flashpoints and immense economic problems elsewhere", he suggested.

Still, it was encouraging, he said, that the UN was "at last recognising important political developments in South Africa".

Specific recognition by the General Assembly of progress made in overcoming obstacles to negotiations was another important step forward, Mr Botha acknowledged.

The decision to resume academic, scientific, sport and cultural links confirmed that sanctions were crumbling, despite the world body's "continuing shortsightedness on financial and trade sanctions".

Mr Botha said it was essential for the progress and well-being of South Africa's people that the assembly support economic growth, rather than inhibit it. — Sapa-AP, Own Correspondent.

WE, THE PEOPLE

(3041) ST Times 15/12/91.

ON TUESDAY the Codesa working group charged with drafting a Declaration of Intent will meet. Before them they will have draft proposals from the two major participants — the ANC and the National Party. The ***Sunday Times*** *today publishes the full text of the draft declarations. Drawing from both, Codesa will have to decide which values and principles will guide the new South Africa*

NATIONAL PARTY DECLARATION OF INTENT

WE, the participants to the first meeting of the Convention for a Democratic South Africa hereby commit ourselves

■ TO bring about through peaceful negotiations an undivided South Africa with one nation sharing a common patriotism and loyalty, pursuing amidst the diversity of our community, freedom, equality and security for all regardless of colour, creed or culture, free from apartheid or any other form of discrimination or denomination;

■ TO create a climate conducive to peaceful constitutional reform by eliminating political violence, intimidation and destabilisation and by promoting free political participation;

■ TO follow procedures conducive to achieving maximum support and consensus;

■ TO map out the road to a new constitution based on the following principles:

ONE: South Africa shall continue to be a sovereign Republic constituted of all its citizens and exercising authority over the whole of its territory;

TWO: The constitution shall be the supreme law, and everything done by the state and its organs shall be justiciable by an independent judiciary in terms of the constitution and of a Charter of Fundamental Rights;

THREE: There shall be an effective separation of powers between the legislative, executive and judicial authority;

FOUR: There shall be three tiers of goverment, namely central, regional and local and the division of powers and functions among the three tiers shall be defined and entrenched in the constitution;

FIVE: The constitution shall guarantee a multi-party democracy based on universal adult suffrage and the right to form and join political parties;

SIX: The constitution shall guarantee the entrenched protection of the fundamental rights of all citizens, minorities and communities;

SEVEN: Economic growth and development shall be promoted by a market orientated economic system with minimum state intervention based on free enterprise, private initiative and the right to own property and to contract freely and there shall be social responsiblity on the part of the state and the private sector to enhance the quality of life and ensure equal opportunities for all the people;

EIGHT: The constitution shall acknowledge the plurality of cultures and the ethnic diversity of the citizens of South Africa.

ANC'S PROPOSED DECLARATION OF INTENT

WE, the representatives of the political movements and administrations, aware of the responsiblity that rests upon all South Africans to work towards healing the divisions of the past and bringing peace, justice and the advancement of all to our country, declare our solemn commitment to

■ BRING about an undivided South Africa under one nation sharing a common citizenship, patriotism and loyalty — pursuing, amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed a country free from apartheid or any other form of discrimination or domination;

■ WORK for the establishment of a free and open society based on democratic values where the dignity, worth and rights of every South African man and woman is protected by the law;

■ SET in motion the process of arriving at a constitution which will ensure:

THAT South Africa will be an undivided, democratic, non-racial and non-sexist state;

THAT there shall be a multi-party democracy with regular elections in which all South Africans will be able to vote for the parties of their choice on the basis of universal suffrage and one person one vote on a common voters roll;

THAT in general the basic electoral system shall be that of proportional representation

THAT there shall be a separation of powers between the legislature, executive and judiciary with appropriate checks and balances

THAT all shall enjoy universally accepted human rights, freedoms and civil liberties, including freedom of religion, speech and assembly, protected under an entrenched and justiciable Bill of Rights;

THAT the legal system shall guarantee equality of all before the law

THAT South Africa has an independent, non-racial judiciary representing the skills, wisdom and life experience of all South Africans.

WE FURTHER solemnly commit ourselves to be bound by the decisions of Codesa and in good faith to take all such steps as are within our power and authority to realise their implementation.

WE AGREE that Codesa will establish an implementing mechanism (which shall include the government) whose task it will be to determine the procedures and draft the texts of all legislation and executive and administrative acts necessary to give effect to the decisions of Codesa.

Conventional wisdom of 1908

S/Times 15/12/91 3044

JOEL MERVIS recalls how the last national convention dealt with the problem of secrecy

THE Sunday Times last week was able to make disclosures from the "secret minutes" of the recent multi-party talks, a fact which should remind us of the role of secrecy in an earlier constitutional conference. This was the all-important National Convention in 1908 which drafted the constitution for the Union of South Africa.

At the start, the convention had to decide whether its deliberations should be private, or open to the public and the press. Delegates took the view that their position would be "impossible" if a discussion of important principles were to be going on inside and outside the convention walls at one and the same time. The danger existed that members might be harassed by demands and interference from without.

The convention endorsed a proposal by John X Merriman that "the proceedings of this convention shall be absolutely secret and that no records of any speeches shall be made". It was agreed that records would be kept only of resolutions, proposals and amendments, but that these too were to be kept secret.

In spite of the relatively large number of delegates who shared the convention's secrets, these remained intact. Not a word leaked out from October 1908, when the convention began, until February 1909, when the draft constitution was made public.

Blood

Soon afterwards "a bare and somewhat complicated official minute" was published, but not until 1912 did a coherent story emerge about what had actually been said at the convention. The author, Sir Edgar Walton KCMG, himself a delegate, produced a 320-page book entitled *The Inner History of the National Convention of South Africa.*

How did Walton manage it? True, he was proprietor of the Eastern Province Herald, with hot journalistic blood no doubt coursing through his veins; but taking notes during the convention sittings was strictly forbidden, and Sir Edgar, an honourable man, would not break the rules unless, of course, he could write in invisible ink with an invisible pen.

Since that was not possible, the likely explanation is that Walton, after each day's session, made extensive notes of the day's proceedings, which often included very long speeches. He was obviously gifted with an exceptional memory and was possibly assisted by cursory notes he may have made in private during the lunch hour and immediately after the close of each day's proceedings.

Thus armed, Walton wrote his *Inner History,* but not without some misgivings. How good was his memory? How accurate was his record of the speeches? He had to put it to the test. Accordingly he submitted his manuscript to the judgment of Gys R Hofmeyer, clerk of the Cape House of Assembly and also clerk of the National Convention.

Hofmeyer, like Walton, sat through the debates, and was in a good position to judge the value and accuracy of Walton's narrative. Hofmeyer's finding was a mixture of praise and reproach. He found that Walton's version of the debates was substantially correct and contained no glaring errors or misrepresentations.

Complained

Yet, in one important aspect, Walton's report was defective. His account of the speeches did not convey their real worth (no doubt because Walton, with the restrictions imposed on him, could do no more than provide an educated abridgement of what was said).

Hofmeyer complained that Walton's report would give people a poor idea of the true quality of the debates. His version did not do the speakers or their speeches full justice, in particular those of Merriman, on the form of unions, and of Smuts, in a plea for a union that would make possible an economic policy for the whole of South Africa.

Walton accepted Hofmeyer's criticism, but felt nevertheless that his *Inner History* was the best available, and would at least present a reasonably fair account.

Lord De Villiers, president of the National Convention, presumably shared Walton's view and issued a formal certificate authorising publication. The fact remains, however, that we have no full, accurate record of what was said at the National Convention.

Fresh

With Codesa just around the corner, present-day leaders might want to take a fresh look at whether Codesa's proceedings should be public or private. They could possibly learn something from the National Convention's experience.

CP turns down another invitation

THE Conservative Party has turned down another invitation to the forthcoming all-party discussions – this time by one of the two Congress for a Democratic South Africa (Codesa) chairmen, Justice Ismail Mahomed. (30(A)

The CP says in its reply, signed by CP secretary Andries Beyers: "It is the definite standpoint of the Conservative Party that the right to self-determination, freedom and independence of the Afrikaner nation (volk) and our other-language compatriots who identify with our struggle, is not negotiable. CP News 15/12/91

"We have to inform you that the representation of the National Party at Codesa cannot be considered as representative of the Afrikaner nation or the white community. The National Party presently represents a minority of our people."

Major parties sending top men to constitutional talks

By SEKOLA SELLO

(3047) (MAIL)

THE arduous task of putting South Africa on the road to a democratic future takes place in Kempton Park near Jan Smuts Airport on Friday and Saturday.

Having removed the obstacle of deciding who gets invited to the constitutional negotiating forum, the real job of sorting out South Africa's future begins.

Two major players – the government/National Party and its allies and the ANC and its allies – are now all geared up to enter full-blown consitutional talks.

Although there are 19 political organisations, including the government, taking part in the Convention for a Democratic South Africa (Codesa), the real contest is between the ANC and the government.

Who will line up behind the ANC or the government is still not known. But, in the true nature of politics, alliances will be made and dissolved depending on the exigencies of the moment.

That next week's talks are considered crucial can be deduced by the high-level delegations the major parties are sending.

C/Press 15/12/91

The government will be headed by State President FW de Klerk, with seven cabinet ministers and three deputy ministers, while the ANC is expected to be led by its president, Nelson Mandela, and senior members of the national executive committee.

The PAC, which walked out of the preparatory talks two weeks ago, is expected to take part.

Two problems for Codesa

S/Times 15/12/91

POLITICAL parties were this weekend locked in intensive discussions to resolve two remaining obstacles to a successful launch of South Africa's second national convention next week.

The issues that have not been resolved are:

- Inkatha's insistence that the Zulu king be allowed to participate in the Convention for a Democratic South Africa (Codesa);
- An ANC proposal that all parties, including the government, commit themselves to abide by decisions taken by Codesa and that the convention establish an implementing mechanism to draft the text of all legislation necessary to give effect to decisions of Codesa.

A solution to the first problem, at present being discussed, centred on issuing invitations to all tribal kings and chiefs to attend Codesa as observers.

Dispute

The second obstacle was proving more intractable.

The government objected to the ANC's proposal for an implementing mechanism on the grounds that it was a back-door attempt to introduce an interim government. Its draft declaration of intent made no provision for an implementing mechanism.

A sub-committee consisting of Public Enterprises Minister Dawie de Villiers, the ANC's Feroz Cachalia and one other has been appointed to try to resolve the dispute.

A government spokesman said the resolution of the problem lay in defining

By MIKE ROBERTSON
Political Correspondent

what was meant by "sufficient consensus" — the manner in which decisions were taken by Codesa — without creating the impression that some parties were more important than others.

The spokesman said rather than stipulate that Codesa itself draft legislation, government believed a process similar to that followed in setting up the peace secretariat should be followed. This involved the parties agreeing on what course of action to follow and government drawing up the required legislation.

However, ANC secretary general Cyril Ramaphosa said yesterday that it was important that all parties, especially the government, committed themselves to abiding by decisions taken by Codesa and also to giving legal effect to those decisions. It was vital that Codesa had an implementing mechanism.

He rejected suggestions that this could be construed as bringing about an interim government through the back door.

Mr Ramaphosa said the ANC believed that Codesa should have a relatively short lifespan and that the first non-racial elections flowing from agreements reached at the convention should take place within 12 months.

- ANC President Nelson Mandela will head the organisation's delegation at Codesa. Others in the delegation will be Cyril Ramaphosa, Jacob Zuma, Mohammed Valli Moosa, Barbara Masakela, Joe Modise, Allan Boesak, Getrude Shope, Peter Mokaba, Marion Sparg and Sam Shilowa.

● See Page 29

PAC set to boycott Codesa

CT 16/12/91

By BARRY STREEK
Political Staff

DESPITE internal divisions, the PAC seems set against the all-party Codesa negotiations at the end of the week.

PAC members, apparently in the majority, yesterday repeatedly chanted "Down with Codesa" ("Phantsi iCodesa") at a rally at the start of its consultative conference.

PAC president Mr Clarence Makwetu also strongly criticised Codesa and said most participants in the talks had been "thoroughly rejected by the oppressed and exploited African masses and cannot and will not test their popularity at the polls".

He was also loudly applauded when he said: "If this congress decides that it (Codesa) is a dangerous instrument of the regime, then the question of our participation falls away."

There was, however, no applause when he added: "If the congress decides that it is a legitimate forum, then we have to decide on our role in it."

The mood of the 5 000-strong crowd at the opening rally at the University of the Western Cape was clearly against joining the negotiations.

But most of those were not delegates to the behind-the-doors congress, which began debating the issue yesterday afternoon, and some PAC members, particularly in the leadership, are in favour of joining the talks.

PAC information and publicity secretary Mr Barney Desai has said the organisation's leadership was confident there would be consensus in favour of continued participation and it would be in the PAC's inter-

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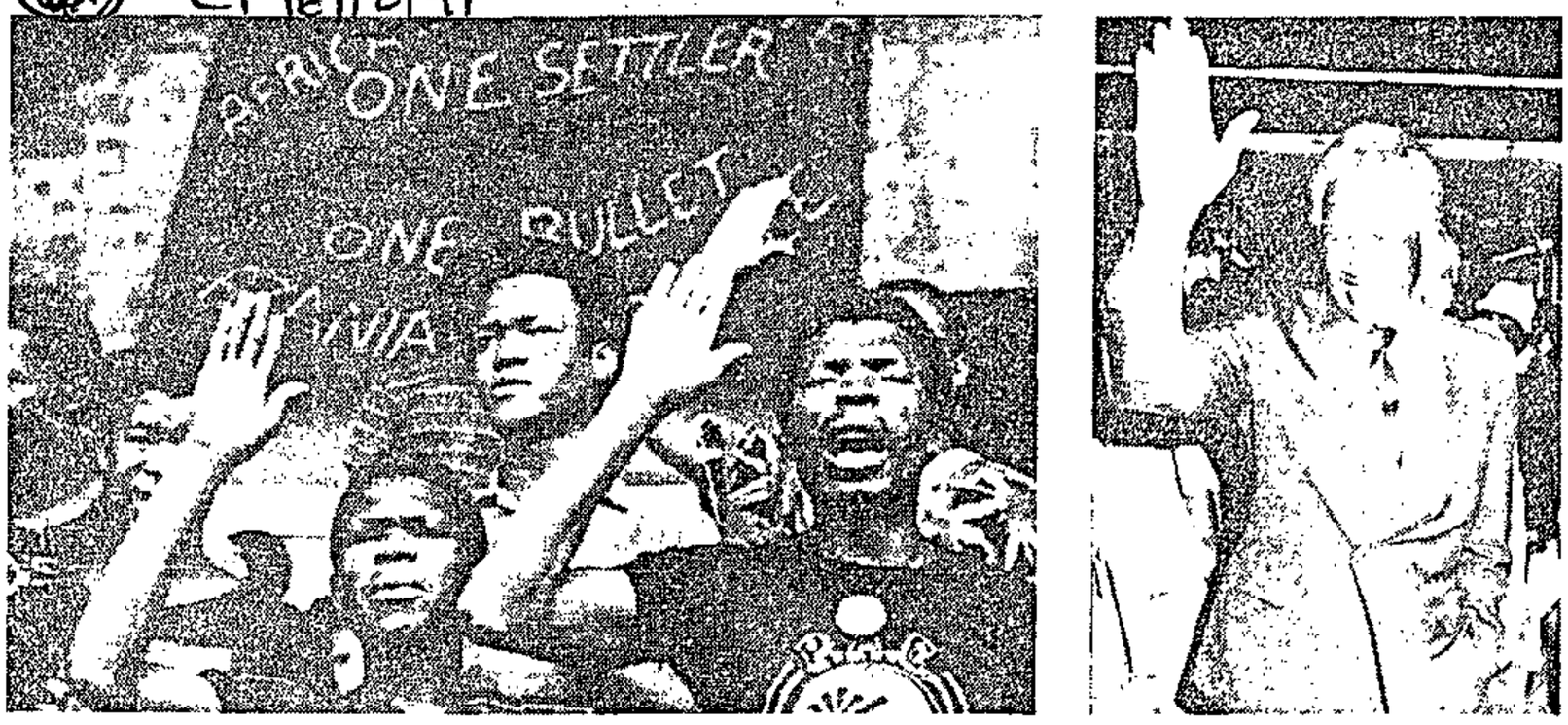


SALUTE . . . Delegates to the PAC's Special National Congress give the open-handed salute of their organisation before the opening address by their president, Mr Clarence Makwetu (right). On the wall behind them is their slogan "One Settler, One Bullet".

● PAC silent after attack claim — Page 5
● Buthelezi warning to Codesa — Page 5

From page 1

PAC

CT 16/12/91

est "to engage the regime at Codesa".

However, he has also repeatedly admitted open divisions on the issue, though both he and PAC deputy president Mr Dikgang Moseneke have said there would be open debate and healthy disagreement within the organisation.

At yesterday's rally, Mr Moseneke said he was aware of differences, but a decision at the congress would be taken by the people, not the leaders.

At this point, a member of the audience shouted out: "Down with Codesa" and was loudly applauded.

It seemed most were opposed to the PAC taking part in the Codesa conference.

Mr Makwetu's speech underlined this.

However, he introduced his speech by saying the congress had not been called "because there is a crisis within the PAC (to applause): it has been called because of the PAC's principle of consultation at all levels".

Mr Makwetu criticised the ANC indirectly by saying the PAC had discovered that issues which they had agreed in the Patriotic Front conference should be taken up collectively had "already been decided, contrary to the agreed positions".

The PAC had rejected a multi-party conference, which would be "prepacked with puppets of the regime and delegates from the tricameral structures", but the decisions at preparatory talks "confirmed our worst fears".

Mr Makwetu added: "It soon became obvious that the regime is intent on side-tracking the constituent assembly by putting into place a so-called interim government of national unity of long duration without a democratic mandate."

He also criticised the international community, saying its participation in Codesa as observers would, in the PAC's view, "only help give legitimacy to the regime's undemocratic practices".

"This process of undermining international pressures will not enhance the democratic process in South Africa, on the contrary it will delay our liberation," Mr Makwetu said.

Although he did not take a firm position on participation in Codesa, his comments suggested that he was not in favour of PAC involvement in the negotiations, and this seemed to be the position of majority of delegates.

A press conference will be held this afternoon where the decisions of the conference will be disclosed.

No lack of support for PAC

CT 16/12/91

Political Staff

THE Pan-Africanist Congress, often dismissed as a minor factor on the political scene, yesterday demonstrated that it cannot be ignored.

In just two weeks, it hastily organised a two-day conference of almost 1 000 delegates, including representatives of its Dar es Salaam-based external mission and its Harare branch.

Delegates have come to Cape Town for the two-day consultative conference from all over South Africa, including the homelands.

This is no mean achievement for an apparently minor player with limited financial resources.

As the audience patiently waited for their leaders to arrive, they sang and chantged slogans, including the infamous "one settler, one bullet, one bullet, one settler", which was significantly omitted by PAC president Mr Clarence Maketu and deputy president Mr Dikgang Moseneke when the rally finally began.

ARC 16/12/91 (304A)

PAC decision on Codesa due today

DENNIS CRUYWAGEN, Political Staff

WARNINGS by Pan Africanist Congress senior leaders, including the internal and external heads, has left little doubt that the movement will not take part in Codesa.

The two-day PAC consultative conference at UWC is due to announce its decision this afternoon. The tone was set yesterday and the feeling of the 5 000 people attending was clearly against participation.

The mood was militant — evidenced by banners reading "One settler, one bullet". Many delegates were sceptical about the bona fides of parties involved in Codesa and the sincerity of President De Klerk.

Opening the conference, PAC president Mr Clarence Makwetu said delegates had to decide if Codesa was a legitimate forum or an instrument designed by the government to maintain power.

"If this congress decides that it is a dangerous instrument of the regime, the question of our participation falls way."

Mr Makwetu said the majority of parties taking part in Codesa had no track record when it came to popular support.

"We are therefore always ready to discuss the issue of an elected constituent assembly with all interested parties."

He called on members of the Patriotic Front, including by implication the ANC, "to stand by what they had agreed upon".

● See Page 2.

ARG 16/12/91 (304A)

'We won't be steamrollered into taking part in Codesa'

DENNIS CRUYWAGEN
Political Staff

THE Pan Africanist Congress is not going to be steamrollered into taking part in Codesa, said Mr Johnson Mlambo, for many years the guiding light behind the movement's external wing.

In a rare interview, Mr Mlambo, who returned to South Africa from exile to attend the PAC's two day consultative conference, said the black nationalist movement was still committed to the armed struggle.

The chairman of the PAC's Central Committee, Mr Mlambo also called for a constituent assembly.

"The acid test which President De Klerk has to pass to prove he was genuine about change is to accept the principle of a constituent assembly."

He said it was important for the PAC to adopt a cautious approach to Codesa.

"The regime has realised that, though they have tried to kill the PAC, we will not die. They studied the situation and decided to change their tactics. Hence the sudden turn of events in 1990."

He said President De Klerk had taken the initiative to unban political organisations.

"He is setting a blistering pace in trying to remain at the centre of the process of transition. We shall not be steamrolled into this process."

He said the PAC was committed to peace.

"If there is a convincing and honest approach towards it, our people will not have any problem. But given the history and the way things have worked out there is still cause for great concern. That is why the PAC has wisely decided to adopt a cautious approach."

He declined to comment on reports that the Azanian People's Liberation Army, the PAC's armed wing, was responsible for weekend attacks on police in Soweto.

"But it is correct to say that the PAC has a multi-faceted approach towards the struggle. The goal we have set ourselves is that of national liberation and self-determination."

He said blacks would have been free in South Africa by now if Western nations had supported their struggle with the same vigour as it had supported the drive towards democracy in Eastern Europe.

Mandela to lead ANC's delegation to Codesa

30/4/91
CT 16/12/91

Own Correspondent

DURBAN. — Mr Nelson Mandela will lead the ANC delegation to the Codesa talks due to start in Johannesburg on Saturday.

Others in the delegation will be Mr Cyril Ramaphosa, Mr Jacob Zuma, Mr Mohammed Valli Moosa, Mrs Barbara Masekela, Mr Joe Modise, Dr Allan Boesak, Mrs Gertrude Shope, Mr Peter Mokaba, Ms Marion Sparg and Mr Sam Shilowa.

Dr J N Reddy will lead the Solidarity Party's team. Others on it are Mr Ismail Omar, Mr Yunus Moolla, Mr Kisten Rajoo, Mr S V Naicker, Mr M F Cassim, Mr P I Devan, Mr Madanlall Mohanlal, Mr M Jumuna, Mr Yacoob Makda, Mr Aboo Khan and Mr Sattar Akoob.

● The Women's Lobby, formed in 1975, said in Johannesburg yesterday it was essential for women to be represented on the negotiating teams.

The forum sent a letter to this effect to the co-chairmen of Codesa, Mr Justice Ismail Mahomed and Mr Justice Piet Schabort, and also to all the parties attending. — Sapa

'ANC rule in two years'

304A
CT 16/12/91

JOHANNESBURG. — South Africa will be ruled by an ANC government within two years, one of the organisation's leaders said yesterday.

ANC secretary-general Mr Cyril Ramaphosa said in a BBC interview broadcast on Radio 4 yesterday that apartheid would end soon.

"We would expect that the nightmare of apartheid will end fairly soon, and within two years we will have a government of the people," he said.

Also addressing a meeting of the Transvaal Indian Congress in Johannesburg yesterday, Mr Ramaphosa said constitutional talks could quickly reach stalemate, and "other means" might be needed to force the government to capitulate.

Serious differences would arise once substantive issues were addressed next month. There were certain issues on which there could be no compromise, he said, citing the ANC's demands for an interim government and a constituent assembly.

If the government resisted the legitimate demands of the people, he said, the people would have to engage the regime in all its forms.

Talks with the government and other parties had gone smoothly so far because they had dealt mainly with procedural matters. "The conflicts are going to emerge in January when the real negotiations start," he said. — Sapa-Reuter

Beware of leaving out major groups, says Buthelezi

IFP warns of civil war

Staff Reporters (30419) STAR 16/12/91

The Inkatha Freedom Party yesterday warned that civil war might erupt should any major political group be left out of negotiations, and insisted that a KwaZulu government delegation and the Zulu king be allowed to attend Friday's first session of the Convention for a Democratic South Africa (Codesa).

IFP leader Chief Mangosuthu Buthelezi told a rally in Umlazi that there would be no constitution without the KwaZulu government playing a role in shaping it.

In a hard-hitting address to some 9 000 supporters at the King Zwelithini Stadium, Chief Buthelezi warned: "We say that none should be left aggrieved in South Africa, lest what happens in this country emerges as so terrible and so destructive that the civil wars (in Mozambique and Angola) are child's play by comparison."

More reports — Pages 5 and 9

IFP supporters defiantly brandished "traditional" weapons — and a few carried machine-guns — despite a Natal Supreme Court ruling last week outlawing the carrying of cultural weapons at public gatherings.

The presence of King Goodwill Zwelithini and the KwaZulu government at Codesa's first meeting — earlier rejected by the other parties attending the meeting — are among the controversial issues still to be settled.

The Codesa steering committee will meet tomorrow

Addressing a Transvaal Indian Congress consultative meeting in Mayfair to probe the Indian community's role in negotiations, ANC general-secretary Cyril Ramaphosa said the Government had a "Plan B" to "ensure that the people did not emerge victorious".

"What is our Plan B? What if we do not win? What if the NP frustrates the aspirations of the people as a whole?

"Very few governments which have held power illegitimately can give power voluntarily — they have to be forced (out of power)," he added.

Mr Ramaphosa said there were many effective means open to the ANC to solve the country's problems. The ANC had, nevertheless, chosen to engage the Government in negotiations to seek a peaceful solution.

"Today we are on the verge of the last mile towards ushering in a democratic order in our country. It is probably going to be the most difficult. It is so difficult that some have opted out," he said, indirectly referring to the PAC.

Mr Ramaphosa said he believed Friday's Codesa meeting would be successful.

The more difficult problems were expected next month when "real" negotiations began. Then the ANC and the Government would lock horns as the Government dug in its heels on such contentious issues as the demand for a constitutional assembly, reincorporation of the TBVC states, the role of the international community, and the nature and timespan of the interim government.

"They want us to compromise on everything. We must



versial issues still to be settled.

The Codesa steering committee will meet tomorrow to finalise the participants after having delayed the decision twice already.

Chief Buthelezi said the KwaZulu homeland government had a right to take part in negotiations because — unlike the other homelands — it had not been created by apartheid. The Zulu nation had existed before the arrival of the "colonialists".

Chief Buthelezi said the king never involved himself in party politics, and would not do so at Codesa.

Other issues still to be resolved are:

- The involvement of the PAC, which has suspended its participation in preparatory talks.
- The legal powers of Codesa, with the ANC alliance insisting that the convention should have the power of law.

Meanwhile, violence, posing another threat to the start of negotiations, broke out in several townships countrywide at the weekend, leaving at least seven people dead and 10 injured in the PWV area alone.

At a special PAC congress in Cape Town called to discuss the party's future participation in Codesa, PAC leader Clarence Makwetu suggested that taking part in Codesa was futile.

Opening the congress on Saturday, Mr Makwetu, however, acknowledged the merit of going into the convention as a means of influencing the transformation of the country.

The PAC is expected to reach a final decision later today.

The ANC yesterday accused President de Klerk and the National Party of having a secret agenda to prevent the establishment of a majority government through negotiations. —

span of the interim government.

"They want us to compromise on everything. We must make it clear to them that even if negotiations are about compromise, there are issues on which we can't compromise."

In Transkei, Umkhonto we Sizwe (MK) chief of staff Chris Hani said an interim government should be in place after the Codesa conference.

Speaking during the 30th anniversary celebrations of MK, Mr Hani said the ANC would accept the outcome of a free and fair election, but he doubted whether the NP and the IFP would similarly accept the verdict of the electorate.

- The ANC's PWV region held a meeting with representatives of the business community in Daveyton on the East Rand yesterday to brief them on Codesa, the Patriotic Front, the forthcoming economic policy of the ANC and the ongoing violence in the region.



Giving the salute . . . PAC members at yesterday's special meeting in Cape Town. Picture: AFP

Women must be part of teams, urges lobby

STAR 16/12/91

The Women's Lobby, formed in 1975, yesterday said it was essential that women were represented on the negotiating teams that would take part in Codesa.

In a statement sent to the co-chairmen of Codesa, Mr Justice Ismail Mahomed and Mr Justice Piet Schabort, the organisation said it had communicated with the Government for several years about the absence of women on boards, commissions and other decision-making bodies.

"It is the opinion of the Women's Lobby that if South Africa is to be a true democracy, both components of society — women and men — should take part in all deliberations affecting the society at large.

"The Women's Lobby wants to know if it would be appropriate for you as co-chairmen of Codesa to use your influence to recommend to all parties to the conference that they include capable women on their negotiating teams," said the letter. (304A)

The forum sent a similar letter to each of the groups that will attend the convention. — Sapa.

PAC unsure of Codesa's role

STAR 16/12/91.

CAPE TOWN — The Pan Africanist Congress had to decide whether the forthcoming Convention for a Democratic South Africa was a democratic forum which would ensure the transfer of power or "merely an instrument of the regime designed to give the illusion of negotiations", PAC president Clarence Makwetu said yesterday.

He was speaking at the start of the PAC's consultative congress at the University of the Western Cape.

About 300 delegates, including a delegation from the PAC's external wing based in Tanzania and diplomats from Libya and Iran, are attending the two-day conference to decide on the PAC's continued participation in the Codesa talks which begin on Friday.

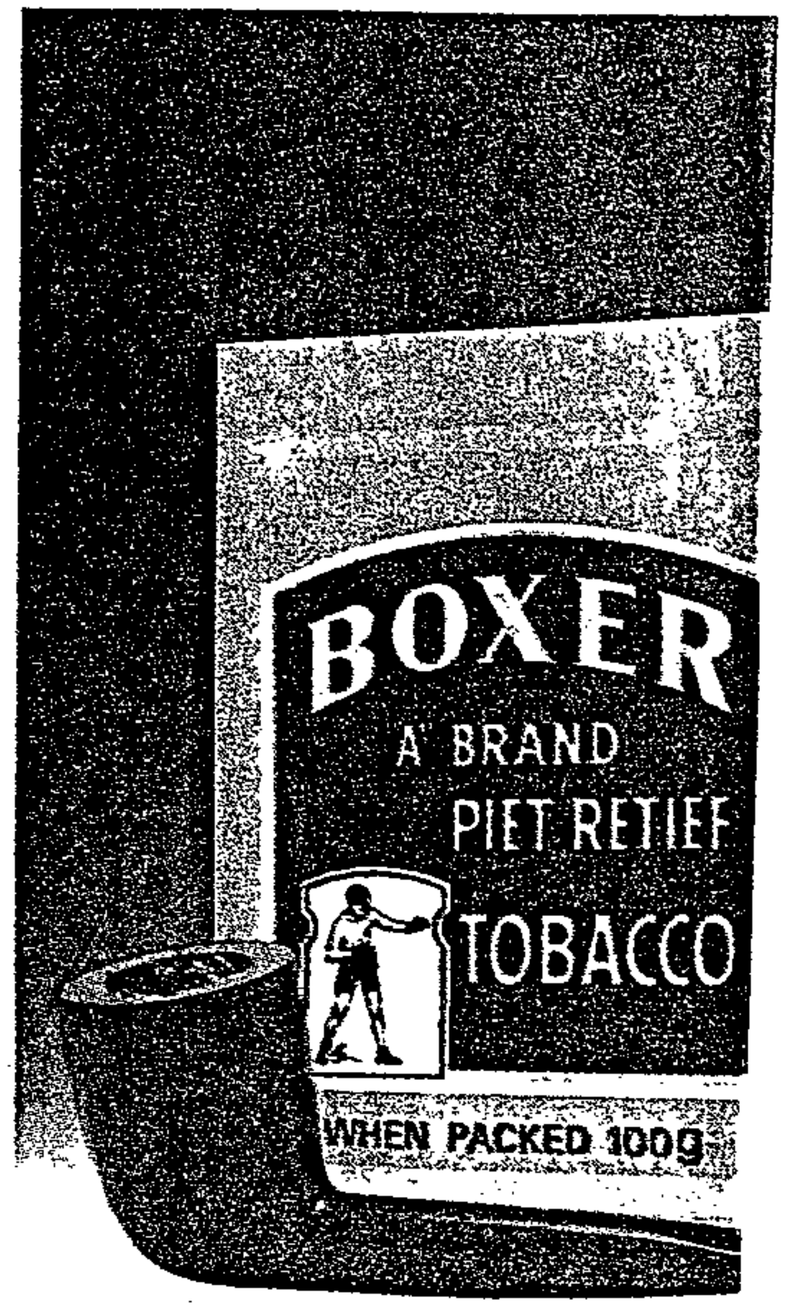


No democratic mandate . . . Clarence Makwetu.

Mr Makwetu said the PAC had pioneered the demand for a democratically elected constituent assembly to draw up the new constitution for South Africa. But he claimed that the Government wanted to subvert this demand by "putting into place the so-called interim government of national unity of long duration without a democratic mandate".

"This is a form of co-option that we have categorically rejected and will continue rejecting because it means government by decree and not by popular mandate," Mr Makwetu said.

He said the Government had "pre-packed" the talks with leaders from the homelands and the tricameral Parliament. — Sapa.



FULL, SMOOTH-TASTING TOBACCO, BLENDED TO PROVIDE THE T TASTE THAT HAS SATISFIED GENE SOUTH AFRICAN SMOKERS. THAT'S TOBACCO FOR THE MAN WHO LI HIS PIPE WITH FLAVOUR. BOXE THE FLAVOUR'S IN, THE BITE IS OUT.

REAL FLAVOUR – N

Three corners of SA's future

STAR 16/12/91. (3044)

The Inkatha Freedom Party's constitutional proposals are now on the table, along with those of the National Party and the ANC. Political Editor SHAUN JOHNSON puts them in context — and up against each other.

THE PIECES are gradually falling into place. If you had a Lego set and some time on your hands, you could now build yourself constitutional models of the future South Africa as dreamt up by the three major parties to negotiations.

The publication last week of the Inkatha Freedom Party's "Draft Constitution for the RSA" — just in time for the historic Convention for a Democratic South Africa (Codesa) — means that the National Party, the African National Congress and the IFP have now all set down the principled benchmarks from which they will proceed to negotiate an eventual compromise.

As is clear from the summaries (right), there is a notable degree of convergence among the three visions of the future — at least at the level of terminology. For example all three want a unified, rather than balkanised, South Africa; they favour proportional representation; they like the idea of having two Houses of Parliament; they envisage constitutional sovereignty and place great store by an enforceable bill of rights.

Beneath the broad brushstrokes, of course, the parties have very different practical results in mind — although it is heartening to note that each has been at pains to stress that the proposals should be regarded as being in draft, rather than final, form. In his preface to the IFP constitution, Chief Mangosuthu Buthelezi refers to it as a "working document for study and debate ... made to enrich the debate and should not be seen as all-or-nothing proposals.

"No political party should adopt constitutional non-negotiables, which are beyond the reach of give-and-take politics in which the spirit of compromise should prevail."

The IFP model, the newest addition to the constitutional debate, leans more towards the NP vision than to the ANC blueprint, most clearly in its emphasis on devolved power and restrictions on the latitude enjoyed by central government.

However, it is far from being a rehash of the NP document in different words. It contains some proposals not to be found in either of the earlier constitutional drafts.

The overarching premise is that of achieving checks and balances over a future central government. The "winner-takes-all" scenario is of as much concern to the IFP as it is to the NP. Chief Buthelezi notes in his preface that "it would be extremely difficult to overemphasise the importance of regionalism in South African constitutional development".

Unique contributions include detailed sections on the role of traditional leaders, detailed guidelines for security detention in future, and the allowance for "provisional" constitutional clauses to be in force while finality is sought. The IFP is also the only party to propose the re-emergence of the title of "governor" in South African politics, favouring such an individual being appointed in each region (or "state") as an on-the-spot representative of the central government.

Although neither the ANC nor the NP have reacted to the IFP proposals, it is certain they will be studied carefully and urgently — especially in the light of speculation that Codesa could itself be a constitution-making body in embryo. □



The IFP vision

THE IFP envisages a united, democratic, nonracial South Africa which could take on a unitary or a federal form — on condition it provides for far-reaching power division between central legislature and regional or State legislatures.

Key components could be:

A reunified state, including the RSA, self-governing territories and "independent" homelands. The "reaccession" of the TBVC states is to be negotiated.

Three branches of government: the executive, legislature and judiciary.

A division of power between a state president and a prime minister who heads the Cabinet. The president would have individual powers while others would be subject to consultation with the prime minister — a system known as cohabitation.

A lower House or National Assembly elected by universal adult suffrage by means of proportional representation. The prime minister is chosen by the majority party or coalition.

A second House or Senate representing regions or states and any special interests which should be represented.

Laws would be passed by majorities in both Houses and assented to by the state president. The two Houses would have equal power to initiate legislation, but the Budget would emanate from the National Assembly. The Senate's role would be functioning and not limited to delay, review and veto.

State boundaries would be redrawn according to logical factors including economic and cultural. Each state would have a state legislature elected via proportional representation. Its powers would be clearly defined and constitutionally entrenched. State executives would be headed by a state premier, and a governor representing the central government. States would have the sole right to legislate on matters within their competence. Mechanisms to avoid "winner-takes-all" in elections would be encouraged.

A new judiciary would be appointed, with power to question legislation emanating from Parliament and with jurisdiction over a bill of rights.

A civil service commission would be provided for in the constitution, and would be charged with ensuring that the civil service was more representative of the population. The armed forces would fall under the state president and the national police would be the responsibility of the prime minister. Provision would be made for state and local police, responsible to state governments.

Provision would be made to recognise the powers of traditional rulers and courts as well as transitional provisions in the constitution. □



Buthelezi ... wants regional division of power.

The Nat vision

THE National Party envisages a united, democratic, nonracial South Africa, with heavy emphasis on devolution of power from central government to regional and local authorities, and weighted representation for minorities.

Key components could be:

A unitary state, comprising the present RSA, including self-governing territories, but with a strong federal flavour. The status of the TBVC states has not yet been made clear.

Three branches of government: the executive, legislature and judiciary.

A multiparty Executive College to head the State, consisting of between three and five members of the strongest parties in the first House of Parliament, decided by consensus.

These parties together should command a majority of the representatives in this House. The chairmanship of the Executive College would operate on a rotational basis. A multiparty Cabinet would be appointed on the basis of consensus by the Executive College, and would follow its policy.

The first House would be elected by proportional representation. The powers of the majority would be limited by an increased majority for some "sensitive" matters and agreement with a second House of Parliament.

The second House would be the seat of power of minorities, representing the proposed nine regions. Each party achieving more than a minimum support level in elections for that region would get equal seats. The second House would, by a simple majority, approve ordinary laws passed by the first House; by a two-thirds majority amend the constitution, or laws affecting regions or minorities.

Elections would be held regularly. The use of proportional representation in elections for the first House does not rule out the possibility of some parallel constituency representation.

The NP plan makes no mention of a constitutional court but stresses that its philosophical basis is a "regstaat" (untranslatable, but roughly a "rule-of-law" state). The constitution would be alterable only by special procedures in the two Houses of Parliament.

Each of the regions would have a legislature, chosen by a mix of direct elections and possibly indirect election from representatives of local legislatures. Each region would have an executive committee.

The regional and local authorities would enjoy autonomous powers over as yet unspecified matters.

A bill of fundamental rights would be enshrined in the constitution. The courts would be empowered to enforce it. □



De Klerk ... weighted representation for minorities.



The ANC vision

THE ANC envisages a united, democratic, nonracial and non-sexist South African republic, with only limited powers devolved from central to regional and local structures, and no special dispensation for minority groups.

Its key components and characteristics could be:

A unitary state — a single, non-fragmented entity including Transkei, Bophuthatswana, Venda and Ciskei, with a strong central government.

Three branches of government: the executive, legislature and judiciary.

A president, who would be head of the executive and head of state. A Cabinet would be headed by a prime minister, who would be subordinate to, but act in consultation with, the president. Both the prime minister and the Cabinet would be appointed by the president.

Two houses of Parliament. The first a National Assembly, elected on the basis of proportional representation by universal suffrage. Primary legislative power would be vested in this House.

The second House would be a Senate, also elected by universal suffrage, but on a different electoral system allowing for regional — though not ethnic — representation. The Senate would refer constitutional disputes to the appropriate courts and have the power of review. It would be able, where appropriate, to delay legislation from the Assembly but not to veto it.

Elections would be held at intervals of not more than five years. The use of proportional representation means there would be no delimitation of constituencies. There could be both national and regional electoral lists, with regions given, for example, half the available seats.

A constitutional court would interpret the constitution and the application of the law.

Positions in organs of local and regional government would be elected by universal franchise.

Regions would be based on the distribution of population, availability of economic resources, and urban/rural balances. Central government would control external relations, defence and security; general economic, fiscal and tax policy; national policy frameworks; and resources for social upliftment and the removal of imbalances in society.

A justiciable bill of rights would protect rights and freedoms, including economic rights. A human rights commission would investigate violations and a public service commission would be established to implement an affirmative action programme. An independent ombudsman would investigate complaints. □



Mandela ... seeks limited devolution of power.

Peace on menu as Left, Right dine together

STAR 16/12/91.

By Paula Fray

As representatives from far Right to far left-wing groups gathered for SABC-TV's Agenda Peace Meal last night, they sent out a spirited message to the Convention for a Democratic South Africa (Codesa): peace can be a fiery topic.

It was a dinner which saw 13 of South Africa's unlikeliest bedfellows sit down and talk together for the first time — including the AWB's Eugene TerreBlanche, the ANC's Carl Niehaus and the PAC's Ntsundeni Madzunya.

It was the night the AWB and the ANC spoke, and the only barrages were verbal.

Devil's advocate John Bishop and angel-faced Freek Robinson struggled, as hosts, to maintain control as party and church representatives jostled to have their say — with God and Christianity often taking centre stage.

Dinner delegates agreed peace was important: "Peace," said the Rev Stanley Mogoba, "is a collective responsibility. Without peace there can be no politics, no business ...."

The IFP's Musa Myeni said: "I understand peace as the foundation of the future. But peace is not just the absence of war ... it is the absence of fear".

The ANC's Carl Niehaus said Codesa had an historical task to build up the fabric of South Africa and make it what it could be for future generations.

Mr TerreBlanche, referring, he said, to the SACP and aligned ANC leaders, remarked: "In all respects, I think that a person can only have peace when the person you make peace with has peace with God. My problem is that you want to make peace with people whose stated task it is to dethrone God."

Seated between Mr TerreBlanche and Mr Niehaus was Ned Geref Kerk director of ecumenical affairs Piet Meiring, who, referring to Mr Niehaus at one stage as Broer (Brother) Carl, could not resist commenting on his position between the Right and the Left.

There were differences on how peace could be achieved and what role Codesa would play in it.

And, there was little peace for the PAC's Ntsundeni Madzunya, who was pressed persistently on why the organisation has pulled out of negotiations.

Peace was a grassroots issue, he said: "The indigenous people are fighting today. When these people are united into a national front the principle contradiction which is more violent — the constitution — must be replaced."

He said any negotiations had to be based on principles. There were still several issues, including indemnity for exiles, which had to be addressed.

The PAC, said Mr Madzunya, wanted "one African state for all African people ... including Mr TerreBlanche".

Mr Niehaus made an impassioned plea for the PAC and AWB to join Codesa. Speaking in Afrikaans he said: "It is absolutely vital that organisations such as the AWB put their case at the talks."

Organisations had an historic responsibility to ensure they created peace in South Africa, he added.

"It is astonishing how people around this table can argue about my country," replied Mr TerreBlanche, adding that 27 000 women and children had died for their land, yet people would not acknowledge their right to be free.

"How can I negotiate about my country with people who don't even have a right to talk about my country?" he asked, dressed in casual khaki for the occasion.

Mr TerreBlanche said he, as a leader of a volk, would talk with ANC president Nelson Mandela only if he was representing the Xhosas.

He added that would not negotiate with communist pressure groups.

White organisations warn FW of conflict

STAR 17/12/91 (304-A)

A group of 14 white "concerned organisations" yesterday rejected the forthcoming Conference for a Democratic South Africa (Codesa) and warned of confrontation if an interim government resulted from the talks.

The organisations, including the Support Police Action Group, Civic Action League in Durban and the Own Schools Association, said in a joint statement they saw Codesa as a vehicle "for the sellout of the right to self-determination of not only the white nation of South Africa but also of all the African nations of the region".

If President de Klerk accepted Codesa's decisions as binding in law by government — in other words, an interim government — he was precipitating confrontation.

"Despite his talk of peace, Mr de Klerk's actions constitute a declaration of war against those of SA's peoples who refuse to allow the yoke of communism to be imposed upon them."

Other organisations associating themselves with the statement included the Republican Unity Movement of SA, University of Freedom of Speech Association, Patriotic Forum, Youth for Self-determination of Nations, and Think Right. — Sapa.

Rightwingers planned to kidnap 4-year-old as hostage

Plot to grab FW's grandson



Was not to be harmed . . . young Frederik de Klerk.
Picture: Beeld

STAR 17/12/91

Sapa and Crime Staff

Startling revelations of an alleged plot by militant rightwingers to kidnap the four-year-old grandson of President de Klerk have come to light.

The Ministry of Law and Order yesterday confirmed police were investigating allegations that a cell of the extreme right-wing Boereweerstandsbeweging (BWB) had plotted to kidnap young Frederik de Klerk.

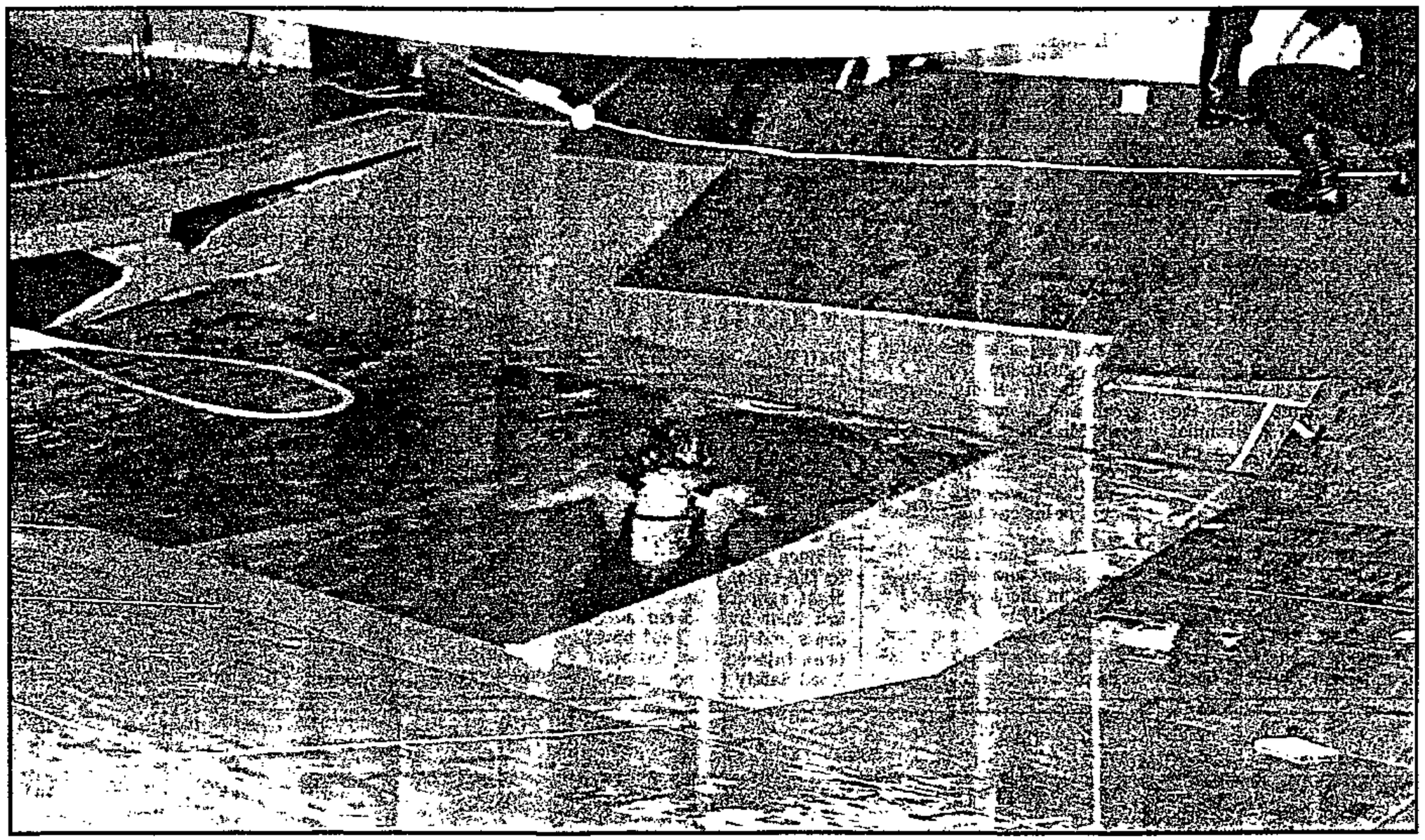
Spokesman Captain Craig Kotze said police were aware of the plot, which had reportedly been planned in October last year.

However, the information surfaced only this week after a BWB leader angered fellow rightwingers when he announced his intention to take part in the Codesa talks with a breakaway faction of the BWB.

Numbers of ultra-Right whites, disaffected by the reformist policies of Mr de Klerk, have joined a host of underground and paramilitary groupings and splinter groups, some with openly revolutionary agendas.

The BWB leader — whose name has been given to Sapa — is now regarded as a traitor by at least one of his former BWB cell members, Hansie Wiechmann, who in a tape-recorded interview said the leader had had advance knowledge of the kidnap plot.

The man had been the leader of the cell which planned the kidnapping, Mr Wiechmann charged [illegible]



Sunken treasure . . . a fire department diver searches for lost jewellery in the swimming pool.



On the brink . . . guests survey the damage.



Aids will be Africa's top killer – expert

STAR 17/12/91

DAKAR — Aids will kill more than 6 million Africans in the next decade and eclipse all other diseases as the continent's number one killer, a World Health Organisation (WHO) conference was told yesterday.

Delegates were also told:

- There will be 4 million infants born with Aids in the next 10 years.
- The disease is already decimating Africa's population and in many villages entire families have died.
- In some African cities 80 percent of hospital beds are allocated to Aids patients. Half are suffering from tuberculosis.

"TB is a veritable epidemic within the Aids pandemic," Dr Michael Merson, director of WHO's Global Programme on Aids, told the 6th International Conference on Aids in Africa.

He said the number of adult Africans killed by Aids during the 1990s would double or triple the total number of deaths from other causes.

WHO estimates that about 6 million African men and women have been infected.

Dr Merson said Aids would have a far greater impact on Africa during the 1990s than the previous decade because 90 percent or more of those now infected, but not yet sick, would develop the disease and

announced his intention to take part in the Codesa talks with a breakaway faction of the BWB.

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The BWB leader — whose name has been given to Sapa — is now regarded as a traitor by at least one of his former BWB cell members, Hansie Wiechmann, who in a tape-recorded interview said the leader had had advance knowledge of the kidnap plot.

The man had been the leader of the cell which planned the kidnapping, Mr Wiechmann charged in the interview.

The BWB cell had allegedly wanted to use Frederik de Klerk as a hostage in exchange for "two "Boer heroes", Piet "Skiet" Rudolph (arrested in September last year and given political amnesty in March this year) and mass murderer Barend Hendrik "Wit Wolf" Strydom, serving a life sentence for killing eight blacks.

Lunatic

Mr Wiechmann has resigned from the organisation, alleging that the BWB was "merely a money-grabbing hoax".

Approached by The Star for comment yesterday, a spokesman for the office of the state president said Mr de Klerk could not be reached and would not be available until early today.

Captain Kotze said if the kidnap allegations were true, they "merely illustrate and highlight the lunatic fringe of the extremist right wing".

A three-week Sapa investigation has suggested that the alleged kidnap plot was at an advanced stage when it was foiled by the security police.

Mr Wiechmann said he had undertaken one reconnaissance in October last year of the Ottosdal area, where Frederik de Klerk lives with his parents, but was arrested and questioned by the security police about the kidnap plans the next day.

The BWB cell was determined to carry out the kidnapping — but finally dropped the plans after it became clear that "the police already knew everything and were watching our every move".

Sapa has verified that Mr Wiechmann was arrested by security policemen a day after his visit to Ottosdal. He was taken away by policemen while he was in the middle of a job interview at a Carletonville gold mine in October last year and questioned at the Sandton CID offices.

He said that at the time, police were unable to obtain any evidence of the plot from him and other cell members. He was released the same day.

Mr Wiechmann said they would not have hurt the little boy in any way — but would

● To Page 2

Plot to kidnap FW's grandson

STAR 17/12/91 (3041) (244)

● From Page 1

definitely have kidnapped him.

He now wants to turn himself in for his role in the kidnap plot.

Captain Kotze said the SAP was keen for him to do so, and urged Mr Wiechmann to report to the nearest police station as soon as possible.

Police spokesman Captain Burger van Rooyen told The Star it was "a bit premature" to state whether other members of the BWB would be arrested.

"At this stage we're still investigating the veracity of the claims," he said.

Mr Wiechmann, now divorced, jobless, on the run and penniless, warned other potential supporters of the Boer republican cause not to join the BWB's "Boer underground", claiming its "military training" programme did not exist and that BWB officials tried to use him as a "slave labourer" to build a game fence on a farm.

He claimed that the BWB also took all his money, and asked him to quit his job within 24 hours and sell all his belongings so that he could join the underground — which he did.

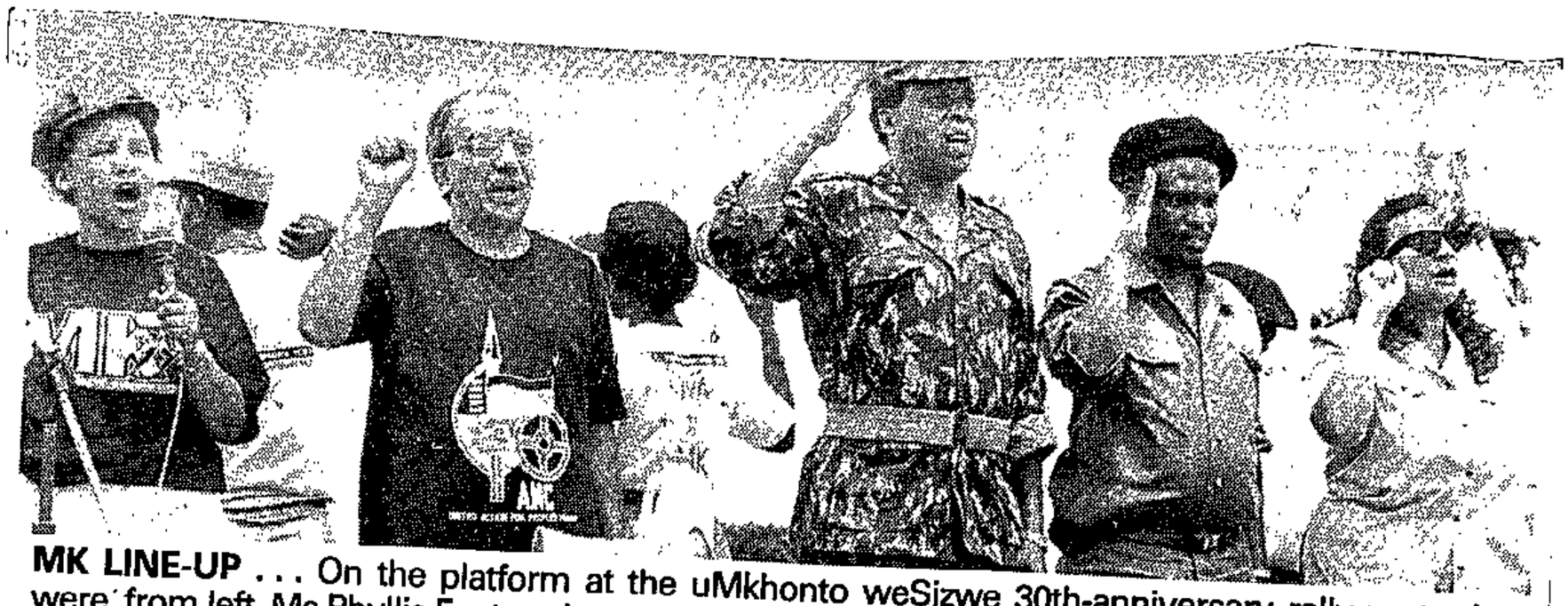
The then leader of Mr Wiechmann's BWB confirmed he did have advance knowledge of the plot.

He claimed it had hatched by Mr Wiechmann.

The present leader of the BWB, Andrew Ford, denied having known of the plot in advance. He also denied Mr Wiechmann's other allegations.

Mr Robert van Tonder, leader of the Boerestaat Party, said he was shocked at the revelations. He "completely distanced" himself and his party from the BWB leadership.

"I warned Mr Wiechmann that such cowboy games and cloak-and-dagger nonsense would only discredit the Boer freedom cause and that many of our members would have ended up in jail. It was a shocking plan."



MK LINE-UP . . . On the platform at the uMkhonto weSizwe 30th-anniversary rally yesterday were, from left, Ms Phyllis Fante, who was released from prison last week, Professor Kader Asmal of the ANC national executive, Mr Chris Hani in camouflage, Mr James Makhaya in Soviet browns and Ms Gertrude Fester of the ANC Women's League. Picture: STEWART COLMAN

From page 1

PAC rejects Codesa

30yA
ET 17/12/91

In its declaration on Codesa, the PAC said the aim of the exercise was "to prepack the negotiating table with stooges and lackeys of the regime".

"The PAC from the very outset rejected this prepacked and undemocratic formula."

The conference had decided not to participate in Codesa because of its undemocratic composition and the refusal of participants to convene a meeting at a neutral venue outside the country and a neutral and independent convener.

"The PAC insists that a democratic solution must begin with democratic premises, where the legitimate voice of the majority in our country must prevail over unrepresentative elements refusing to test their support at the polls."

The mood was summed up by Mr Ebrahim when he said: "It is no good saying 'down with Codesa'. We have to bring it down."

The manner and nature of the PAC attacks on the ANC leave little doubt that the tenuous unity, forged in the Patriotic Front discussions, has been shattered.

Mr Johnson Mlambo, the senior deputy president of the PAC and the commander of its armed wing, the Azanian People's Liberation Army (Apla), told delegates: "You don't have any allies outside at the present moment because the regime has managed to set a blistering pace and has confused, temporarily, quite a number of people."

The conference did decide that it would reconvene the "Patriotic United Front" conference as soon as possible "to strengthen the demand for national liberation and self-determination".

Some 92 organisations attended the PF October conference, but the vast majority of these were either in the ANC camp or operated within government-created structures and, in the current atmosphere, few would attend a PAC-convened conference.

The Black Consciousness Movement of Azania, in a statement from Harare, yesterday welcomed the PAC decision.

● In his Soweto speech Mr Mandela referred to the role of traditional leaders. He said the ANC had always maintained respect for traditional leaders.

This is seen as an apparent response to the Inkatha Freedom Party demand that the Zulu king be represented by a separate delegation at Codesa.

Mr Mandela said: "All paramount chiefs and kings without exception (should) be invited as observers to Codesa."

● At an MK rally in Port Elizabeth Mrs Winnie Mandela said that MK's role was to defend the peace process. She said the MK would defend the democratic peaceful transition with all its might.

Mrs Mandela said the MK would observe the talks, and if the results were not what people expected then the MK would not hesitate to take action. — Political Staff, Own Correspondent and Sapa

PAC is out

CT 17/12/91

304A CT 17/12/91

Colossal bloodbath unless . . . says IFP

Soweten 17/12/91

INKATHA Freedom Party leader Chief Mangosuthu Buthelezi has warned that Unita and Renamo activities would look like child's play if large groups of men and women were left out of the negotiation process.

Buthelezi, speaking at Umlazi's King Zwelithini Stadium to a crowd of 9 000 IFP supporters on Sunday, was referring to the destructive actions of Renamo and Unita when "those who felt aggrieved gathered together".

He called for King Goodwill Zwelithini to represent KwaZulu at the Congress for a Democratic South Africa talks as an observer.

"His (the king's) position there will not be more than that of an observer on the same basis on which the South African Government will be there," he said.

Earlier this week, a Durban legal expert pointed to a KwaZulu government proclamation that any person attempting to involve the king in politics would be guilty of an offence punishable by up to two years' imprisonment.

Buthelezi denied his call was illegal.

"His majesty will not be drawn into party political wrangling at Codesa. He will be there to be consulted and to advise where necessary."

Most of Buthelezi's speech emphasised that KwaZulu was not an entity created by apartheid, but was an independent state before white control.

Earlier this week anthropologist Ms Mary de Haas of the University of Natal rebutted Buthelezi's historical argument for separate representation for KwaZulu.

Despite Friday's Supreme Court ruling that the clause of the Natal Code of Zulu Law, allowing for the carrying of traditional weapons as a Zulu custom was "void for vagueness", spears, sticks, axes, and pangas were seen at the rally. - *Sapa.*



MANGOSUTHU BUTHELEZI

Bid to set ground rules for Codesa

PAC refuses to take part in negotiations

B/Day 17/12/91 304A

TIM COHEN and DARIUS SANAI

THE PAC yesterday pulled out of Codesa, saying the convention was undemocratic and had refused to convene at a neutral venue under a neutral convener.

In another development, ANC leader Nelson Mandela warned that no further progress would be made at the talks unless Codesa's decisions had the force of law.

The PAC decision came a day before working groups involved in the talks meet to discuss how Codesa's decisions will be arrived at. The issue is critical because the NP is unwilling to accept a clause in the ANC-drafted declaration of intent which would effectively give Codesa the power to draw up legislation to be rubber-stamped by Parliament.

NP negotiators are convinced the dispute can be resolved by refining the currently accepted method of arriving at decisions, which is by "sufficient consensus".

Sapa reports the PAC's special consultative congress in Bellville unanimously endorsed — to a standing ovation — the decision not to take part in Codesa. The PAC reaffirmed its commitment to the demand for an elected constituent assembly and wanted its leadership to reconvene the patriotic front as soon as possible.

Meanwhile Mandela, speaking at a rally in Soweto to mark Umkhonto we Sizwe's 30th anniversary, said the ANC would insist that government unequivocally accept decisions made at Codesa be given legal force. If Codesa's decisions did not have legal force, it would simply become a "talk shop" or a propaganda platform.

But he remained optimistic about Codesa, saying that never in his life had he experienced so much unity among all South Africans, including the NP, in striving for democracy and peace.

He urged South Africans to unite in the demand for the immediate installation of an interim government and the election of a constituent assembly and pointed out that financial sanctions would be lifted if an interim government was installed.

The ANC said yesterday there was across-the-board support for a proposal that the declaration of intent — which it is planned should be adopted at the December 20 and 21 conference — should bind participants to Codesa decisions and commit them to "take all such steps as are within our power and authority to realise their implementation".

Government negotiators have expressed opposition to giving Codesa decisions the force of law because they argue this would jeopardise the sovereignity of Parliament.

They were concerned that Codesa might come to a decision which it was constitutionally unable to implement, like the reincorporation of the TVBC states, sources said yesterday.

NP chief organiser Stoffel van der Merwe said the solution to this dilemma might lie in refining the method by which

☐ To Page 2

Negotiations

B/Day 17/12/91 304A

☐ From Page 1

decisions were arrived at, which in practice would mean more closely defining the currently accepted method of coming to decisions by "sufficient consensus".

Van der Merwe appeared to be arguing that the sovereignity of Parliament would not be undermined if all Codesa decisions required NP acquiescence.

Labour Party spokesman Peter Hendrikse yesterday rejected this position, saying it would effectively give the NP a veto.

Van der Merwe said this construction misconstrued the situation, because all parties had veto powers over decisions affecting them. "It works both ways," he said, adding that "sufficient consensus" was a valuable tool, but its strength and its weakness was its vagueness.

Codesa task groups meet today to discuss decision-making and other issues, including Inkatha's demand that the Zulu king be present. Hendrickse said Inkatha appeared to have dropped its demand that it, the king and the KwaZulu government be present. He said parties seemed willing to accept the presence of the king, and other tribal dignitaries, as observers.

Govt, ANC locked in talks to decide on status of Codesa decisions

GOVERNMENT and the ANC were locked in talks last night to resolve their opposing positions on the status of decisions to be taken at Codesa.

Indications were that they would be able to reach some form of consensus.

The parties are due to report on this issue, and the question of how decisions will be arrived at, at a meeting of Codesa's steering committee today.

The main point of contention arose in the task group preparing Codesa's statement of intent. The ANC wanted enshrined in it that Codesa would establish an implementing mechanism (which would include government) to determine the procedures and draft the texts of all legislation necessary to give effect to Codesa's decisions.

The ANC does not want any body, including Parliament, to overrule Codesa decisions. It is prepared to accept that Parliament passes all legislation because this is the body with constitutional and legal power. Government is concerned that this would amount to a suspension of the constitution and create a constitutional vacuum.

Yesterday Constitutional Development Minister Gerrit Viljoen lashed out at ANC president Nelson Mandela and rejected his demand that automatic legal force be given to the decisions of Codesa.

BILLY PADDOCK

He criticised Mandela for raising "a delicate matter in public on which parties are still negotiating". Codesa's agreements could not be legally binding; the only way this could happen was through the present constitutional structures of Parliament.

However, he said that any organisation party to any of the agreements would "be duty bound to — as far as it is within their power — implement those agreements or promote their implementation".

NP secretary-general Stoffel van der Merwe issued a similar statement last night, saying the NP would be honour-bound to promote any necessary changes in legislation.

Mandela and the ANC insist this is not enough and claim unless such a mechanism is put into effect, Codesa risks relegation to a "mere talking shop" or leaving its decisions to be interpreted by government officials. It says this is what happened with the Groote Schuur and Pretoria Minutes.

"People were ecstatic that exiles would return and political prisoners would be released, only to find later ... there were certain conditions and interpretive decisions made that were not clear at the negotiations," constitutional committee member Albie Sachs said.

One ANC source said the ANC was not trying to prevent Parliament from carrying out its functions, but was insisting the drafting of legislation be done jointly to avoid unnecessary problems.

He said all parties in Parliament except the CP were represented at Codesa so there would be no usurping of Parliament.

The task group dealing with decision-making has decided to recommend to the steering committee today that all deci-

☐ To Page 2

Codesa

sions are taken on the basis of sufficient consensus to ensure the negotiating process continues.

Meanwhile, Mandela called last night for all the highest-ranking traditional leaders to be involved in Codesa and attend the proceedings as observers. This would include Zulu king Goodwill Zwelithini. Apparently, Inkatha and its president Mangosuthu Buthelezi have agreed that observer status be accorded to traditional leaders.

☐ Sapa reports that CP leader Andries Treurnicht called yesterday for an immediate suspension of Codesa and warned that the agenda for a majority government in a unitary SA would suppress the white minority to such a degree that it could lead to unprecedented bloodshed.

Reiterating his stand that his party would not attend the talks, he said the entire negotiation process would have to be restructured — and that the starting point for talks would have to be the autonomous rights of nations.

☐ From Page 1

● Comment: Page 6

'Talks must carry legal force'

(304A) STAR 17/12/91.

Staff Reporters

The ANC will insist that the Government give an unequivocal undertaking that decisions taken at the forthcoming Convention for a Democratic South Africa (Codesa) be given legal force, Nelson Mandela said at the 30th anniversary rally of the ANC's military wing, Umkhonto we Sizwe, at Orlando Stadium in Soweto yesterday.

Rallies to mark MK's anniversary were also held in Port Elizabeth and Cape Town.

The Soweto rally was addressed by ANC and MK stalwarts, including ANC national chairman Oliver Tambo, MK leader Joe Modise and ANC Women's League president Gertrude Shope.

Professor Kader Asmal, of the ANC's national executive committee, and MK chief of staff Chris Hani spoke in Cape Town, and ANC head of social welfare Winnie Mandela and Transkei leader General Bantu Holomisa addressed crowds in Port Elizabeth.

Mr Mandela said that if the National Party refused to stick to the ANC's demand that Codesa's decisions be legally binding, there would be no further progress.

Sanctions

He also called on "all South Africans to unite in the demand for the immediate installation of an interim government of national unity and the election of a constituent assembly".

"The interim government would result in the lifting of financial sanctions and would help our South African economy to recover," he said.

Referring to the role of traditional leaders in the black community, Mr Mandela said he had asked that "all paramount chiefs and kings be invited and participate as observers to Codesa".

Mr Mandela said Codesa was the hope of all South Africans, and the ANC, together with all the political parties, were working harmoniously to bring about democracy and peace in the country. "All the people of South Africa stand behind us," he said.

Mr Tambo said that as parties met at the negotiating table, they "must remember the contribution of MK to the current political climate".

He added that the release of "the heroes and heroines of our struggle still languishing in apartheid jails" would contribute towards mutual trust at the pending Codesa meeting.

Mr Modise revealed that MK was intensifying preparations for the formation of a defence force in the future new South Africa and that "many of our young officers are undergoing training in modern military techniques".

In Port Elizabeth, General Holomisa — slating Inkatha Freedom Party leader Chief Mangosuthu Buthelezi's request for two separate representations for the Zulu king and KwaZulu government at Codesa — said Transkei would not hesitate to demand that its five kings be represented by 12 members each at Codesa should the steering committee yield to the IFP's call.

Mrs Mandela, dressed in camouflage uniform, told about 10 000 people who braved a cold drizzle that armed action had brought the Government to talks.

She then launched a scathing attack on President de Klerk, saying he was "not a man of integrity" but "a mast of hypocrisy".

In Cape Town, Mr Hani was presented with a symbolic spear and inspected a guard of honour of about 40 unarmed MK cadres, dressed in parade ground uniforms.

● Buthelezi hits out at ANC — Page 9

Codesa a charade, say PAC leaders

(3049) STAR 17/12/91.

By Ismail Lagardien
Political Staff

CAPE TOWN — The PAC yesterday decided against returning to Codesa on the grounds that it was a charade and farce from which no democratic solution could come.

Delegates and leaders of the PAC who had travelled from around the world to the crucial consultative congress to reassess the Africanists' participation in Codesa were unanimous in their decision.

The PAC suspended its participation in Codesa at the preparatory talks at the end of last month, alleging at the time that those talks were contrived and stage-managed.

PAC secretary for foreign affairs Ahmed Gora Ebrahim yesterday said his movement would only discuss with the Government one person, one vote elections leading to a constituent assembly.

Mr Ebrahim said Codesa was a collection of people who were invited to talks by the Government, and not people who were elected to that gathering in a democratic manner.

"If a democratic solution was going to be found in South Africa, a democratic process must be instituted, from the beginning, to reach this goal."

The entire leadership of the PAC, the delegates and members who attended the congress were emphatic that no democratic solution could be reached through Codesa.

Deadlock

The PAC was also planning a meeting of the leaders of the Frontline states in Arusha, Tanzania, where the ANC would be invited to explain to African leaders why it had "deserted the agreements reached at the Patriotic Front", a senior Africanist said.

He said the Government and ANC had, even before the preparatory talks, reached agreement on the date, venue and conveners of Codesa.

"Moreover, the ANC and the Government are stage-managing the whole show. It's a charade and a farce ... delegates at the congress expressed that explicitly. We would be bound by decisions reached in an undemocratic way," the source said.

Commenting on the decision not to continue talks, Mr Ebrahim said it was not that there was no way out of the deadlock.

He said the PAC was still in favour of meeting the Government to discuss way of creating a constituent assembly, but it had to be at a neutral venue (in a foreign country) and with a neutral convener.

Reading the declaration of congress at the end of the two-day session, Mr Ebrahim said: "The PAC has consistently maintained that the new democratic constitution can be drawn up only by elected representatives of the people, and not invitees of the regime."

The PAC believed that voting had to be for political parties, and representation in a constituent assembly had to be on a basis of proportional representation as the country was divided on racial lines thus making it almost impossible to split the country into constituencies.

"This constituent assembly would be truly representative and enjoy the mandate to draw up the new constitution," Mr Ebrahim said.

NP, ANC lock horns

CT 18/12/91 (3044)

By ANTHONY JOHNSON
Political Correspondent

ON the eve of the start of real negotiations, the government yesterday shot down a key ANC demand for all Codesa decisions to be given the force of law.

But ANC leader Mr Nelson Mandela last night attempted to remove another possible stumbling block at Friday's talks by proposing that all traditional leaders — including Zulu King Goodwill Zwelethini — attend as observers.

And in a broadside at the PAC — which at the weekend dismissed Codesa as a forum "incapable of overthrowing white domination" — Mr Mandela said Codesa could usher in a process of "fundamental transformation" by establishing an interim government of national unity.

This would enable elections for a constituent assembly on the basis of one person, one vote — the PAC's main demand.

But anti-Codesa political groupings on the left yesterday proceeded with plans to form a new "Patriotic Front".

On the right, Conservative Party leader Dr Andries Treurnicht called for the suspension of the talks, saying the process could lead to bloodshed.

As Codesa task groups met yesterday in a bid to thrash out an acceptable formula for Codesa decision-making, the government locked horns with the ANC on its insistence that Codesa should have the power to draw up legislation.

Mr Mandela warned at the weekend that no further progress would be made unless the government agreed that decisions at Codesa be given legal force.

The Minister of Constitutional Development, Dr Gerrit Viljoen, said yesterday that Codesa would have no legal status and criticised Mr Mandela for raising "a delicate matter in public on which parties are still negotiating".

However, Dr Viljoen noted that "obviously" organisations party to agreements reached by Codesa would "by nature of agreement be duty-bound — as far as it is within their power — to implement such agreements or to promote their implementation".

Meanwhile, efforts are being made to re-constitute anti-Codesa forces.

A number of groups — including the Workers Organisation for Socialist Action (Wosa), the New Unity Movement (NUM), the Azanian Peoples Organisation (Azapo), the Islamic Qibla movement, and possibly the PAC — will hold a press conference in Cape Town today.

Mr Strini Moodley, Azapo's national publicity secretary, yesterday said Azapo was forming a national anti-Codesa campaign.

The secretary of the Commonwealth, Chief Emeka Anyaoku, said in London that the Commonwealth wanted all parties to take part in Codesa.

Chief Anyaoku is believed to have raised the issue of the PAC's withdrawal, as well as the absence of right-wing parties, when he briefed a group of eminent Commonwealth personalities before they left for SA last night.

In Brussels, the European Community yesterday named Mr Chris van de Klaauw, a former Dutch foreign minister, and Mr Karl Heinz Narjes as EC representatives to the talks.

Bop to free more prisoners?

Own Correspondent

JOHANNESBURG. — Bophuthatswana's President Lucas Mangope is expected to release some of the six remaining political prisoners before Codesa begins on Friday.

A Mafikeng Anti-Repression Forum spokesman said yesterday that the release of prisoners before Codesa would be "in keeping" with recent practice.

"Twenty-seven prisoners were released last month when Italian government officials visited the homeland and 13 were released the day before the start of the talks that paved the way for Codesa," the spokesman said.

Leaders face compromise challenge – Idasa's Boraine

CAPE TOWN — If President de Klerk is to enjoy maximum influence he will have to consider some form of government of national unity, says Dr Alex Boraine, executive director of the Institute for a Democratic Alternative for South Africa.

The name is not all that important, Dr Boraine said in an editorial in the latest issue of the institute's journal Democracy in Action. But, the substance will shift towards joint responsibility and a far greater sharing of power between the National Party and the African National Congress.

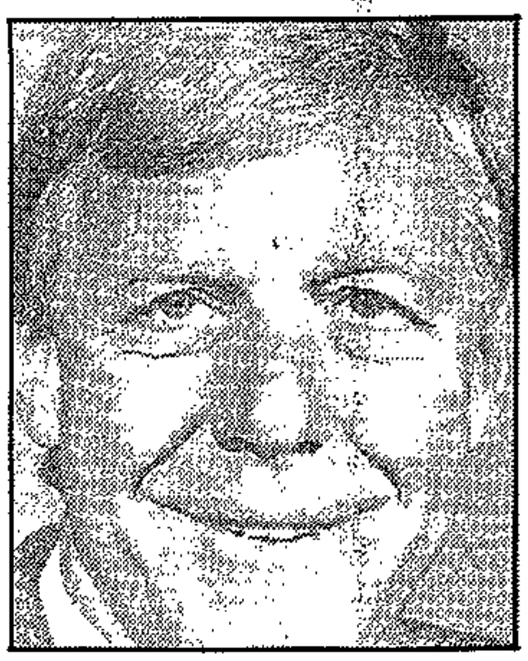
He said direction would be towards participatory politics.

"The Convention for a Democratic South Africa will see a great deal of positioning by the parties concerned but that is all to the good," said Dr Boraine.

He said it would be difficult, particularly for the NP and the ANC, to meet the need for compromise, which was an integral part of negotiation politics, and at the same time to move towards electoral politics.

"The supreme test of leadership for both Mr de Klerk and Nelson Mandela will be holding in tension the desperate need for the healing of the land and reconciliation.

"One can only hope that in the ebb and flow of politics during 1992, these outstanding political figures will be seen as two great statesmen who are more concerned about a united, peaceful and prosperous South Africa than only success at the polls," Dr Boraine said. — Sapa.



Dr Alex Boraine . . . many hiccups before sharing of power.

Viljoen rejects Mandela's demand

(304A) STAR 18/12/91.

By Peter Fabricius
Political Correspondent

The Government yesterday firmly rejected ANC president Nelson Mandela's demand that automatic legal force be given to the decisions of the Convention for a Democratic South Africa (Codesa).

This would indirectly amount to a suspension of the constitution and would create a constitutional vacuum, Constitutional Development Minister Dr Gerrit Viljoen told The Star.

He strongly criticised Mr Mandela's remarks, made at an Umkhonto we Sizwe rally in Soweto on Sunday. Mr Mandela said he would insist that the Government give an unequivocal undertaking that decisions taken at Codesa be given legal force.

Mr Mandela said that if the NP refused to accept the ANC's demand that Codesa's decisions be legally binding, there would be no further progress.



Nelson Mandela . . . has called for Codesa's decisions to be legally binding.



Dr Gerrit Viljoen . . . ANC proposal would create a constitutional vacuum.

Dr Viljoen said he was disappointed at the "insensitive and inopportune" way Mr Mandela had made a public issue of a sensitive matter which was going through the final stage of negotiations this week.

Dr Viljoen said Codesa would have no constitutional or legal status. It was a coming together of political parties whose agreements could acquire no automatic legal status.

Any legal implementation of Codesa decisions would have to take place according to the normal constitutional route, through the legislature and the organs of Government.

"Obviously where parties agree at Codesa, this would imply that as far as it is in their power, they will implement them through the proper legal and institutional channels.

"But it is inconceivable that they can automatically acquire legal or binding force."

Dr Viljoen said the Government had accepted all along that the present constitution had to be replaced. But until a new constitution was implemented, the present one had to remain in force.

ANC sources have expressed fears that a "gentleman's agreement" by the Government to implement Codesa decisions would be inadequate.

They charge that the Government "distorted and delayed" such gentleman's agreements in the Groote Schuur and Pretoria Minutes.

They now want a formal undertaking from the Government — probably in a declaration of intent at the start of this week's first Codesa meeting. They also want the Government to agree that Codesa itself should draft — although not pass — legislation to effect its decisions, to ensure the decisions are not distorted in the process.

Dr Viljoen said the question of the status of Codesa decisions was being discussed in committees this week and he was confident a compromise would be found.

Boil down all the issues and you are left with one question

STAR 18/12/91.

304A



Allister Sparks

SOUTH Africa is approaching its moment of truth. Cut through all the journalistic verbiage and academic obfuscese surrounding the constitutional convention that starts on Friday, and there is really one core issue to be decided.

Are we to have majority rule or not?

For months the public debate has circled this central issue, aware of but never confronting it, while throwing dust in people's eyes with phrases like "the new South Africa", "a nonracial democracy" and "one nation sharing a common patriotism", which mean quite different things to different parties.

The fact is the ANC is committed to majority rule, while the Government is committed to preventing it.

People, even some Nats, keep telling me not to take the Government's convoluted constitutional proposal, with its enforced coalitions and rotating presidency, too seriously. It is merely an opening bid in the negotiating process, they say, and negotiations always lead to compromises.

Indeed they do, but seeing the whole aim of this proposed constitution is to prevent majority rule by having a system of "power-sharing" between majority and minority parties equally weighted, will someone please explain what possible compromise there can be between having majority rule and not having it?

It seems to me rather like the quest of the young maiden who hoped she was only a little bit pregnant.

The Government may well be prepared to concede certain points in its plan, but will it be prepared to concede the basic principle of majority rule?

And can the ANC accept anything less? I am convinced it cannot without splitting itself asunder. It would destroy itself just as Bishop Abel Muzorewa did when he accepted Ian Smith's parity plan for "power-sharing" in Rhodesia.

That, then, is the crunch issue for Codesa. Anticipating a stalemate, the Government is suddenly showing a new interest in the ANC's demand for an interim government, even talking of it remaining in force for 10 years.

The strategy seems clear. If the talks deadlock on the issue of majority rule, the constitutional status quo will remain — and the Government does not want that to be the tricameral system which is internationally unacceptable.

But if the status quo is changed to an interim government that includes the black parties, and is, in fact, a system of "power sharing" not unlike the National Party's constitutional plan, it will be content for the deadlock to continue, leaving the ANC twisting in the wind.

Yet we are dealing with sharp negotiators on both sides, and I don't see the ANC leaders falling into this trap. They will demand a strict limit to the life of any interim arrangement.

Is there a way around this seemingly unbridgeable gap? One possibility may be to borrow a concept from the Zimbabwean negotiations of "unimpeded progress to majority rule".

This could be achieved by an agreement — separate from the constitution itself — committing the leader of the winning party to form a "government of national unity" for a given period after the first elections.

We need time for white anxieties — and the effects of generations of indoctrination — to subside, but it is essential if there is to be stability in this country that the black population should feel assured that majority rule is indeed coming and it is not to be cheated out of it again by some new constitutional contrivance.

The elaborate constitutional formulae being advanced for balancing ethnic divisions are all very well for the countries from which they are drawn, but South Africa is much more than just a racially and ethnically divided society.

It is a society in which gross inequality has been institutionalised over centuries, with 87 percent of the land, 98 percent of the industrial undertakings and 95 percent of the wealth in white hands.

Whites have all the capital power. Systematic discrimination in education over generations has also enabled them to monopolise all the skills — even artisan skills. Until 12 years ago it was illegal for blacks to do skilled work; they couldn't even gain access to apprenticeships.

The whites are no ordinary minority, therefore. Normally when one speaks of minority rights one has in mind a vulnerable group requiring special protection — not a hugely powerful one that dominates every sector of the socio-economic system.

Whites may be a numerical minority, but it is the blacks who are the disadvantaged group and will remain so for years to come. The white minority has its protection — in its overwhelming economic dominance. A black regime will not oppress them because they are indispensable to the economic viability of the country and thus to the political survival of the regime.

It is the disadvantages of the blacks we have to worry about, for if they are not redressed, if the black majority votes in a new regime only to find it has been constitutionally shackled in the name of white minority protection and cannot uplift it the way the National Party did the disadvantaged Afrikaner, then there will be such an explosion of disillusion ment and frustration in this country that it will be reduced to chaos and ruin — and the whites along with everybody else will find themselves infinitely worse off than under majority rule.

The challenge to the constitution-makers, therefore, is not — as some academic analysts are trying to present it — simply a matter of providing for the conciliation of conflicting racial and ethnic claims.

I am not saying these things are unimportant or to be ignored. What I am saying is that if we concentrate solely or even primarily on those factors and produce a constitution that paralyses a new majority regime and prevents it from redressing the primary injustice of this country, which is institutionalised inequality, then we shall hugely exacerbate the very thing we are trying to prevent.

The trouble with these academic analysts is they get so caught up in their comparative studies and model-building, so lost in their fascination with this or that form of "consociationalism" or "alternative voting", with what has been done in Switzerland or Belgium or, God help us, Yugoslavia, that they lose sight of the essential characteristic and requirements of our own society.

You cannot buy a constitution off the peg like a suit, courtesy of Christian Dior or Arend Lijphart or Donald Horowitz. You have to tailor it to your own disfigured national shape. □

Food for thought on new SA

STAR, 18/12/91. (3044)

By Peter Fabricius and Esther Waugh

It looked a bit like the parliamentary canteen of the new South Africa.

Constitutional Development Minister Dr Gerrit Viljoen and other Cabinet ministers stood in line for their lunch along with their erstwhile foes from the ANC and other parties.

Defence Minister Roelf Meyer and Public Enterprises Minister Dr Dawie de Villiers sat huddled together over their table, back to back with ANC negotiators Valli Moosa and Mac Maharaj. A Nigerian official from the Commonwealth delegation's advance party in flowing blue robes rubbed shoulders with the SA Foreign Affairs chief of protocol, Llewelyn Crewe-Browne.

This who's who of South African politics was gathered at the cavernous World Trade Centre near Jan Smuts Airport for hectic last-minute bargaining, lobbying, networking and other preparations for the Convention for a Democratic South Africa which starts on Friday.

The centre seethes with activity. Task groups, steering groups, secretariats, committees, subcommittees and subcommittees of subcommittees are meeting from 6 am until late at night in every corner to meet tough deadlines.

Labour Party spokesman Peter Hendrickse remarks that if Codesa had been given six months, it would probably not have made the decisions it is making.

The pressure of time is forging quick agreement.

This vast warehouse of a building, normally used for trade exhibitions, is rapidly being transformed into a suitable building to house the convention that will begin to negotiate the new constitution.

Workmen swarm through the labyrinthine structure, erecting temporary offices to accommodate the back-up staffs for the 20-odd political parties that will attend Codesa.

Codesa administrative chief Murphy Morobe, a former UDF leader, presides calmly over the apparent chaos.

"Some would call it a bureaucratic nightmare. But I'm enjoying it. If you're working with people who want to get things going, it's great," he says.

Others are less patient with the need to reach agreement on just about everything.

"Just to get a fax sent from here needs multi-party approval," one exasperated official complains.

'Negotiate future of parastatals'

Star 18/12/91.

304A

By Kaizer Nyatsumba
Political Staff

The future of the Development Bank of Southern Africa (DBSA) and other parastatals should be placed on the agenda of national negotiations around socio-economic issues with the Government, according to the newly formed National Development Forum (NDF).

At a press conference in Johannesburg yesterday, the NDF said nothing had come of its discussions with the DBSA — which was "still largely structured in terms of its relations with the bantustan governments".

Accountable

The bank, the NDF said, did not have the power to "change itself and make itself democratic and accountable", and therefore remained "an appendage of the Government continuing to serve its (the Government's) interests".

Its future had to be decided in negotiations on socio-economic issues with the Government "on the basis of a clear framework for development and development finance".

The NDF — formed by a wide range of organisations aligned to the Mass Democratic Movement and working in the development field — said a national task force representative of the various sectors covered by the Independent Development Trust (IDT) had to be established to negotiate the IDT's future activities.

This, said the NDF, related to the Trust's future loans and grants from both foreign and domestic sources, its approach to development, its policies and its style of management.

The ANC's Dali Mpofu, who is co-ordinator of the NDF's welfare sector, said the forum's main motivation for the establishment of the NDF was "the need of the democratic movement to build its own development policies and strategies".

"This becomes urgent in light of moves from the Government and allied institutions — the DBSA and the IDT in particular — to take major initiatives to address the development needs of the poor majority.

"These initiatives in our analysis are politically motivated to build support for the Government, to entrench the establishment institutions and their 'top-down' product-focused development approach," the NDF said in a statement.

The statement said the key factor uniting participants in the NDF was their commitment to "people-centred development", which emphasised the building of "human and institutional capacity within communities to enable them to exercise greater control over the process and product of development".

The NDF said unlike the South African Chamber of Business, it did not believe that there had to be economic growth before there could be redistribution of wealth. Instead, it believed in "growth through redistribution" and a fundamental restructuring of the country's economy.

Goals set

At its first meeting in East London in the first week of December, the NDF set itself four goals. These were:

- Building a development policy framework and strategy.
- Developing guidelines for engagement and negotiations in the transition period around socio-economic development issues.
- Working on strategies to enhance the Forum's institutional capacity at national, regional and local level, both within and across sectors.
- Building the NDF and its constituent parts into a strong formation representative of "a democratic approach to development".

Mass action forecast by Chris Hani

JOHANNESBURG. — The South African Communist Party, in alliance with the African National Congress and Cosatu, will use mass action in support of its demands for an interim government within the next six months and a constituent assembly within two years.

This was said by Mr Chris Hani yesterday in his first interview since his appointment as the new SACP general-secretary at the party's eighth national congress, outside Johannesburg.

Mass action would play a key role in the tripartite alliance's negotiating strategy, Mr Hani said.

"We cannot allow a situation where the regime can employ delaying tactics.

"Our demands for an interim government are immediate. We don't want to be delaying for another six months.

"We feel that at the Convention for a Democratic South Africa (Codesa) there must be a commitment, a declaration of intent, that there's going to be an interim government.

"Immediately the interim government is in place we expect that interim government to begin the proceses of preparing for a constituent assembly, by registering all the voters in this country so that they can begin to elect their own representatives to a constituent assembly.

"We want this process to be taking place within the next 18 months or two years." — Sapa

NP, ANC lock horns

CT 18/12/91

By ANTHONY JOHNSON
Political Correspondent

ON the eve of the start of real negotiations, the government yesterday shot down a key ANC demand for all Codesa decisions to be given the force of law.

But ANC leader Mr Nelson Mandela last night attempted to remove another possible stumbling block at Friday's talks by proposing that all traditional leaders — including Zulu King Goodwill Zwelethini — attend as observers.

And in a broadside at the PAC — which at the weekend dismissed Codesa as a forum "incapable of overthrowing white domination" — Mr Mandela said Codesa could usher in a process of "fundamental transformation" by establishing an interim government of national unity.

This would enable elections for a constituent assembly on the basis of one person, one vote — the PAC's main demand.

But anti-Codesa political groupings on the left yesterday proceeded with plans to form a new "Patriotic Front".

On the right, Conservative Party leader Dr Andries Treurnicht called for the suspension of the talks, saying the process could lead to bloodshed.

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However, Dr Viljoen noted that "obviously" organisations party to agreements reached by Codesa would "by nature of agreement be duty-bound — as far as it is within their power — to implement such agreements or to promote their implementation".

Meanwhile, efforts are being made to re-constitute anti-Codesa forces.

A number of groups — including the Workers Organisation for Socialist Action (Wosa), the New Unity Movement (NUM), the Azanian Peoples Organisation (Azapo), the Islamic Qibla movement, and possibly the PAC — will hold a press conference in Cape Town today.

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Bop to free more prisoners?

Own Correspondent

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"Twenty-seven prisoners were released last month when Italian government officials visited the homeland and 13 were released the day before the start of the talks that paved the way for Codesa," the spokesman said.

New forum hits out at govt, bank

B/Day 18/12/91 (304A)

TIM COHEN

THE NATIONAL Development Forum, established at the weekend from organisations aligned to the former Mass Democratic Movement, yesterday criticised government, the Development Bank of Southern Africa and the Independent Development Trust (IDT) for engaging in "politically motivated development".

The forum was set up at a meeting in East London because of a perceived need for the democratic movement to build its own development policies and strategy, the organisation said at a news conference.

The forum comprises representatives of the ANC, Cosatu, the national civic movement, health, welfare, education and rural and urban development groups.

Its formation had become urgent in the light of moves by government and what it called allied organisations, in particular the Development Bank and the IDT, to take major initiatives to address development needs.

"These initiatives in our analysis are politically motivated to build support for the government, to entrench the establishment, institutions and their 'top-down' product-focused development approach," it said.

Members of the forum preferred "people-centred development" which emphasised building human and institutional capacity within communities to enable them to exercise greater control over the process, the body said.

The forum's approach was based on a macro policy of growth through redistribution in the restructuring of the economy.

The forum intends developing a policy framework, forming guidelines for engagement and negotiations in the transition period and working on enhancing members' institutional capacity.

Some of the key conclusions of the forum meeting were:

- That members would consider participation in the proposed socio-economic negotiation forum;
- That the Development Bank was an appendage of government and its future should be placed on the agenda of national negotiations;
- That a national task force be established to negotiate the future activities of the IDT;
- That a working group should be established to produce a discussion paper on development finance; and
- That the development research group, established by the ANC, should report to members of the forum by March with development policy options.



Joanne Yarwich and Andrew Boraine, the rural and urban co-ordinators of the newly established National Development Forum, at a news conference in Johannesburg yesterday. Picture: ROBERT BOTHA

Mandela and FW must co-operate to build a new order

(304A)

B/Day 18/12/91

DENIS WORRALL

A COMMON observation from foreigners who know this country is how impressed and encouraged they are with SA leaders in general. SA is fortunate, at this critical point in its history, in having spiritual, business and political leaders of a very high calibre.

The two leaders on whose maturity and judgment so much depends are F W de Klerk and Nelson Mandela. Both have already demonstrated their greatness.

De Klerk has shown tremendous moral courage in the way he has chosen to close the chapter on apartheid and risk his power and position by negotiating a completely new SA. He has done what his predecessor dared not do, and in the process, moved way ahead of the NP's traditional electorate.

Mandela's greatness is of a different kind. Despite the enormous personal sacrifice which he paid for his opposition to apartheid, he has emerged as a force for reason and reconciliation.

Together, these two men, from profoundly different backgrounds and with very different constituencies, have it within their power (insofar as these things are humanly possible) to heal and unite the SA people, and capture the attention and imagination of the whole world.

If this is their historical destiny, and they are to achieve it, it will be by adopting more or less the same agenda, co-ordinating their statements and actions, and resisting local constituency pressure and (less obviously) the international typecasting which has already started.

More than any other leaders, De Klerk and Mandela between them will determine the priorities of the transition — the period between the start of constitutional talks and the election of a new government in terms of a new constitution. For example, SA has a sophisticated public service, and it is essential to keep these skills in the system and maintain morale, even though, obviously, a major change of policies is inevitable. Mandela and De Klerk, between them, can ensure that this happens.

But in specific terms, De Klerk and Mandela should have as their goal the re-establishment of respect for law and order, even though this is a transitional concept of law and order.



☐ DE KLERK

On their agenda should be a commitment to getting the economy to work again, and both should consciously act in a way that generates foreign confidence.

Business and trade union leaders need clarity on the nature of government policies during the transition and in the new SA; and De Klerk and Mandela need to get their act together in attracting foreign investment. After all, SA starts with important advantages over comparable countries. Few similar countries have anything like SA's financial institutions, a stock market which in terms of capitalisation is the ninth largest in the world, and an informal economic sector that pulses with the spirit of free enterprise.

The first session of Codesa later this week will unquestionably attract the international spotlight. While all around the world people and governments will wish us well, what De Klerk and Mandela must understand is that "governance" (to use the World Bank's description) in Africa is seriously in question.

The failure of African economies in general, the dreadful happenings in Zaire (the senseless loss of life, the pillaging and the sheer destruction captured on world television), and, earlier this year, also in Liberia, have created widespread prejudice, rightly or wrongly, against black rule specifically. And while so many people around the world want to see SA succeed, many are sceptical.

A noticeable feature of East European countries, now that they have been liberated from the former Soviet Union and are establishing market economies, is how former nationals are returning from exile to help rebuild their countries.



☐ MANDELA

SA also has its diasporas. This does not stop with ANC exiles, but includes the many talented individuals who left this country in the years of apartheid. They should be wooed back, and nobody can do this more effectively than Mandela and De Klerk. And, with a little bit of effort and the help of local leaders, De Klerk and Mandela together could revive "kith and kin" feelings toward this country in, for example, India, the Netherlands, Portugal, Scotland and Greece, just to mention a few lands with demographic and historical ties to SA.

The democratic culture in SA is skin deep; and while all political leaders have a responsibility consciously to strengthen it, the influence of De Klerk and Mandela acting together could be invaluable. Together, they should specifically highlight the concept and practice of tolerance, and drive home the fact that people can legitimately hold varying views as to the public interest.

Mandela and De Klerk, more than any other leaders, can influence perceptions of the process on which we are embarking and its outcome. Even before the constitutional talks began, political parties and organisations have tended to polarise, and internationally the dominant media perception is that one major party must surrender and the other must be victorious. News commentators expect to see one party having to give up power, and the other taking power.

Mandela and De Klerk know in their hearts that this is not the case. Unlike a classic colonial situation, the issue in SA is not the defeat or withdrawal of any one group or community, but the terms of our coexistence — whether black or white, Christian or Muslim, Xhosa, Zulu or Afrikaner, ANC, Inkatha or NP.

Neither is it a case of an old and a new order, with those of the old order handing over power to those in the new order and disappearing. Both De Klerk and Mandela come from the old order. De Klerk's institutionalised power is rooted in apartheid; Mandela's fame and stature are derived from his role in the struggle against apartheid. Together, in the process of forming a new system of democratic government, they must convey the conviction that they, and therefore their followers, will both be part of the new order.

These are some of the challenges facing these two remarkable men at this critical stage in SA's history. Neither can refuse the call to greatness which history offers them.

☐ **Worrall is constitutional spokesman for the DP.**

UN and EC name Codesa missions

KIN BENTLEY

LONDON — The UN and the EC yesterday named high-powered teams to observe the inaugural session of Codesa in Johannesburg on Friday and Saturday.

And a powerful Commonwealth delegation, named last week, flew to SA from London last night.

These delegations — and the OAU is scheduled to join them — constitute the most representative body of international opinion to visit SA at one time.

Their presence indicates the importance with which the international community views Codesa.

In the UN party is the chairman of the special committee against apartheid, Ebrahim Gambari, who is also Nigeria's permanent representative to the UN in New York.

The UN delegation will be led by Sadako Ogata, the Geneva-based High Commissioner for Refugees.

The other key member of the UN party is assistant secretary-general Mousouris Sotirios, also head of the Centre against Apartheid at the UN.

London information officer for the UN Julian de Wet, a South African, said the team had been put together in response to a Codesa invitation. It would arrive in SA shortly before the talks started.

An EC spokesman said Chris van de Klaauw, a former Dutch foreign minister, would represent the holder of the EC presidency, the Netherlands, at the talks.

She said the European Commission would be represented by a former commission vice-president, Karl Heinz Narjes.

In another development yesterday, the Foreign Office indicated that Britain would encourage the PAC to reconsider its decision to boycott the talks.

Leah, second from left, and daughter Mpho Tutu.

Picture: AP

De Klerks unruffled by alleged kidnap plot

(B1 Dom 18/12/91. (30414)

CAPE TOWN — President F W de Klerk and his son, Jan, yesterday vowed not to be frightened by thuggery and threats in the light of an alleged right-wing plot to kidnap the President's grandson.

They both responded to reports of the alleged plot last year by a cell of the Boere Weerstandsbeweging to kidnap the four-year-old Frederik de Klerk.

The President said: "It is tragic that there are elements in politics who are apparently prepared to incriminate themselves in thuggery and crime, in this case aimed against an innocent baby.

"How can any person or party expect to be blessed if they do not advance their cause in accordance with our Christian commitment to the love of our neighbours and tolerance.

"The NP will continue on its balanced way and will not let itself be frightened by thuggery and threats," the President said.

Jan de Klerk said: "My wife and I attempt to conduct our family's life as normally as possible, in spite of the limelight which falls on us from time to time because of my father's position.

"In general, the public grants us this. This is also true for most of my father's political opponents.

"The events of more than a year ago, which are now making headlines in the Press, were an isolated incident which was effectively handled.

"No civilised persons can associate themselves with such cowardly and illegal political plans.

"I, however, consider it as concluded and our family will not allow our normal lifestyle to be changed," he said.

Political Staff

DAVE LOURENS reports that charges would not be laid against the right-wingers who allegedly plotted to abduct Frederik, a Law and Order Ministry spokesman said yesterday.

Capt Craig Kotze said the plans had not been sufficiently advanced to warrant prosecution, although the ringleaders had been detained and thoroughly questioned by police at the time of the plot.

Police had become aware of the threat in August last year and had immediately taken steps to safeguard the child and his immediate family.

Driven

"We do not underestimate the threat from the right wing. With all its splinter groups it is a hotbed of plots and counter-plots, and they cannot be pooh-poohed as almost all of them have military training and access to weapons," said Kotze.

CP law and order spokesman Moolman Mentz said kidnapping was not the CP's method of operating: "We would not act against defenceless children. But where there is no democratic solution, we can understand why people will be driven to extreme actions."

HNP leader Jaap Marais said the kidnapping was a "totally stupid" plan which nobody could approve of, but government had cleared the road to undemocratic behaviour by itself acting undemocratically.

Joubert (47) was found in the bath with "multiple injuries" on November 30.

It is understood that Mr 30-year-old jumped bail while standing trial on a child molestation charge.

Leads point to Cape Town

day.

Police refused to give more information, saying the investigation was at an extremely sensitive stage.

STAR 18/12/91

Govt move on Codesa decisions

By Peter Fabricius and Esther Waugh (304A)

The Government has agreed to commit itself to abide by decisions taken at the Convention for a Democratic South Africa which meets on Friday to start negotiating a new constitution.

This important decision was taken at a Codesa task group meeting yesterday.

After some tough bargaining over the last week, the Government agreed to the commitment, which will form part of a declaration of intent made by all parties at Codesa.

It is understood that the Government only agreed to the commitment to abide by Codesa decisions after the task group agreed yesterday to a decision-making mechanism for Codesa which would, in effect, give the Government a veto right. It agreed that Codesa decisions would be taken by "sufficient consensus" — meaning sufficient agreement to prevent a breakdown of Codesa.

Continue

As Codesa cannot continue without Government participation, the agreement in effect gives it a veto right.

Agreement, however, was not reached at yesterday's task group on how decisions taken at Codesa would be implemented.

The ANC proposed that all participants at Codesa, including the Government, jointly draft legislation to implement decisions.

It feels this is necessary to prevent the Government "distorting" Codesa decisions in the process of drafting them as legislation.

According to some sources the Government does not accept this, largely because it believes such a decision would detract from the sovereignty of Parliament.

But a Government source said he believed the Government did not have a fundamental objection to Codesa formulating legislation to submit to Parliament.

However, Parliament as the sovereign institution

● To Page 3

Govt move on Codesa decisions

● From Page 1 (304A) STAR 18/12/91

would have to approve the legislation finally, and so Codesa decisions would not have automatic legal force as ANC president Nelson Mandela demanded on Monday.

Constitutional Development Minister Gerrit Viljoen sharply rejected this idea and said it would undermine the constitution.

Government sources believe this problem could be resolved — possibly in time for today's Codesa steering committee meeting.

However, other parties believe the question of a mechanism to implement Codesa decisions will not be included in the declaration of intent and will be negotiated in later Codesa meetings.

Late-night lobbying continued yesterday after another Codesa task group failed to reach agreement on the Inkatha Freedom Party's demand for a role for the Zulu king at Codesa.

The ANC and other parties have agreed to the king attending, provided he is only an observer and that paramount chiefs of other tribes also attend with the same status.

● More reports — Page 8

been appointed.

The chances are that it will not be a single-party affair. It is likely that in a general election, no party will have absolute dominance and, whether by choice or necessity, coalitions will be the order of the day.

Some parties, however, will clearly have more say than others — and this would have to be reflected. It is hoped though that South Africa's post-apartheid government will draw from not just party politicians, but from a broad range of leaders with special skills.

With that in mind, *The Weekly Mail* selects an ideal cabinet, a mix of men and women from the major parties:

PRESIDENT: Nelson Mandela — There frankly aren't any other candidates who come close.

PRIME MINISTER: Cyril Ramaphosa — After leading the African National Congress team at the negotiations, he'll have established his position as the movement's crown prince. And it looks certain the ANC will come first in the elections.

FOREIGN AFFAIRS: FW de Klerk — The only cabinet post you can really offer a former president, and even if his party only comes second in elections, he's certainly won a lot of votes overseas.

FINANCE: Thabo Mbeki — This is a political post involving the cutting of the national budget cake

W/Mail 19/12/91 — 2/1/92. 304A

An interim government is no longer unthinkable; it may be just months away. Who should serve in the first post-apartheid cabinet? **PHILLIP VAN NIEKERK** *and* **GAVIN EVANS** *make up an ideal list of candidates for a coalition government*

REVIEW OF THE YEAR 1991

and would have to go to a senior ANC person. He's tired of international relations, he's one of the few in the movement who has a grasp of economics and his persuasive style will go down well at International Monetary Fund and World Bank meetings.

RECONCILIATION: Van Zyl Slabbert — This Ministry will replace Constitutional Development and Planning. Reconciliation won't last very long which should suit his short attention span.



Derek Keys: FW was right on this choice

DEFENCE: Gabriel Ramushwana — The Venda leader is a well-respected military man and he gets on with both the ANC and the SADF.

POLICE: Roelf Meyer — Given that the police force on the day after an election is going to look the same as the day before, it will need a minister who talks police language and has the flexibility to implement change. As former deputy minister of law and order and current minister of defence, he has a security and reformist background.

JUSTICE: Dikgang Moseneke — This highly respected advocate is also one of the ablest Pan Africanist Congress leaders and can be relied upon to be non-partisan.

PRISONS: Patrick Lekota — He's spent long enough inside to know what it's like, and he's young enough to be groomed for higher things.

EDUCATION: Jakes Gerwel — After the disaster of the apartheid era in education, you need someone with the passion to change the system and the ideas of how to do it. Gerwel also has the experience as rector of the University of the Western Cape.

INFORMATION: Pallo Jordan — He's one of the few honest (or, for that matter, intelligent) people in politics, and that alone puts him in the lead for the post of information.

HOME AFFAIRS: Frank Mdlalose — He is one of Inkatha's nice guys. He is also capable and competent.

TRADE and INDUSTRY: Derek Keys — This is a vital post, demanding managerial skills to gear South Africa up to compete in the global economy. We agree with De Klerk's choice on this one (so far, anyway).

MINERAL AND ENERGY AFFAIRS: Zach de Beer — He cut an excellent deal for Anglo in Zambia after independence. Hopefully, with his political and business experience he can do the same for South Africa.

LAND AFFAIRS and ENVIRONMENT: Enos Mabuza — He has experience in land disputes (he negotiated kaNgwane out of Swaziland's grip) and

LABOUR: Oscar Dhlomo — This portfolio requires a conciliator who gets on with all, but who is neither in the labour nor the business camp.

TOURISM: Gordon Oliver — This whacky former Cape Town mayor has done a brilliant job of diverting the tourists from Durban to Cape Town. Maybe he can do the same for the entire country.

HEALTH: Mamphele Ramphele — A medical doctor whose years of banishment to the remote Northern Transvaal gave her first-hand experience of where the country's health crisis is most felt.

WELFARE: Leila Patel — A dedicated and caring professional who has worked in the field for over 15 years. Her PhD is on a welfare system for a post-apartheid South Africa.

HOUSING and DEVELOPMENT: Thozamile Botha — Providing shelter for the country's seven million homeless will be a critical task for the new government. Botha's long-standing involvement in civic affairs, and his academic qualifications, qualify him for this post. And what would a South African cabinet be without a Botha?

SPORT: Steve Tshwete — He's the architect of the new sports order in South Africa and has done more than enough to earn this post.

ARTS and CULTURE: Barbara Masekela — She's loud and dynamic, and more flexible than some of her colleagues.

POSTS and TELECOMMUNICATIONS: Mohammed Valli Moosa — At the rate he is rising, we couldn't realistically leave him out of the cabinet.

TRANSPORT: Leon Wessels — The Nats deserve another post, and the man on the horse with the hat is one of the more capable.

AFFIRMATIVE ACTION and WOMENS AFFAIRS: Frene Ginwala — A brilliant academic with the toughness to battle it out in a contentious area.

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(304A)



Best for the job

President Nelson Mandela; crown prince Cyril Ramaphosa; globe-trotter FW de Klerk; diplomatic Pallo Jordaan

THE A TEAM

THIS time next year South Africa might have an interim government of "national reconciliation". A year down the line elec-

is non-partisan enough for this hot seat. He's also interested in rural development and green affairs.

AGRICULTURE and WATER AFFAIRS: Errol Moorcroft — A

Foreign observers will add weight to Codesa

LONDON - When the Convention for a Democratic South Africa (Codesa) opens in Johannesburg tomorrow, it will be under the watchful eye of illustrious observers from a range of international organisations.

The observers will be just what they say they are: observers, not participants or monitors or advisers - not initially, at least.

Pretoria wrestled with the decision to admit international observers, although not quite as hard as it wrestled with the decision earlier this year to allow the UNHCR (UN High Commissioner for Refugees) to assist with the repatriation of exiles to South Africa.

It still nurtures deep, primeval fears about "foreign interference," the most dramatic manifestation of which was its torpedoing of the Commonwealth Eminent Persons Group's visit to South Africa a few years ago.

Blurred

Times have changed since then. The dividing line between "foreign interference" and South Africa's reacceptance into the international community is a blurred one these days.

Anyway, the whole concept of the sanctity of a country's sovereignty is wearing thin, as recipients of Western aid, IMF and World Bank support and US approval around the world will testify.

Pretoria cannot regret its decision to admit the UNHCR, nor is there any reason why it should resist the arrival of other UN agencies, such as the World Health Organisation.

The UNHCR is sharing responsibility, including financial responsibility, for the repatriation of refugees, and the WHO similarly would share responsibility for healthcare projects.

'Foreign interference' is a small price to pay for such benefits.

The fact that Codesa's distinguished visitors will be only observers does not mean they will serve no useful purpose. Their presence will be highly significant for several reasons.

First, the observers will give Codesa an international *imprimatur*, and this in itself carries implications.

Weight

It means that Codesa is being taken seriously. The more progress it makes towards agreement on an interim authority and a new constitution, the more South Africa's return to the world community will be assured (and incidentally the more obsolete sanctions will become).

The presence of the international observers will give added weight to Codesa. It can begin its deliberations tomorrow as a heavyweight assembly, and thereafter it will be in its own hands to maintain that status.

The Commonwealth Secretariat in London, announcing the names of its six distinguished representatives last week, went so far as to say that the arrival of its delegation "will begin a new phase in its relations with South Africa".

This is likely to be true of all the other international organisations represented at Codesa.

It is interesting to note that, while the Commonwealth "at this stage" of its involvement will only be demonstrating its strong support for Codesa and helping to promote "mutual trust among the various parties," it envisages consultations with leaders of Codesa's political parties and making itself "available to assist in whatever way might be helpful to the negotiating process".

Helpful

As the negotiations proceed, the Commonwealth Secretary-General, Chief Emeka Anyaoku, will visit South Africa from time to time "with appropriate advisers whose expertise might be helpful to the Convention".

Pretoria will keep a wary eye on this offer, but there are no indications that the Commonwealth intends to be anything but helpful, or that Pretoria may find this help useful some future point.

The most significant aspect of the international presence at Codesa is that, hopefully, it will cause the 240 delegates to conduct themselves with dignity and decorum. This is a large number of delegates, and the gathering could become unwieldy and undisciplined.

If the effect of the presence of the observers is to keep the rhetoric, the posturing and the walkouts down to a minimum, this alone will be a valuable service.

The delegates must realise by now that what will be happening at Codesa is that South Africa's political parties will be judged *in situ* by what in effect will be an international jury, and that this judgment will be passed not only on the government, but also on the ANC, etc, and not only on the ANC, but also on the absentees, such as the Conservative Party, PAC and Azapo.

Judgment will be on performance, not on what moral high ground was once occupied.

- *Sowetan Correspondent*

Stanley Uys on the significance of international observers at Codesa

Watchful eyes turned on SA

304A

STAR 19/12/91

WHEN the Convention for a Democratic South Africa (Codesa) opens in Johannesburg tomorrow, it will be under the watchful eye of illustrious observers from a range of international organisations. The observers will be just what they say they are: observers, not participants or monitors or advisers — not initially, at least.

Pretoria wrestled with the decision to admit international observers, although not quite as hard as it wrestled with the decision earlier this year to allow the UN High Commissicner for Refugees (UNHCR) to assist with the repatriation of exiles to South Africa. It still nurtures deep, primeval fears about "foreign interference", the most dramatic manifestation of which was its torpedoing of the Commonwealth Eminent Persons Group's visit a few years ago.

Times have changed since then. The dividing line between "foreign interference" and South Africa's re-acceptance into the international community is blurred these days. Anyway, the concept of the sanctity of a country's sovereignty is wearing thin, as recipients of Western aid, IMF and World Bank support and US approval around the world will testify.

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First, the observers will give Codesa an international imprimatur, and this in itself carries implications. It means Codesa is being taken seriously. The more progress it makes towards agreement on an interim authority and a new constitution, the more South Africa's return to the world community will be assured (and, incidentally, the more obsolete sanctions will become).

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The delegates must realise by now that what will be happening at Codesa is that South Africa's political parties will be judged *in situ* by what in effect will be an international jury, and that this judgment will be passed not only on the Government, but also on the ANC, etc, and not only on the ANC, but also on the absentees, such as the PAC, the Conservative Party and Azapo.

The observers will regularly report their impressions to their organisations, and in this way an entirely new international assessment will emerge — very different from the old apartheid-based assessment — of who is who in South Africa and what political weight they carry. Judgment will be on performance, not on what moral high ground was once occupied. So be on your best behaviour, boys. — Star Bureau, London. □

De Klerk invited to visit Poland

STAR 19/12/91

Polish Deputy Foreign Minister Jerzy Makarczyk said yesterday he expected President de Klerk to visit Poland before the end of February.

He was speaking at a ceremony in Pretoria during which he and Foreign Affairs Minister Pik Botha signed a protocol upgrading diplomatic representation between the two countries to ambassadorial level. (3044)

Dr Makarczyk, who also met President de Klerk yesterday, said an invitation to visit Poland had been made.

Dr Makarczyk described the signing ceremony as a "great event", normalising relations between Pretoria and Warsaw.

"We hope we will be able to promote investments in both countries," he said.

Mr de Klerk was to have visited Poland, Czechoslovakia and Hungary after his recently cancelled trip to the former USSR. — Sapa.

HNP condemns 'farce, camouflaged treachery'

STAR 19/12/91 (304A)

The Herstigte Nasionale Party yesterday described Codesa as a forum to enable the ANC and the SA Communist Party to continue their "warfare against the Afrikaner nation".

HNP leader Jaap Marais said: "Afrikaner organisations are being asked to take part in this camouflaged treachery and farce to create the fiction that the Boers have made peace with the ANC-SACP alliance."

CP leader Dr Andries Treurnicht yesterday rejected suggestions that Codesa could take legally binding decisions and warned that the gathering represented "nothing less than a coup by the NP-ANC-Communist Party alliance".

He demanded an immediate election, saying the NP had never been given any mandate to eliminate Parliament.

Parliament could soon be just Number Two

W/Mail 19/12/91 - 2/1/92

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Weekly Mail Reporter

THE issue that could vindicate leftwing or rightwing reasons for staying out of the Convention for a Democratic South Africa (Codesa) — the legal status of decisions taken at the convention — was largely hammered out at preparatory meetings this week.

The government, as one of 19 participants at Codesa, will be bound to implement agreements worked out by Codesa and follow-up conventions — by facilitating legislation in parliament and amendments to the constitution.

This means that, while maintaining legal sovereignty, parliament will in effect be overridden by Codesa which will become the country's de facto highest decision-making body on constitutional matters.

That would lend credance to claims by Conservative Party leader Andries Treurnicht that Codesa is to be treated as a "super-parliament".

However, as Codesa decisions will have to be taken on the basis of "sufficient consensus", it will not be able to take major decisions without government consent.

On the other hand, if the government delegation does resist demands, for instance on an interim government and a constituent assembly, supported by virtually all other parties, it risks collapsing the entire negotiating process.

And it would give credibility to claims by the Pan Africanist Congress that Codesa is little more than a "ploy" of the regime.

Constitutional Development and Planning Minister Gerrit Viljoen said this week that Codesa did not have legal status and its agreements "of themselves" could not have legally binding force.

He was apparently slapping down African National Congress demands that Codesa decisions be given legal force.

However, Viljoen conceded that while Codesa's decisions could not "of themselves" have legally binding force, organisations would be duty-bound to implement such agreements or promote their implementation.

The other thorny issue — the Inkatha Freedom Party's demand that the kwaZulu government and the Zulu king both be allowed to send delegations — was not yet resolved yesterday.

IFP president Mangosuthu Buthelezi's strong demand for their inclusion as separate delegations did not appear to synch with the stand of the IFP's own representatives on the steering committee, who had agreed to drop the demand for a separate kwaZulu delegation and downgrade the king to observer status.

The ANC's compromise proposal is to invite all paramount chiefs and kings to attend the historic first session of Codesa, due to start at the World Trade Centre near Jan Smuts on Friday.

The simple guide to Codesa

	FUTURE OF HOMELANDS	INTERIM GOVERNMENT	CONSTITUENT ASSEMBLY
ANC, SACP, TIC-NIC, TRANSKEI MILITARY COUNCIL, INYANDZA	Support the immediate reincorporation of the four "independent homelands" and the removal of the authority of the "self-governing territories". They favour a unitary state with a strong central government and limited devolution of power to the regions, to be decided according to the distribution of populations.	All strongly believe that Codesa should have the function of setting up an interim government to govern during the transition period prior to the first general election. This should replace the authority of the present government, though it is not clear whether they believe it should assume all its roles. They believe that Codesa should not itself be transformed into an interim government and should have a short lifespan. They reject the idea of their members being incorporated into the current government for the transition period.	All support the idea of an elected constituent assembly being the body which negotiates the details of a new constitution. They accept that the broad principles can be negotiated through Codesa and have not rejected the idea of a referendum on these. But this should replace constituent assembly elections held on a party political basis. Once the new constitution is negotiated through the elected constituent assembly, a general election should be held for the new parliament, after which the interim government should be replaced by the new government.
INTANDO YESIZWE PARTY, TSHIMOKO PROGRESSIVE, VENDA MILITARY COUNCIL, LABOUR PARTY	Also favour reincorporation of all homelands, but tend to favour a more federally based constitution.	Most of these parties have come out in favour of an interim government or are tending in that direction.	All tend to favour the idea of an elected constituent assembly, but appear to be flexible on the issue.
DEMOCRATIC PARTY	Supports the reincorporation of all homelands and a federal constitution with strong powers for the regions, as well as regional representation within the upper house of parliament.	Supports the idea of a Transitional Government of National Reconciliation, which should be the product of Codesa. Among its functions should be controlling key government functions such as expenditure, the broadcast media and the security forces. This should be headed by a Council of Leaders appointed by Codesa, representing the major political parties. The state president should continue to exercise all executive functions provided for in the constitution on the advice of the Council of Leaders, instead of the cabinet. Multi-party cabinet committees should be set up.	Favours a solution similar to that of an elected constituent assembly. A constitutional conference, elected on a one-person, one-vote basis, with a one percent cut-off, should negotiate the new constitution. Its decisions should be made by a two-thirds majority and must have the agreement of both the majority party in the constitutional conference and the majority party in parliament — effectively giving both veto powers. Once a new constitution is agreed upon, it should be put to the electorate through a referendum.
INKATHA FREEDOM PARTY	Supports the idea of a reunified state including the independent homelands and self-governing territories, with the conditions of the "reaccession" of the TBVC states to be subject to negotiation. Stresses strong state powers, with each state being represented in the senate, having a state legislature, state premier and a governor, and the constitutional recognition of traditional rulers.	Accepts the sovereignty of the current government and believes it should continue to govern until a new constitution is negotiated. It therefore strongly rejects the idea of an interim government or any other solution which detracts from the authority of present government, though it has not ruled out transitional provisions to expand its base.	Rejects the idea of an elected constituent assembly being the forum which negotiates the new constitution. Instead believes the constitution should be negotiated by Codesa and put to the electorate through a referendum.
CISKEI GOVERNMENT, NATIONAL PEOPLE'S PARTY, SOLIDARITY, BIKWANKWETLA PARTY	All say they favour the reincorporation of the TBVC states, with the retention of strong powers for the regions. Ciskei has shown some ambiguity in this regard but tends to accept the inevitability of returning to the South African fold.	Have not all expressed strong opinions on this issue, but are likely to oppose the idea of an interim government replacing the current government.	Those who have expressed opinions on this issue have tended to oppose the idea of an elected constituent assembly.
SOUTH AFRICAN GOVERNMENT, NATIONAL PARTY	Have still not made their position on the reincorporation of the TBVC states clear, saying this is subject to negotiation and that the TBVC states are independent and therefore can't be compelled to return. Privately, NP officials say they accept the notion of reincorporation. Support[illegible]	Have clearly rejected the idea of an interim government or any other form of transitional authority which interferes with the sovereignty of the South African government. Believe the government should continue to govern until such time as the first elections [illegible] new constitution are held. However their	Reject the idea of an elected constituent assembly, which they feel will lead to "majoritarianism". They believe that once there has been agreement on the major facets of the new constitution, these should be put to the electorate through a referendum among all [illegible]

	a proposed nine regions, each being governed by an executive committee and equally represented in the Senate.	are open to the idea of transitional arrangements which broaden the legitimacy of the current government, such as the expansion of the cabinet, and increasing aspects of the authority of Codesa.	provision for counting the votes of each group. President FW de Klerk has promised they will only go ahead with the new constitution if it is accepted by the white electorate. The present government should continue to govern until the first general election is held on the basis of the new constitution.
BOPHUTHATSWANA GOVERNMENT	Still opposes its own reincorporation and believes that Bophuthatswana should continue to exist as a separate state, possibly as part of a confederation of states.	Does not wish to be governed by an interim government or any government other than itself.	At the moment it does not want to be part of a future South Africa and therefore rejects any solution — including constituent assembly elections — through which it would be bound.

Negotiations start in earnest on Friday. **GAVIN EVANS** *outlines where the parties stand on the eve of the talks*

NEGOTIATIONS begin in earnest this weekend in a climate of heightened tension between the parties at the Convention for a Democratic South Africa (Codesa).

With Inkatha being accused of receiving further funding from the police and hit-squad training from the army, the government being accused by the African National Congress of lying about aid to Inkatha, and Inkatha threatening to pull out of negotiations unless its demand for representation for kwaZulu and its king is accepted, relations between the major players are not particularly cosy.

By the time the conference begins, however, the Preparatory Committee should have come to an agreement on representation and negotiations can begin on the key agenda items: interim government or transitional arrangements; the form of the constitution-making body; and the reincorporation of the homelands into South Africa.

The task of reaching "sufficient consensus" may be made easier by the Pan Africanist Congress' decision to pull out of the conference and the Conservative Party's confirmation of its decision to stay away.

Two preliminary issues will need sorting out: What the ANC describes as the "levelling of the political ground", and the legal status of Codesa.

On the first point, there appears to be agreement among the parties about the return of exiles and the National Peace Accord but there are still points of dispute relating to several political prisoners. The ANC is pressing hard for the release of members such as Robert McBride and Mthetheleli Mncube in Pretoria Central Prison and Bophuthatswana coup leader Timothy Phiri in Rooigrond Prison.

The issue of the legal status of Codesa has been a major discussion point between the parties over the past fortnight. ANC president Nelson Mandela has made it clear that the decisions of Codesa should be legally binding. According to the ANC this means that once decisions have been reached at the conference, they should be drafted into legislation by Codesa sub-committees and passed in parliament.

The government has yet to state a firm view on this issue, but is wary of Codesa having any implementing mechanism or of it interfering with the sovereignty of parliament. It prefers a solution along the lines followed with the peace secretariat, whereby Codesa will make decisions and the government will then draft them into legislation.

Both issues are likely to involve some tough horse trading, but neither is expected to hold up proceedings.

The three major issues, which will be discussed this weekend and in March, will be the future of the homelands, the establishment of an interim government or transitional authority, and whether an elected constituent assembly or Codesa itself should draw up a future constitution.

The table above will help you understand how the 19 participating parties think on these issues.

14/12/91 - 2/1/92

S&A

Soviet experience holds crucial lessons for a changing SA

B/Day 19/12/91.

(3C4A)

VLADIMIR I TIKHOMIROV

RECENT developments in the Soviet Union and SA show that the national, or nationalities, question remains probably the most difficult issue to solve during the process of establishing peace and stability in transitional societies.

Despite all the historical, social and economic differences, one can identify a number of parallels, and even coincidences, both in the way that the situation in these two countries will develop, and in the way their leaders handle it.

Despite the fact that the Soviet Union is inhabited by more than 100 different national and ethnic groups, with striking differences in their historical, cultural, religious, traditional, social and economic backgrounds, the primary reason why it did not experience the problem of the growth of nationalism(s) on a large scale as early as the 1970s, was its relatively stable economy.

While a country has a stable and growing economy that provides funds for social upliftment on a large scale, the problems of nationalism or ethnic/racial relations tend to dissipate — at least in the minds of the majority. On the other hand, economic crisis usually causes deep social problems that immediately lead to the growth of nationalism, separatism, chauvinism and/or racism.

Six years of President Mikhail Gorbachev's experiments with political and economic reform have led the Soviet Union into an even deeper socio-economic crisis. The ever present nationalist threat has become a reality.

By the beginning of the 1990s, almost all the national and ethnic groups within the borders of the Soviet Union were experiencing dramatic rises in mass nationalist feelings. The indecision of Gorbachev's policies at home, due mainly to a lack of clear perspective, eventually brought about that very revolutionary change that Gorbachev had tried so hard to avoid.

The defeat of the attempted August 1991 communist coup has led to the collapse of the centralised communist regime, and to the disintegration of the world's last colonial empire. Non-communist governments of former Soviet republics have taken over power from the all-Union structures and declared their full sovereignty in every field.

Nevertheless, the nationalities' question has still not yet been resolved. Despite all the radical changes, the growth of nationalism has not halted. Moreover, nationalist tendencies are also threatening the integrity of various former Soviet republics. This leads one to focus on the interrelation between economics and national/ethnic developments.

All the former Soviet republics, as well as many of the countries of the former socialist bloc, are experiencing huge economic difficulties and a resultant decline in the standards of living of their people. Unless this decline in economic development is reversed, these states have no real way out of the national/ethnic crisis.

Only a working and growing economy can provide a realistic base for stability, prosperity and national/racial peace in any society — the Soviet Union or SA.

Some of the lessons that can be learned from Soviet history that have relevance for SA include:

☐ SA and the former Soviet Union are probably the only countries in the modern world that have such complicated national/ethnic structures. Even a brief overview of the history of national developments in the Soviet Union reveals striking similarities with the SA situation.

Though multi-ethnic societies exist in a number of other countries, the Soviet Union and SA differ distinctly from all of them in a number of respects. The most important of



☐ GORBACHEV

these is that the Soviet and SA "nations" are formed from a large number of smaller nations/ethnic groups, many of which have their own historical areas of settlement and cultural, ethnic and linguistic integrity. In other words, in the ideology of these societies there exists, simultaneously, nationalisms, ethnic outlooks, cultures and religions which create a dangerous potential to destroy these "nations".

According to the theory and history of state law, there are only two basic forms of state structures: unitary and federal. The history of the Soviet Union demonstrates that attempts to fit a multi-ethnic society into the limits of a unitary state are doomed to fail. This will result only in the growth of ultra-nationalistic tendencies, chauvinism and ethnicism/racism, and will eventually lead to the break-up of the state, with the resultant social upheaval and economic disintegration;

☐ Federations of national/ethnic states which have a large amount of political, economic and cultural autonomy invariably prove to be the optimal structure for a complicated multi-ethnic/racial society.

Full political and economic independence is probably even more favourable an option, but this can be reached fully only if the states involved have historically loose economic ties. In the case of the Soviet Union and SA, these countries are economically integrated to such a high degree that complete and violent disintegration could lead only to a total collapse of their economic potential, throwing them decades back in their development;

☐ The nationalities, or ethnic, question gains in importance only under conditions of social and economic crisis. As soon as a functioning and growing economy in a democratic power structure is in place, it is improbable that one will have to cope with national/racial problems on a large scale.

The experience of highly developed societies in the EC shows that, at a certain high stage of economic development, the need for the maintenance of political boundaries become less imperative, while the economy constantly increases pressure for the unification of economically integrated societies.

No matter how paradoxical it may seem, to become more united, one needs to destroy all existing artificial political unions, and concentrate only on developing the economy. Only that is able to provide a realistic basis for unity in the future; and

☐ Experiences in the Soviet Union have also proven the argument that centrally planned, or state-owned, economies are incapable of providing the necessary funds for modern socioeconomic development.

The ineffectiveness of nationalised, command and state-run economies can be seen worldwide; no matter how sincere the initial goals of the advocates of nationalisation or centralisation were. At the end of the day, any government needs funds to meet the social demands of its people. One may well have one's own reservations about free market economies, but, clearly, only these have managed to provide the necessary funds in an efficient and, obviously, democratic manner.

Probably the most important lesson that can be learnt from the Soviet experience, however, is that economic development is directly and inseparably related to the national/ethnic/racial processes.

National or ethnic stability in a society is totally dependent on both the state of the economy and the realisation of its potential to expand. The economy's rate of growth, flexibility and openness to new influences are the major factors that create national stability and peace in a multi-ethnic society.

A growing and vibrant economy in SA will be crucial in neutralising chauvinist nationalist tendencies and in ensuring a successful transition to a new political order.

☐ **Tikhomirov is director of studies at the Institute for African Studies at the Soviety Academy of Sciences. He is visiting SA as the guest of the International Freedom Foundation and the political science department at Potchefstroom University.**



Polish Senior Deputy Foreign Minister Jerzy Makarczyk at Jan Smuts Airport yesterday. Makarczyk is in SA to sign a treaty establishing closer diplomatic ties between SA and Poland.

Picture: ROBERT BOTHA

De Klerk invited to visit Poland

DARIUS SANAI

THE Polish government expected President F W de Klerk to visit Poland during the first few months of next year, a senior visiting minister said yesterday.

Senior Deputy Foreign Minister Jerzy Makarczyk, who arrived in SA yesterday on a four-day official visit, said he presented De Klerk with a letter of invitation from Polish president and former Solidarity leader Lech Walesa shortly after his arrival.

Poland hoped De Klerk would visit in February, he said.

Makarczyk signed an accord with Foreign Minister Pik Botha yesterday afternoon, elevating diplomatic relations between the two countries to full ambassadorial status for the first time.

De Klerk was scheduled to visit Poland, Czechoslovakia and Hungary this month, but the trip was cancelled because it clashed with tomorrow's Codesa talks.

He cancelled a trip to the Soviet Union earlier this month because of tumultuous political changes there.

Senior government sources said yesterday that a new date had not been set for De Klerk to visit central and Eastern Europe.

In another development, a senior Czechoslovakian diplomat said yesterday Czechoslovakian prime minister Marian Kaifa would come to SA during the first few months of next year, accompanied by a delegation of top businessmen, in a visit "of great economic significance".



WORM'S EYE

Steven Friedman 's fortnightly review of political events

w/Mail 19/12/91 - 2/1/92 304A

Taking a bold look at reality

STARING over the edge of a cliff can wonderfully concentrate the minds of politicians. But first they have to know that the cliff is there.

As Codesa meets to begin constitutional talks, another set of bargainers is inching towards a less-publicised agreement which may hold some lessons for the negotiators.

They are the parties to the Witwatersrand Metropolitan Chamber — municipalities, civics and provincial authorities — who have reached an agreement in principle on interim government for Johannesburg, Soweto and their surrounds.

It's far too early to say whether the agreement will stick, let alone what it will mean for the city. But already the parties have made some important economic and political compromise.

The province has agreed to give rented township houses to long-time occupants, the civics have accepted higher charges for services; the civics have accepted the (temporary) right of the municipalities to run the city, the white councils have agreed to share decisions on their budgets and have accepted the principle of a non-racial election.

But the details are less important than the background against which they were agreed.

Transvaal townships have been racked by service charge boycotts which mirror, on the local level, many of the political and economic issues which face Codesa.

So far all attempts to settle them have failed; neither side has accepted major compromises either on who will pay for services or who will run the cities during the transition.

Where agreements have been reached, most residents haven't abided by them: each side has blamed the other. The gulf between their stances, lack of trust and unwillingness to take responsibility for solutions has been as great as that at the national level.

The Witwatersrand agreement may end the deadlock. Civics have promised to take responsibility for higher charges, the municipalities and province have agreed to give up some power.

This is not the only city in which civics are beginning to take responsibility for ensuring that townships are governed in return for concessions — the minimum needed to rescue the cities.

Codesa, too, will have to agree terms on which "liberation" movements share responsibility in exchange for shared power.

So what magic formula or bargaining strategy has enabled the local negotiators to start making the progress needed nationally? There wasn't one, say some key participants: the parties are being nudged towards agreement by reality.

Movement towards the Rand agreement picked up when both sides stared over the cliff and realised that, if no deal was reached, there would be no money for electricity or water in Soweto (or other townships) and it might descend into chaos.

This seems to confirm that, in a society as polarised as ours, in which expectations of what negotiation can deliver are still far apart, settlements are only likely when there is what Chamber chairman Van Zyl Slabbert calls a "shared sense of crisis".

The next example may be education: this year's black matric results are likely to create a very acute sense of crisis about our education system and this could prompt serious negotiation.

This suggests that, despite the bluster on all sides, Codesa is certain to make progress towards a settlement.

The national stalemate is just as acute as that in the townships.

The government cannot govern alone because its major decisions are resisted by its opponents: the "liberation movements" can resist government moves but cannot change things on their own. The result is a decline in order and a growing economic crisis.

But "reality" alone cannot ensure settlement. The parties have to know that it is there.

In Soweto, the consequences of failing to agree had become far more obvious than they are nationally. The conflict there threatened to lead to immediate breakdown, while the national one is more likely to lead to a slow decline.

So it is far easier for national parties still to bluff themselves that they can impose their own solution.

But the national crisis is there nevertheless. Codesa's chances — and the country's — depend on how quickly the parties see it.





When villains become real people ... Joe Slovo (right) slips into a Speedo and a swimming pool and Eugene TerreBlanche (left) is invited to a peace dinner
Photos from *South African Portfolio*, by Andrew Steele and Ulli Michel (Struik)

Malice through the looking glass

W/Mail 19/12/91-2/1/92 (3044)

The past year reflects the promise of tomorrow created by the politicians and advertisers. **MARK GEVISSER** *takes a look at how we 'new' South Africans imaged and imagined ourselves in 1991*

SPRINGBOKS on their knees and communists in swimming-pools. The images of South Africa in 1991 swung wildly between these two poles:

● Clive Rice in Calcutta, head bowed before Mother Theresa, seeking absolution: white South Africa pardoned for the sins of apartheid.

● Joe Slovo in a swimming pool, kitted in Speedo cap and goggles: the terrorist rendered repectable, the demon made human on TV every night.

FW de Klerk has marketed us, quite brilliantly, to ourselves and to the world as 'new' South Africans. Against an ever-increasing backdrop of ethnic violence and urban crime we sing the *Ode To Joy* as we march — in our imaginations if not in reality — beneath the computer-generated banner of the future, back into the world.

We trip over the corpses of those killed in train massacres; we hide anything that glints and lock our doors against encroaching menace, and we live, every minute of every day, in that dislocated space between the shame and frustration of yesterday and the promise of tomorrow. This promise is manufactured by our image-makers, the politicians and the advertisers, out of the raw material of our aspirations: in perpetual purgatory, we sing the "new" South Africa as fervently as a sinner would a hymn.

Sure, there are some of us who long for the past: angry youth who found glory in the toyi-toyi; terrified Afrikaners who won't let go of privilege. Wooden pasts that are clung to: Carel Boshoff's ox-wagon; brandished, burnished AK-47s.

But Paul Simon is coming, and, according to an ad placed by the government-owned Radio 5, apartheid is *Slip Sliding Away*. The exiles are returning one by one: Hugh Masekela, Miriam Makeba, Lewis Nkosi, Dennis Brutus; returning even in Castle beer adverts, walking into bars to be hailed by old friends, walking right off a dusty train from the north into the non-racial yuppie heaven of panelled pubs.

If these beer adverts (and the other non-racial lifestyle adverts they have spawned) are a tad too facile, then perhaps a more complex imaging of the current South Africa is the Shell campaign, for it presents, at one archetypal service-station, both yesterday and tomorrow: a white boy and a black boy looking on as their fathers, the boss and the bossboy respectively, go about their work. The fathers, representatives of yesterday, are still in a master/servant relationship, and the sons, representatives of tomorrow, in a relationship of absolute equality.

But while this campaign acknowledges that even in the NSA whites are still bosses and blacks are still servants, there's nevertheless something unnaturally charmed about this service-station wonderland, as seen through the eyes of two little boys. The advertising industry, while manufacturing promising images of the future, is still not able to look at the iniquities of the past through anything other than a rosy tint.

The one exception this year has come, ironically, from the SABC, whose "Radio Active" campaign depicts a group of people, amid the standard clutter and junk of a township yard, sitting rapt in front of a radio set. In an attempt to persuade potential advertisers of radio's scope as a medium, SABC realised that depicting the reality of how people listen to it was the best way of selling it.

And then there was the Ohlsson's switch. Ohlsson's beer initiated the yuppie-fantasy beer ad, but after market research showed that no one was buying this nirvana, it changed its campaign: with an inspired piece of editing, it showed South Africa at a World Cup soccer final. Soon even this campaign will be obsolete: we'll be there. Rice got on his knees and was pardoned, after all.

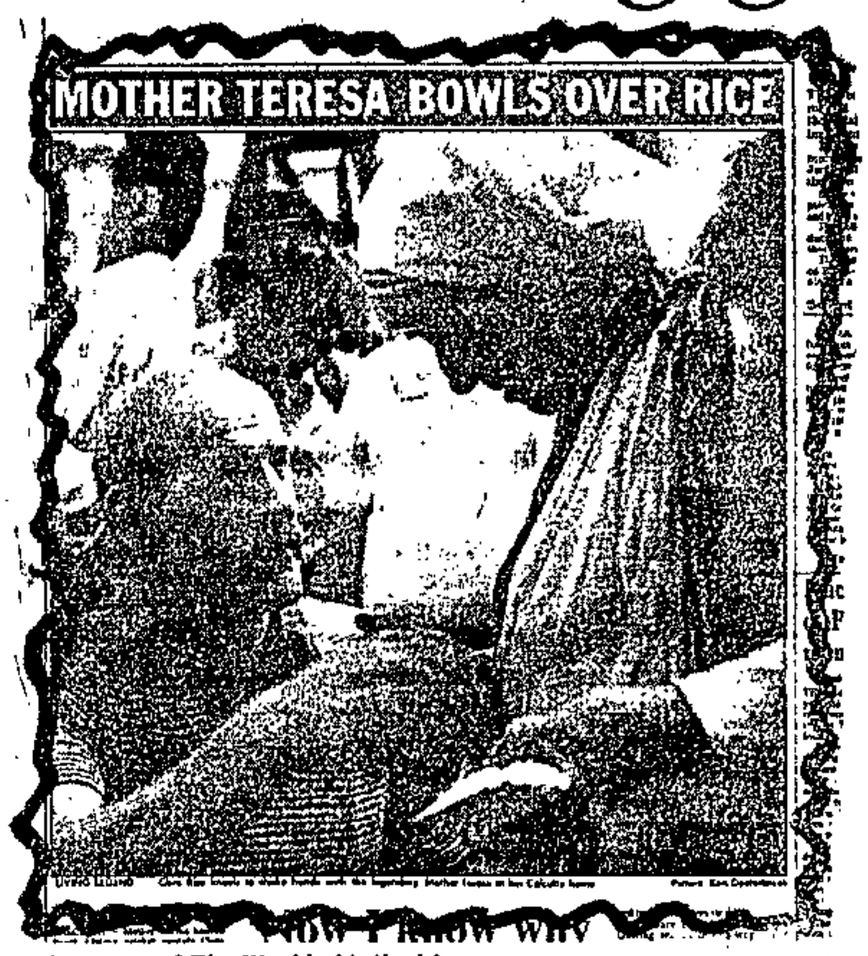
We'll be there, but we're not there yet. At this point, our imaging of a "new" South Africa is nothing more than an imagining. What would Cyril Ramaphosa look like in the Tuynhuys? What will our new flag look like? What will Hyde Park look like when not only the Tambos and the Maponyas but the whole of Diepkloof move in? What will our national symbol be? Springbok? Zebra? Elephant? Rabid dassie?

Certainly, we do have some images already. Willem de Klerk and Erica Adams. The whole spectrum from Eugene Terre-Blanche to the Pan Africanist Congress sitting at an artificially constructed Peace Dinner on *Agenda*. Symbols of the "new" City at the chessboards in Joubert Park, where the white kings of the few remaining old-timers are being challenged by the black pawns and rooks and bishops of their new young neighbours.

We've had our share of buffoonery this year — Quixotic Orania, bantustan tyrants with their pants caught down, Adriaan Vlok on the cover of *The Weekly Mail* with a Pinnochio nose. But, mock as we may, there has been more menace than promise in so many of this year's images: the Conservative Party landslide victory in Virginia; a cultural-weapon-bearing impi stampeding down Commissioner Street; murders in Gallo Manor and Mondeor; massacres at wakes in Alexandra; hunger-strikers in Bophuthatswana.

How far this terror seems from the beer-ad images of happy, backslapping yuppies! No wonder we feel so dislocated. No wonder we still utter the date, "February 2 1990", as if it were a magic talisman that can close the gap of the past two years. For, despite peace commissions and Codesas, despite first-ever-congresses-on-the-soil-of-South-Africa and warlords relegated to the Department of Forestry, we are still there.

Before February 2 1990, the Great Trek was this land's foundation-myth. Now, this myth has been usurped by another: the release of Mandela and the unbanning of the African National Congress. Just as Afrikaner nationalism was discredited, new-South-Africanism lies perilously close to tatters. That's what happens, after all, when heroes/villains become real people; when Joe Slovo is seen in a swimming pool, kitted in Speedo cap and goggles.



Pardoned for the sins of apartheid ... Clive Rice meets Mother Theresa in Calcutta. This front-page photo appeared in the *Sunday Star*

ihu INDUSTRIAL HEALTH UNIT

HALF DAY CLINIC ADMINISTRATOR

The INDUSTRIAL HEALTH UNIT has opened an OCCUPATIONAL DISEASES CLINIC for workers. This exciting new project is unique in Natal and is leading the development of occupational health in the Province.

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W/MAIL 14/12/91 - 21/1/92

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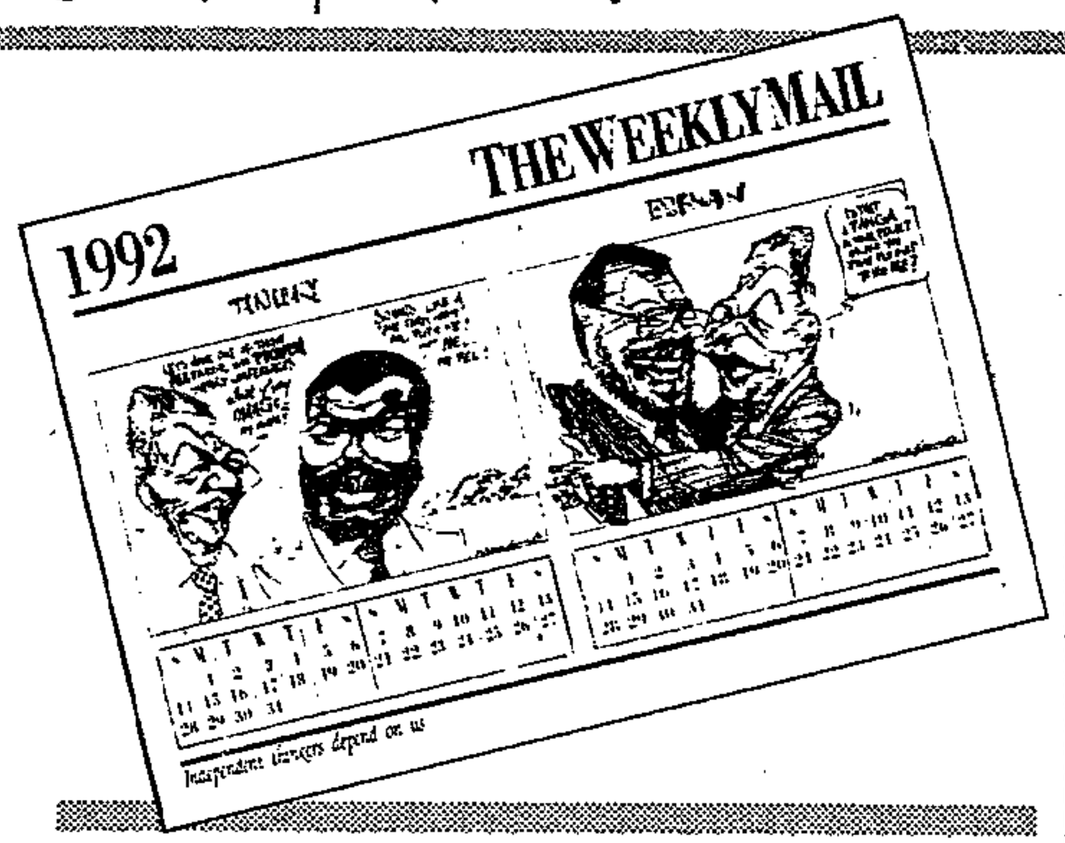

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Discord despite the Peace Accord

W\mail 19/12/91 - 2/1/92

The historic Peace Accord signed this year had little effect in Natal as the killing continued unabated.

By CASSANDRA MOODLEY

THANDAZILE MADLALA saw, from her window, a band of hostel dwellers surrounding a woman, stabbing and beating her with spears and pangas. They shouted "You are the one who's shooting us." A few minutes later the woman died.

It was dawn and the green tranquillity of Bruntville, Mooi River, had been blasted into a bloody frenzy by hundreds of hostel dwellers with a mission "to attack Bruntville residents".

This attack a fortnight ago has been reported as the single largest act of violence in Natal this year, claiming 18 lives in a matter of hours.

But the conflict in the Natal Midlands town contains other elements of the dominant trends the five-year Natal war assumed in 1991: The shift in focus to rural and semi-rural areas, the brandishing in public of traditional weapons, the overflow of guns and weaponry, collusion between Inkatha, the South African Police and South African Defence Force, and formal yet fragile attempts at peace.

In a year when the milestone Peace Accord was signed by 20 organisations, unrest monitor death toll figures illustrated just how fragile the accord is. The Black Sash monitor recorded in October that almost 80 people have died in Natal since the signing of the September 14 Peace Accord.

The total of violence-related deaths in Natal up until November is 1 206. The Black Sash estimates this at four people dying per day. More than 300 homes have been burnt in the coastal regions alone, leaving about 3 000 people homeless in the last 10 months.

The Black Sash verdict: the Peace Accord has had a minor effect on reducing the carnage in Natal.

John Acheson of the Centre for Adult Education at Natal University also expresses dismay that it took three months after the signing of the document for a regional dispute resolution committee to be set up.

Acheson also points to the spread of violence to rural areas in the past year. He links this to the increase of strife in Inkatha strongholds, previously unaffected, and interprets this as a tendency reflected in the last three years — that Inkatha is losing its "ability to impose hegemony".

He maps out the main places of conflict in the last year as "the rural towns of Richmond, Mooi River, Greytown, Escourt and the Bulwer area".



On the march ... well-armed men walk through a Durban township

The Black Sash also notes that in the coastal region and the Midlands the violence has shifted away from the more densely populated urban townships to the rural and semi-rural areas.

Its monitor bulletin says: "Along the North and South Coast there was a dramatic increase in violence, while the townships close to Durban and Pietermaritzburg saw a relative decline."

Durban University sociologist Gerry Maré questions whether this move to rural areas is a strategy "to target low wage, low opposition areas". Certainly Bruntville residents believe the past year's conflict is related to shop floor struggles.

But the violence monitors have also picked up another interesting trend — the upsurge in the supply of guns and gun-related deaths.

Acheson says: "For the past year there have been more guns. In 1987 in the Midlands there were four incidents mentioning AK-47s. Now we hear of such incidents every day."

He attributes this to the steady influx of weaponry into the country from the destabilised situation in Mozambique. Acheson also mentions that Inkatha has received semi-official shipments of weapons. He dismisses the idea that Umkhonto weSizwe guerrillas streaming into the country are a source.

The police role in the Natal conflict also came under the spotlight this year with a number of high-profile prosecutions of policemen and Inkatha leaders. In the Trustfeed Massacre trial seven South African Police members, including two captains, were charged with 11 counts of murder and eight of attempted murder.

Four kwaZulu leaders were charged with murder. KwaZulu deputy minister Samuel Bhekisizwe Jemile was sentenced for murder while two kwaZulu MPs, Psychology Ndlovo and Chief Zhawulengwe Mkhize, were also charged with murder.

Acheson says that while prosecutions of policemen this year may have been an attempt "to clean up", the question is "whether this is a general tradition or whether there are different streams in the force".

Such mixed messages make it difficult to forecast if 1992 will spell the end of half a decade of war in Natal. Political activists and commentators hope for peace but there is a fair amount of scepticism.

Maré links peace to the progress of negotiations. And the likely course will be frequent breakdowns in talks as "this kind of regionalism or ethnicism rears its head".

304A

WJMAIL 14/12/91 – 21/12/91

Mbeki was back at that ANC congress in July, this time more conscious of the need to sell his proposal and speaking to a membership more receptive to new ideas. His persuasive speech on the last night of the congress was a winner.

It was too late to influence the decision of President US George Bush to lift the Comprehensive Anti-Apartheid Act which was taken within days of the congress.

However, the ANC did succeed in getting its new perspective of a phased lifting of sanctions, with "people to people" sanctions being the first to go, accepted internationally — most notably by the British Commonwealth and the United Nations.

In line with this, South Africa's readmission to international sport — brokered largely by ANC executive member Steve Tshwete — was seen as an ANC victory and not a government [illegible] that negotiations could only proceed if the NP were to be trusted.

Inkathagate seemed to blow that trust away. Yet it helped everyone concerned to the realistic understanding that people do not negotiate because they trust one another but precisely because they have differences to settle.

In the new thinking, the notion of two big chiefs — De Klerk and Mandela — making a deal and smoking a pipe of peace was thrown out the window.

The lesson of taking reforms and using the space opened up by them to transform the situation through negotiation in the way that the ANC was now doing was by and large one learned from the trade union movement.

The detail of the Peace Accord — setting up codes of conduct for political parties and the security forces and Congress of South African Trade Unions.

And again, the VAT strike — an instance of well-planned mass action around a specific demand — saw the unions proving the mobilising power of the democratic movement and staking a claim to a pivotal role in the transition and beyond.

The biggest victim of Inkathagate was Buthelezi and his IFP which lost more and more credibility as skeletons kept tumbling out of its closets.

A sense of desperation has started to emanate from IFP statements and the role that it has played in negotiations thus far has often been that of a spoiler, inventing issues of principle in a bid to prove themselves as players capable of influencing events.

Strangely, the NP gained from the IFP's loss of standing, because it opened the way for the Nats to emerge as the principal opposition to the ANC had seemed about to [illegible] the elephants dancing on the grass but emerged increasingly with a clearcut identity and a potential viable role in the transition as a party trusted by all the major parties.

The DP will benefit most from the system of proportional representation, which both the NP and the ANC support, and could put in a strong bid to be South Africa's third party, if it is ever able to get some credible black faces at the head of the party.

One thing is clear: after furious boarding and unloading again, the final whistle has been blown and the negotiations train is about to leave the station, leaving all those who want to stay out on the platform.

The next stop could be a siding in the Karoo, a junction in the Free State or the mythical new South Africa, but 1991 just made it — and the train is moving, at last, into the future.

Reaching the point of no return

(304A) W/Mail 19/12/91 - 2/1/92

From PAGE 5

ued to crumble, each step being interpreted as a victory for De Klerk and defeat for the ANC.

The Winnie Mandela trial — the disappearance of key witnesses, the attendance of ANC leaders at her trial and her conviction on kidnap charges — didn't help the struggle for the high ground.

But it was the violence, heating up the Reef townships, that confronted the ANC with its greatest challenge. The leadership were accused of sitting and talking to the enemy while Rome was burning. Either way, they were helpless to stop the attacks on their own activists let alone black residents of the townships.

In desperation, the ANC issued an ultimatum to the government in April, threatening to withdraw from all negotiations unless it acted seriously to stop the violence. It was this initiative that led ultimately to the September 22 Peace Accord, hailed as a great breakthrough. But at the time it was the ANC that came across as unreasonable and were accused of delaying negotiations. Mandela almost went hoarse briefing a sceptical press and diplomatic corps on why the ANC had chosen that path.

The ANC went into its July congress in a mood of disorganisation, immobilisation and distrust of the NP. It emerged at the other end fitter for the task ahead, with a strong mandate to proceed with talks and new hands on the helm, including secretary general Cyril Ramaphosa.

Sanctions was one area where the ANC sought to take back the initiative after the July conference. An attempt by international affairs director Thabo Mbeki to shift direction at the ANC's December 1990 consultative conference was angrily voted down by delegates already smarting at the suspension of the armed struggle in [illegible]

ment one.

The row over the sidelining of the Springbok emblem revealed a white population waking up too late to the fact that they were not getting back into world sport on their own terms, that something fundamental had indeed changed.

In July, the *Sunday Times* declared *The Weekly Mail* revelations of how the security police used public money to secure the advantage of the IFP against the ANC was "the day the bubble burst" for De Klerk.

The president — suffering his biggest international setback since February 2 1990 — was pushed unexpectedly on to the defensive.

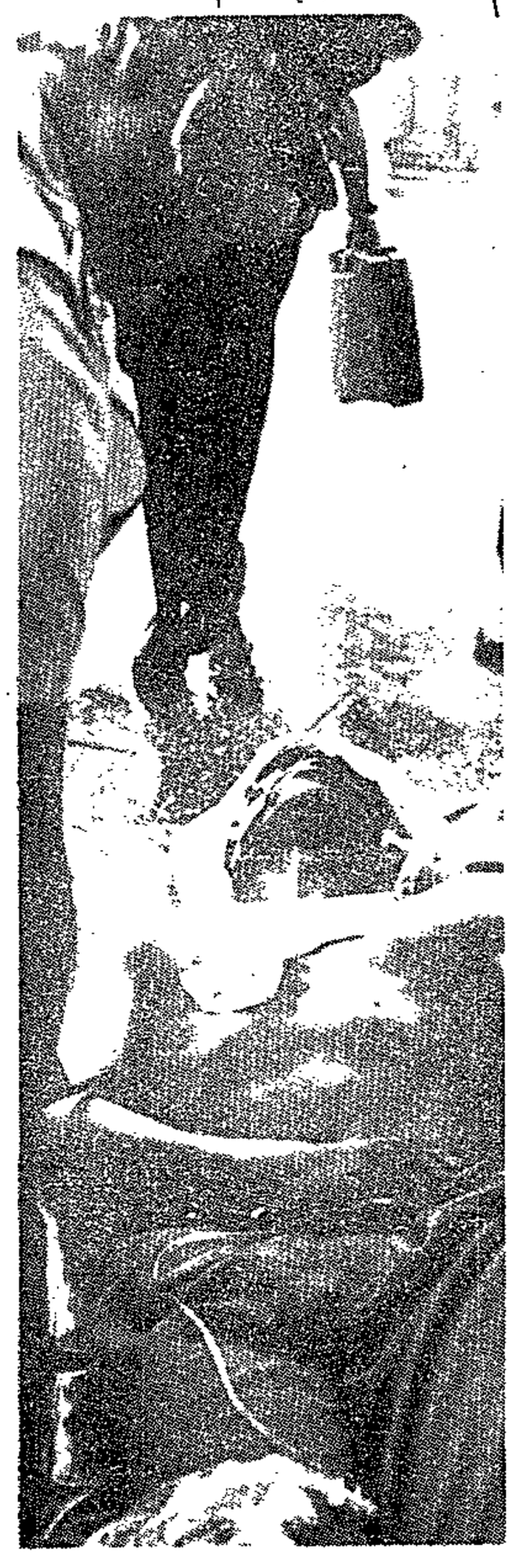
The ANC negotiating team, now led by Ramaphosa, were quick to seize the advantage and to back up their demand for an interim government on the basis that the scandal proved that De Klerk could not be expected to play the role of impartial referee during negotiations.

Instead of yet again threatening to pull out of negotiations, the ANC subtly moved the remaining "obstacles" to negotiation out of the way by changing their key demand to the removal of the government itself.

The handling of the Inkatha funding scandal represented a transformation of the ANC's strategic vision, bringing about a modernisation equally as important as the modernisation of the NP that took place after De Klerk took over in 1989.

It involved a change of perspective. When Mandela came out of prison he had sought to cleanse De Klerk's image in the eyes of ANC supporters by publicly announcing that he was a man of integrity.

This was a necessary act of exculpation that would permit the ANC in the eyes of its militant supporters to sit down and negotiate with "the enemy". But at times Mandela seemed to believe his own [illegible]



Peace accords, but the violence continues · Photo: KEVIN CARTER

local dispute-settling mechanisms — was also a crucial intervention by the

at the first elections.

For all that he was hurt by Inkathagate, De Klerk's surefooted handling of the crisis — demoting two key cabinet ministers, Adriaan Vlok and Magnus Malan, while retaining their loyalty and defusing a major embarrassment — proves that the NP should never be underestimated.

The NP also suffered some humiliating setbacks in by-elections, but here too De Klerk appeared to ride the crisis confidently — this one from the right. He bearded the lion Eugene TerreBlanche in his den, Ventersdorp, and did not give in to the demands of rightwing hunger strikers — who, it later transpired, were cheating anyway.

The Ventersdorp and hunger strike debacles — in which the extreme right failed to live up to its dire threats of mobilisation — further undermined the credibility of its war talk.

Despite its Pyrrhic triumphs in by-elections, the Conservative Party displayed absolutely no movement during the year, a reflection of the lacklusture conservatism of its leader, Dr Andries Treurnicht.

The CP is still putting all its money on a white election and a white referendum — an arena where it would fare well, but if it were better at reading De Klerk's signals it would be making alternative preparations.

On the left, the Pan Africanist Congress, immobilised by the schism between the militancy of its rank and file and pressure from foreign backers such as the Zimbabwe government to be in the negotiations, opted to stay out of Codesa.

The Azanian People's Organisation (Azapo) saw no such dilemma — having neither mass membership nor caring much for these negotiations.

One party that did seem ready to move with the times was the [illegible] Party. At times the DP

6 Huge debating pit an ersatz Superbowl with ghastly chandeliers 9

Political Editor SHAUN JOHNSON bets that some of the crazy political events in South Africa since February 1990 are not a patch on the preparations for the Convention for a Democratic South Africa.

Inside the hallowed hall

STAR 19/12/91 (304A)

DO YOU remember President de Klerk announcing the unbanning of political organisations at the very moment that unknowing protesters marched on Parliament to demand the unbanning of political organisations?

Nelson Mandela being late for his own release?

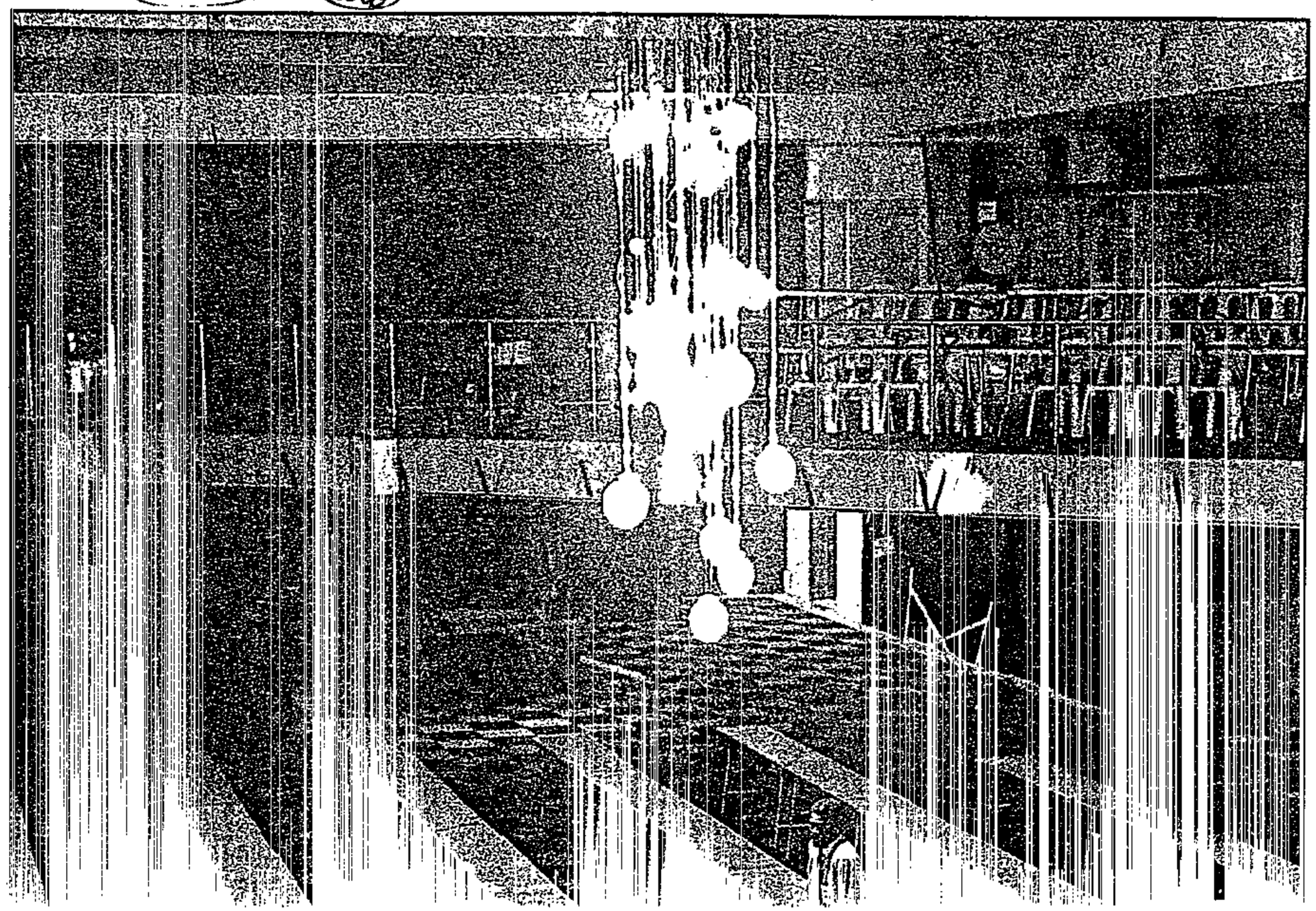
The President's son falling in love with a woman who was decidedly not of the volk? And so on? It's a crazy country we live in, we're a crazy people, and this makes for crazy political events.

But the Convention for a Democratic South Africa (Codesa), which is an epiphany of sorts in the reform epic that started on February 2 1990, looks set to top all of these.

The future of South Africa will begin to be determined tomorrow morning.

The venue for this monumental occasion is an anything-but monumental building within ear-plugging distance of Jan Smuts Airport; a building that looks like a Rainbow Chickens battery on the outside, and a low-budget version of the Sun City foyer on the inside.

It is a World Trade Centre that has seen precious little world trade, and this is its big moment. With less than 24 hours to go before the start of Codesa, the scenes inside the



desa Security", "Codesa Administration", "Codesa Media" and "Codesa Site Managers" at work.

The big boys — the National Party and the ANC — have roomy accommodation, complete with sofas and, in the NP's case, an ethnic sculpture.

The Dikwankwetla and Solidarity parties are not quite so fortunate, being stuck at the end of a very long corridor in rather less salubrious surrounds. Delegates' aides have entered into the spirit of the times: a zealous Ximoko Progressive Party devotee has stuck a hand-drawn sign on his office window. "Hi komba ndlela", it reads, "We show the way". And the XPP helpers are as good as their word, showing the way smilingly to the nearby Inkatha Freedom Party office.

The IFP office sports on its door a large poster of Chief Mangosuthu Buthelezi. Above the leader's portrait is a slogan: "Come share the feeling". Below it is another: "Come feel the thunder". The door is closed, leading the casual passer-by to eschew both invitations.

The South African Communist Party is situated uncomfortably close to the Ciskei government ("Ag, but this is what *toenadering* is all about," says a friendly SACP staffer) and the Transkei government is even

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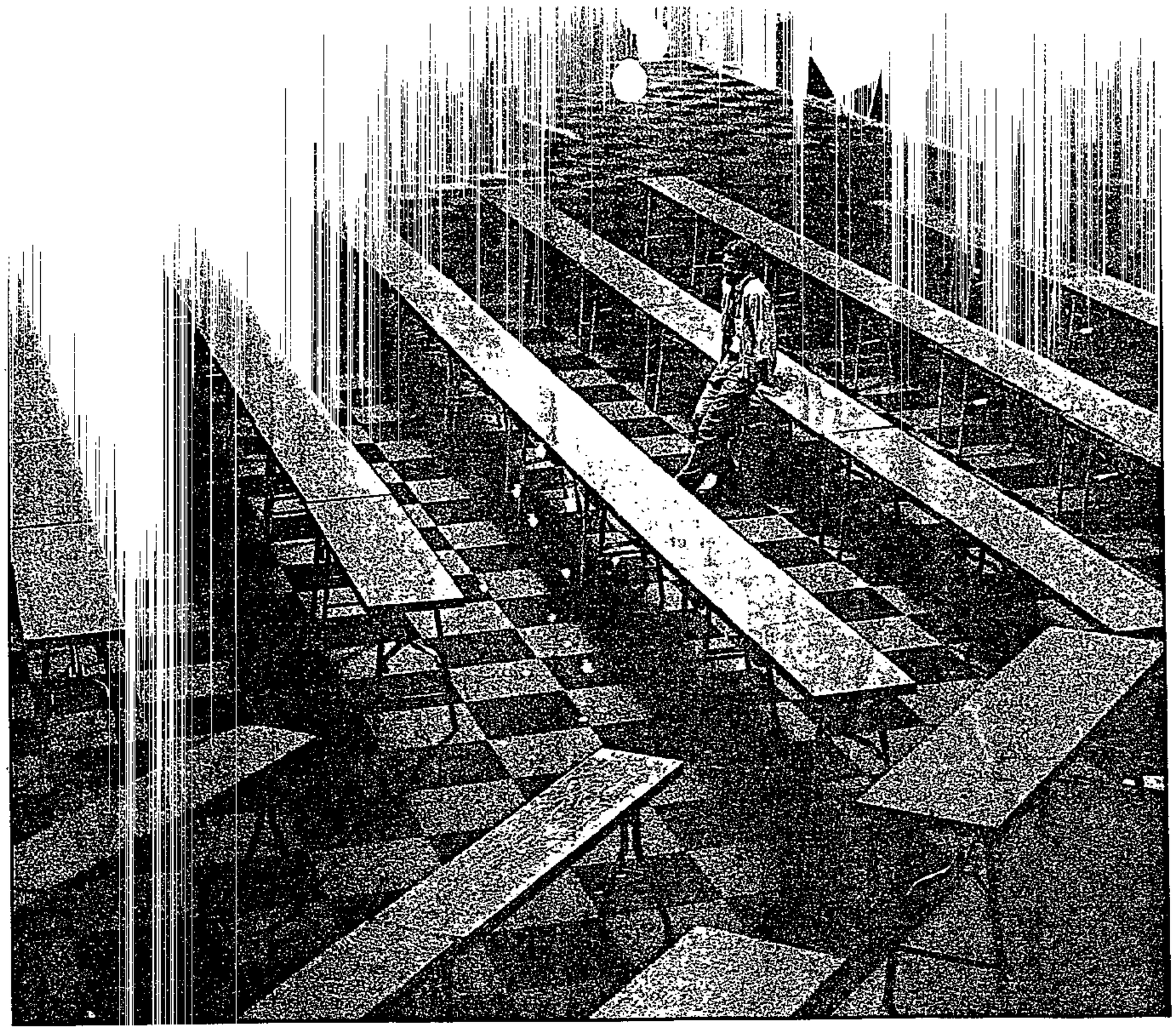
It is a World Trade Centre that has seen precious little world trade, and this is its big moment. With less than 24 hours to go before the start of Codesa, the scenes inside the World Trade Centre are extraordinary. In the murky half-light one is confronted by figures teeming and shuffling around in amiable chaos.

Many of those one bumps into are recognisable ("Ah, there's Dr Viljoen, and Mr Ramaphosa, and Mr Rajbansi) and many are not, although they speak importantly into two-way radios.

The aural backdrop is an interesting mixture of hammering, vacuuming, furniture-shifting and mumbled "leaking" from political figures to hovering journalists. A large South African flag, memento of some less momentous occasion, is being bundled into a storeroom with maximum noise and minimum ceremony.



The building ... within ear-plugging distance of Jan Smuts Airport, and complete with red-and-blue checked carpeting, this is the unlikely chamber in the World Trade Centre, where Codesa meets tomorrow.

Picture: Karen Fletcher

Behind a pair of wooden doors which look surprisingly like the entrance to a lavatory, the steering committee under the chairmanship of Dr Zach de Beer is meeting. He is patient with those who enter by accident, with other business on their minds.

The focal point in the cavernous, labyrinthine complex is a gigantic debating pit, ringed by a viewing platform. It is rather like an ersatz Superbowl, red-and-blue check carpeting, ghastly chandeliers and all. This is where the delegates will sit and make up their minds about the kind of country we are going to live out our lives.

Off to one side, glass-fronted offices have been (and in some cases are still being) constructed for each of the 20 12-person delegations and their helpers.

To find them, one must negotiate one's way through several fashion boutiques, which still appear to be operating.

A shop manageress is bemused when asked for a list of her delegates to Codesa, but politely refers all inquiries to the office of Intando yeSizwe, cunningly located behind the lingerie. Nearby, a man with a computer is sitting in a shop window, surrounded by summer fashions, typing up a political press statement.

The offices in between the boutiques have been fitted with thick black linen curtains, producing an effect not unlike that of Von Wielligh Street escort agencies.

The other offices, for administrators, are not so coy, and the passing observer can peer through the glass to watch "Co-

The IFP office sports on its door a large poster of Chief Mangosuthu Buthelezi. Above the leader's portrait is a slogan: "Come share the feeling". Below it is another: "Come feel the thunder". The door is closed, leading the casual passer-by to eschew both invitations.

The South African Communist Party is situated uncomfortably close to the Ciskei government ("Ag, but this is what *toenadering* is all about," says a friendly SACP staffer) and the Transkei government is even closer.

The mood is benign, however, with no signs of an immediate resumption of the Kei-versus-Kei wars.

In the canteen — which, as a colleague pointed out, is a foretaste of the dining hall of the new South Africa's parliament — nationalists, democrats, communists and exponents of most imaginable political "isms" queue for appropriately unremarkable food.

The juke-box and pinball machine in the corner are in constant use.

The choice of music available is highly appropriate: among the songs on offer are "Everybody Wants to Rule the World", "Many Rivers to Cross", "Change", and "I Still Haven't Found What I'm Looking For". "With or Without You", another option, seems as appropriate a ballad for the PAC as could be asked for, and "Don't Stand so Close to Me" says a lot about current feelings between the IFP and ANC.

Murphy Morobe, the amiable and able man in charge of arrangements for Codesa, is unruffled. It will be ready by Friday, he says, and he will get a bit more sleep thereafter. He surveys the bizarre hive of activity with some pride and fondness.

The World Trade Centre, Kempton Park, is surely among the oddest locales ever chosen for a nation's date with its destiny. But it has its place in the history books now, and no one can take it away. □

Codesa given active role in draft legislation

3044A ARG 19/12/91

PETER FABRICIUS and ESMARE VAN DER MERWE
Political Staff

JOHANNESBURG. — In a move with far-reaching political implications, the government has agreed to give Codesa a role in drafting legislation to give effect to decisions reached at this weekend's historic negotiations.

This agreement will give teeth to the multiparty Convention for a Democratic South Africa, starting at the World Trade Centre near Jan Smuts Airport tomorrow morning.

Both ANC and government sources emphasised that this would not impinge upon constitutional sovereignty as legislation would still have to be passed by parliament. However, it does constitute a milestone on the road to power-sharing politics.

The breakthrough — a concession to the ANC, which wanted Codesa's decisions to have the force of law — was achieved after a day of hard bargaining in the Codesa steering committee yesterday.

Observers said it overshadowed the "disappointing" news that Inkatha Freedom Party president Mangosuthu Buthelezi had decided not to attend Codesa in person. The IFP has confirmed that it will be represented by a full delegation at Codesa, in spite of Chief Buthelezi's announcement.



OBSERVERS: Members of the Commonwealth who have arrived in Johannesburg to attend Codesa: from left, Mr Shri Dinesh Singh of India, the Rev Canaan Banana, Zimbabwe, Mr Tan Sri Ghazali Shafie, Malaysia, Sir Ninian Stephen, Australia, and Mr Justice Telford Georges, Bahamas.

Yesterday a high-powered Commonwealth delegation arrived and members of the OAU and European Community delegations are expected today. The United Nations and the Non-Aligned Movement are also to attend.

The commitment to abide by Codesa's decisions and to agree on a mechanism for implementing them will form a major part of a "declaration of intent" to be made at the meeting. The declaration will include a commitment to broad democratic principles.

However, it is understood that the government will make a separate commitment, phrased slightly differently but with the same meaning.

The declaration will ensure that Codesa will launch the country irrevocably on the road to a new democratic constitution.

But, in an important compromise to the government's concerns about its sovereignty being undermined, the steering committee agreed that the government and the TVBC administrations would jointly draft Codesa legislation with Codesa itself.

Government sources also made it clear that its commitment to abide by Codesa decisions was only made possible by the steering committee's decision that Codesa decisions should not lead to a breakdown of Codesa.

This will in effect give the government — and the ANC — a veto right. NP secretary-general Dr Stoffel van der Merwe said yesterday there was another proviso — decisions were subject to approval by the white electorate in a referendum.

It was also agreed that the government, the ANC, the SA Communist Party, the IFP, the Transkei government and the Intando yeSizwe Party should be given joint control of security at Codesa. However, government sources said a private understanding had been reached with the other parties that in the event of an emergency, only an SAP officer could give commands to other policemen.

The Codesa logo was disclosed yesterday — a rising sun against a bright yellow and red background — and was said to symbolise "the dawn of a new era in South Africa's history".

The administration also released the agenda for Codesa.

The meeting will start with an official opening by Chief Justice Michael Corbett, and then prayers, before co-chairmen Mr Justice Piet Schabort and Mr Justice Ismail Mahomed take over. The heads of the 19 delegations will make opening remarks, and then the declaration of intent will be considered.

On Saturday, Codesa will discuss its standing rules and the formation of working groups to discuss major issues such as an interim government and a constituent assembly.

SACP names team for talks

Political Correspondent

THE SA Communist Party (SACP) yesterday named its team of 12 delegates and five advisers to attend Codesa.

The SACP delegation, which will be led by its newly elected general secretary Mr Chris Hani, will comprise Mr Joe Slovo, Mr Sydney Mufamadi, Mr Ronnie Kasrils, Mr Raymond Mhlaba, Mr Essop Pahad, Mr Blade Nzimande, Mr Thenjiwe Mtintso, Mr Skenjana Roji, Mr John Gomomo, Mr Moses Mayekiso and Mr Nozizwe Madlala.

The five-person back-up team of advisers are Mr Raymond Suttner, Mr Gwede Mantashe, Mr Faku Ndamase, Mr Howard Yawa and Mr Dipuo Mvelase.

In a statement issued after a meeting of its central committee yesterday, the SACP said it was going to Codesa because the party was committed to peace.

"We support all reasonable efforts to secure lasting peace."

Govt go-ahead for laws to back Codesa

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CT 19/12/91

VIPs arrive to watch talks



OBSERVERS ARRIVE ... Commonwealth observers (from left) Mr Canaan Banana from Zimbabwe, Mr Ta Sri Ghjazali Shafie from Malaysia, and Mr Shri Denish Singh from India. Picture: AP

Own Correspondent

JOHANNESBURG. — The government yesterday agreed that Codesa would be involved in drafting all legislation needed to give effect to the convention's decisions, steering committee sources said yesterday.

This and other key issues were resolved during yesterday's steering committee meeting.

However, the steering committee was not able to agree to Inkatha's demand that Zulu King Goodwill Zwelithini would have his own actively participating delegation at the talks.

Legal force

The committee agreed to recommend to Codesa that an implementing mechanism be set up to meet the ANC's demand that decisions of Codesa be given legal force. It was also decided that a working group, with government involvement, would be given the task of drafting legislation for Codesa.

After a Codesa plenary session agreed to the draft legislation, the government would be obliged to put this to Parliament which in turn would need to vote it into law.

NP secretary-general Dr Stoffel van der Merwe said at a briefing yesterday that the ANC and the government-National Party had resolved the question of the legality of Codesa decisions and agreed it could not be regarded as a legally-constituted body with the force of law. The ANC had agreed to this.

The government also agreed to a clause binding it to do everything in its power to have Codesa decisions implemented.

The implementing mechanism and other major other agreements, including broad constitutional proposals, will be enshrined in the declaration of intent which all parties agree is one of the most important documents that will emanate from Codesa.

The streering committee also decided to recommend that five working groups be established to negotiate critical areas for the way forward. These are:

- Creation of a climate for free political participation and the role of the international community.
- General constitutional principles and the constitution-making body such as a constituent assembly.
- Transitional arrangements and an interim government.
- The future of the TBVC states.
- Timeframes and the implementation of Codesa decisions.

NP delegation leader Dr Dawie de Villiers said that consensus was the basis of decision-making and if all parties did not agree then sufficient consensus to ensure the process "moving forward effectively" would be employed.

Steering committee chairman Dr Zach de Beer said last night that the steering committee was unable to resolve the issue the Zulu king's participation at Codesa.

Before the steering committee had completed its discussions, Inkatha released an "interim press statement" which said Inkatha could not accept being put in a position in which it could be interpreted that it had "endorsed the elbowing out of the Zulu king and the Zulu nation from participating in shaping a new SA".

Open window

The steering committee decided that religious leaders would not be included even in an observer role at tomorrow's meeting. But they may be called upon as specialists later in the process to give specific input.

The parties also agreed in the statement of intent to leave open a window for parties that have refused to attend Codesa.

Dr Van der Merwe said the democratic principle of defending any party's right to debate and put forward proposals was being adhered to by Codesa in the hope that the CP, PAC and Azapo as well as other parties wanting to join and being able to have their proposals given fair treatment.

(304A)
CT 19/12/91

Buthelezi refuses to attend talks

JOHANNESBURG. — Inkatha Freedom Party leader Chief Mangosuthu Buthelezi yesterday announced that he would not attend the Convention for a Democratic South Africa.

The move is seen as an 11th-hour bid by Inkatha to disrupt the start of the negotiations over the role of the Zulu king.

The last-minute hitch centres on an Inkatha demand that King Goodwill Zwelethini of the Zulus be accorded special status at the talks to chart a new constitution for a democratic South Africa.

However, participants at yesterday's steering committee meeting said last night that agreement had been reached on most of the core issues.

Diplomats said the Inkatha stratagem "seems to closely resemble the tactics which the Inkatha Feedom Party resorted to at the National Peace Convention and could hardly be seen as a real threat to the negotiation process".

Chief Buthelezi said in a statement that as the Codesa steering committee had failed to resolve the impasse of separate delegations for the IFP, the KwaZulu government and the king, he had withdrawn.

"The outcome of today's steering committee amounts to an insult to the dignity of His Majesty the King, and I simply cannot endorse this by attending Codesa with the knowledge that the king has been snubbed.

"It was always our understanding that the king and the KwaZulu government would participate in negotiations about the future of our country.

"We find it contradictory that His Majesty the King, the KwaZulu government and the KwaZulu Chiefs Caucus attended the National Peace Convention with full delegations, and this is now being denied them."

Dr Zach de Beer, chairman of Codesa's steering committee, said last night that although he was sorry it had occurred, Chief Buthelezi's sudden withdrawal from the two-day gathering starting tomorrow would not greatly harm the convention as a real national movement.

The KwaZulu leader said it was earlier shown how vital the king and his government's role were in attaining peace and stability in the country.

The negotiations ahead would dispose of boundaries and rewrite provincial boundaries and perhaps divide South Africa into a number of states for a federal or another kind of constitutional structure.

"The people whose boundaries are being altered must be a party to the discussion."

The ANC, one of the principal participants in Codesa, last night described his sudden withdrawal as unfortunate and regrettable.

Speaking on behalf of the ANC, media official Ms Gill Marcus said the organisation hoped the IFP retained its full participation in Codesa.

"Because the steering committee did not solve the problem on Wednesday night, as with all other matters that it has not reached agreement on, the matter has been referred to Codesa itself to take a decision.

"In the light of that, it is deeply regrettable that he did not come to present his case to the full convention," Ms Marcus said. — Sapa and Political Staff

PAC splinter group to attend Codesa

DT 19/12/91 (3041)

DURBAN. — A group claiming to represent a section of the PAC said yesterday it would attend the Codesa talks.

The group calls itself the PAC of South Africa.

The Pan Africanist Congress of Azania has opted not to attend the talks.

Mrs Patricia Delille, PAC foreign affairs spokesman, said: "We don't know (the splinter group) and we don't wish to know them. We have nothing in common and absolutely nothing to do with them."

Prince Velekhaya Shange, a close relative of Chief Mangosuthu Buthelezi, KwaZulu chief minister and IFP president, is the driving force behind moves to have the so-called Pan Africanist Congress of South Africa represented at the talks.

However, PAC general secretary Mr Benny Alexander yesterday denied the Zulu prince was a member of the organisation.

"Mr Shange is a Zulu prince with offices at the KwaZulu Legislative Assembly and the founder-chairman of the so-called East Rand-West Rand facilitating committee, an organisation which claims to represent the PAC," Mr Alexander said.

Prince Velekhaya said in Durban his organisation had fought for the rights of the black people of this country for many years and had made every effort to persuade the government to negotiate with African leaders about ending apartheid.

For this reason, he said, his party could not afford to miss the opportunity to participate in the talks. — Sapa

CT 19/12/91

Nats, big business accused

304A

Political Correspondent

CODESA was nothing more than an attempt by the government and its backers to reform the apartheid state, five left-wing organisations charged yesterday.

The Workers Organisation for Socialist Action (Wosa), the New Unity Movement (NUM), the South African Council on Sport (Sacos), Qibla, and the Western Cape branch of the National Congress of Trade Unions (Nactu) said in a joint statement that they regarded the negotiation process as "a violation of all democratic principles and practices".

The organisations said that the reform strategy of the National Party and its supporters in the ranks of big business was aimed at undermining and preventing the oppressed from achieving a just society based on full democratic rights.

Buthelezi quits over 'snub' to king

Codesa given go-ahead to draw up laws

BIDay 19/12/91.

304A 100

BILLY PADDOCK and TIM COHEN

GOVERNMENT agreed yesterday that Codesa would be involved in drafting all legislation needed to give effect to convention decisions, steering committee sources said.

This and other key issues were resolved during yesterday's steering committee meeting.

But just as it seemed that all systems were go, with parties expressing their satisfaction at the progress, Inkatha president Mangosuthu Buthelezi announced he was withdrawing from Codesa because the committee had failed to reach agreement on Inkatha's demand that Zulu king Goodwill Zwelithini have his own delegation.

Buthelezi said the committee's inability to reach a decision on the king's participation amounted to an insult to his dignity.

"I simply cannot endorse this by attending Codesa with the knowledge that the king has been snubbed," he said.

LINDEN BIRNS reports that Inkatha, however, decided that, as a party, it would remain in the talks despite its leader pulling out. The decision would go before a meeting of the full Inkatha delegation today.

Steering committee chairman Zach de Beer had said last night the committee had been unable to resolve the issue of the Zulu king's participation in Codesa and he would thus not be an active participant.

In reaction to Buthelezi's announcement, De Beer said later he had not been informed.

"I think it is a pity that Dr Buthelezi will not attend. He is a leading SA figure and it would have been nice to have him, but Codesa is much bigger than all of us and it must continue."

ANC spokesman Gill Marcus said the organisation regretted Buthelezi pulling out but there had been agreement that any issues that could not be resolved in the steering committee would be referred to the Codesa plenary tomorrow. The ANC expected Buthelezi to abide by this decision.

Defence Minister and member of the NP delegation Roelf Meyer said: "It is a great pity that he will not be there personally, because of the importance of Codesa. It is very disappointing."

Yesterday the steering committee agreed to recommend to Codesa that an implementing mechanism be set up to meet the ANC's demand that decisions of Codesa be given legal force. It was also decided that a working group, with government involvement, would be given the task of drafting legislation for Codesa.

After a Codesa plenary session agreed to draft legislation, government would be

☐ To Page 2

P.T.O.



Members of the high-level Commonwealth mission to Codesa, with Codesa administrative chief Murphy Morobe, speaking at a news conference on their arrival in Johannesburg yesterday. From left, former Indian foreign minister Shri Dinesh Singh; Morobe; and the group's spokesman, former Zimbabwe president Canaan Banana. Picture: ROBERT BOTHA

PAC plan to fight Codesa

TIM COHEN

THE PAC would meet Commonwealth delegates to Codesa today and would outline a campaign it intended launching next year under the banner "Death to Codesa", PAC secretary-general Benny Alexander said yesterday.

Alexander said the PAC and the ANC would meet members of the frontline states early next month, when the ANC would have to explain why it deviated from decisions made at the Patriotic Front conference.

He said Azapo had proposed the formation of another front. The PAC would meet Azapo but would press for the continuation of the current front.

DARIUS SANAI reports that former Zimbabwe president Canaan Banana, spokesman for the high-level Commonwealth mission to Codesa, said yesterday he hoped the PAC and right-wing parties could still be persuaded to join the negotiations.

Banana said the delegation thought Codesa was a "highly significant moment in the history of SA".

Our Durban correspondent reports that a PAC splinter group calling itself PAC of SA has announced it will attend the talks.

☐ The National Maize Producers' Organisation says the SA agricultural industry cannot expect politicians to decide the future on its behalf, Sapa reports.

Nampo said it was clear the agricultural policies of the NP and the ANC were contradictory.

Inkatha delegation considers its position

Buthelezi pulls out of Codesa

STAR 19/12/91.

A blow was dealt to the Convention for a Democratic South Africa last night when Inkatha Freedom Party leader Chief Mangosuthu Buthelezi announced his withdrawal because of an impasse reached on separate delegations for the KwaZulu government and Zulu King Goodwill Zwelithini.

However, the IFP will retain its participation in Codesa, pending a meeting of the full delegation in Johannesburg today.

In his statement from Ulundi, Chief Buthelezi said the impasse, which arose during the final meeting of Codesa's steering committee, amounted to an insult to the dignity of the king and that he could not "endorse this by attending Codesa".

"We find it contradictory that his majesty the king, the KwaZulu government and the KwaZulu Chiefs' Caucus attended the National Peace Convention with full delega-

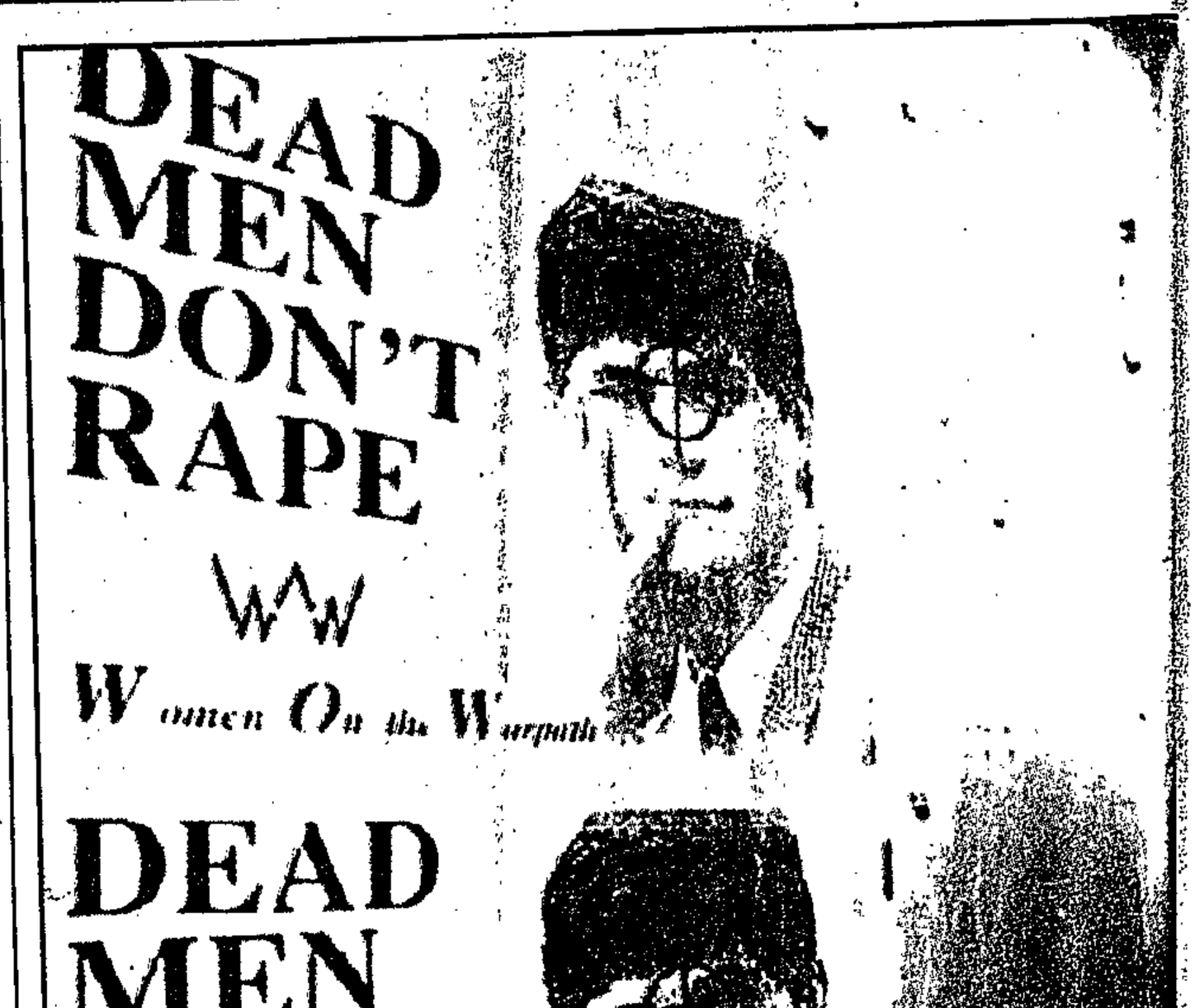
More reports — Pages 3 and 25

tions, and this is now being denied them," he added.

The negotiations ahead would dispose of boundaries and rewrite the provinces and provincial boundaries and perhaps divide South Africa into a number of states for a federal or another kind of constitutional structure.

"The people whose boundaries are being altered must be a party to the discussion. This is not negotiable," Chief Buthelezi said.

Dr Zach de Beer, chairman of Codesa's steering committee, said last night Chief Buthelezi's sudden withdrawal from the two-day gathering would not greatly harm the convention as a real national movement.



Deadly serious . . . one of the posters displayed in

Kennedy Smith rape trial spu

SA women on to the warpath

STAR 19/12/91

By Shirley Woodgate

about the crime," she said.

Jeanette Schmid said

and provincial boundaries and perhaps divide South Africa into a number of states for a federal or another kind of constitutional structure.

"The people whose boundaries are being altered must be a party to the discussion. This is not negotiable," Chief Buthelezi said.

Dr Zach de Beer, chairman of Codesa's steering committee, said last night Chief Buthelezi's sudden withdrawal from the two-day gathering would not greatly harm the convention as a real national movement.

"It is well known that Inkatha has been seeking additional representation, and the fact that this was not awarded might have been expected to elicit negative reaction."

ANC media official Gill Marcus said last night that while the ANC regretted Chief Buthelezi's decision, the organisation hoped the IFP would retain its full participation in Codesa.

Dr Dawie de Villiers, leader of the National Party delegation to Codesa, said that although the withdrawal of Chief Buthelezi was a disappointment, he was confident the process would continue successfully and that Chief Buthelezi would eventually return to continue playing his important role.

"It is heartening to note that the IFP presence will continue and therefore I believe that this action is only connected to the issue surrounding the king, which could not be resolved in Chief Buthelezi's view in a satisfactory manner."

The Transkei delegation to Codesa was expected to have raised a storm should King Goodwill Zwelithini have been admitted to the forum.

Speaking in Umtata yesterday to brief Transkeians on several points to be raised at the convention, military leader and leader of Transkei's delegation Major-General Bantu Holomisa said Transkei's preparatory committee had raised the question of the king's admission.

"We want equal representation at Codesa. Should he be admitted it will mean that all our five paramount chiefs and kings from the other national states should be on standby to fly to Johannesburg for the convention," he said. — Sapa.

WW
Women On the Warpath

Kennedy S SA women

By Shirley Woodgate

"Dead men don't rape," says a poster that appeared in Cape Town's St George's Mall this week, following the acquittal of William Kennedy Smith on charges of sexual battery.

The poster, bearing his photograph with telescopic sight cross-hairs superimposed on his face, was produced by a group calling itself Women on the Warpath.

South African experts may disagree about the imposition of the death sentence for rape, but they were outspoken about the message conveyed to the public.

National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro) Cape Youth Justice co-ordinator Rosemary Shapiro claimed all rape cases placed women on the stand to be judged by the public.

"We are light years away from enlightenment about rape, and these posters indicate the total frustration not only with the existing legal system but public opinion

Carols utte



Cliff Richard ... more meaning in his lyrics.

TELSTAR Dial a dream

CODESA

Who's who at the big talks

Sowetan 20/12/91 304A

NATIONAL PARTY
Leader: Dawie de Villiers. George Bartlett, Hernus Kriel, Roelf Meyer, Jurie Mentz, Andrew Julics, Jac Rabie, Frik van Deventer, Anne Routier, Peter Marais, Frik van Heerden, Stoffel van der Merwe

SA GOVERNMENT
Leader: FW de Klerk. Pik Botha, Gerrit Viljoen, Kobie Coetsee, Barend du Plessis, Sam de Beer, Rina Venter, Leon Wessels, Piet Marais, Tertius Delport, Abe Williams, Fanie van der Merwe

LABOUR PARTY
Leader: Alan Hendrickse. Miley Richards, Chris April, David Curry, Peter Hendrickse, Ken Lategan, Douglas Josephs, John Douw, Desmond Lockey, William Whyte, Anver Essop, Godfrey Macalagh

SA COMMUNIST PARTY
Leader: Chris Hani. Joe Slovo, Sydney Mufamadi, Ronnie Kasrils, Raymond Mhlaba, Essop Pahad, Blades Nzimande, Thenjiwe Mtintso, Skenjana Roji, John Gomomo, Moses Mayekiso, N Madlala

XIMOKO PROGRESSIVE PARTY
Leader: Professor Hudson Ntsanwisi. Mr EPP Mhinga, Chief CJM Hlaneki, Chief SDW Nxumalo, Chief MS Muhlaba, Chief ML Nkuna, Mr AE Nkondo, Mr KR Myakayaka, Mr DZ Mtebula, Mr SE Mathumbu, Mr EE Ngobeni, Mr BM Tlakula, Ms LB Kubay

CISKEI GOVERNMENT
Leader: Oupa Gqozo. Mr N Nogcantsi, Dr HJS Kayser, Mr LW Maqoma, Dr A Pretorius, Mr SV Notshe, Mr BR Tokota, Chief WP Zibi, the Rev Madikane, Mr M Webb, Mr LS Dorrington, Mr S Tanana

BOPHUTHATSWANA GOVERNMENT
Leader: Lucas Mangope. Rowan Cronje, Ephraim Keikelame, Godfrey Mothibe, Tom Setiloane, Gert Nkau, Clement Sehume, Seroke Kgobokoe, Simon Seane, Itomeleng Mogami, Jerry Reid, Schalk Pienaar

TRANSKEI GOVERNMENT
Leader: Bantu Holomisa. Mr AT Sigcau, Mr PZ Ndamase, Mr M Titus, Mr Z Titus, Miss SN Sigcau, Mr P Holomisa, Mr M Nonkonyana, Mr LL Mtshizana, Mr G Zilwa, Mr LV Ntsubane, Mr N Bebeza

VENDA GOVERNMENT
Leader: Gabriel Ramushwana. V Landela, TG Ramabulana, KB Magwaba, SM Makhuvha, GM Ligege, E Mulaudzi, TA Mulina, M Ndou, MJ Mushasha, T Dau, M Mphaphuli

SOLIDARITY PARTY
Leader: JN Reddy. I Omar, Y Moolla, K Rajoo, DS Rajah, K Moodley, PI Devan, L Chetty, N Jumuna, Y Makda, A Khan, AS Akoob

INTANDO YESIZWE PARTY
Leader: JS Mahlangu. NJ Mahlangu, VS Mahlangu, SJ Mgidi, ES Masango, JS Mabena, N Mbonani, JS Mabona, MP Mahlangu, MS Mahlangu, C Mahlangu, JL Mahlangu

UNITED PEOPLE'S FRONT
Leader: Nelson Ramodike. LM Mokoena, MJ Mahlangu, MI Moroamoche, MC Ramusi, MJ Duba, EM Maswanganyi, NM Malekana, Richard Maponya, IKE Moloko, KA Mariri, R Ramontja

DEMOCRATIC PARTY
Leader: Zach de Beer. Colin Eglin, Ken Andrew, Helen Suzman, Denis Worrall, Kobus Jordaan, Dave Dalling, Peter Soal, EK Moorcroft, Richard van der Ross, M Rajab, DW Gant

INYANDZA NATIONAL MOVEMENT
Leader: MC Zitha. EN Ginindza, SS Ripinga, DS Mkhwanazi, MS Gininda, PMH Maduna, MM Khumalo, EJ Mabuza, D Kunene, C Albertyn, E Mabuza, GG Zama

INKATHA FREEDOM PARTY
Leader: Frank Mdlalose. Walter Felgate, P Satyadeva, DRB Madide, BS Ngubane, I Mars, ET Bhengu, SE Mzimela, Musa Myeni, Suzanne Vos, FX Gasa, E Barnard

AFRICAN NATIONAL CONGRESS
Leader: Nelson Mandela. Cyril Ramaphosa, Jacob Zuma, Thabo Mbeki, Valli Moosa, Barbara Masekela, Joe Modise, Gertrude Shope, Alan Boesak, Marion Sparg, Peter Mokaba, Sam Shilowa

DIKWANKWETLA PARTY
Leader: TK Mopeli, RH Mopeli, LC Mota, DT Mokoena, TJ Mohapi, SOM Moji, SP Matla, JSS Phatang, RT Ramasia, MM Maekane, M Mopeli, MM Makhalemele

NATIONAL PEOPLE'S PARTY
Leader: A Rajbansi, D Govender, R Panday, S Naidoo, H Neerahoo, E Joosab, M Govender, C Naidoo, S Ismail, AS Pillay, AK Bheesham, DK Padiachey

All day on TV

The Codesa talks will be broadcast in full on TV1 tomorrow and on TV2/3/4 on Saturday.

The SABC announced yesterday that transmission would begin at 9.45am and run until about 6pm.

During the lunch break there will be summaries, interviews, special news bulletins and panel discussions.

There will also be full coverage on Radio 2000 on both days.

News bulletins on TV1, 2 and 3 will have live crossings to the talks and, when necessary, radio news bulletins will be extended.

Codesa will have say in law-making

STAR 19/12/91

By Peter Fabricius and Esmaré van der Merwe (304A)

In a far-reaching move, the Government agreed yesterday to give Codesa — the Convention for a Democratic South Africa — a role in drafting legislation to give effect to Codesa's decisions.

This critical agreement will give real teeth to Codesa's multiparty negotiations for a new constitution.

However, both ANC and Government sources stressed that this would not impinge upon Parliament's constitutional sovereignty as legislation would still have to be tabled and passed by Parliament. The breakthrough — a concession to the ANC, which wanted Codesa's decisions to have the force of law — was achieved after a day of hard bargaining at the Codesa steering committee yesterday.

Feverish activity to thrash out political disagreements and make final arrangements for Codesa continued yesterday.

The high-powered Commonwealth delegation arrived and the Codesa administration announced that members of the OAU and European Community delegations would start arriving today. The United Nations and the Non-Aligned Movement are also to attend.

The commitment to abide by Codesa's decisions and to agree on a mechanism for implementing them will form a major part of a declaration of intent to be made by 19 political parties and homeland administrations at the first Codesa meeting.

The declaration will include a commitment to broad democratic principles such as multiparty democracy and an independent judiciary. However, it is understood that the Government will make a separate commitment, phrased slightly differently but with the same meaning.

The declaration will ensure that Codesa — the most representative constitutional gathering in South African history — will launch the country irrevocably on the road to a new democratic constitution.

The steering committee agreement to give Codesa a role in drafting legislation to implement its decisions went a long way towards satisfying the ANC demand that Codesa should be more than just a "talk shop".

However, in an important compromise to the Government's concerns about its sovereignty being undermined, the steering committee agreed that the SA Government and the TBVC administrations would jointly draft Codesa legislation with Codesa itself.

Undivided

Detracting from the general mood of agreement between the parties, Bophuthatswana government delegate Rowan Cronje said after the steering committee meeting that his government would not be bound by any Codesa decisions which affected the homeland's existence.

It is understood that the statement of intent clearly spells out that South Africa would be a unitary and undivided country.

Government sources also made it clear that its commitment to abide by Codesa decisions was only made possible by the steering committee's decision that Codesa decisions should not lead to a breakdown of Codesa.

This will in effect give the Government — and the ANC — a veto right.

And National Party secretary-general Dr Stoffel van der Merwe stated clearly at a press conference yesterday that there was another proviso to the NP's commitment to implement Codesa's decisions.

He said it was subject to approval by the white electorate in the referendum which President de Klerk had promised if major constitutional changes were planned.

Yesterday it was also agreed that the Government, the ANC, the SA Communist Party, the IFP, the Transkei government and the Intando yeSizwe Party of the KwaNdebele homeland government should be given joint control of the security force to protect Codesa delegates.

However, Government sources said a private understanding had been reached with the other parties that in the event of an emergency, only an SAP officer could give commands to other policemen.

The Codesa administration also released the Codesa logo — a rising sun against a bright yellow and red background — and said this symbolised "the dawn of a new era in South Africa's history".

The symbol was accepted as politically neutral, it said.

The administration also released the agenda for Codesa.

The meeting will start with an official opening by Chief Justice Michael Corbett, and then prayers, before co-chairpersons Mr Justice Piet Schabort and Mr Justice Ismail Mahomed take over.

The heads of the 19 delegations will make opening remarks, and then the declaration of intent will be considered.

On Saturday, Codesa will discuss its standing rules and the formation of working groups to discuss major issues such as an interim government and a constituent assembly.

The last item on the agenda will be the way forward, including the date and venue for the next plenary meeting of Codesa.

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Let's talk Boers tell the Zulus

THE Boerestaat Party has welcomed the withdrawal of KwaZulu Chief Minister Mangosuthu Buthelezi from the Convention for a Democratic South Africa talks.

The organisation has called for discussions with Zulu leaders.

In a statement yesterday, BSP leader Mr Robert van Tonder said he had instructed his office to contact Zulu leaders to arrange possible discussions with them.

"I am approaching the Zulu nation not as a right-winger, but as a Boer," Van Tonder said. - *Sapa.*

Watershed 48 hours

From page 1

However, the discussions over the next 48 hours are a watershed in South African politics.

It is the first time in the history of the country that people of various ethnic, racial, social and political persuasions are to sit down under the same roof with the single objective of creating a democratic political order in South Africa.

Political groups which have chosen not to participate have done so for political and ideological reasons.

Commenting on the absence of a section of the liberation movement (the PAC and Azapo), the Rev Canaan Banana, a member of the Commonwealth delegation which is attending Codesa as an observer, said it was a pity that they were not part of the discussions.

"We believe that the process for change in South Africa must involve all the people of South Africa who have been part of the struggle for change.

"We're disappointed to learn that the PAC was not prepared to participate in these proceedings," Banana said.

A spokesman for the United Nations Secretary General said he wished Codesa success in its efforts to create a new order in South Africa.

"The Secretary General expressed his best wishes for the success of the convention and hopes that the goal of achieving a peaceful transition to a new democratic order will be reached as soon as possible," he said.

The United Nations has also sent an observer delegation.

Other international observers include representatives from the European Community, the Organisation of African Unity and the Non-Aligned Movement.

The presence of these organisations at the opening meeting of Codesa will weigh heavily against the Government which will be led by State President FW de Klerk.

The Government was allowed to send a separate delegation from the National Party in an attempt to bind it, at least morally, to decisions taken at Codesa.

Today's meeting is seen by many as the inception of the new South Africa, but the PAC and Azapo view it as nothing more than a charade.



OPENING MOVES: The cover of the *Sowetan/Vryweekblad* quarterly report, *State of the Nation*, captures the issues and symbols that are at stake at the start of today's Convention for a Democratic South Africa. The sketch is by Jonathan Shapiro.

Now let it begin

THE Convention for a Democratic South Africa starts today after weeks of intense debate, accusations of deceit and treachery and last-minute withdrawals by leading parties.

Most significant of the absentees will be the Pan Africanist Congress, the Azanian Peoples Organisation and KwaZulu Chief Minister Mangosuthu Buthelezi.

Others staying out are the rightwing political organisations such as the Conservative Party, the Herstigte Nasionale Party and the Afrikaner Weerstandsbeweging.

By ISMAIL LAGARDIEN
Political Correspondent

To page 2

Foreign observers neutral, hopeful

STAR 20/12/91

(304A)

Commonwealth observers at the Codesa forum feel the gap between the parties involved in the negotiations is only a handshake wide. Report by JO-ANNE COLLINGE.

THE COMMONWEALTH'S distinguished observers to the Convention for a Democratic South Africa are mindful of their neutrality. "But it is a positive neutrality," admits Tan Sri Ghazali Shafie, former foreign minister of Malaysia.

After just a day in South Africa, the five observers — who will be joined by Britain's Sir Geoffrey Howe tomorrow — were infected with optimism for the negotiating process.

Speaking to The Star in their Johannesburg hotel suite yesterday, they were clearly astonished at the degree of similarity in the principles that major parties wish to see embodied in a new constitution.

"The gap between the parties doesn't seem to be anything like wide — it's just a handshake across, rather than a bridge," observed Mr Justice Telford Georges, former chief justice of the Bahamas. "There are difficulties about sharing things, of course, but it's the principles that are agreed, I think."

From Australia's former governor-general, Sir Ninian Stephen, came the surprise observation: "I think you're much closer to an agreement, strangely enough, than the extremes in Australia are."

The wish for Codesa to set South Africa on the path to democracy does not, of course, change the Commonwealth sanctions stance taken at the Harare summit earlier this year.

Even as people-to-people sanctions went, the Commonwealth asserted that the arms embargo and financial sanctions would last until the establishment of a democratically elected government.

The decision was that trade sanctions would be reviewed once a new constitution had been agreed on or once a multi-party meeting like Codesa agreed they should be lifted.

Shri Dinesh Singh, India's former external affairs minister, did not foresee Codesa covering such dramatic ground in just two days. "We are quite hopeful that there will be meaningful discussion at Codesa and there would be a consensus towards a democratic nonracial South Africa. But the details will have to be filled in later."

Zimbabwe's first president, the Rev Canaan Banana, added: "We do not underestimate the problems and complexities that may be involved. But peace can no longer be delayed. The tragic loss in both human and material terms is a source of very deep concern in the international community."

Mr Banana, who chairs the observer group, said they would be meeting representatives of the PAC, which has decided against participation in Codesa.

As to the right-wing non-participants, it will depend on the groups themselves whether they meet the Commonwealth party, whose policy is to offer what knowledge and expertise they have strictly on request. In no way do they wish to be branded as interventionist.

Mr Banana stressed the critical quality of commitment: "I believe the people of South Africa have the capacity to resolve this age-old conflict — I think what is needed is to marshal sufficient will for a new nonracial and democratic SA." □

The people deciding SA's future

(304A)

STAR 20/12/91

Compiled by
ESTHER WAUGH
and PETER FABRICIUS

NATIONAL PARTY: Dawie de Villiers (leader), George Bartlett, Hernus Kriel, Roelf Meyer, Jurie Mentz, Andrew Julies, Jac Rabie, Frik van Deventer, Anne Routier, Peter Marais, Frik van Heerden and Stoffel van der Merwe. **SA GOVERNMENT:** F W de Klerk (leader), Pik Botha, Gerrit Viljoen, Kobie Coetsee, Barend du Plessis, Sam de Beer, Rina Venter, Leon Wessels, Piet Marais, Tertius Delport, Abe Williams and Fanie van der Merwe. **LABOUR PARTY:** Allan Hendrickse (leader), Miley Richards, Chris April, David Curry, Peter Hendrickse, Ken Lategan, Douglas Josephs, John Douw, Desmond Lockey, William Whyte, Anver Essop and Godfrey Macalagh. **SA COMMUNIST PARTY:** Chris Hani (leader), Joe Slovo, Sydney Mufamadi, Ronnie Kasrils, Raymond Mhlaba, Essop Pahad, Blades Nzimande, Tenjiwe Mtintso, Skenjana Roji, John Gomomo, Moses Mayekiso and N Madlala. **XIMOKO PROGRESSIVE PARTY:** Hudson Ntsanwisi (leader), E P P Mhinga, C J M Hlaneki, S D W Nxumalo, M S Muhlaba, M L Nkuna, A E Nkondo, K R Myakayaka, D Z Mtebula, S E Mathumbu, E E Ngobeni, B M Tlakula. **CISKEI GOVERNMENT:** Oupa Gqozo (leader), N Nogcantsi, H J S Kayser, L W Maqoma, A Pretorius, S V Notshe, B R Tokota, W P Zibi, the Rev Madikane, M Webb, L S Dorrington, S Tanana. **BOPHUTHATSWANA GOVERNMENT:** Lucas Mangope (leader), Rowan Cronje, Ephraim Keikelame, Godfrey Mothibe, Tom Setiloane, Gert Nkau, Clement Sehume, Seroke Kgobokoe, Simon Seane, Itomeleng Mogami, Jerry Reid, Schalk Pienaar. **TRANSKEI GOVERNMENT:** Bantu Holomisa (leader), A T Sigcu, P Z Ndamase, M Titus, Z Titus, S N Sigcau, P Holomisa, M Nonkonyana, L L Mtshizana, G Zilwa, L V Ntsubane, N Bebeza. **VENDA GOVERNMENT:** Gabriel Ramushwana (leader), V Landela, T G Ramabulana, K B Magwaba, S M Makhuvha, G M Ligege, E Mulaudzi, T A Mulina, M Ndou, M J Mushasha, T Dau, M Mphaphuli. **SOLIDARITY:** J N Reddy (leader), I Omar, Y Moolla, K Rajoo, D S Rajah, K Moodley, P I Devan, L Chetty, N Jumuna, Y Makda, A Khan, A S Akoob. **INTANDO YESIZWE PARTY:** J S Mahlungu (leader), N J Mahlangu, V S Mahlangu, S J Mgidi, E S Masango, J S Mabena, N Mbonani, J S Mabona, M P Mahlangu, M S Mahlangu, C Mahlangu, J L Mahlangu. **UNITED PEOPLE'S FRONT:** Nelson Ramodike (leader), L M Mokoena, M J Mahlangu, M I Moroamoche, M C Ramusi, M J Duba, E M Maswanganyi, N M Malekana, Richard Maponya, T K E Moloko, K A Mariri, R Ramontja. **DEMOCRATIC PARTY:** Zach de Beer (leader), Colin Eglin, Ken Andrew, Helen Suzman, Denis Worrall, Kobus Jordaan, Dave Dalling, Peter Soal, Errol Moorcroft, Richard van der Ross, M Rajab, David Gant. **INYANDZA NATIONAL MOVEMENT:** M C Zitha (leader), E N Ginindza, S S Ripinga, D S Mkhwanazi, M S Gininda, P M H Maduna, M M Khumalo, E J Mabuza, D Kunene, C Albertyn, E Mabuza, G G Zama. **INKATHA FREEDOM PARTY:** Frank Mdlalose (leader), Walter Felgate, P Satyadeva, D R B Madide, B S Ngubane, I Mars, E T Bhengu, S E Mzimela, Musa Myeni, Suzanne Voss, F X Gasa, E Barnard. **AFRICAN NATIONAL CONGRESS:** Nelson Mandela (leader), Cyril Ramaphosa, Jacob Zuma, Thabo Mbeki, Valli Moosa, Barbara Masekela, Joe Modise, Gertrude Shope, Allan Boesak, Marion Sparg, Peter Mokaba, Sam Shilowa. **DIKWANKWETLA PARTY:** T K Mopeli (leader), R H Mopeli, L C Mota, D T Mokoena, T J Mohapi, S O M Mojik, S P Matla, J S S Phatang, R T Ramasia, M M Maekane, M Mopeli, M M Makhalemele. **NATIONAL PEOPLE'S PARTY:** A Rajbansi (leader), D Govender, R Panday, S Naidoo, H Neerahoo, E Joosab, M Govender, C Naidoo, S Ismail, A S Pillay, A K Bheesham, D K Padiachey. □



Commonwealth eyes on Codesa . . . (from left) Justice Telford Georges of the Bahamas, Tan Sri Ghazali Shafie of Malaysia, Shri Dinesh Singh of India, the Reverend Canaan Banana of Zimbabwe and Australia's Sir Ninian Stephen.
Picture by Stephen Davimes

Declaration of Intent for Codesa delegates

STAR 20/12/91 (304A)

WE, THE duly authorised representatives of political parties, political organisations, administrations and the South African Government, coming together at this first meeting of the Convention for a Democratic South Africa, mindful of the awesome responsibility that rests on us at this moment in the history of our country, declare our solemn commitment:

1. To bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amid our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination.
2. To work to heal the divisions of the past, to secure the advancement of all, and to establish a free and open society based on democratic values where the dignity, worth and rights of every South African are protected by law.
3. To strive to improve the quality of life of our people through policies that will promote economic growth and human development, and ensure equal opportunities and social justice for all South Africans.
4. To create a climate conducive to peaceful constitutional change by eliminating violence, intimidation and destabilisation and by promoting free political participation, discussion and debate.
5. To set in motion the process of drawing up and establishing a constitution that will ensure:

a. That South Africa will be a united, democratic, nonracial and non-sexist state in which sovereign authority is exercised over the whole of its territory.

b. That the constitution will be the supreme law and that it will be guarded over by an independent, nonracial and impartial judiciary.

c. That there will be a multiparty democracy with the right to form and join political parties and with regular elections on the basis of universal adult suffrage on a common voters roll; in general the basic electoral system shall be that of proportional representation.

d. That there shall be a separation of powers between the legislature, executive and judiciary with appropriate checks and balances.

e. That the diversity of languages, cultures and religions of the people of South Africa shall be acknowledged.

f. That all shall enjoy accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly, protected by an entrenched and justiciable bill of rights and a legal system that guarantees equality of all . . .

We agree:

1. That the present and future participants shall be entitled to put forward freely to the convention any proposal consistent with democracy.
2. That Codesa will establish a mechanism whose task it will be, in co-operation with administrations and the South African Government, to draft the texts of all legislation required to give effect to the agreements reached in Codesa.

We, the representatives of political parties, political organisations and administrations, further solemnly commit ourselves to be bound by the agreements of Codesa and in good faith to take all such steps as are within our power and authority to realise their implementation.

We, the South African Government, declare ourselves to be bound by agreements we reach together with other participants in Codesa in accordance with the standing rules and hereby commit ourselves to the implementation thereof within our capacity, powers and authority. □

Planning a new nation

STAR 20/12/91 (304A)

THE STAR today reveals a draft of the declaration of intent which will be considered today by delegates of the South African Government, the TBVC administrations and most major political parties at the historic first meeting of the Convention for a Democratic South Africa.

The text is the departure point for negotiations on a new constitution, writes Political Correspondent PETER FABRICIUS.

It can be altered or amended during debate on the floor of the convention in the World Trade Centre near Jan Smuts Airport, but the basic principles are understood to be acceptable to the major parties.

Since it is already the product of weeks of hard bargaining behind closed doors by all the Codesa participants, it is expected to be passed — and signed — with little or no change.

It is an extremely important document. Firstly because it commits the participants — who constitute the bulk of South African political actors — to the basic principles of genuine multiparty democracy where the constitution is supreme and regular elections are guaranteed.

And secondly because it commits all parties — and especially the National Party — to be bound by the decisions of Codesa and to take all possible steps to implement them.

These two vital commitments — to democracy and to implement Codesa decisions — will be taken before an impressive array of witnesses.

Present will be the representatives of five international organisations and of all the governments which have missions in South Africa.

The declaration will also be signed before representatives of about 200 local and international news organisations.

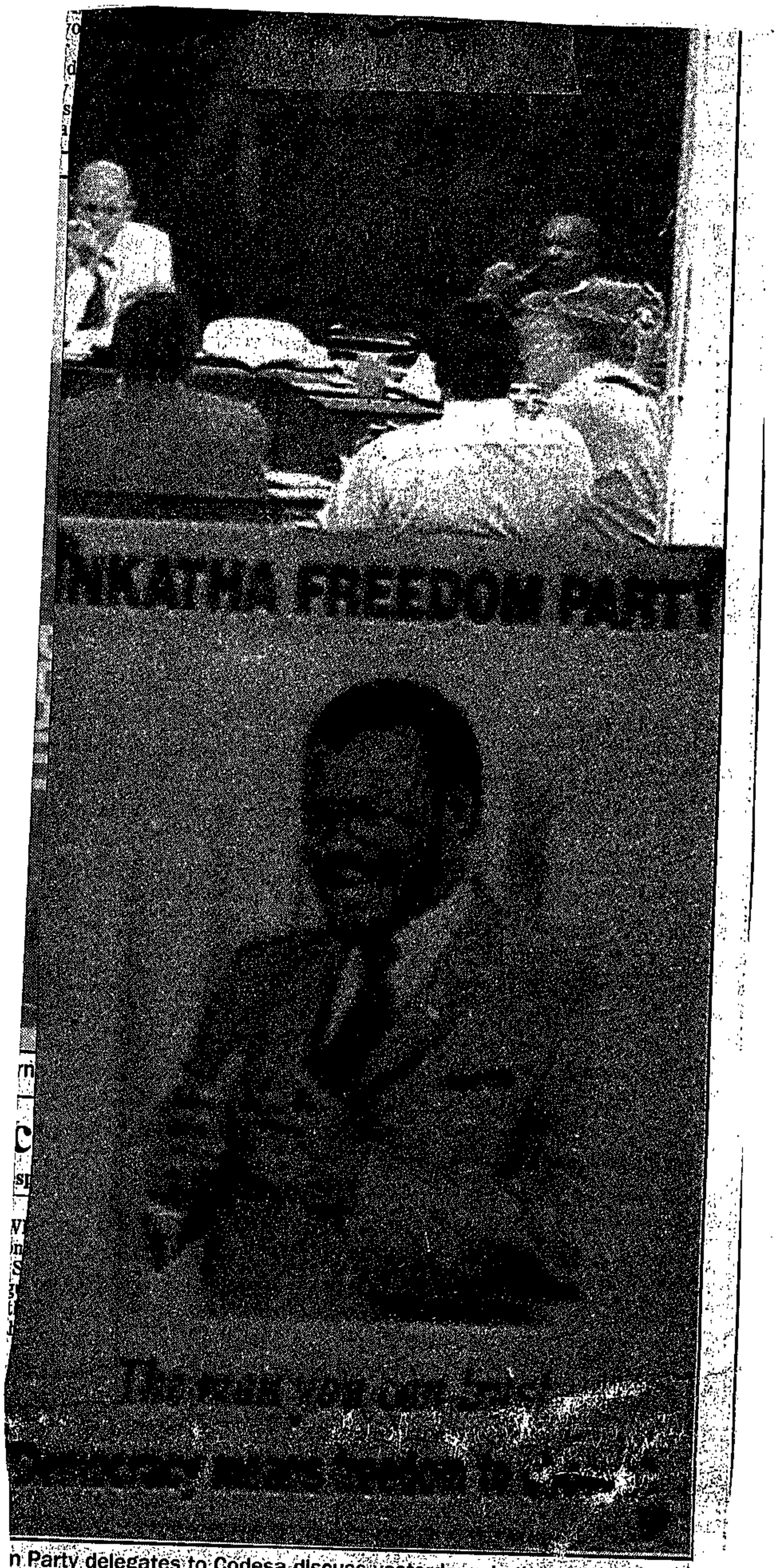
And it will be witnessed by millions of ordinary South Africans who will watch and listen to the proceedings of Codesa on live television.

This will be the chief value of the declaration. It has no legal binding force — something the ANC wanted but the Government and National Party resisted. They argued that they were bound by the provisions of the existing constitution and the law.

Nonetheless, the moral and political force of this declaration, made in the presence of the world, will be immense.

None of the parties at Codesa will be able to renege on any of these important commitments without South Africa and the world knowing it.

It is in a sense the preamble to the first democratic constitution in the history of South Africa. □



n Party delegates to Codesa discuss yesterday whether to take part in
f Mangosuthu Buthelezi's withdrawal. Finally, IFP national chairman Dr
ttend the talks.
Picture: AP

Crucial Declaration of Intent

Point of no return as Codesa starts

STAR 20/12/91. (3044)

By Peter Fabricius and Shaun Johnson

"We, the South African Government, declare ourselves to be bound by agreements we reach together with other participants in Codesa ... and hereby commit ourselves to the implementation thereof ..."

With these historic words, South Africa will today be catapulted into an entirely new political era. For the first time, the Government will concede a measure of joint control over the political process.

When President de Klerk signs this commitment — contained in the Codesa draft Declaration of Intent — constitutional negotiations will be effectively under way.

Last night, final preparations were being made for the two-day Convention for a Democratic South Africa, to be held at the World Trade Centre near Johannesburg.

Codesa's administrative head, Murphy Morobe, said last night that "preparations are on schedule despite the nightmarish task of co-ordinating officials gathered from 19 different organisations, and welding them into a coherent force".

About 300 delegates from 19 groups, including the Government, ANC, IFP and the TBVC states, are attending. Their deliberations will be observed by five internation al organisations, as well as by a host of foreign and local dignitaries and a large media contingent.

A centrepiece of Codesa is the Declaration of Intent, expected to be signed by all participants this afternoon.

Full text of declaration — Page 13

The declaration will commit all parties to the basic tenets of multiparty democracy, including the holding of regular elections, the independence of the judiciary, the supremacy of the constitution, and the division of power between the executive, legislative and judicial arms.

The declaration also charges signatories with striving to "improve the quality of life of our people through policies that will promote economic growth and human development, and ensure equal opportunities and social justice for all South Africans".

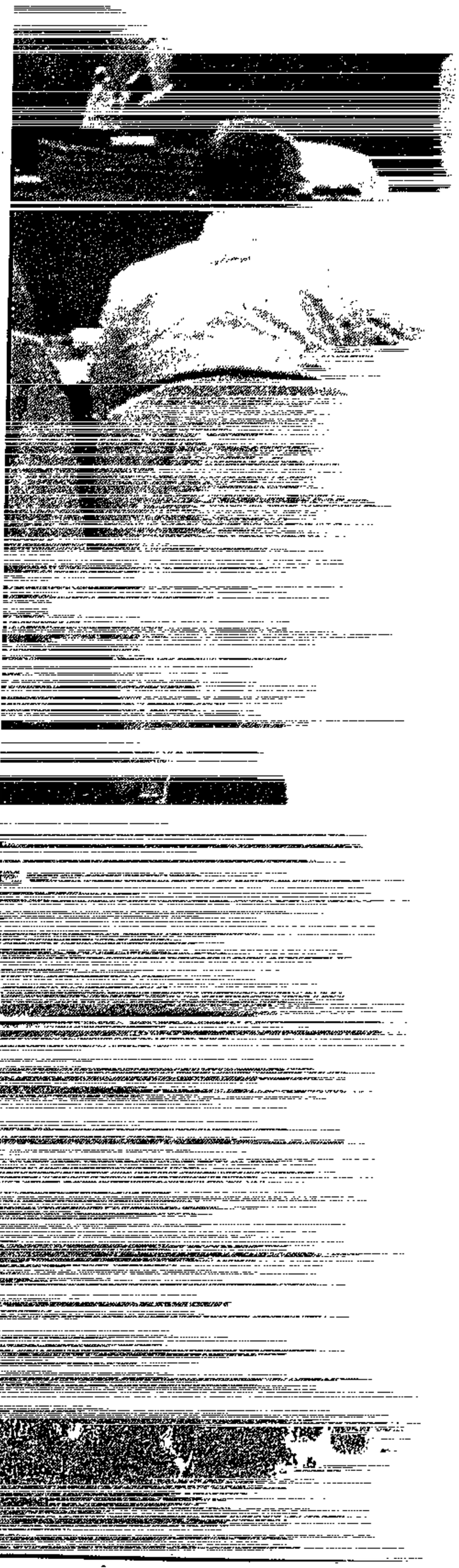
Crucially, the declaration commits all parties, including the Government, to establishing a mechanism whereby Codesa, in co-operation with administrations and the Government, will "draft the text of all legislation required to give effect to the agreements reached in Codesa".

The far-reaching consensus achieved in preparatory meetings for Codesa this week has been marred by IFP president Chief Mangosuthu Buthelezi's decision to boycott the convention — but the high-powered IFP delegation will attend. The Pan Africanist Congress withdrew from the Codesa process at the end of last month.

Observers from the Commonwealth, the United Nations, the Organisation of African Unity, the European Community and the Non-Aligned Movement began to arrive in Johannesburg yesterday. They constitute the largest and most senior group of foreign politicians to have gathered in South Africa for decades.

Former Zimbabwean president Canaan Banana, who heads the Commonwealth delegation, said at a press conference yesterday that his delegation had "come to express its solidarity with the process embodied in Codesa — the search

● To Page 3 ☛



Freedom to choose . . . Inkatha Freedo
the multiparty conference following Ci
Frank Mdlalose announce they would

'Boere' angry over Codesa says Right

Sowetan 20/12/91 (304A)

South African Press Association

THE "Boere nation" would fight for its freedom in any manner it chose, including the overthrow of any results flowing out of Codesa, Boerestaat Party leader Robert van Tonder said yesterday.

He was speaking after the 20-member executive committee of his party had staged a grim-faced protest against the Convention for a Democratic South Africa on the steps of the Rand Supreme Court.

Explosions

Van Tonder warned on the eve of the convention that the recent explosions at a multiracial school in Klerksdorp and at the Cosatu building in Pretoria "were only the beginning of the Boer's struggle for freedom".

He said his party had no links with the Boere-Republikeinse Leer (Boer Republican Army) which yesterday claimed responsibility for the blasts.

However, he fully supported them and "expected these kind of actions to increase very quickly from now on".

"The Boer volk is growing increasingly angry and frustrated at seeing their own land stolen away from them.

"South Africa is a mining country, with freely-available commercial explosives and highly trained people who know how to use them.

"We are very angry indeed. Codesa does not have the right to decide about the future of the Boer's own country and has even less right to hold its convention in the heart of the Boer state," Van Tonder said.

"The Boer volk will refuse to participate in any future referenda or elections which may result from Codesa."

Inkatha is upset over exclusion of Kwazulu

ARG 20/12/91

304A

ALAN DUNN and ESTHER WAUGH
Political Staff

JOHANNESBURG. — A disgruntled Inkatha Freedom Party, expressing serious doubts about today's Convention for a Democratic South Africa (Codesa), has lashed out at the government, accusing it of going back on its pledge to support Kwazulu's attendance.

The IFP noted its "profound scepticism" as to the political significance of any Codesa debates, decisions or solutions in the absence of "key relevant players" including Zulu King Goodwill Zwelithini.

But it confirmed its participation and its full commitment to Codesa's success.

The IFP, smarting at what it sees as a snub to King Goodwill, alleged the government at first backed its demand for a Kwazulu delegation in addition to the IFP team.

An executive member of the IFP central committee and the Kwazulu Minister for Health, Dr Ben Ngubane, disclosed yesterday that the government this week changed its attitude and joined others, including the ANC, in not supporting the demand.

He claimed the government had supported the demand at a meeting held at the Union Buildings on November 5.

Dr Ngubane quoted a letter from Constitutional Development Minister Dr Gerrit Viljoen as evidence of the government's turnabout.

In the letter Dr Viljoen said: "Furthermore, I can give you the assurance that in the government's view Kwazulu should be represented at the negotiations in its own right and not as a member of a team of leaders of self-governing states.

"I also concur with your view that Kwazulu has a distinctive existence rooted in history and, in fact, is not something 'created by apartheid'."

The latest twist came after Kwazulu Chief Minister and IFP leader Dr Mangosuthu Buthelezi withdrew from the IFP delegation after King Goodwill was not allowed a 12-man delegation — the same size as that of the 19 parties attending the convention.

Dr Buthelezi's withdrawal was triggered by the king being allowed only a delegation of five.

Two weeks ago the IFP demanded that it, a Kwazulu government delegation and the king be represented at Codesa.

The demand centred around the IFP's insistence that it did not represent the interests of 7,5 million Zulus and had no mandate to speak for the Zulu nation because it was a political party.

It later dropped the demand for a Kwazulu delegation.

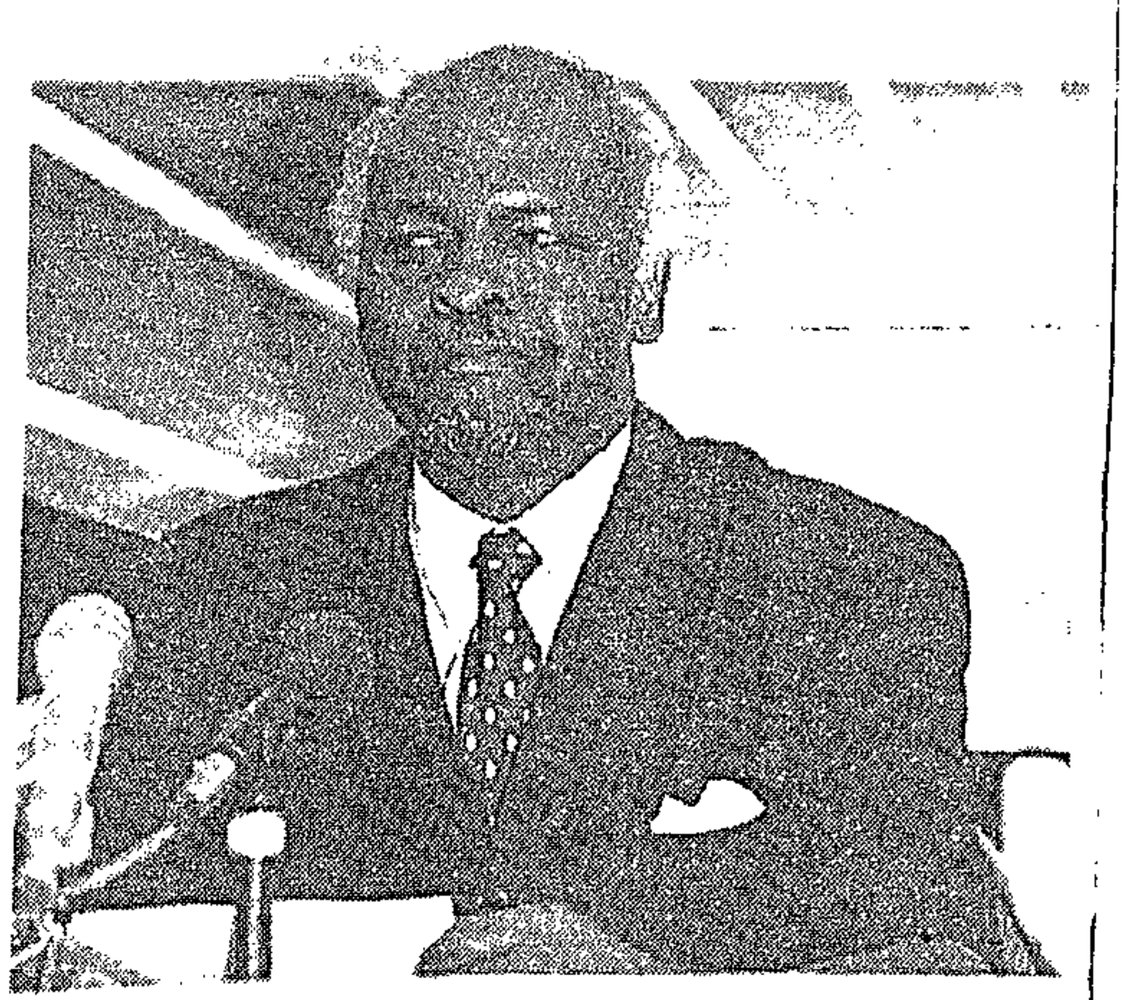
Codesa's steering committee agreed that the king could attend Codesa as an observer and that he could address the gathering.

The committee, however, could not reach consensus on the demand that the king should have equal representation with the other parties.

The matter could be discussed at Codesa itself but Dr Ngubane said this was unacceptable as Codesa was not a precursor to negotiations.

He expressed fears that without the presence of their King, Zulus might not feel bound by Codesa decisions.





LEADER: Heading the Commonwealth delegation of observers is former Zimbabwe leader Mr Canaan Banana.

Snap survey: City folk clueless about

DON HOLLIDAY
Staff Reporter

NO, no, no, folks, Codesa is not a place on the Black Sea!

Nor is it "some ancient thing in history".

It's not a congress, a committee or a conference.

Yes, it is something you might have heard about on television a few times.

It is also something almost half of the respondents in a snap survey in Cape Town have never heard of.

On the eve of one of the most important meetings in the history of South Africa, 20 lunchtime pedestrians in St George's Mall from varied backgrounds, their ages ranging from 17 to 60, were asked what Codesa is and what the acronym stood for.

Only one person could answer correctly.

Mr Stanley Madela, of Khayelitsha, had no hesitation in identifying it as the Convention for a Democratic South Africa — the multiparty talks to thrash out a new constitution for South Africa, which start today in Kempton Park.

Mystified, blank stares and lots of puzzled head-scratching featured prominently in the replies of the other respondents.

"Never heard of it," said Mr Peter George of Grassy Park.

"I don't have a clue, but don't you dare put my name in the paper!" said a young woman.

"I think I have heard it on TV a few times but I don't know what it is," said Mr Dirk Grobler of Kraaifontein.

"No, I don't know," said Constable Deon Barkhuizen.

Then there were those who

Historic document for signing

CT 20/12/91
(304A)



TALKS LOGO ... The emblem for the Codesa talks

By ANTHONY JOHNSON
Political Correspondent

JOHANNESBURG. — The government and the 17 other parties attending the watershed Codesa negotiations here will this afternoon sign a Declaration of Intent that incorporates the guiding principles of a new democratic order in South Africa.

The Cape Times has obtained a copy of the historic document which is the product of weeks of bargaining among the negotiating parties about the broad outlines of a democratic constitution and the way to achieve this.

The two-page document reads:

"We, the representatives of political parties, political organisations, administrations and the South African government, coming together at this first meeting for a Convention for a Democratic South Africa, mindful of the awesome responsibility tht rests on us at this moment in the history of our country, DECLARE OUR COMMITMENT:

"1. To bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing admist our diversity freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from partheid or any other form of discrimination or domination;

"2. To work to heal the divisions of the past, to secure the advancement of all, and to establish a free and open society based on democratic values where the dignity, worth and rights of every South African are protected by law;

"3. To strive to improve the quality of life of our people through policies that will promote economic growth and human development and ensure equal opportunities and social justice for all South Africans.

"4. To create a climate conducive to peaceful constitutional change by eliminating violence, intimidation and destabilisation and by promoting free political participation, discussion and debate;

"5. To set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:

"a. That South Africa will be a united, democratic, non-racial and non-sexist state in which sovereign authority is exercised over the whole of its territory;

"b. The Constitution will be the supreme law and that it will be guarded over by an independent, non-racial and impartial judiciary;

"c. That there will be a multi-party democracy with the right to form and join political parties and with regular elections on the basis of universal suffrage on a common voters' roll; in general the basic electoral system shall be that of proportional representation;

"d. That there shall be a separation of powers between the legislature, executive and judiciary with appropriate checks and balances;

"e. That the diversity of languages, cultures and religions of the people of South Africa shall be acknowledged;

"f. That all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees equality of all befor the law;

"We agree:

"1. That the present and future participants shall be entitled to put forward freely to the Convention any proposal consistent with democracy.

"2. That Codesa will establish a mechanism whose task it will be, in co-operation with the South African government, to draft the texts of all legislation required to give effect to the agreements reached by Codesa.

"We, the representatives of political parties, political organisations and administrations, further solemnly commit ourselves to be bound by the agreement of Codesa and in good faith to take all such steps as are within our power and authority to realise our implementation."

The Declaration of Intent then makes provision for the signatures of (in alphabetical order): the ANC, the Bophuthatswana government, the Ciskei government, the Democratic Party, the Dikwankwetla Party, the Inkatha Freedom Party, the Inyandza National Movement, the Intando Yesizwe Party, the Labour Party of SA, the Natal-Transvaal Indian Congress, the National Party, the National Peoples' Party, Solidarity, the Transkei government, the United Peoples' Front, the Venda government and the Ximoko Progressive Party.

The Declaration continues: "We, the South African government, declare ourselves to be bound by agreements we reach together with other participants in Codesa in accordance with the standing rules and hereby commit ourselves to the implementation thereof within our capacity, powers and authority."

(Signature of the South African government.)

The declaration ends with the following multilingual message: "Nkosi sikelel' iAfrika. Morena boloka sechaba sa heso. Ons vir jou Suid-Afrika. May the Lord bless our country. Mudzimu fhatutshedza Afrika. Hosi katekisa iAfrika."

ment of Noordhoek and Chapman's

We reaffirm our decision – PAC

STAR 20/12/91.

After meeting for more than an hour with the Commonwealth Observer Delegation yesterday, the Pan Africanist Congress (PAC) confirmed its decision not to attend Codesa.

PAC deputy president Dikgang Moseneke warned that his organisation would start campaigns which would destroy Codesa.

He added that the PAC had explained its position to the delegation.

"They understood some of our views, but feel that these views should be put to Codesa."

Mr Moseneke said this was not possible with the Government and the ANC "dead set" against a constituent assembly.

Besides, Mr Moseneke explained, Codesa was a prepacked forum with the National Party and ANC and their affiliates, including the unrepresentative homeland delegations, predominating at the proceedings.

Last minute attempts by a church delegation lead by SA Council of Churches general-secretary Dr Frank Chikane to persuade the PAC to rejoin Codesa have also apparently failed.

In a statement released after talks with the PAC, the SACC "expressed sorrow" at the breakdown of Patriotic Front co-operation. — Staff Reporter and Sapa.

ARG 20/12/91 (304A)

Giant step for SA . . .

PETER FABRICIUS and SHAUN JOHNSON
Political Staff

"We, the South African Government declare ourselves to be bound by agreements we reach together with other participants in Codesa . . . and hereby commit ourselves to the implementation thereof".

With these historic words, South Africa today be catapulted into a new politi For the first time, the government w cede a measure of joint control over th ical process.

When President De Klerk signs this c ment, contained in the Codesa draft Declar Intent, constitutional negotiations will be ef ly under way.

The two-day Convention for a Democrati Africa is being held at the World Trade near Kempton Park outside Johannesburg.

Codesa is effectively a second "National tion" and arguably the most logistically com ed political gathering in South Africa.

Codesa's administrative head, Mr Murph obe, said last night that "preparations v schedule despite the nightmarish task of nating officials gathered from 19 different sations, and welding them into a coherent

Some 300 delegates from 19 groups are ing. Their deliberations will be observed by ternational organisations, as well as a host eign and local dignitaries and a large contingent.

A centrepiece of Codesa is the Declaratio tent, expected to be signed by all participants afternoon.

Quality of life

The declaration will commit all parties basic tenets of multi-party democracy, in the holding of regular elections, the indepe of the judiciary, the supremacy of the consti and the division of power between the ex legislative and judicial sectors.

The declaration also charges signatorie striving to "improve the quality of life of o ple through policies that will promote ec growth and human development, and ensur opportunities and social justice for all".

Crucially, the declaration commits all pa establishing a mechanism for "drafting the all legislation required to give effect to the ments reached in Codesa".

The text may be altered during debate floor, but since it is already the product o of hard bargaining behind closed doors by Codesa participants, it is expected to be and signed by them with little or no chang

It is an extremely important document. ecause it commits the participants to th rinciples of genuine multi-party dem here the constitution is supreme and elections are guaranteed.

(Turn to page 3, col 1)

Observers from the Commonwealth, the United Nations, the Organisation of African Unity, the European Community and the Non-Aligned Movement began to arrive in Johannesburg yesterday. They constitute the largest and most senior group of foreign politicians to have gathered in South Africa for decades.

A spokesman for the UN secretary general said yesterday that the UN delegation "wished the Convention well and hoped that the goal of achieving a peaceful transition would be reached as soon as possible".

ARG 20/12/91

A giant step for SA (304A)

(Cont from page 1)

And secondly because it commits all parties, especially the National Party, to be bound by the decisions of Codesa and to take all possible steps to implement them.

These two vital commitments will be taken before an impressive array of witnesses.

Present will be the representatives of five international organisations and of all the governments which have missions in South Africa.

The declaration will also be signed before representatives of some 200 media organisations.

It will also be witnessed by millions of ordinary South Africans via live television.

This will be the chief value of the declaration. It has no legal binding force, which the ANC wanted but the government and National Party resisted. They argued that they were bound by the provisions of the existing constitution and the law.

Nonetheless the moral and political force of this declaration made in the presence of the world, will be immense.

None of the parties at Codesa will be able to renege on any of these important commitments without South Africa and the world knowing it.

It is in a sense the preamble to South Africa's first democratic constitution.

The far-reaching consensus achieved in preparatory meetings for Codesa this week has been marred only by the decision of IFP president Chief Mangosuthu Buthelezi to boycott the convention, but the presence of a high-powered IFP delegation ensured that the negotiations did not lose another important participant.

The Pan Africanist Congress withdrew from Codesa last month.

Nat hidden agenda for SA alleged

304A CT. 28/12/91

Own Correspondent

DURBAN. — Labour Party leader the Rev Alan Hendrickse delivered a blistering attack last night on the government and on MPs who had deserted the party to join the National Party.

Speaking to more than 800 delegates at the annual conference of the party here, Mr Hendrickse said MPs who had joined the National Party had done so "for personal gain and selfishness".

He said the National Party had a "history of dishonesty and immorality" and that it had "a hidden agenda for the future of this country".

Delegates at the conference said the most important decisions taken today and tomorrow at the congress would focus on the question of entering into alliances with other parties.

The was echoed by Mr Hendrickse who said: "We must decide on the parties with which we will consider future alliances. For the next few years South African party politics will be characterised by alliances."

Mr Hendrickse said the Patriotic Front conference symbolised the "defeat of the regime's divide and rule tactics. It has given birth to a powerful alliance capable of ensuring the speedy transfer of power to the people".

He added: "It should be clearly stated that the present Parliament should only continue to exist to give effect to the decisions of the negotiation forum (Codesa) and to implement transitional measures."

The role of the international community should be limited during the transition process to observing and applying punitive measures, if necessary.

Mr Hendrickse called for an end to violence to facilitate free and fair elections, and said the Labour Party still regarded itself as a liberation movement.

Declaration to bind parties

FW to put his seal on new course for SA

B/Day 20/12/91. (304A)

PRESIDENT F W de Klerk will today sign a declaration marking the beginning of the end of his government's hold on absolute power.

In signing the declaration of intent due to be adopted by the 18 delegations to the first meeting of Codesa which starts at the World Trade Centre today, De Klerk and the NP will undertake to relinquish significant control over the path that SA will travel to a new democratic constitution, after more than 43 years of NP rule.

A copy of the final draft declaration departs significantly from that made public last week and marks the start of multiparty decision-making over the crucial areas of South Africans' day-to-day life.

The declaration adopts a sombre tone. "We the representatives of political parties, political organisations, administrations and the SA government . . . mindful of the awesome responsibility which rests on us at this moment in the history of our country, declare our commitment" to establish a new constitution.

Participants commit themselves to bring about a single, undivided SA with "one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all, irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination".

The declaration states that all pledge to work to heal the divisions of the past, to secure the advancement of all and to establish a free and open society based on democratic values in which the dignity, worth and rights of every South African are protected.

BILLY PADDOCK

Parties will agree "to strive to improve the quality of life of our people through policies that will promote economic growth and human development and ensure equal opportunities and social justice for all South Africans".

The participants also commit themselves to create a climate conducive to peaceful constitutional change by eliminating violence, intimidation and destabilisation and by promoting free political participation, discussion and debate.

Parties pledge to set in motion the process of drawing up and establishing a constitution that will ensure:

- ☐ SA will be a united, democratic, nonracial and non-sexist state in which sovereign authority is exercised over the whole of its territory;
- ☐ The constitution will be the supreme law and that it will be guarded over by an independent, nonracial and impartial judiciary;
- ☐ Multiparty democracy with the right to form and join political parties and with regular elections on the basis of universal adult suffrage on a common voters' roll — in general the basic electoral system shall be that of proportional representation;
- ☐ A separation of powers between the legislature, executive and judiciary with appropriate checks and balances;
- ☐ That the diversity of languages, cultures and religions shall be acknowledged; and
- ☐ That all shall enjoy universally accepted human rights, freedoms and civil liberties protected by an entrenched and justiciable bill of rights and a legal system that guar-

☐ To Page 2

Codesa

B/Day 20/12/91. (304A)

☐ From Page 1

antees equality before the law.

Leaving open a door for non-participants, parties agree that all current and future participants be entitled to make proposals consistent with democracy.

The big concession the ANC won, which curtails government's absolute power, is enshrined in the declaration: "Codesa will establish a mechanism whose task it will be, in co-operation with administrations and the SA government, to draft the texts of all legislation required to give effect to the agreements reached in Codesa."

The parties commit themselves to be bound by Codesa agreements and take steps to realise their implementation.

Government has a separate commitment to sign at the end of the declaration, which reads: "We the SA government, declare ourselves bound by agreements we reach together with other participants in Codesa in accordance with the standing rules and hereby commit ourselves to the implementation thereof within our capacity, powers and authority."

☐ THEO RAWANA reports Inkatha Freedom Party chairman Frank Mdlalose said yesterday the party would definitely take part in Codesa, but added Inkatha supported president Mangosuthu Buthelezi's decision to turn down a personal invitation.

● Picture: Page 3
● See Page 8

From ANTHONY JOHNSON
Political Correspondent

JOHANNESBURG. — The launching of the historic Codesa negotiations here today marks the beginning of the end of centuries of minority rule in South Africa.

Delegates from the 18 parties arriving yesterday at the World Trade Centre venue near Jan Smuts Airport for the two-day convention were brimming with optimism that Codesa would swiftly usher in a new era of multi-party interim government and signal the end of "Parliament as we know it".

Both ANC and government sources expressed surprise yesterday at the rate at which parties have been able to achieve broad consensus on the outlines for a new democratic order during behind-the-scenes bargaining over the past few weeks.

Confidence in Codesa — the most representative constitutional gathering in South African history — has been boosted by agreements contained in a far-reaching Declaration of Intent which will be signed by participating parties this afternoon.

Brinkmanship

The only sour note was provided by the withdrawal of Inkatha Freedom Party leader Chief Mangosuthu Buthelezi over an impasse about Zulu King Goodwill Zwelethini being accorded a separate delegation at the negotiations.

A number of delegates and foreign observers were bitter in their criticism of the move, alleging that Chief Buthelezi



was "showing P W Botha tendencies" and "overplaying the brinkmanship hand".

However, government sources played down Chief Buthelezi's refusal to lead the Inkatha delegation as "a temporary hiccup", and ANC delegates said the Inkatha leader's action "cannot upset the momentum of negotiations".

The head of the Commonwealth delegation of observers, former Zimbabwean president Dr Canaan Banana, disclosed that his group had asked for a meeting with the IFP leader with a view to persuading him to join the negotiations. No response had been received by last night.

The Commonwealth group also met the PAC yesterday in a bid to get them to reconsider their decision to pull out of Codesa.

A copy of the Declaration of Intent obtained by the Cape Times is striking testimony to the distance the major parties have travelled on the road to agreement on what the new South Africa should look like.

To page 2

P.T.O

02121/mm

The Codesa pledge: a step too far, says Pretoria

South
18/12/91

THE TALKS

FM 20/12/91

No turning back now

304A

The obstacle created by ANC president Nelson Mandela's demand that decisions of the Convention for a Democratic SA (Codesa) should automatically become legally binding — and which government in the shape of Gerrit Viljoen quickly rejected — is more apparent than real.

Addressing an Umkhonto we Sizwe rally on Monday, Mandela's remark was a classic example of position-bargaining before the first Codesa meeting this Friday, when par-



Mandela ... *decisions of Codesa should be law*

ties will start getting into the meat of the negotiations (**see *Face to Face***).

The issue of "implementation of decisions" was, after all, placed on the agenda at the multiparty preparatory meeting at the end of November.

There will doubtless be many more examples of the major parties stating their maximum positions to the faithful — only to have them inevitably watered down in the bargaining process.

In any event, close reading of Viljoen's response to Mandela's demand smacks a little of hair-splitting, or talking at cross purposes. Viljoen, who was disappointed at the "insensitive and inopportune" way in which Mandela had made public this sensitive matter, reportedly said that to acquiesce in the ANC demand would indirectly amount to suspending the constitution and creating a vacuum.

Legal implementaion of Codesa decisions, the Minister added, would have to take place according to the normal constitutional route — that is through parliament and the organs of government. Viljoen observed that Codesa had no legal status.

All of which is perfectly well known to the ANC — as Joe Slovo, for example, has acknowledged to the *FM* (see page 30).

In reality, what Viljoen rejects is the notion that decisions of the convention should automatically become law, not that they could (and some of them will have to, at some stage, if they're to have any meaning).

"Obviously, where parties agree at Codesa, this would imply that as far as it is in their power, they will implement them through the proper legal and institutional channels," said Viljoen. "But it is inconceivable that they can automatically acquire legal or binding force."

This is stating the obvious — but the game has to be played on two sides. The ANC sets out its position, even if it knows in advance that its demand will be rejected — and that this rejection will not result in its withdrawal from the talks. Government knows all this — but it must also go through the motions of explaining why it rejects the ANC's position.

If Viljoen had been silent after Mandela's statement, this might have been construed as evidence of a shift in government's position.

Noting that the issue was already being discussed in committee, Viljoen was confident that a compromise would be found.

The irony of Mandela's demand is that it would effectively transform Codesa into an interim government. That's something government would like — and the ANC says it wants to avoid.

The major political players are now in the fourth and final stage of a process that was identified by Frederik Van Zyl Slabert.

Some years ago Slabbert set out the process in the form of a mantra, reflecting the dominant demands in radical opposition politics: "Unban, release, dismantle, negotiate." Without this, he argued, peaceful reform would not be possible.

Now organisations are unbanned, leaders have been released from prison, apartheid laws are largely dismantled — and the talks are under way.

The process is now surely irreversible. ■



Viljoen ... *the normal constitutional route*

Some kind of beacon

FM 20/12/91 (304A)



Joe Slovo, who was recently elected chairman of the SA Communist Party, is a leading strategist in the ANC's delegation to attend the Convention for Democratic SA (Codesa) this Friday

***FM:* What does the ANC hope to achieve at the first meeting of Codesa?**

Slovo: The most important objective we must all set ourselves is that those who reach agreement at Codesa will undertake to be bound by its decisions. This applies more particularly to government itself because it will be an absolutely useless exercise if it ends up without any commitment that government will be bound by the decisions.

For the rest it's pretty obvious. The broad guidelines for a future SA that we hope will be contained in the declaration of intent — though it is not a constitution in itself — will provide some kind of beacon towards which to aim and will inform the follow-up work.

The statement of intent is being worked on by a task force. There have been a number of drafts which are being worked over. We hope that by the time Codesa meets there will be some kind of broadly acceptable draft that, of course, will still have to be debated.

What would such a statement encapsulate?

It can be no more than a broad declaration of the kind of vision of a future SA to which all parties tie themselves. It can't begin to spell out in any detail the modalities of how we're going to get there or the details of what's going to happen when we get there.

This is separate from the item "constitutional principles" on Codesa's agenda?

We don't want to negotiate the constitution at Codesa, that's the task of a representative body — a constituent assembly or whatever you call such an elected body.

There are going to be two tendencies — the one, that one senses will come from government and the National Party, will be to try to tie down this body to some kind of fixed provisions about the future SA. In other words, to try to transform Codesa itself into some kind of constitution-making body. We are going to resist that. We think there's only one ultimate constitution-making body and that's an elected body, whatever you call it. This doesn't mean there won't be room for tossing about broad objectives. But we are going to resist replacing the constituent assembly with Codesa.

Mandela spoke (last Monday) about the demand for a transitional government of national unity. Can you see Codesa becoming that?

Not at all. Codesa will have to work out the parameters for such a structure and obviously, for it to be given the force of law, it will have to be legislated for. And this can really only be done by existing legislature. Codesa has no judicial basis or powers. Its decisions depend upon implementation, in the first place by government. Codesa could work out the broad framework for an interim structure, but it would have to be given the force of law.

How soon before a decision is taken to set up an interim government?

The process envisages the first stage — December 20-21 — at which working groups will then settle down to see whether they can reach some kind of consensus and report back both majority and minority views, or consensus if there is consensus on any of these issues. So it's difficult to work out the precise time-frame.

But again, there's evidence, publicly at any rate, of different emphasis in regard to time-frames. Government has been talking generally about a 10-15 year period of transition. To us that's completely unacceptable. We're looking at a year to 18 months and a speedy end to the Codesa process itself so that its decisions can be implemented.

Does the ANC want acceptance in principle of a constituent assembly before you get on to the question of transitional government?

A transitional government is by definition one in transition to something. As far as we're concerned, it's transition to the election of a body that will finally determine the constitution. But it's obvious that such a body when it meets will not *ab initio* begin to debate the principles of the constitution. Between now and the time that it meets there will obviously have to be a negotiated process, so that by the time we get there, whatever gaps there are will be narrowed.

Where do you see the trade-off coming, or is President De Klerk simply negotiating himself out of power?

I'm sure that's not his intention and I'm sure he'll try his best (and he has announced it at NP congresses) that he will not hand over power to the ANC. That is his political objective. But whether he'll achieve that is not completely in his control, because if the process takes the kind of course we all agree it should take — that is, ultimately a sort of democratic endorsement of the future — that must surely depend on what happens in an election.

But could a trade-off emerge over things like minority representation or economic principles?

We've got a general bias against Codesa trying to pre-empt the precise nature of the future of the SA economy. We obviously are open to accepting broad principles, like all dedicating ourselves to economic growth, to redressing imbalances, equalising the gap between races. But beyond that we're going to resist getting tied down so that this basically unrepresentative gathering of people determines the precise nature of future society.

Our position on questions of private property, market mechanisms, minority parties and so on are public and clear. We've got a Bill of Rights that does safeguard the interests of individuals and, by implication therefore, the interests of minorities as well. We've accepted that there'll be a role for the market, a mixed economy.

Beyond this we don't see Codesa settling down to commit itself to the precise way in which all of these objectives will be achieved.

Will the ANC concede a place in an upper house, say, for all parties with "significant support"?

However you clothe it, the ANC, I believe, will not concede an arrangement that in effect will give minorities the right to veto on fundamental questions.

Would you comment on the PAC's decision not to attend Codesa?

It's very mistaken. One hopes they will see their way clear as this process continues not to isolate themselves from the future, which is what they're doing.

Do you foresee an ANC government in place within two years?

It's not an unreasonable projection. If there's an election in the next two years, I've no doubt the ANC will win a majority. Which doesn't imply that it will ride roughshod over even minority political groupings. It might well be considered in the interests of the post-transition period to try to create a broader consensus than just a single party monopolising all levels of power and government.

But that's a different question that has be answered by agreement and negotiation. It mustn't be by some provision which forces you into coalitions or governments of national unity.

FM 20/12/91 THE TALKS 3041A

When consensus is sufficient

Nelson Mandela wants decisions taken by the Convention for a Democratic SA (Codesa) to have "legal force." Government has rejected the demand. This is hardly surprising. To accept it would mean transferring the sovereignty of parliament to Codesa, which — despite its multiparty composition — is even less representative of the people than the white House of Assembly. Codesa is not an elected assembly. It is a collection of appointed debating teams.

If the future were to be left to the leaders of the African National Congress and the National Party, working without the prospect of soon being accountable to a vast electorate, they would probably reach an accommodation rapidly and then happily get on with running the country. There are far more points of agreement than disagreement between them and both are essentially conservative organisations.

But both have broad and nervous constituencies to keep happy and neither can afford to give the impression that too much is being conceded to the other. The ANC wants Codesa to be more than a talking shop; government refuses to share power without also unloading some responsibility. If the ANC is terrified about being co-opted by stealth, the Nats are scared of an interim government by stealth.

But however much they wrangle, the ANC and the National Party are the Siamese twins of negotiations. This is the real meaning of the Codesa concept of "sufficient consensus." If the big two agree, nobody else has enough weight or credibility to veto their proposals; if they disagree, the other parties simply cannot proceed without them.

Despite the threats, neither the NP nor the ANC has any option but to press on. The trick will be to maintain equipoise as they do so, to give the impression — as they huff and puff — that the rope being used in the tug-of-war is not moving too far either way at any stage.

And this gives credence to the PAC's accusation that the ANC and the Nats are in some kind of deal together, though it may be unspoken and uncodified, and the less acute leaders on each side may as yet be unaware of it.

Sometimes others see us more clearly than we see ourselves. *The Economist* has pointed out that Codesa, with its 200 delegates, will be "a bureaucratic monster. Without some agreement, however tentative, between the two strongest powers in the land, the monster will be able to do nothing but wobble ... at some point in the transition to democracy, the two giants will have to work as partners. It suits neither to bring the partnership into the open just yet."

The point is that the partnership is in operation already. It is threatened mainly by elements outside it, which are prepared to turn to violence. ■

FM 20/12/91

Not quite Gorbachev

304A

When an oppressive regime goes out of business, it rarely does so without some final display of its inherent brutality. So it was in August when the communist bosses, seeing their privileges and power irrevocably waning, attempted a coup in Moscow.

That misfired horribly — and today it is the reformist Mikhail Gorbachev who sees himself marginalised by such developments as Boris Yeltsin's Slavic Commonwealth and the general weariness of the populace with reforms designed merely to improve socialism. *Perestroika* and *glasnost* were definitely not designed to eradicate the principles by which Gorbachev has guided his political life.

He is therefore in the acutely embarrassing position of being ignored. While attempting to run one system smoothly — an impossibility, given the system — others have sprung up around his wavering figure and claim more allegiance from the fabled masses than any other entity in the ex-Soviet Union this century.

A leader in his position orders soldiers to report for duty and they do not do so; he is unable to protect the external value of his country's currency; taxes are not paid; currency controls are flouted; corruption spreads because bureaucrats fear displacement; secret projects are mounted by government to influence public opinion or boost spurious allies; people seek to emigrate; the State falls into disrepute ...

Comparisons between F W de Klerk and Gorbachev have often been made. They are not always helpful — but it can be noted that both came to power in deteriorating social circumstances. The liberal forces that Gorbachev helped to unleash have now relegated him to the sidelines of history. De Klerk (who after all never set out to improve apartheid but to kill it) is perhaps in a more fortunate position.

White reactionaries in this country have this week blown up a multiracial school and been exposed in plotting the kidnapping of De Klerk's grandson. However violent and ugly, these manifestations of discontent have no ability to shake the structures with which De Klerk is identified — those of a democratising State in transition.

The narrowing areas of disagreement between government and the ANC are likely to become more apparent in the new year as Codesa takes this process of transition further (see above). Confrontations we must expect — but De Klerk is not a Gorbachev on the brink of a personal and national catastrophe. ■

Unofficial offices for Beijing, Pretoria

LINDEN BIRNS

CHINA and SA will each establish unofficial representative offices following increasing contact between the two countries in the past two months.

Foreign Affairs spokesman Rafique Gangat confirmed yesterday that SA would open an unofficial office in Beijing.

Chinese diplomats told Reuter the unofficial nature of the offices was simply a "fig leaf" that would fall once Beijing could reach full diplomatic recognition.

Contact between the two governments was initiated by Foreign Affairs Minister Pik Botha, who visited Beijing in October.

Several SA and Chinese business and private organisations had also made contact with one another, said Gangat, who reiterated President F W de Klerk's assurance to Taiwan that trade and contact between mainland China and SA would not affect diplomatic relations between SA and Taiwan.

The exchange of representatives is China's first step along a similar path to that that brought Beijing closer to old ideological foes such as South Korea and Israel.

Codesa sets SA on an arduous course towards democracy

B|Day 20|12|91. (304A)

BILLY PADDOCK and TIM COHEN

NO NEW constitution is going to emerge today, nor will there be agreement tomorrow on interim rule. But the two-day opening meeting of SA's second national convention starts the final process towards achieving both.

Nor, for all the publicity focused on the Convention for a Democratic SA (Codesa), is it going to be a public negotiating forum. Most of the decisions are likely to be taken privately in committees and endorsed in open session; some crucial conflict-breaking debates may, however, take place in public.

Codesa is the beginning of a process, so much so that this weekend's session is already being called Codesa I. More are to come next year.

The 18 organisations meeting in a blaze of international publicity at the World Trade Centre at Kempton Park will be gathering for what is largely, but not entirely, a ceremonial occasion.

Those parties accept there is no way forward except through the guidelines to be adopted over the next two days. They stand charged with the task of completing the job made possible by the reforms President F W de Klerk started last year.

The most important decision to be taken today and tomorrow will be the public acceptance of a declartion of intent. For the rest, most of today will be taken up with the delegation leaders making opening speeches.

Codesa will also consider its standing rules and the formation and terms of reference for the five proposed working groups.

The task groups set up at the preparatory meeting at the end of last month have moved with what one negotiator described as "breakneck speed", achieving agreement on almost all substantive matters.

Much of the real negotiation work has already been done quietly behind the scenes. Significant agreements charting the course of the constitutional process have already been agreed in drafting the declaration of intent. This is how things are likely to proceed, with all critical negotiations happening behind closed doors in the working groups with occasional public flourishes where decisions will be confirmed.

The most significant decisions taken by the task groups leading up to Codesa involved the declaration of intent and a set of standing rules for decision-making and negotiating.



☐ MR JUSTICE MAHOMED

The proposed declaration includes some broad constitutional principles to set SA on course towards a fully fledged multiparty democracy.

The draft declaration also includes a commitment from all parties to do everything in their power to ensure Codesa decisions are implemented. This means government is morally and politically bound to enact decisions where required.

It also includes a more specific mechanism to give force to this commitment, by ensuring that a Codesa working group draws up draft legislation with government to give legal effect to decisions.

This was one of the ANC's principal demands; its negotiators felt that after agreements were reached in the past, government officials had interpreted them differently from the spirit in which they were agreed.

The standing rules include a codification of the method by which decisions have been arrived at so far, providing a unique and somewhat vague definition of consensus.

The key to decision-making is "sufficient consensus" which the rules define as any agreement that allows the process to move forward effectively. Although negotiators are reluctant to be specific, effectively there will be deadlock if the ANC, government/NP and a significant number of others do not agree.

Should this happen, the standing rules make provision for the chairmen, Mr Justice Mahomed and Mr Justice Schabort, to withdraw so that the parties can engage in bilateral or multilateral negotiations which may include mediation and arbitration.

Failing agreement in the working groups, the matter will be referred to the plenary session of Codesa; the parties will have to negotiate their proposals in the full glare of the media and, more pertinently, the international community.

Parties hope this prospect will be sufficient to encourage compromise before they have to argue possibly untenable positions in public.

As significant as these decisions are, vast gulfs between parties still need to be bridged. But even here, the task groups have made progress, outlining terms of reference for working groups to continue the negotiations.

The major differences still to be resolved at this and future Codesa meetings include the type of constitution-making body that will be set up and what form of interim government should be established. There also has to be agreement on how long these bodies should take to complete their work.



☐ MR JUSTICE SCHABORT

It is at this point that the parties part ways, over what sometimes appear to be intractable differences.

An elected constituent assembly has been one of the ANC's key demands and rallying points. It is gradually winning over a broad body of support for this demand, and government will be hard pressed to avoid it. Government members argue that a constituent assembly would harden political positions, forcing parties to define constitutional proposals prior to negotiations and so reduce the possibilities for creative give and take.

According to the ANC, Codesa should have a markedly shorter life than government members apparently prefer. The ANC wants Codesa to complete its work by mid-1992, after playing a similar role to the one the UN played in drawing up parameters for a new constitution for Namibia.

This would result in a package deal, including an interim government and an elected constituent assembly. The ANC contends that Codesa would cease to operate at this point; an interim government would take over with the objective of conducting elections for the constituent assembly and governing the country until a new government is elected.

Government wants the new constitution to be hammered out by the parties at Codesa sessions, with the convention to last as long as is needed to achieve this objective.

ANC negotiators emerged jubilant from the first round of secret negotiations this week having won their major demands. This does not mean the rest of the process will go the same way.

While government and the NP have made some significant compromises at this early stage, they will have less room to compromise on their position later, resulting in much tougher bargaining. In addition, government has won an important concession through the decision-making mechanism of sufficient consensus: it gives them a virtual veto.

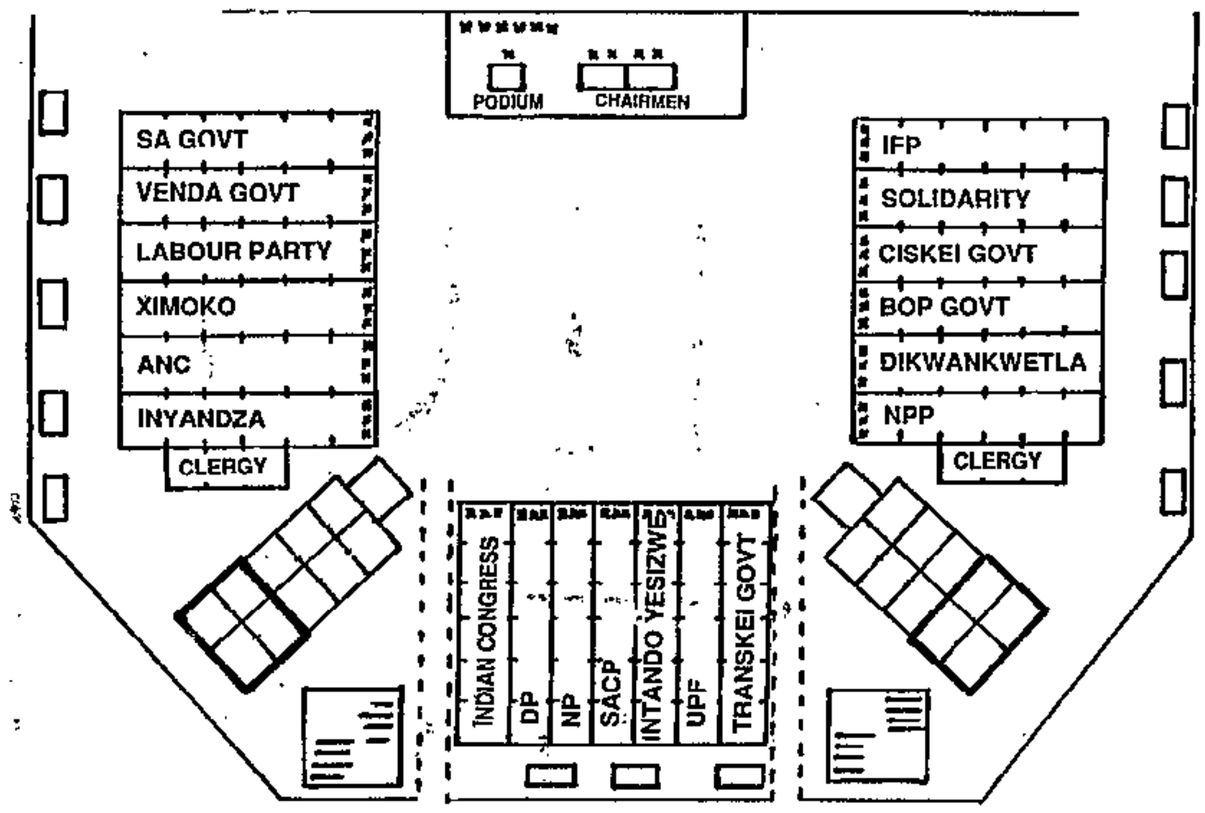
Parties like the CP and PAC are gambling on Codesa failing, or on their being able to shoot down its decisions on the basis that there is a grand conspiracy between the participants.

Codesa has left room for their participation but this appears to be a window rather than a door as, by the end of its opening session, Codesa will have made decisions which contradict the demands of those who are boycotting its decisions.

The Union of SA was formed in 1910 after a national convention designed to forge reconciliation between Boer and Brit; it excluded black representatives. One of the results of that was the formation of the ANC in 1912.

The ANC is now present at a convention designed to forge a wider reconciliation and produce a constitution with wider legitimacy. Codesa's meeting today marks the end of one process and the beginning of another.

How and where they will be seated



This is the seating arrangement for political parties at the Convention for a Democratic South Africa at the World Trade Centre near Kempton Park, Johannesburg.

Hopes rise on eve of talks

Sowetan 20/12/91

'First stage (30 A) to transitional government'

IN a major coup for negotiations political leaders have slipped easily into the initial stages of a transitional government by agreeing to extra-parliamentary groups drafting legislation for Parliament's approval.

"It is fair enough to say this is the first stage of a transitional government," Democratic Party leader and chairman of the steering committee of the Conference for a Democratic South Africa Dr Zach de Beer said yesterday.

Priority

The new era was achieved yesterday - even before Codesa's official start at the World Trade Centre in Kempton Park today - as 19 political groups and the Government prepared for two days of talks which will inscribe negotiations as the priority next year.

"There is a deep commitment to the success of Codesa of all the parties," De Beer said, "and I would say that includes Inkatha, in spite of all the trouble".

He was referring to a dispute between the Inkatha Freedom Party and other Codesa members over a demand that Zulu King Goodwill Zwelithini be allowed to take part fully in the conference with his own delegation.

IFP leader Chief Mangosuthu Buthelezi on Wednesday night withdrew from the IFP delegation in protest against his king's exclusion as a separate entity. He said the monarch had been snubbed.

In a far-reaching move, the Government gave Codesa and Transkei, Bophuthatswana, Venda and Ciskei a role in drafting legislation to implement Codesa's decisions.

This crucial step effectively gives teeth to the multiparty negotiations, erasing ANC fears of it lapsing into a mere "talk shop".

Both ANC and Government sources stressed that this would not impinge on Parliament's constitutional sovereignty. Legislation would still have to be tabled and passed by Parliament.

The commitment to abide by Codesa's decisions and to agree on a mechanism for implementing them will form a major part of a declaration of intent which will be made by 19 political parties and homeland administrations at the inaugural meeting.

The declaration will include a commitment to broad democratic principles such as multiparty democracy and an independent judiciary.

The declaration will seek to ensure that Codesa - the most representative constitutional gathering in South African history - will launch the country irrevocably on the road to a new democratic constitution.

Decision

Government sources also made it clear that its commitment to abide by Codesa decisions was only made possible by the steering committee's decision that Codesa decisions should not lead to a breakdown of the convention.

This will in effect give the Government, and the ANC, a veto right since Codesa could not continue without them.

The steering committee overcame another problem yesterday by agreeing that the Government and five political parties would jointly command the security force protecting delegates to the convention.

Command

The Government had wanted the South African Police in sole command. The ANC and other parties had wanted the Venda government to be in command of security outside the World Trade Centre - and the Transkei government second-in-command inside.

The Government firmly rejected this position, arguing that only the SAP had the legal authority to arrest or shoot people should this become necessary.

It was agreed that the Government, ANC, the SA Communist Party, IFP, the Transkei government and Intando Yesizwe Party of the KwaNdebele homeland, should be given joint control of security.

The Government noted, however, that a private understanding had been reached with the other parties that in the event of emergency only an SAP officer could give commands to other policemen.

Codesa will start today with an official opening by Chief Justice Michael Corbett. - *South African Press Association.*

Papers succeed where Codesa fails

Sowetan 20/12/91 (304A)

WHERE Codesa has failed, the *Sowetan/Vrye Weekblad State of the Nation* report has succeeded.

The summer edition of the quarterly report has been able to bring together disparate groups like the CP, Afrikaner Volkswag and Azapo and the PAC to express their views on negotiations.

Its table of contents, based on the theme "Negotiating the Future", cut across the political spectrum.

Former leader of the Opposition in Parliament, Dr Frederik van Zyl Slabbert, espouses the meaning of democracy and the likelihood that in South Africa "in its first few years go through turbulence and uncertainty".

The report tackles two of the key actors in the negotiation process through in-depth question-and-answer interviews with the ANC's Mohammed Valli Moosa and the National Party's general secretary, Dr Stoffel van der Merwe.

Moosa expects major areas of conflict in the negotiation process, especially in areas like an elected constituent assembly and a timeframe for an interim government.

Van der Merwe gives the assurance that in spite of eroding white support, the NP is committed to seeing "the negotiation process to its logical conclusion".

Soulmate

In an interesting encounter, *Sowetan* Editor Aggrey Klaaste and a colleague attempt to "beard" the Lion of the Waterberg, Dr Andries Treurnicht in his den.

The interview results in a trip in a time machine back to the Verwoerdian years. Treurnicht promises to turn back the clock and reintroduce apartheid measures like the Group Areas Act.

His soulmate on the Right, Professor Carel Boshoff, articulates an erudite and convincing argument for a separate state for Afrikaners, albeit removed from world realities.

Boshoff promises that whites will not automatically become citizens of his "Volkstaat" and blacks will not automatically be excluded.

Chopping at Codesa from the left is Azapo's Strini Moodley, who warns organisations like the ANC that participation in the convention is like "going to duel with an unloaded gun".

Moodley avers that the only victor in the negotiations up to now has been the Government.

Other contributors to the report are *Sowetan's* Themba Molefe who looks at the clouded future of the Patriotic Front, Raymond Suttner on the ANC's constitutional proposals, Mangosuthu Buthelezi on Inkatha's vision for the future, editor of Die Patriot ZB du Toit who calls on Codesa to disband and Barney Desai who outlines the PAC's constitutional ideas.

On a different note, Professor Adrio König of Unisa says groups other than politicians should be part of shaping South Africa's political destiny.

Seshi Chonco of the Institute for a Multi-Party Democracy looks at the proposals of all the parties and concludes that coalition politics is here to stay.

The State of the Nation report is posted to 10 000 of South Africa's senior leaders at all levels of society.

NP may stall but ANC needs a quick accord

Sowetan 20/12/91 304A

ACCUSATIONS, counter-accusations and all manner of posturing promise to make the Convention for a Democratic South Africa which convenes today the stuff great historical dramas are made of.

We can safely guess that many of the protagonists who will be staring at one another across the table, are finding it hard to sleep soundly at night.

Many must be asking themselves how future generations will remember them - as the Tshombes of South Africa; as heroic liberators of their long suffering people; or, as larger-than-life figures but doomed from the start by the inexorable logic of a Greek tragedy?

Yesterday we identified two apparently diametrically opposed positions that have evolved during the past hundred or so years.

These positions drove South Africa nearly to self-destruction during the past three decades since the Sharpeville massacre of 1960.

On one side are the demands of the blacks that their conquest and the legacy of that conquest must be reversed. To achieve that the blacks want to re-conquer the country, not by throwing the whites back into the sea, but by making the whites live like blacks, as equals in all respects.

If that means sharing in the prosperity, well and good, but if it means sharing the poverty and the squalor, so be it.

The whites, on the other hand, feel that everything they have, they deserve by right of conquest or, for the more thoughtful, by right of their ingenuity and hard work.

They are willing to share political power with the blacks or even to surrender it provided that does not affect the material gains whites made as a result of what took place during the past 100 years.

These are the two core issues that Codesa has to resolve. The matter of the interim government - or transitional mechanism if you wish - next month or next year; the matter of the duration of that interim government; the matter of the constituent assembly, and so on.

All these are important matters for Codesa to talk about, but relative to the core issues, they are of secondary importance. After all, the interim government and the constituent assembly are only means to an end - black liberation - they are not an end in themselves.

Can Codesa solve this seemingly imponderable equation? The answer surprisingly is yes and the reason is not as complex as one might think.

The delegates who are meeting at the World Trade Centre today are not the black people of South Africa and they are not the white people of South Africa notwithstanding the fact that some are black and some are white.

The people who are meeting at Codesa are representatives of political parties and political parties are not identical with the people they represent.

It is because political parties are not synonymous with the people that in theory, and practically, it is feasible for political parties to reach agreement while the people they purport to speak for continue to hold strongly opposed, even antagonistic, positions.

When such a situation arises what becomes important is that the political parties must be able to persuade the people they claim to represent that the agreement they have reached is in their best interests. This reflects the fact that political parties are relatively independent of the people they say they represent.

The degree of that independence is of course a matter that has to be constantly negotiated with the followers to ensure that the party does not become completely alienated from its supporters or vice versa. This poses the interesting question of what are political parties. That however, is another story we cannot go into here.

That agreement can be reached between the political parties meeting at Codesa should not distract from the immediate difficulties, especially those faced by the ANC and its allies in the current round of negotiations.

Looking at the National Party/ Government side first, it is clear that they are bringing into Codesa all their strongest forces with them. Besides the NP and its government, there will be an array of players from the tricameral parliament and the bantustans who owe their very existence to the NP.

What is more, the NP has by and the large manoeuvred itself out of economic, sports and diplomatic sanctions. We can therefore expect the NP to play for time. The longer the NP can string out the whole process of negotiations, the longer its supporters will enjoy their privileges.

The NP and the Government are well practised in the art of playing for time. After agreeing to the independence of Namibia with the United Nations in Resolution 435 of 1978, the South African regime obstructed the resolution's implementation for more than 10 years.

The ANC and its allies are faced with almost exactly the opposite situation faced by the NP. De Klerk and the Government have consistently refused to allow black trade unions to participate in Codesa. This means that the liberation movement is actually entering the wrestling match with one arm, the unions, tied behind its back.

To make headway at Codesa, the ANC will therefore have to depend more on its agility and cunning than on its brute strength.

There are of course all sorts of bit players in between who have a multitude of agendas. One thing one could perhaps safely predict about Codesa is that the participants will have plenty to tell their grandchildren.

CODESA

MOELETSI MBEKI, Cosatu's head of communications, writing here in his personal capacity, concludes his analysis of Codesa and finds hope that the historic initiative might well work.



Political comment in this issue by Aggrey Klaaste and Deon du Plessis. Newsbills by Sydney Matlhaku. Sub-editing and headlines by Ivan Fynn. All of 61 Commando Road, Industria West, Johannesburg.
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DESA

Little room for women in Codesa

(30(A Sowetan 20/12/91

WOMEN comprise an estimated five percent of the more than 400 delegates and advisers expected to attend this weekend's Convention for a Democratic South Africa.

Twenty-three women will attend as delegates and advisers, but a snap survey has shown that women are in the majority as typists, secretaries and receptionists.



RINA VENTER



THENJIWE MTHINTSO



SUSANNE VOS

High-level

The largest high-level female representation is in the Natal Indian Congress, which has sent seven women.

The Inkatha Freedom Party has four women delegates, the SA Communist Party and the African National Congress three each and the Lebowa and Ciskeian governments one each.

The Democratic Party and the Solidarity Party each have one woman as an adviser, while the National Party and National People's Party each have one woman delegate.

The Government has Minister of National Health Dr Rina Venter as its only woman delegate.

The NIC's Natal woman delegate is Ms Ela Ramgobin while the Transvaal division has Ms Rehana Adam as an adviser. The NIC also has five other women on the Codesa sub-committees as decision-making delegates.

Inkatha's four women delegates are Mrs ET Mhentu, Mrs FX Gasa, Mrs I Mars and Mrs Sue Vos, while the SACP's women are Ms Thenjiwe Mthintso, Ms Nozizwe Madlala and Ms Geraldine Moleketi.

The DP has Ms Dene Smuts as an adviser. Inkatha member Ms Denise Bjorkman will attend as a delegate for Ciskei, while the ANC's three women delegates are Ms Marion Sparg, women's league president Mrs Gertrude Shope and Ms Barbara Masekela.

Both the Labour Party and the Bophuthatswana government do not have women in their delegations.

Ms Mthintso, one of the SACP delegates, said yesterday she considered the near-total lack of women on the decision-making level "very distressing, quite shocking and typical of our patriarchal society".

Democratic Party spokesman Mr Ken Andrew yesterday also expressed disappointment at the low representation of women. - *Sapa.*

Observers 'positively neutral'

ARG 20/12/91

The Argus Correspondent

JOHANNESBURG. — The Commonwealth's distinguished observers to Codesa are mindful of their neutrality.

"But it is a positive neutrality," admits Mr Tan Sri Ghazali Shafie, former Foreign Minister of Malaysia.

After just a day in South Africa, the five observers — who will be joined by Britain's Sir Geoffrey Howe tomorrow — were optimistic.

They had been persuaded that the Codesa participants whom they had met were more wedded to a shared future than the past which divided them.

They were clearly astonished at the degree of similarity in the principles parties wish to see in a new constitution.

"It's just a handshake across, rather than a bridge," observed Mr Justice Telford Georges, former Chief Justice of the Bahamas. "There are difficulties ... about who will have what, but it's the principles that are agreed, I think."

Australia's former Governor-General Sir Ninian Stephen said Codesa was closer to an agreement "than the extremes in Australia when talking about the constitution we would like next century".

Zimbabwe's first President, the Rev Canaan Banana, said the visitors did not under-estimate the complexities involved "but peace can no longer be delayed".

The observers have indicated no change to the stance on sanctions taken by Commonwealth countries at the Harare summit earlier this year.

t convention

knew more or less what Codesa is about but not what the acronym stands for.

"I think it's Congress for a Democratic South Africa," said Mr Duncan Short of Gardens.

"It's about some chaps getting together to talk about politics but I don't know what it stands for," said a man who would not give his name.

"Isn't it some sort of black unification movement, you know like getting Inkatha and the ANC together?" asked Mrs Smilja Novak, a Yugoslav South African who has been in South Africa for 20 years.

Who will be there:

ARG 20/12/91

National Party: Dawie de Villiers (leader), George Bartlett, Hernus Kriel, Roelf Meyer, Jurie Mentz, Andrew Julies, Jac Rabie, Frik van Deventer, Anne Routier, Peter Marais, Frik van Heerden and Stoffel van der Merwe.

South African Government: F W de Klerk (leader), Pik Botha, Gerrit Viljoen, Kobie Coetsee, Barend du Plessis, Sam de Beer, Rina Venter, Leon Wessels, Piet Marais, Tertius Delport, Abe Williams and Fanie van der Merwe.

African National Congress: Nelson Mandela (leader), Cyril Ramaphosa, Jacob Zuma, Thabo Mbeki, Valli Moosa, Barbara Masekela, Joe Modise, Gertrude Shope, Alan Boesak, Marion Sparg, Peter Mokaba and Sam Shilowa.

Democratic Party: Zach de Beer (leader), Colin Eglin, Ken Andrew, Helen Suzman, Denis Worrall, Kobus Jordaan, Dave Dalling, Peter Soal, E K Moorcroft, Richard van der Ross, M Rajab and D W Gant.

Inkatha Freedom Party: Frank Mdlalose (leader), Walter Felgate, P Satyadeva, D R B Madide, B S Ngubane, I Mars, E T Bhengu, S E Mzimela, Musa Myeni, Suzanne Voss, F X Gasa and E Barnard.

Labour Party: Alan Hendrickse (leader), Miley Richards, Chris April, David Curry, Peter Hendrickse, Ken Lategan, Douglas Josephs, John Douw, Desmond Lockey, William Whyte, Anver Essop and Godfrey Macalagh.

South African Communist Party: Chris Hani (leader), Joe Slovo, Sydney Mufamadi, Ronnie Kasrils, Raymond Mhlaba, Essop Pahad, Blades Nzimande, Tenjiwe Mtintso, Skenjana Roji, John Gomomo, Moses Mayekiso and N Madlala.

Ximoko Progressive Party: Prof Hudson Ntsanwisi (leader), E P P Mhinga, Chief C J M Hlaneki, Chief S D W Nxumalo, Chief M S Muhlaba, Chief M L Nkuna, A E Nkondo, K R Myakayaka, D Z Mtebula, S E Mathumbu, E E Ngobeni andB M Tlakula.

Ciskei Government: Brigadier Oupa Gqozo (leader), N Nogcantsi, Dr H J S Kayser, L W Maqoma, Dr A Pretorius, S V Notshe, B R Tokota, Chief W P Zibi, the Rev Madikane, M Webb, L S Dorrington and S Tanana.

Bophuthaswana Government: President Lucas Mangope (leader), Rowan Cronje, Ephraim Keikelame, Godfrey Mothibe, Tom Setiloane, Gert Nkau, Clement Sehume, Seroke Kgobokoe, Simon Seane, Itomeleng Mogami, Jerry Reid and Schalk Pienaar.

Transkei Government: Major-General Bantu Holomisa (leader), A T Sigcu, P Z Ndamase, M Titus, Z Titus, Miss S N Sigccau, P Holomisa, M Nonkonyana, L L Mtshizana, G Zilwa, L V Ntsubane and N Bebeza.

Venda Government: Brigadier Gabriel Ramushwana (leader), V Landela, T G Ramabulana, K B Magwaba, S M Makhuvha, G M Ligege, E Mulaudzi, T A Mulina, M Ndou, M J Mushasha, T Dau and M Mphaphuli.

Solidarity Party: J N Reddy (leader), I Omar, Y Moolla, K Rajoo, D S Rajah, K Moodley, P I Devan, L Chetty, N Jumuna, Y Makda, A Khan and A S Akoob.

Intando Yesizwe Party: J S Mahlungu (leader), N J Mahlangu, V S Mahlangu, S J Mgidi, E S Masango, J S Mabena, N Mbonani, J S Mabona, M P Mahlangu, M S Mahlangu, C Mahlangu and J L Mahlangu.

United People's Front: Nelson Ramodike (leader), L M Mokoena, M J Mahlangu, M I Moroamoche, M C Ramusi, M J Duba, E M Maswanganyi, N M Malekana, Richard Maponya, I K E Moloko, K A Mariri and R Ramontja.

Inyandza National Movement: M C Zitha (leader), E N Ginindza, S S Ripinga, D S Mkhwanazi, M S Gininda, P M H Maduna, M M Khumalo, E J Mabuza, D Kunene, C Albertyn, E Mabuza and G G Zama.

Dikwankwetla Party: T K Mopeli (leader), R H Mopeli, L C Mota, D T Mokoena, T J Mohapi, S O M Moji, S P Matla, J S S Phatang, R T Ramasia, M M Maekane, M Mopeli and M M Makhalemele.

National People's Party: Amichand Rajbansi (leader), D Govender, R Panday, S Naidoo, H Neerahoo, E Joosab, M Govender, C Naidoo, S Ismail, A S Pillay, A K Bheesham and D K Padiachey.

Conference table will be very U

Political Staff

KEMPTON PARK. — Delegations at Codesa will sit in a U-shaped formation in the same order as at the preparatory talks last month.

The two chairmen, Mr Justice Ismail Mahomed and Mr Justice Petrus Schabort, will sit at the open end of the U.

Treaty.

hair and wears glasses.

West Rand Bureau.

melin

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ccess

'Sad' diplomat leaves Windhoek

STAR 20/12/91 (304A)

WINDHOEK — Outgoing South African Ambassador to Namibia Riaan Eksteen said he would leave Windhoek today with mixed feelings, including sadness at Namibia's lack of appreciation of the changes taking place in his country.

"They don't go out in public to show enough appreciation of the fact there is a new South Africa and a new attitude in South Africa," he said yesterday.

He said he sometimes got the impression the Namibian government and many Namibians still regarded South Africa as the enemy they fought a couple of years ago.

"It's a pity we constantly have to hear that what is wrong in this country (Namibia) is wrong because South Africa caused it to be wrong."

He said he sometimes wondered what the situation would have been inside South Africa if what was invested in Namibia over 70 years had been ploughed into development in SA.

Namibia, he said, sooner or later had a role to play in southern Africa.

Mr Eksteen said he was looking forward to his new posting as ambassador at the United Nations in Geneva. — Sapa.

funereal black

The man behind the scenes

STAR 20/12/91 (304/7)

Former UDF activist Murphy Morobe is "Mr Codesa" — the man charged with organising the historic negotiations now under way. He talks to political reporter KAIZER NYATSUMBA.

ONE MAN surveying today's Codesa meeting with pride and relief is the ANC's Murphy Mafison Morobe, as he has carried Codesa's organisational can for the past two weeks.

It is quite a change of role for Mr Morobe, a former Robben Island prisoner, UDF activist and escaped detainee. From an office in the World Trade Centre he has co-ordinated arrangements for one of the most complicated political gatherings ever staged in South Africa.

His surprise appointment to the job came after a two-day meeting of the Codesa steering committee early last week.

His responsibilities included overseeing the setting up of an infrastructure to prepare for Codesa, and overseeing the deliberations of the crucial preparatory committees.

Mr Morobe (35), born in Orlando East, Soweto, became deeply involved in student politics, eventually becoming deputy president of the Soweto Students Representative Council.

He was one of 11 people found guilty of sedition in 1979 and sentenced to seven years' jail.

When he was released in 1982 he worked for the General and Allied Workers Union, and the following year was involved in the formation of the UDF, an organisation he was later to serve as acting publicity secretary for a number of years.

He was active in the formation of youth congresses in 1988, and represented the UDF on various platforms abroad as well as co-ordinating its One Million Signature Campaign.

Mr Morobe and two others made world headlines in 1989 when they escaped from prison and took refuge at the US Consulate in Johannesburg.

Describing himself as "an eternal optimist", the father of two says he is confident that Codesa will be successful. □

Political Editor **Shaun Johnson** on an early estimate of how the parties will fare

Who'll be who in Parliament?

STAR 20/12/91 (304A)

YOU know the transition process is in full swing when analysts start predicting, in precise figures, the composition of the new South Africa's first Parliament.

This is the stage we have now reached — and the first detailed attempt at non-racial electoral number-crunching will not please the likes of the National and Inkatha Freedom parties.

As delegates scurry through the cavernous halls of the World Trade Centre outside Johannesburg, ready to take their seats at today's historic Convention for a Democratic South Africa, they do so with unspoken but common purpose. Each hopes fervently that, after the series of Codesas, they will be rewarded by the electorate with a seat in parliament or a constituent assembly. Will their hopes be realised?

According to the calculations of Logan Naidu, a prominent Durban-based professional consultant, the answer for a great many of them is no. Drawing on a Development Bank of Southern Africa report on voter estimates, as well as a June Markinor poll and other sources, Mr Naidu has played prophet and come up with a breakdown of party support in a putative constituent assembly. It makes for fascinating reading — although it should obviously be approached with extreme caution due to the arbitrary assumptions any analyst must make, and the volatility and variability inherent in transitional politics.

Mr Naidu proceeds from the basis of the Development Bank estimate of the total number of voters in South Africa (that is people over the age of 18) as of last year. That figure is 17 319 120. In terms of the old-style South African racial breakdown, he divides this up as follows: 13 800 000 Africans, 1 500 000 whites, 1 300 000 coloured people and 642 000 Indians. This gives Africans just more than 80 percent of the vote, whites nearly 9 percent, coloured people a touch more than 7 percent, and Indians a little less than 4 percent.

Assuming a 50/50 split in the African voting population between urban and rural areas, and using available opinion polls, he foresees the following levels of support for existing political parties, expressed in actual votes (percentages in brackets):

African National Congress: 8 609 000 votes (54,2 percent)
National Party: 3 632 000 (22,87)
Inkatha Freedom Party: 694 000 (4,37)
Pan Africanist Congress: 630 000 (3,97)
Azanian People's Organisation: 630 000 (3,97)
South African Communist Party: 630 000 (3,97)
Democratic Party: 482 000 (3,04)
Conservative Party: 315 000 (1,98)
Labour Party: 130 000 (0,82)
Solidarity: 64 000 (0,4)
National People's Party: 64 000 (0,4)

Then assuming, for purposes of the exercise, that a constituent assembly comprises 200 members, and that parties attracting less than one percent of the overall vote do not qualify for representation, Mr Naidu converts these figures into seats for each party as follows:

African National Congress: 110 seats
National Party: 47
Inkatha Freedom Party: 9
Pan Africanist Congress: 8
Azanian People's Organisation: 8
South African Communist Party: 8
Democratic Party: 6
Conservative Party: 4

This would mean that no single party enjoyed a two-thirds majority, but clearly if alliances were constructed the ANC could theoretically achieve this level of control — subject to the co-operation of the PAC and Azapo. The CP would be marginalised, and the DP would have to choose an alliance to increase its influence.

An NP/IFP alliance would be significant, but a minority one nevertheless. Mr Naidu concludes that on the level of pure voter support, "there is only one 'major player' in South African politics — the ANC".

Mr Naidu's prognosis is, like all similar attempts at political crystal ball-gazing, subject to a great deal of scepticism. For example, he has had to estimate rural votes himself — no reliable surveys being available — and he has not included any homeland-based parties, save Inkatha. He has not allowed for the formation of new parties.

Moreover, he is even more vulnerable given his clear personal predilection for the (ANC/PAC) policy of constituting a constituent assembly to negotiate a constitution, rather than arriving at such a result in pre-electoral negotiations. He can therefore be accused of being biased from the outset, and manipulating the figures in order to make the political point that the NP and others are opposing a constituent assembly because they realise the extent to which they will be outnumbered.

This said, however, his exercise is pioneering, thought-provoking — and certainly the first of many. It is also a sign of how quickly South Africa is moving towards a more "normal" brand of politics: party political opinion polls and the extrapolations that go with them are an inevitable adjunct of inclusive democratic systems. □

Mandela shows off his tri-lingual skills

ARG 21/12/91

(304A)

PATRICK LAURENCE
Weekend Argus Political Staff

ANC president Nelson Mandela yesterday drew praise, and some good humoured comment, at Codesa for his linguistic skills.

Mr Mandela, the first speaker to address the conference after it had been opened by Chief Justice Michael Corbett, delivered his message in three languages — English, Afrikaans and Zulu.

He used Afrikaans to note with regret the absence of some political parties from Codesa, including the right-wing Conservative Party and its neo-fascist ally, the Afrikaner Weerstandsbeweging.

Mr Mandela, who honed his Afrikaans during his long years as a prisoner under the supervision of mainly Afrikaner warders, said: "After Codesa the situation in our country is irreversible. The threat of civil war is irresponsible and totally unacceptable."

The 228 delegates heard him say in the language of the majority of his former warders: "The message of the ANC through Codesa is straight forward, clear and for all South Africans — the time for one South Africa, one nation, one voice and one future is here."

Later, Mr Mandela, a member of a royal family in Xhosa-speaking Transkei, addressed the convention in Zulu.

He chose it to emphasis two important points he had already made in English: that freedom for black people was urgently necessary to contain the steady deterioration in their living standards, and that for them, the essence of freedom was the right to vote and that the first democratic election should be held in 1992.

A black woman from the Eastern Cape commented that Mr Mandela was speaking a combination of Xhosa and Zulu. "Soweto Xhosa," she labelled it because it contained Zulu words. She smiled to show that her assessment was devoid of malice.

Murphy Morobe, administrative chief of Codesa, concurred: "He comes from Soweto", when the woman's comment was put to him.

Mr Mandela himself had a different explanation as he came up the stairs from the auditorium where the delegations were seated. "Soweto Zulu," he said, smiling broadly when told of the woman's remarks.



□ **IT HAS BEGUN:** ANC President Nelson Mandela addresses the first session of the Convention for a Democratic South Africa in Johannesburg.

ARG 21/12/91 (3044)

MR ZACH DE BEER
Democratic Party

THOSE who came to Codesa to pursue party political aims without regard to the national interest would be cursed by generations to come.

This was the warning to delegates by Dr Zach de Beer MP, leader of the Democratic Party and chairman of the conference's steering committee.

"Those who have come prepared to subordinate all narrow interests to the general good will have a place among the heroes," he said.

MR NELSON RAMODIKE
United People's Front

CODESA must find ways to bring together all of South Africa, including the self-governing territories and the independent homelands, Mr Nelson Ramodike, the leader of Lebowa's ruling United People's Front delegation said.

He added: "As a nation we have no choice but to live together, to survive together in a spirit of reconciliation."

MR SEWPERSHAD
Natal/Tvl Indian Congress

ONLY through an interim government followed by the election of a Constituent Assembly was there a possibility of peace and an improvement of conditions in South Africa, NIC leader Mr George Sewpershad said.

As leader of the joint Natal and Transvaal Indian Congress delegation, he said there was no doubt that the present government could not lead SA to a democratic future.



☐ **PARTNERS:** President F W de Klerk listens to Foreign Minister Pik Botha at the Codesa meeting.

Staff shed allegiances

BACKROOM staff of the Convention for a Democratic South Africa — drawn from the ranks of the participating 19 governments, political parties and organisations — have been given a new identity.

Yesterday a directive went out to them: you are not allowed to say which party you are from, you have to say that you are "Codesa staff".

Co-operation between different party faithful started with arrangements for the National Peace Convention in September, and continued with the planning of the preparatory talks.

One of the interesting side-shows at Codesa has being billed the "Piet and Saki show". Mr Piet Coetzer, chief information officer of the National Party, and Mr Saki Macozoma, a spokesman for the African National Congress, have been appointed joint spokesmen for Codesa.

They appear before the media, calling each other "my colleague".

One of the bureaucratic tasks facing the Codesa staff was to meet the needs of the more than 400 journalists from around South Africa and the world who had by last night registered to report on the convention.

Chance for place

ARG 21/12/94 (304B)

MR NELSON MANDELA
African National Congress

ANC leader Mr Nelson Mandela appealed to Afrikaner Right-wing groups to stop their wartalk and join negotiations.

Addressing them in Afrikaans at the Codesa meeting yesterday, he said the process to genuine democracy was unstoppable. "After Codesa the situation in our country is irreversible," he said.

Clearly addressing the Conservative Party and other Right-wing groups, Mr Mandela said the ANC regretted that some parties remained outside this important process. It was not too late for them to join Codesa.

"The threats of civil war are irresponsible and totally unacceptable. The time for such talk is long past," he said, noting that history presented all South Africans with a unique opportunity.

"To squander this opportunity on a mismash of empty, negative bravado is to deny the future," he said.

If these groups executed their threats the world would see that they wanted to prolong the suffering of all South Africans and wanted to thwart the country's search for peace.

Mr Mandela, the first political leader to speak yesterday at the opening of the convention in terms of an alphabetical roster, described the event as one which would "be indelibly imprinted" in South African history.

He said the presence of so many parties at Codesa augured well for the future. The diverse interests represented at it spoke of the capacity to develop consensus across the spectrum and of a desire to maximise common purpose among South Africans.

"History will judge us extremely harshly if we fail to turn the opportunity, which it now presents us with, into common good.," he said.

Failure of Codesa was inconceivable. So too was consensus without legal force. "There is absolutely no room for error or obstinacy. The challenge which Codesa places before each one of us is to shackle ourselves from the past and to build anew."

MR CHRIS HANI
SA Communist Party

THE government was either unwilling or incapable of tackling the challenges facing South Africa, which was why the SACP demanded the immediate installation of an interim government of national unity, said SACP general secretary Chris Hani.

He also committed the SA Communist Party to the negotiation process, "with a total commitment to ensuring that the process succeeds".

"The longer the installation of such an interim government is delayed the longer we allow the violence to continue, the more we endanger not only lives at the present moment, but we also build into our culture a sense of the normality of such violence."



☐ **SMILES:** African National Congress President Nelson Mandela and ANC delegate Jacob Zuma share a joke at the opening of South Africa's democracy talks outside Johannesburg last night.

MR DAWIE DE VILLIERS
National Party

LEADER of the National Party Codesa delegation, Dr Dawie de Villiers, expressed his party's deep regret that apartheid had deprived people of their rights and contributed to their misery.

The party was now committed to strive for a non-racial democracy without domination, he said.

Dr De Villiers said that the policy of separation was intended to bring peace to the nation: "That did not materialise. The policy did not produce the anticipated peace, but greater conflict and increasing injustice."

He continued: "It was not the intention to deprive other people of their rights and to contribute to their misery — but eventually it led to just that.

"Insofar as that occurred we deeply regret it," he said

After profound and honest self-searching the NP made fundamental changes to its policies basing them on premises which were morally justifiable.

"We have committed ourselves to strive for democracy without any form of domination. To that we are committed and from that we shall not deviate."

Dr De Villiers made it clear that his party still stood for the protection of minority rights.

He went on: "We have the opportunity to create the basis for economic growth and prosperity. "Unrest and violence must also be brought under control and the safety of our people and the protection of their possessions must be addressed with conviction."

Dr FRANK MDLALOSE
Inkatha Freedom Party

SAYING his party was strongly committed to Codesa, Inkatha Freedom Party national chairman Dr Frank Mdlalose nevertheless made a plea for the inclusion of the Zulu king in the processes.

"There has been conviction in the minds of millions of South Africans that we are capable as a society of coming together across all racial and political barriers to put South Africa first by joining together to work for a new South Africa.

"I commit my party to achieve these goals," said.

Turning to the sudden withdrawal this week of

NRG 21/12/91 (3044)

in history

IFP president Mangosuthu Buthelezi from the proceedings, Dr Mdlalose said King Goodwill Zwelithini had a vital, non-partisan, interest in the abolition of apartheid, hence the action taken by Dr Buthelezi.

BRIG OUPA GQOZO
Ciskei military ruler

CISKEIAN military ruler Brig Oupa Gqozo said the re-incorporation into South Africa of the TBVC states could not be considered until there was a proper constitution.

"Ciskei cannot be re-incorporated into a constitutional vacuum. There must be a timeframe and the re-incorporation of the TBVC states must be jointly discussed," he said.

Dr T K MOPELI
Dikwankwetla Party

WITH the commencement of the convention for a democratic future a new order was being established and there was no turning back, QwaQwa Chief Minister Dr T K Mopeli said.

Speaking in his capacity as leader of the Dikwankwetla Party of QwaQwa, he said the convention was meeting physical force with "soul force and was conducting the struggle on the plane of dignity and discipline".

Dr J N REDDY
Solidarity Party

CODESA could be a major force to ensure that minorities played a role in the post-apartheid South Africa, Solidarity Party leader Dr J N Reddy said.

Addressing a Press conference at the World Trade Centre, he said the S P wanted to ensure that this dimension was addressed by Codesa.

"The Solidarity Party wants minority inclusion on all levels. We can't afford the luxury of a winner takes all situation in South Africa."

PRINCE MAHLANGU
Intando Yesizwe of kqwaNdebele

PRINCE James Mahlangu, leader of the Intando Yesizwe of kqwaNdebele appealed to the government to reconsider the plight of political prisoners.

"I ask the government of South Africa to seriously consider the question of political prisoners."

Mr M ZITHA
Inyandza National

"We must all try to ensure that Codesa succeeds; but it has the potential of being derailed and undermined if the government of the day does not give legal force to Codesa," the party's president, Mr M Zitha, warned.

He appealed to all the leaders at the convention, and again mentioned the government by name, "to adopt a give-and-take approach in a spirit of consensus".

AMICHAND RAJBANSI
National People's Party

THE National People's Party would put a case at Codesa, without fear, for the rights of minorities, NPP leader Mr Amichand Rajbansi said at the convention.

"I must warn that, collectively, minorities can form a powerful force and hold the balance of power to decide who will govern this country.

"Nothing must be done to halt the momentum in South Africa today ... future generations must look back at Codesa with pride."

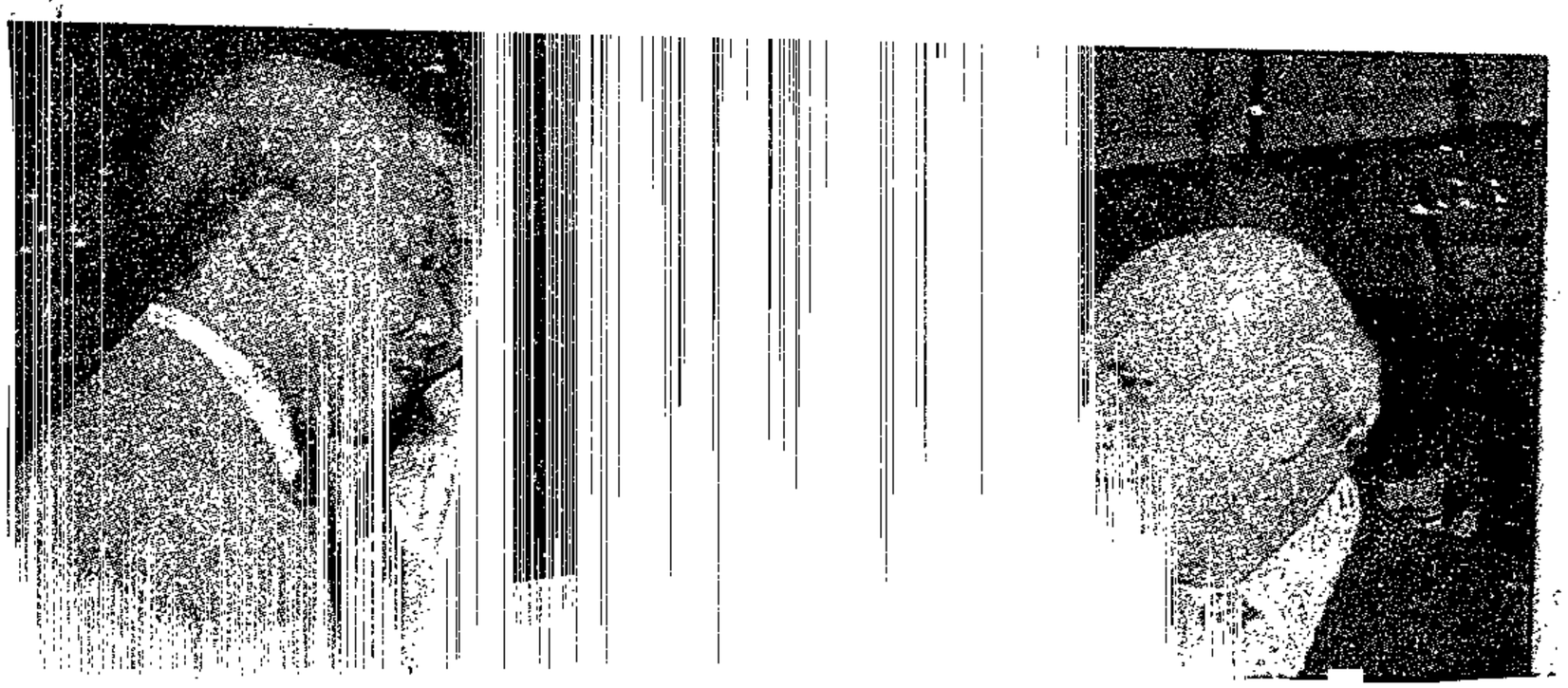
C • O • D • E • S • A

WHAT A DAY OF DRAMA!

B04A ARG 21/12/91

Another F W

masterstroke



ALAN DUNN and ESTHER WAUGH
Weekend Argus Political Staff

IN a breathtaking policy switch President De Klerk has consented to prompt one-person, one-vote elections to form a parliament, including black MPs, which would write a new constitution.

"The government is amenable to a negotiated form of transitional government being implemented expeditiously in a democratic and constitutional manner," he told the Convention for a Democratic South Africa (Codesa). "A newly constituted parliament may

His bombshell announcement means that all South Africans could go to the polls, in terms of an interim constitution, before a new constitution is finally negotiated.

Elected MPs of all races would then form an interim government which would serve as a constituent assembly forging a final constitution.

"It is the government's honest conviction that such a step is the shortest democratic and constitutional route to the aims we share with one another and to the elimination of the many differences that still exist among us," he said.

Mr De Klerk noted that a genuinely representative government, which could happen "within a short time", would not only administer the country, but would also take the lead in further constitutional reform.

"The composition of parliament, too, should be changed during this initial phase already to include the total population in an equitable manner," he said.

The government was ready to table specific proposals on this for negotiation.

Mr De Klerk's shift, following steadfast government rejection of an interim government and con-

MORE REPORTS, PICTURES PAGES 6, 7 and 20

stituent assembly, appears to move it closer to the position of the African National Congress and its allies.

But Mr De Klerk stressed that the government would not consider the suspension of the present constitution, which the ANC wants: "Any substantive constitutional amendments, even if they are aimed at transitional measures only, will have to be adopted by parliament after a mandate has been obtained by means of a referendum."

ANC leaders welcomed the unexpected announcement as a decided shift in National Party policy, noting that the government was "bending" and preparing its voters for the inevitable.

ANC president Mr Mandela said he had not studied the new proposals. If Mr De Klerk was referring to a sovereign interim government, "then we are speaking the same language".

But the ANC would have serious differences with the government if it had anything short of that in mind.

He said the NP had joined the ANC's three-year-old call for an interim government and constituent assembly.

However, Mr De Klerk hinged further progress in the search for a negotiated settlement on the ANC abandoning its armed struggle.

"The heart of the problem is the following: the ANC has not yet terminated what it has itself defined as the 'armed struggle'."

He accused the ANC of not honouring undertakings in the Pretoria Minute and D F Malan accord and of resorting to delaying tactics.

"An organisation which remains committed to an armed struggle cannot be trusted completely when it also commits itself to peacefully negotiated solutions," he said.

It was not imperative for the ANC and others wishing to take part in negotiations to terminate armed struggle before they could really enter into "binding, legitimate, reliable and credible peaceful agreements".

Bilateral negotiations with the government would continue with the ANC and others over this obstacle.

The National Party was evasive last night about

■ Turn to page 3

ARG

21/12/91

304A

Bitter row



BEFORE THE ROW . . . Face to face at the start yesterday's Codesa talks are President F W de Klerk and Mr [illegible]

As De Klerk agrees to an interim govt

CT 21/12/91 (304A)

From ANTHONY JOHNSON
Political Correspondent

JOHANNESBURG. — The carefully nurtured spirit of reconciliation at Codesa was shattered last night when ANC president Mr Nelson Mandela launched a blistering personal attack on President F W de Klerk.

Mr Mandela's 25-minute tirade followed soon after 15 of the 18 parties attending the historic Codesa negotiations signed a Declaration of Intent to work towards a non-racial democracy in South Africa.

A clearly rattled Mr De Klerk hit back with an blistering 15-minute response to what he called Mr Mandela's "very, very hurtful" allegations, saying there was "only one party attending Codesa (the ANC) with a private army and illegal arms caches".

The riveting exchange in the full glare of international television cameras held surprised delegates and international dignitaries spellbound and completely overshadowed a number of dramatic developments on the first day of the watershed convention.

Shortly before the explosive clash between the two leading players at the negotiations, Mr De Klerk surprised delegates by giving the green light to the speedy introduction of a transitional government "broadly representative of the total population".

He said the government was prepared to begin negotiating immediately on amending the constitution and changing the composition of Parliament to include blacks "in an equitable manner".

In a clear bid to get around the key ANC and PAC demand for a constituent assembly, Mr De Klerk announced: "I wish to state today in clearer terms than ever before that the government is amenable to a negotiated form of transitional government being implemented expeditiously in a democratic and constitutional manner.

"A newly constituted Parliament may be part of it. That would produce an entirely new dimension in the debate about a constituent assembly."

The ANC leader told a press conference last night that Mr De Klerk appeared to have "joined the call for an interim government" but emphasised that the significance of his proposal would depend on whether the new body would be accorded sufficient "teeth or power".

In other dramatic developments yesterday:

● Mr Mandela put down a mini-revolt within the ANC national working party in which he said he was almost "lynched" because of the failure of the Declaration of Intent clearly to force Codesa decisions to have the force of law.

● The Inkatha Freedom Party tried to throw another spanner in the negotiation

To page 2

Inside:

APARTHEID: CAPE NAT LEADER 'SORRY'

HANI LAYS DOWN MK DEAL ON ARMS

THE LIGHT C

Fiery first round as leaders clash over MK

STAR 21/12/91

AN extraordinary gloves-off exchange between State President F W de Klerk and ANC leader Nelson Mandela at the opening session of Codesa is being seen as the opening shots in the battle for control of South Africa.

Their confrontation has proved in the most dramatic way that old style politics are dead and the new has arrived.

In a confrontation unprecedented in South African politics, stunned delegates and dignitaries heard Mr Mandela publicly harangue Mr de Klerk for nearly half an hour in the closing session of the first day of the Convention for a Democratic South Africa.

The issue was the continuing existence of Umkhonto weSizwe, the ANC's armed wing, which Mr de

SHAUN JOHNSON
Political Editor

Klerk had attacked in his opening remarks at Codesa on behalf of the Government. Mr de Klerk had issued an apparent ultimatum to the ANC to dismantle its armed wing, or disqualify itself from entering into binding agreements.

Drama

The drama began after the signing of the Codesa Declaration of Intent by 16 of 19 delegations, when Mr Mandela requested permission from Codesa co-chairman Mr Justice Ismail Mahomed to "raise a matter of national importance".

He took the podium and accused Mr de Klerk personally of using the last speaking slot granted to him by the ANC to "launch an attack on the ANC, and in doing so he has been less than frank".

"He has abused his position because he thought I would not reply," said Mr Mandela. "He was mistaken, because I am replying now."

A calm but icy Mr Mandela said "even the head of an illegitimate, discredited minority regime (Mr de Klerk) has certain standards to uphold ..."

Mr Mandela said Mr de Klerk had given no indication in a telephone conversation the night before Codesa that he would raise the issue in such a way.

The ANC leader, using

● TO PAGE 2.

Mandela, FW clash

● FROM PAGE 1.

the angriest language to pass publicly between himself and the president, said Mr de Klerk had to "forget (the idea) that he can impose conditions on the ANC ..."

Mr Mandela said the Government spoke from a position of weakness because it had failed to stop violence in the country, and berated Mr de Klerk for trying to undermine the ANC.

The ANC realised that neither it nor the NP should undermine each other, Mr Mandela said, because that would not be in the interests of the country.

Mr Mandela said the president had distorted the situation about Umkhonto, and claimed that confidence had been broken about ongoing discussions on the subject. The ANC would not "commit suicide" by disbanding Umkhonto now, he said.

"He can do what he likes. We are not going to disband Umkhonto weSizwe."

He also lambasted the Government for "using taxpayers' money to fund certain political organisations", and contemptuously dismissed Mr de Klerk's recent statement that he "had not known" about official money for an Inkatha rally in January.

"If he didn't know, then he isn't fit to be the head of a government," Mr Mandela said.

He paid indirect credit to Mr de Klerk as a reformer, but said he had to "work together openly" with the ANC.

Mr de Klerk, who heard the protracted attack in silence, was eventually granted the right of reply by co-chairman Mr Justice Piet Schabort.

"I do not intend to attack Mr Mandela," he began. "I prefer to play the ball and not the man."

A visibly charged Mr de Klerk then launched into a rebuttal of Mr Mandela's accusations, saying it was a vital matter of principle that no party should have a private army.

Mr de Klerk said he had reluctantly raised the issue at Codesa because no progress had been made in extended meetings with the ANC on the subject.

He said he had no intention of apologising for his words.

"Yes sir, I said it ... (We cannot have) a party with a pen in one hand and claiming the right to hold arms in the other."

Mr de Klerk said the disagreement was an example of "how democracy should really work", adding that he "hoped that having cleared the air in the best interests of South Africa, we will find a way to resolve the problem".

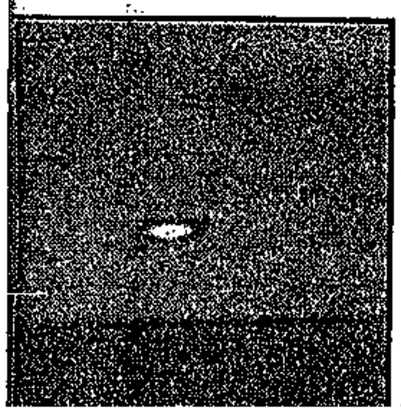
He then made an impassioned plea for goodwill at Codesa.

Mr Justice Mahomed attempted to defuse the tense situation when closing Codesa's first session, saying "no one believed the journey would be easy. But it is a journey we must make. Let the exchange of the last half hour or more not detract from what the Declaration of Intent has said."

nocratic constituent assembly

esa bombshell

STAR
21/12/91 (304A)



PETER FABRICIUS
Political Correspondent

PRESIDENT de Klerk has dropped the first Codesa bombshell by announcing that the Government is ready to accept a democratically elected interim power-sharing government which will govern the country and negotiate a new constitution.

Observers believe that the far-reaching announcements in effect mean that the Government has conceded to the demand for an elected constituent assembly to negotiate a new constitution.

He made the announcements on the dramatic first day of Codesa — the Convention for a Democratic South Africa — at the World Trade Centre near Jan Smuts Airport.

Earlier, 16 of the 19 parties and governments taking part in Codesa launched negotiations for a new constitution by signing a Declaration of Intent, committing themselves to basic democratic principles and to abide by the agreements reached at Codesa.

Only the Inkatha Freedom Party, the Bophuthutswana government and the Ciskei government refused to sign, arguing that they needed further negotiations to allay their concerns that their existence might be jeopardised.

Their objections will be examined in Codesa structures.

Mr de Klerk said his proposed transitional government, as he called it, would be broadly representative of all South Africans and would not only go-

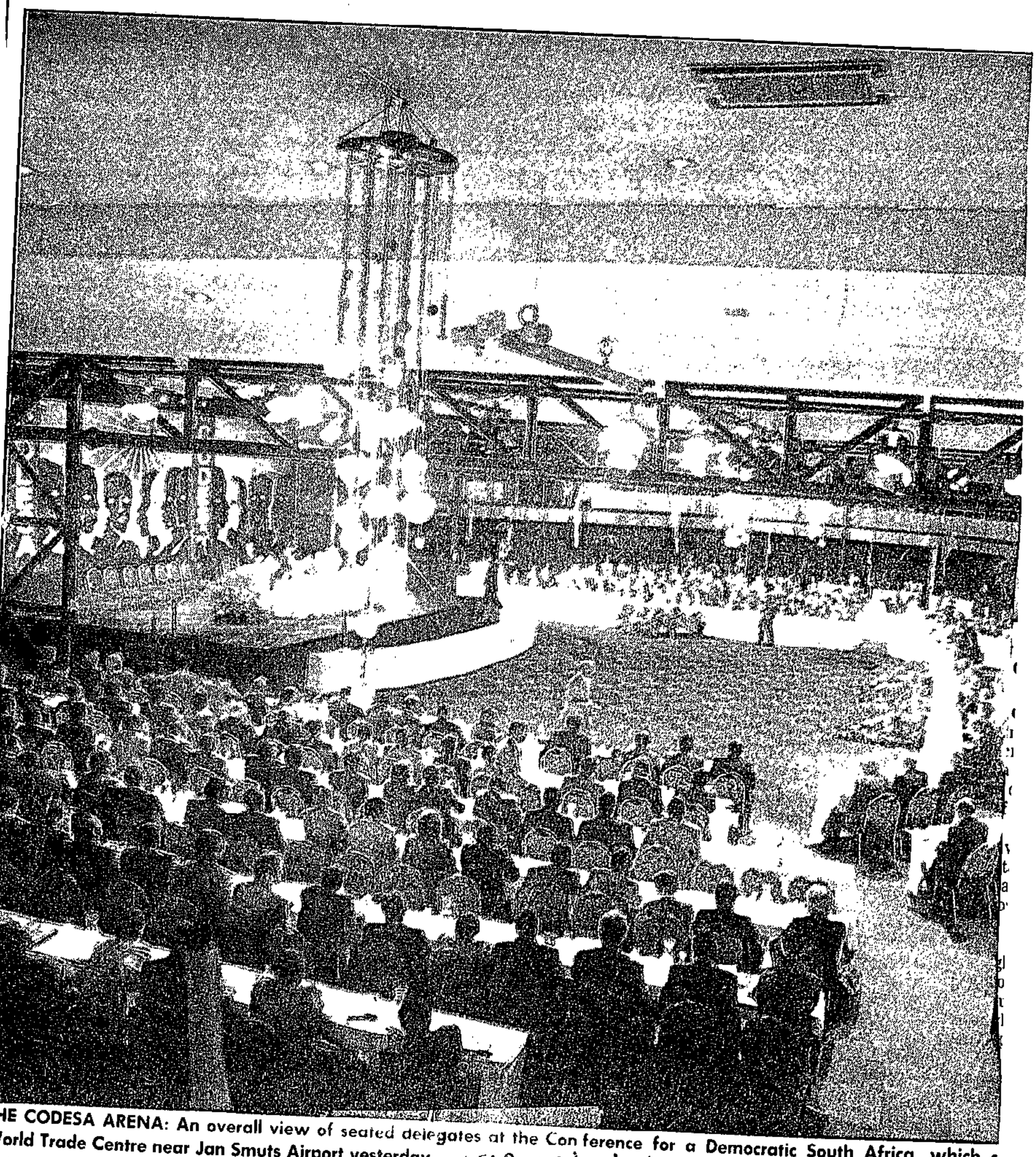
of under way at the
ograph: ALF KUMALO

● TO PAGE 2.

STAR 6/11/91 (3&4A)

Govt ready to grant de

F W's Cod



THE CODESA ARENA: An overall view of seated delegates at the Conference for a Democratic South Africa, which s
World Trade Centre near Jan Smuts Airport yesterday. STAR 27/12/91 (304A) ● Pho

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F W, Mandela clash over disarming of ANC

STAR 21/12/91 (3044)

IT WAS unacceptable for State President de Klerk to insist that the African National Congress hand over its arms to those regarded by the people as responsible for the ongoing massacres, ANC president Nelson Mandela said yesterday.

Speaking at a press conference after the first day of Codesa, he said that the perception still existed among blacks that innocent people were being murdered by elements in the security forces.

"No political organisation can commit suicide as he (Mr de Klerk) is recommending," he said.

Mr Mandela said death squads continued to prowl the country and the right-wingwas arming itself.

"It is therefore unacceptable for him to insist we hand over our arms to those regarded as responsible for the massacres."

Mr de Klerk's remarks at Codesa had been unacceptable, as he had raised issues which were unresolved and were the subject of ongoing bilateral discussions between the government and the ANC.

Asked if Mr de Klerk's actions would affect their relationship, Mr Mandela said: "The incident occurred, it is past and I have forgotten about it."

Despite the acrimony, the ANC agreed to sign the declaration of intent drawn up by Codesa.

Mr Mandela revealed that it had agreed to do this despite reservations by the national working committee of the ANC.

He said the NWC had wanted him to insist on an amendment proposing that all political parties and the Government should give legal effect to decisions taken by the convention.

"Mr de Klerk persuaded me not to press this demand," he said. — Sapa.

Historic declaration of intent launches summit

STAR 21/12/91

(304A)

PETER FABRICIUS
Political Correspondent

NEGOTIATIONS for a new constitution were successfully launched yesterday, when 16 of South Africa's main political organisations signed a declaration of intent commiting themselves to basic democratic principles.

The historic declaration was signed by the Government, two homeland governments and 13 political parties after a day of high drama and behind-the-scenes bargaining.

By signing it, they also committed themselves to abide by the agreements Codesa will reach on crucial issues such as interim government and a constituent assembly.

Three of the delegations at Codesa — those of the Inkatha Freedom Party, and the Bophuthatswana and Ciskei governments — refused to sign the declaration, which was scheduled to be the centrepiece of the convention.

However, all three have remained in Codesa and announced that they will try to resolve their problems about the declaration through the mechanism of negotiations in Codesa's committees.

Objections

All three objected that declaration would commit them to abide by decisions which might jeopardise their existence as separate entities.

And ANC president Nelson Mandela revealed that the ANC had come close to rejecting the declaration.

He said the ANC's national working committee had argued all day on Thursday about the declaration before instructing him to telephone Mr de Klerk to try to persuade him to amend it.

The NWC wanted a single but vital word added so that the Government and other parties commited themselves to give "legal" force to Codesa decisions.

In a conversation on Thursday night, Mr de Klerk had persuaded him in the interests of unity not to demand the changes, he said.

He said he had agreed, even though some of his colleagues wanted to "lynch" him as a result.

The IFP objected to the declaration largely because they feared a commitment to "an undivided South Africa with one nation" would undermine the federal option.

'We're sorry for apartheid'

STAR 21/12/91. (3041)

NP apologises as Codesa paves way for new SA

PETER FABRICIUS, SAPA and OWN CORRESPONDENT

THE NATIONAL Party has "officially" apologised for apartheid, for the first time.

National Party Cape leader Dr Dawie de Villiers expressed "deep regret" that the NP's past policy of separation had created greater conflict and increasing injustice.

He was speaking yesterday as the leader of the NP's delegation at Codesa, held at the World Trade Centre near Jan Smuts Airport.

"It was not the intention to deprive other people of their rights and to contribute to their misery — but eventually it led to just that," Dr de Villiers said. "Insofar as that occurred we deeply regret it."

Dr de Villiers's statement was interpreted by senior NP MPs as an official apology for apartheid — something that has been long demanded of the NP but which it has not so far given.

Inkatha Freedom Party national chairman Dr Frank Mdlalose committed the IFP to Codesa and its aims, but made a strong plea for the inclusion of Zulu King Goodwill Zwelithini.

The king could play a vital, non-partisan role in abolishing apartheid and he fully supported IFP leader Chief Mangosuthu Buthelezi's decision to pull out of the talks in his capacity as KwaZulu leader. Chief Buthelezi had to stand by his king and his people, who wanted to make their contribution to the emergence of a "new and just land".

Ciskei leader Brigadier Oupa Gqozo said the independent homelands could only be reincorporated into South Africa once a proper constitution was in place. He was opposed to a "simplistic solution" of majority rule and said he would support a federal system with proportional representation and a bill of rights.

Federalism would protect the civil service, which was equipped to take care of regional matters.

He warned against leaders unrealistically raising expectations which they could not meet and said the present Government should be kept in place until a negotiated settlement was

The Convention for a Democratic South Africa (Codesa) yesterday took the first steps down the road to a new South Africa. Here are extracts from some of the



system and he was confident there would soon be peace and stability.

President F W de Klerk lashed out at the ANC for not terminating the armed struggle and thereby breaking undertakings of the Pretoria Minute and the DF Malan conference.

He had considered making the disclosure of armed caches a precondition for signing the peace accord but did not do so because of renewed undertakings by the ANC.

National Party delegation leader Dr Dawie de Villiers expressed deep regret that apartheid had deprived people of their rights and said the NP was committed to strive for nonracial democracy.

Apartheid was intended to bring peace to the nation but had instead brought greater conflict and increasing injustice.

After profound and honest self-searching, the NP had made fundamental changes to its policies, basing them on premises which were morally justifiable.

The NP did not intend repeating its mistakes and did not intend to allow proven mistakes of other systems or policies to be duplicated in South Africa, he said.

It was trusted that an acceptable way could be found to allow the Zulu king and other traditional leaders with special status to join the negotiation process.

This was in line with the NP's position that there should be three tiers of government — local, regional and national.

In a statement released at the conference, the NP also said it regretted that the ANC was still calling for sanctions.

This was not in line

Nightmare time for CP

STAR 21/12/91. (304)

Undercurrent Affairs

SHAUN JOHNSON



KEMPTON Park. A name to conjure with? Well, actually, yes — at least as far as this weekend is concerned.

Kempton Park is, surely for the first time in its history, the place to be at the moment. Everybody who's anybody is in Kempton Park.

The opening of Codesa at the ungainly and unlikely World Trade Centre has left the good burghers of Kempton Park in a slightly bemused frame of mind.

In addition to the incessant noise of jets landing and taking off at nearby Jan Smuts, they now peer out of their windows at convoys of black Mercedes-Benzes, ferrying in far too many dignitaries for comfort.

You can look at the choice of Kempton Park as the geographical symbol of our future in a number of ways.

Cynics might say that this is merely confirmation of an across-the-racial-board lack of gravitas (not to mention taste) among South Africans.

Others might argue that this is entirely appropriate, bringing politics back to the people — the rarefied likes of Groote Schuur have had their turn.

In the end, of course, we can make jokes about it but it doesn't matter where the thing is held. Bapsfontein or Ballymucky would have been just as good, because what matters is what is happening inside.

What is happening inside is absolutely historic.

The first crack has appeared in the National Party Government's 40-year-plus hold on exclusive state power. Like any crack in a wall or a windscreen, it will grow in time.

The question is, how quickly?

If things proceed as well as they have begun, the prospects are good that the transition will occur with speed — and the support of all concerned.

So much for what was happening inside the World Trade Centre. Outside, some 200 Conservative Party members gathered wanly to register their protest.

They had good reason to, from their point of view.

The Government's faltering steps toward genuine power-sharing — especially its agreement that a multiparty group will help draft legislation for Parliament — is very bad news indeed for the CP.

Not being idiots, CP leaders realise that, if they thought they had a hard time in Parliament in the last session, next year's is going to be nightmarish.

Consider this: The official opposition in the House of Assembly will be faced with a National Party promoting Bills which, in some cases, will have been inspired by the ANC.

Moreover, the other tricameral parties (Codesaphiles one and all) will be in on the act too.

Like the schoolyard nerd facing the school gang, the CP will not have a chance. It will simply be steamrollered.

Little wonder then that Clive Derby-Lewis was hopping up and down in Kempton Park, yelling about the "puppet show" going on inside the hall, with the puppet master, George Bush, pulling the strings in Washington.

Codesa is going to make an already unpleasant life untenable for the CP.

The process that Codesa represents is having a dramatic effect on the placing of parties along the political spectrum.

A wide range of formerly antagonistic groups are converging within Codesa, at a startling rate.

As they do so, the distance between the middle and the extremes on either side, increases.

Because of the isolation that distance brings, tremendous pressure is exerted on the outsiders. We see it in the PAC, we could well see it in the CP.

Codesa is hurting the CP, and will hurt it more in time.

Will the party decide on principle to pull out of Parliament, rather than rubberstamp the "'sell-out"'? Unlikely — there are jobs at stake, among other things.

Will the party lapse into an angry, impotent sulk? Unlikely — emotions are too high.

Will the party split, finally, into its pro- and anti-negotiations factions? Possible — and more so after the doings in Kempton Park.

When analysts start predicting, in precise figures, the compo New South Africa's first parliament, it means the transition full swing. **SHAUN JOHNSON** of the Weekend Argus Pol reports on the first detailed assessment of the non-racial numbers crunch.

Who'll be w parliamen

AS delegates scurried through the cavernous halls of the World Trade Centre outside Johannesburg during the first day of the historic Convention for a Democratic South Africa, there was an unspoken but common purpose.

Each had fervent hopes that, after the series of Codesas, they would be rewarded by the electorate with a seat in the new parliament or in a constituent assembly.

Will their hopes be realised?

According to the calculations of Logan Naidu, a prominent Durban-based professional consultant, the answer for a great many of them is no.

Drawing on a Development Bank of Southern Africa report on voter estimates, as well as a June Markinor poll and other sources, Mr Naidu has played prophet and come up with a breakdown of party support in a putative constituent assembly.

It makes for fascinating reading - although it should obviously be approached with extreme caution due to the arbitrary assumptions any analyst must make and the volatility and variability inherent in transitional politics.

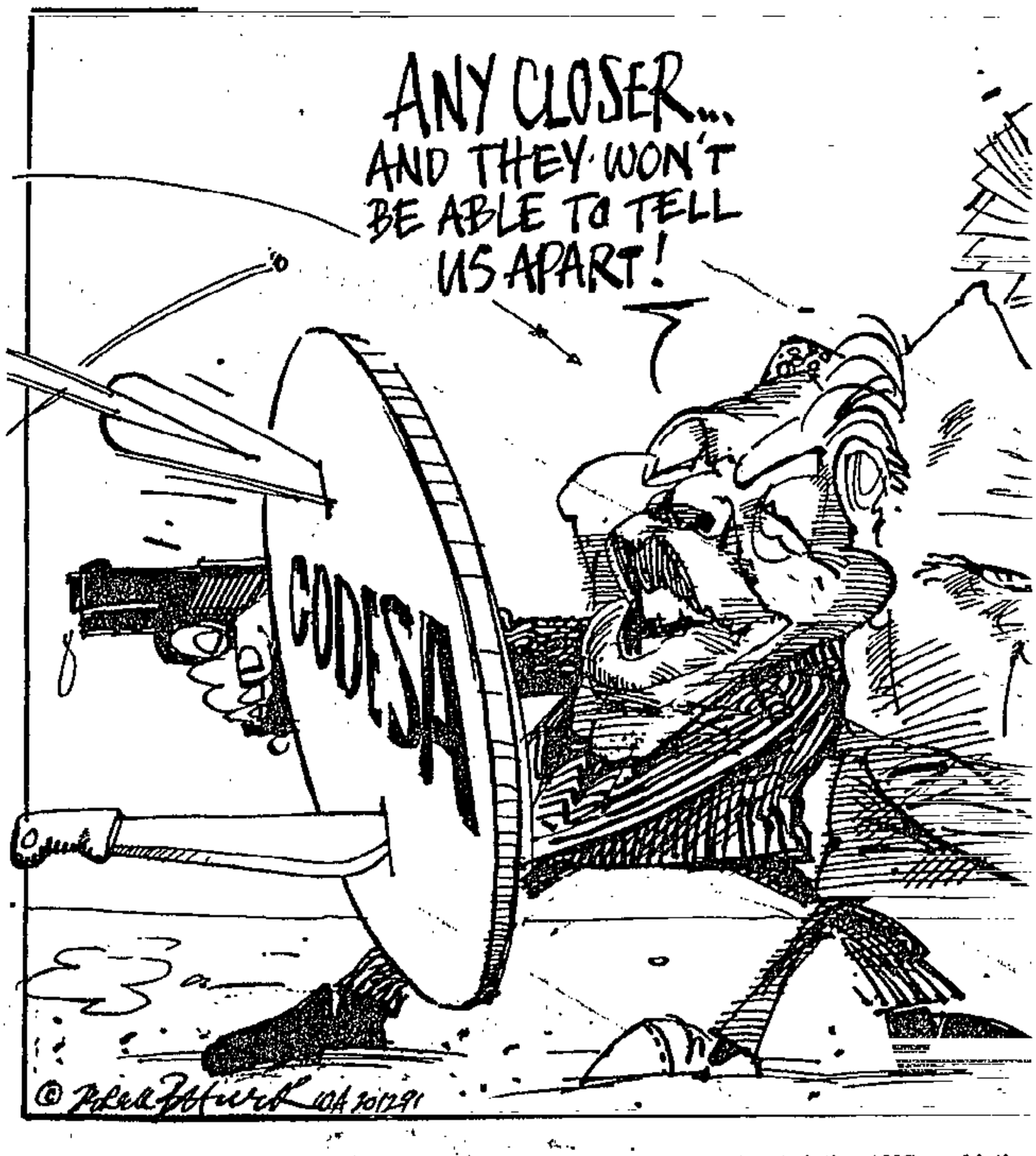
Mr Naidu proceeds from the basis of the Development Bank estimate of the total number of voters in South Africa (that is people over the age of 18) as of last year. That figure is 17 319 120.

In terms of the old-style South African racial breakdown, he divides this up as follows: 13 800 000 blacks, 1 500 000 whites, 1 300 000 coloured people and 642 000 Indians.

This gives blacks just more than 80 percent of the vote, whites nearly nine percent, coloured people a touch more than seven percent and Indians a little less than four percent.

Assuming a 50/50 split in the African voting population between urban and rural areas, and using available opinion polls, he foresees the following levels of support for existing political parties, expressed in actual votes (percentages in brackets):

African National Congress: 8 609 000 votes (54,2 percent)
National Party: 3 632 000 (22,87)
Inkatha Freedom Party: 694 000 (4,37)
Pan Africanist Congress: 630 000 (3,97)
Azanian People's Organisation: 630 000 (3,97)
South African Communist Party: 630 000 (3,97)
Democratic Party: 482 000 (3,04)
Conservative Party: 315 000 (1,98)
Labour Party: 130 000 (0,82)



Solidarity: 64 000 (0,4)
National People's Party: 64 000 (0,4)

Then assuming, for purposes of the exercise, that a constituent assembly comprises 200 members and that parties attracting less than one percent of the overall vote do not qualify for representation, Mr Naidu converts these figures into seats for each party as follows:

African National Congress: 110 seats
National Party: 47
Inkatha Freedom Party: 9
Pan Africanist Congress: 8
Azanian People's Organisation: 8
South African Communist Party: 8
Democratic Party: 6
Conservative Party: 4

This would mean that no single party enjoyed a two-thirds majority, but clearly if alliances were constructed the ANC could achieve this level of control - subject operation of the PAC and Azapo.

The CP would be marginalised, would have to choose an alliance to influence.

An NP/IFP alliance would be a minority one nevertheless.

Mr Naidu concludes that on the voter support, "there is only one in South African politics - the ANC".

Mr Naidu's prognosis is, like all tempts at political crystal ball-ga to a great deal of scepticism. For has had to estimate rural votes himsel liable surveys being available - and included any homeland-based parties, katha. He has not allowed for the new parties.

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HAUN JOHNSON of the Weekend Argus Political Staff

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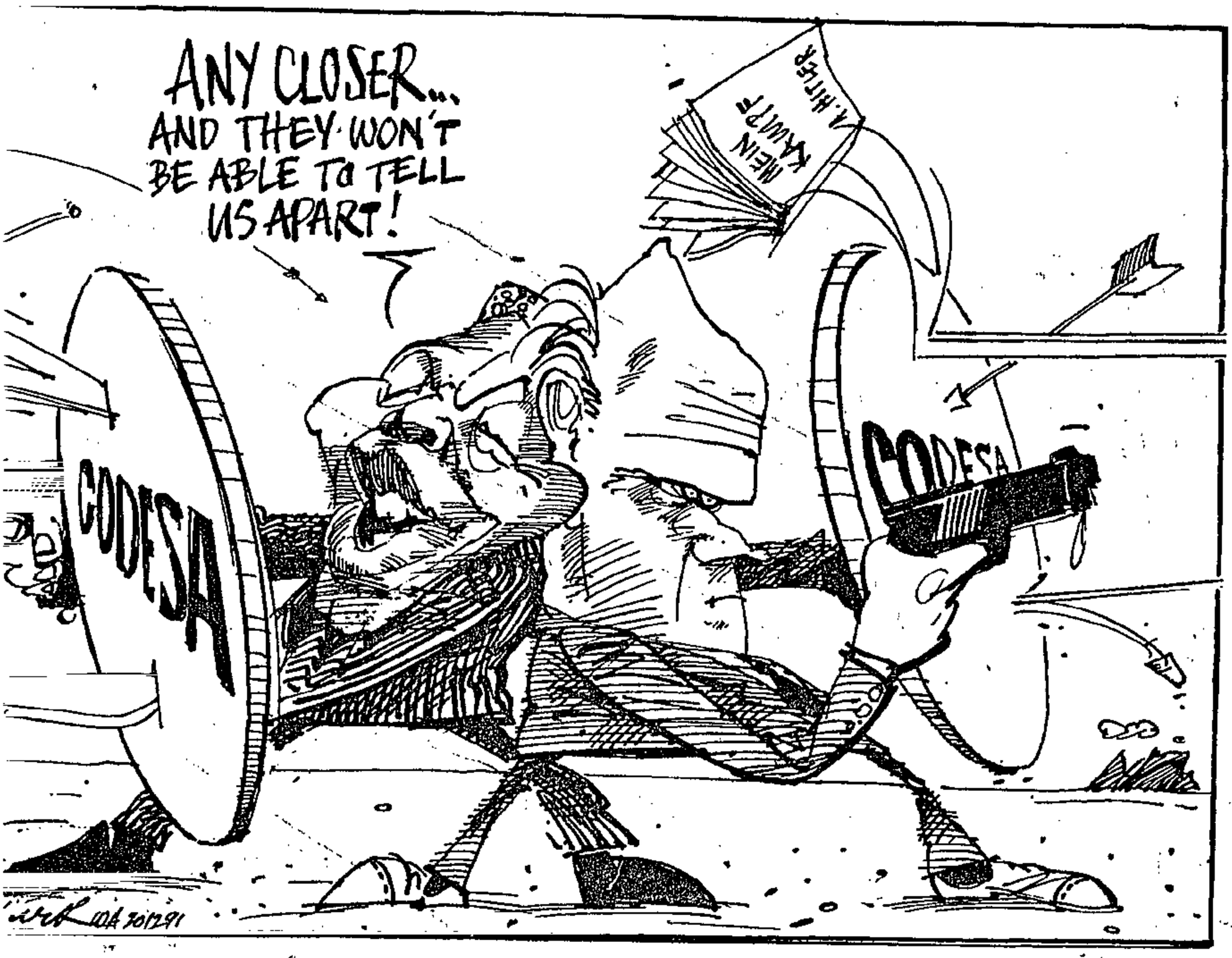

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The CP would be marginalised, and the DP would have to choose an alliance to increase its influence.

An NP/IFP alliance would be significant, but a minority one nevertheless.

Mr Naidu concludes that on the level of pure voter support, "there is only one 'major player' in South African politics - the ANC".

Mr Naidu's prognosis is, like all similar attempts at political crystal ball-gazing, subject to a great deal of scepticism. For example, he has had to estimate rural votes himself - no reliable surveys being available - and he has not included any homeland-based parties, save Inkatha. He has not allowed for the formation of new parties.

Moreover, he is even more vulnerable given his clear personal predilection for the (ANC-/PAC) policy of constituting a constituent assembly to negotiate a constitution, rather than arriving at such a result in pre-electoral negotiations. He can therefore be accused of being biased from the outset, and manipulating the figures in order to make the political point that the NP and others are opposing a constituent assembly because they realise the extent to which they will be outnumbered.

This said, however, his exercise is pioneering, thought-provoking - and certainly the first of many.

It is also a sign of how quickly South Africa is moving towards a more "normal" brand of politics: Party political opinion polls and the extrapolations that go with them are an inevitable adjunct of inclusive democratic systems.

War threat by AWB

ARG 21/12/91

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VENTERSDORP. — The Afrikaner Weerstandsbeweging has threatened war if decisions taken at Codesa are enforced.

"Any attempt by Codesa to enforce its illegitimate discussions or actions will be considered by the AWB as an act of war and will be treated as such," the rightwing organisation said in a statement last night while President De Klerk was sharing with Codesa the government's willingness to admit black people to parliament.

"If ever the peace loving and law abiding Boers were to be aroused into resistance and total rejection of this renegade government we have now arrived at that moment in our history," the AWB said.

The "Boer people" regarded Codesa as a means to force them "into a unitary state to be governed by black majority rule".

The AWB could not be expected to ask the consent of communists to possess land "pleaded from God in prayer and paid for by the corpses of women and children." — Sapa.

POLITICAL PERSPECTIVES

Leaving out PAC and AWB is asking for trouble

(304A ARG 21/12/91

NEGOTIATIONS are all about compromise, flexibility and not being too rigid.

Government agreeing to give Codesa a role in drafting legislation to give effect to its decisions is welcome because it gives teeth to the multi-party negotiations for a new constitution.

Real progress can now be made. It's a pity that the Pan Africanist Congress, Afrikanerweerstandsbeweging and others won't be there to help shape South Africa's new constitution.

Getting them involved in the process remains a priority. A lasting settlement can only be reached if as many parties as possible have a hand in moulding it.

Leaving out groupings with causes to rally around is asking for trouble.

Why two NP reps?

JUST why is it necessary for the National Party to be represented at Codesa in two delegations?

It is there in the form of government and also as the NP. Is there a difference between the two? Since when has the NP changed from being the ruling party?

Unless its Codesa partners have a good reason for this anomaly, they should not go around shouting foul when the going gets tough.

By then it may be too late.

With this precedent having being set can one blame that Petulant Politician, Chief Mangosuthu Buthelezi, for insisting that Zulu King Goodwill Zwelithini and Inkatha Freedom Party have two delegations at Codesa as well?

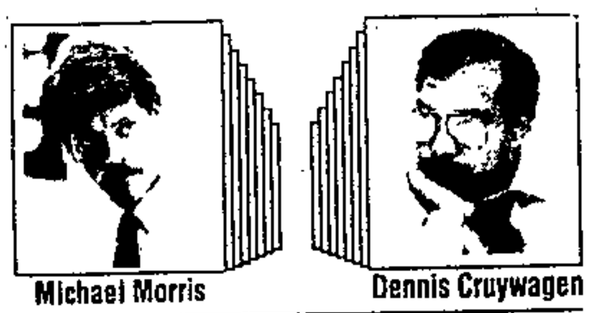
Give peace a chance

IF the PAC's two-day consultative conference proved one thing it is that the black nationalist movement has not lost its militance.

Chants of One Settler One Bullet served to remind that while the PAC has officialy dissociated itself from this slogan, many of its supporters have not.

Problem with this is that Africa wants a settlement here. South Africans are tired of violence and the South African situation no longer dominates the front pages of overseas newspapers.

It's all very well talking about continuing the struggle. But peace is important too.



Michael Morris — Dennis Cruywagen

A weekly analysis of the emergent new South Africa

This column understands the PAC's reasons for turning its back on Codesa. However, peace is what we need now.

And that's all for now

SINCE this is the season of goodwill, this column, the last one this year, has decided to hand out some Christmas presents.

They are:

Quote of the Year goes to Patrick McKenzie, National Party MP for Bonteheuwel, for his: "A lot of public representatives are nothing but a lot of backstabbers."

He said he now understood the meaning of the phrase Et tu Brute uttered by Julius Caesar, and the Biblical reference to Judas betraying Christ. All this before he joined the National Party.

Most Sincere Politician: Mr Patrick McKenzie.

Blunders of the Year: Awarded to the PAC for circulating the "secret" minute of a briefing given to Frontline State representatives by the ANC's Mr Thabo Mbeki and to the SAP for helping to fund Inkatha Freedom Party rallies.

Thickest skull in the Nation: Given to General Magnus Malan for still defending the CCB.

Moaner of the Year: Chief Mangosuthu Buthelezi.

People of the Year: Still under consideration.

Newsmaker of the Year: Too many to mention.

Fool of the Year: Cannot be named for fear of litigation.

Dreamer of the Year: Eugene Terre' Blanche.

Gift of the Year: Zulu cultural weapons.

● A sincere thank you for all the Christmas cards posted to the writers of this column. Our hope is that all our readers commit themselves to making this a safe Festive Season. This column will resume in the New Year.

C·O·E

3044
ARGS 21/12/91

Si--teen sign of long roac

PETER FABRICIUS
Political Staff

NEGOTIATIONS for a new constitution were launched when 16 of South Africa's main political organisations signed a Declaration of Intent committing themselves to basic democratic principles.

The historic declaration was signed by the government, two homeland governments and 13 political parties after a day of high drama and behind-the-scenes bargaining.

By signing it they also committed themselves to abide by the agreements that Codesa will reach in subsequent meetings on crucial issues such as interim government and a constituent assembly.

But three of the delegations at Codesa — the Inkatha Freedom Party, the Bopthuthatswana and the Ciskei governments — refused to sign the declaration, scheduled to be the centrepiece of the convention.

However, all three have remained in Codesa and announced that they will try to resolve their problems about the declaration through negotiations in Codesa's committees.

All expressed the same basic objection to the declaration — that it would commit them to abide by decisions which might jeopardise their existence as separate entities.

And ANC president Nelson Mandela revealed that the ANC had come close to rejecting the declaration.

He said the ANC national working committee had argued all Thursday about the declaration before instructing him to telephone Mr De Klerk to try to persuade him to amend it.

The NWC wanted a single but vital word added so the government and other parties committed themselves to give "legal" force to Codesa decisions.

He said he had spoken to Mr De Klerk at 8.20pm on Thursday but Mr De Klerk had persuaded him — in the interests of unity — not to demand the changes.

He said he had agreed, even though some of his colleageus wanted to lynch him because of it.

The IFP's objections to the declaration were based mainly on its fear that the commitment to "an undivided South Africa with one nation" would obviate the federal option.

It proposed amendments to remove this phrase.

E·S·A

DAY 1

at start to unity

MK arms caches to stay hidden says Hani

DETAILS about African National Congress arms caches would be revealed only when an interim government was in place, Umkhonto we Sizwe chief-of-staff Chris Hani said.

In an interview after the fierce clash between President De Klerk and Nelson Mandela; Mr Hani, who is also the general secretary of the South African Communist Party, accused Mr De Klerk of trying to use Codesa for party political gain.

"It was wrong. It was in bad taste for De Klerk to raise this issue at the Codesa conference, because he knows our position.

"We will immediately sit down with an interim government to devise the best possible methods of joint control of those weapons.

"You must remember that ultimately those weapons, including the arsenal of the SADF, will be handed over to a new South African army once there is a democratic government in place.

"This position has been stated several times and there will be no way the ANC will hand over arms or disband Umkhonto we Sizwe until we have reached a situation where we are not ruled by the National Party government."

Mr Hani denied that MK's arms caches were a threat to the government and said they were in "very safe" hands.

"They're indulging in a political game," Mr Hani charged. "They know very well that Umkhonto we Sizwe is not carrying out any operations.

"They know that they have

of "playing to its own gallery.

"It came here to mobilise support and to discredit the ANC as much as possible.

"The National Party government really sank to very low levels in trying to score political points," Mr Hani added.

The MK chief was emphatic though that MK arms caches were safely hidden.

"They are very safe. They're being controlled by our people. They are in the hands of MK commanders and we're doing our utmost to ensure these arms are not being misused," Mr Hani said.

Asked what quantity of arms the ANC was harbouring, he said:

"You must remember that since we started the armed struggle, especially in the early Eighties, we have been bringing into this country weapons to arm our people, to participate in the armed struggle.

"So, we have had a fair accumulation of weapons over a long period."

Mr Hani denied that the ANC was harbouring its weapons with the possibility of using them at a later stage.

"We are keeping these weapons because we feel there is a negotiation process taking place.

"We are not going into the negotiation process with a double agenda — that if we are not satisfied we shall resume the armed struggle," Mr Hani said.

"The ANC will never initiate any armed struggle unless we



☐ **WELCOME:** Children from a Christian group give support to the negotiation process with a friendly demonstration outside the conference venue.

☐ **PROTEST:** Right-wingers protest at the start of the Congress for a Democratic South Africa (Codesa) at the World Trade Centre near Jan Smuts airport outside Johannesburg.



War and peace calls from the Right and the children

ARG 21/12/91 (3041A)

SCHOOLCHILDREN called for peace while rightwingers threatened war yesterday in demonstrations outside South Africa's historic negotiations.

Fundamentalist Christians sang hymns and raised placards at the gate to the World Trade Centre where the nation's black and white leaders began talks.

"Let there be peace in South Africa," said a colourful mural of flowers, trees, birds and other images held by a group of black and white schoolchildren.

Jenny Button, a teacher who supervised the painting of the 10 m mural, said it was a message from the nation's children to the leaders attending the Convention for a Democratic South Africa.

About 20 white adults standing nearby delivered a message calling on President F W de Klerk not to share power with the black majority.

The protesters, from several rightwing groups, waved a South African flag and held placards attacking the conference.

"Whites will not surrender. South Africa is ours," said a sign held by Robert Brown, 45, who heads a war veterans group.

"This is a last final bash to make sure the guys didn't die for nothing," Mr Brown said.

"Codesa equals civil war," another placard said. One referred to the dropping of Australian Prime Minister Bob Hawke, saying "Hawke gone, De Klerk next".

"We want to bring home the message that De Klerk has no mandate for what he is doing," said Mr Clive Derby-Lewis of the pro-apartheid Conservative Party. — Sapa-AP.

Mandela is first to sign

TO resounding applause from delegates, ANC president Mr Nelson Mandela was the first to sign the Declaration of Intent at the end of the first day of the Codesa constitutional talks. (3044)

Apart from Bophuthatswana, Ciskei and the IFP, 15 parties signed the declaration.

Ciskei's Brigadier Oupa Gqozo said the homeland would not sign "until we have considered a section we are not happy with". ANC 21/12/91

He did not elaborate.

As Transkei leader Brigadier Bantu Holomisa walked past State President F W de Klerk to get to the podium, he jokingly asked if he was going to sign. Mr De Klerk smiled.

President De Klerk was the last to sign, but received the most applause. — Sapa.

F W, Mandela in bitter clash

SHAUN JOHNSON
Weekend Argus Political Staff

AN extraordinary gloves-off exchange between President De Klerk and ANC leader Nelson Mandela at Codesa is being seen as the opening shots in the battle for control of South Africa.

Their confrontation has proved in the most dramatic way that old-style politics are dead and the new has arrived.

In a confrontation unprecedented in South African politics stunned delegates and dignitaries heard Mr Mandela publicly harangue Mr De Klerk for nearly 30 minutes in the closing session of the first day of the Convention for a Democratic South Africa.

The issue was the continuing existence of Umkhonto we-Sizwe, the ANC's armed wing, which Mr De Klerk had attacked in his opening remarks at Codesa on behalf of the government. Mr De Klerk had issued an apparent ultimatum to the ANC to dismantle its armed wing or disqualify itself from entering into binding agreements.

The drama began after the signing of the Codesa Declaration of Intent by 16 of 19 delegations, when Mr Mandela requested permission from Codesa co-chairman Mr Justice Ismail Mahomed to "raise a matter of national importance".

He took the podium and accused Mr De Klerk personally of using the last speaking slot granted to him by the ANC to "launch an attack on the ANC and in doing so he has been less than frank".

F W, Mandela in bitter clash

ARG 21/12/91 (304A)

■ From page 1

"We are going to stop him."

Mr Mandela said the government spoke from a position of weakness because it had failed to stop violence and berated Mr De Klerk for trying to undermine the ANC. The ANC realised that neither it nor the NP should undermine each other, he said, because that would not be in the interests of the country.

He was still prepared to work with Mr De Klerk "if he wants to", Mr Mandela said, and to "make allowances ... for his mistakes".

He also lambasted the government for "using taxpayers' money to fund certain political organisations" and contemptuously dismissed Mr De Klerk's recent statement that he had not known about official money for an Inkatha rally in January.

"If he didn't know, then he isn't fit to be the head of a government," Mr Mandela said.

Mr Mandela paid indirect credit to Mr De Klerk as a reformer, but said he had to "work together openly" with the ANC.

Mr De Klerk, who heard the protracted attack in silence, was eventually granted the right of reply by co-chairman Mr Justice Piet Schabort.

A visibly charged Mr De Klerk then launched into a rebuttal of Mr Mandela's accusations, saying it was a vital matter of principle that no party should have a private army.

The problem of weapons was not just bothering the government, he said — "it is bothering everybody".

"I am as deeply concerned about the violence as anybody else."

He had no intention of apologising for his words.

"Yes sir — I said it ... (We cannot have) a party with a pen in one hand and claiming the right to hold arms in the other."

"He has abused his position because he thought I would not reply," said Mr Mandela. "He was mistaken, because I am replying now!"

A calm but icy Mr Mandela said "even the head of an illegitimate, discredited minority regime (Mr De Klerk) has certain standards to uphold ...

"If a man can come to a conference of this nature and play this type of politics ... very few people would like to deal with such a man."

Mr Mandela said Mr F Klerk had given no indicat in a telephone conversation night before Codesa, tha would raise the Umkhont sue in such a way.

The ANC leader, usin angriest language to pass licly between himself a president, said Mr De had to "forget (the idea) can impose conditions ANC. He doesn't repr He can't talk to us in guage

■ Turn to p

'Sorry' for misery of apa Bitter

(304A)

JOHANNESBURG. — The le
of the National Party Codesa
gation, Dr Dawie de Villiers
terday expressed his party's
regret that apartheid hac
prived people of their right
contributed to their misery

The party was now commit
striving for a non-racial dem
without domination, he said.

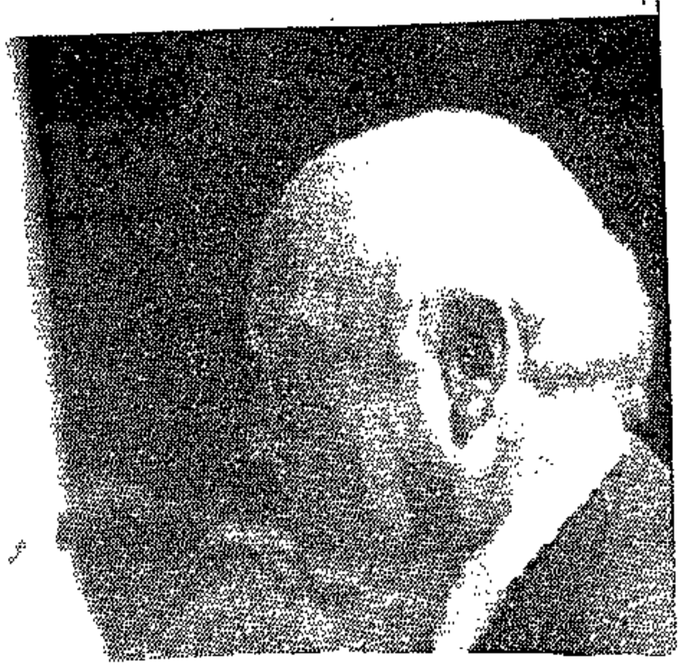
Dr De Villiers said the pol
separation was intended to
peace to the nation: "That d
materialise. The policy did n
duce the anticipated peace, bu
er conflict and increasing inju

He continued: "It was not th
tion to deprive other people
rights and to contribute to th
ery — but eventually it led to ji

"Insofar as that occurred we
regret it."

After profound and hone
searching, the NP made funda
changes to its policies, basing
premises which were morally
able.





"We have committed ourselves to strive for democracy without any form of domination. To that we are committed and from that we shall not deviate."

The NP did not intend to repeat the mistakes of the past but it also did not intend allowing the proved mistakes other developing countries in order to get a reasonable share of the world's available investment capital."

This would require the lowering of the tax rate, stability of the workforce and guaranteeing the repatriation of capital interest and dividends. — Sapa and Political Staff

FW 'ready' to open up Parliament

JOHANNESBURG. — President F W de Klerk said yesterday he was ready to admit blacks to South Africa's white-dominated Parliament to help the transfer of power.

"We are convinced it is in the best interests of South Africa and all its people for us to institute expeditiously a government that is broadly representative of the whole population," he said.

He told all-party democracy talks which opened yesterday he was ready to negotiate amending the constitution, which disenfranchises blacks, to make power-sharing possible.

"We are prepared to begin negotiating immediately on amending the constitution of the republic to make an interim power-sharing model possible on a democratic basis.

"We are almost ready to table specific proposals which, naturally, will have to be negotiated intensively together with proposals by others.

"We are convinced that it is in the best interests of South Africa and all its people for us to institute expeditiously, as a first phase, a government that is broadly representative of the total population.

"Such a government will not only see to the administration of the country, but will also be able to take the lead in further constitutional reform.

"We are equally convinced that the composition of Parliament too should be changed during this initial phase already, to include the total population in an equitable manner."

Mr De Klerk said the government was not prepared to consider the circumvention or suspension of the present constitution.

"Any substantive constitutional amendments, even if they are aimed at transitional measures only, will have to be adopted by Parliament after a mandate has been obtained by means of a referendum.

"Such a referendum will have to produce, among other things, a positive mandate from the electorates of each of the existing Houses of Parliament.

"If the proposals in respect of transitional measures are fair to all, the response from every section of the population will be an overwhelming yes," Mr De Klerk said.

He said: "Constitutionally-founded transitional structures may enable all South Africans to become part, through their democratically-elected representatives, of decision-making, and to take part in further negotiations about a more final constitution." — Sapa

Three refuse to sign declaration

ET 21/12/91

JOHANNESBURG. — The Inkatha Freedom Party has withheld its signing of the Codesa Declaration of Intent pending attempts to have amendments implemented during the working group session today, IFP delegation leader Dr Frank Mladlose announced at the end of the convention's first day's proceedings yesterday.

Bophuthatswana leader Mr Lucas Mangope and Ciskei's Brigadier Oupa Gqozo also refused to sign the Declaration of Intent. Fifteen parties endorsed the declaration.

Mr Mangope said the homeland was not a "creature" of apartheid nor was it part of the apartheid structures. He said his people had fought the British and took "independence" in 1977 "to regain our sovereignty and freedom so unjustly and cruelly take away from us by British colonial rule".

● Yesterday afternoon, Inkatha began circulating a host of amendments to the existing declaration.

In effect, one of the amendments seeks drastically to dilute Codesa's role in implementing decisions and seeks referenda on a new constitution.

The things they said (and may live to re

There's no turning back now

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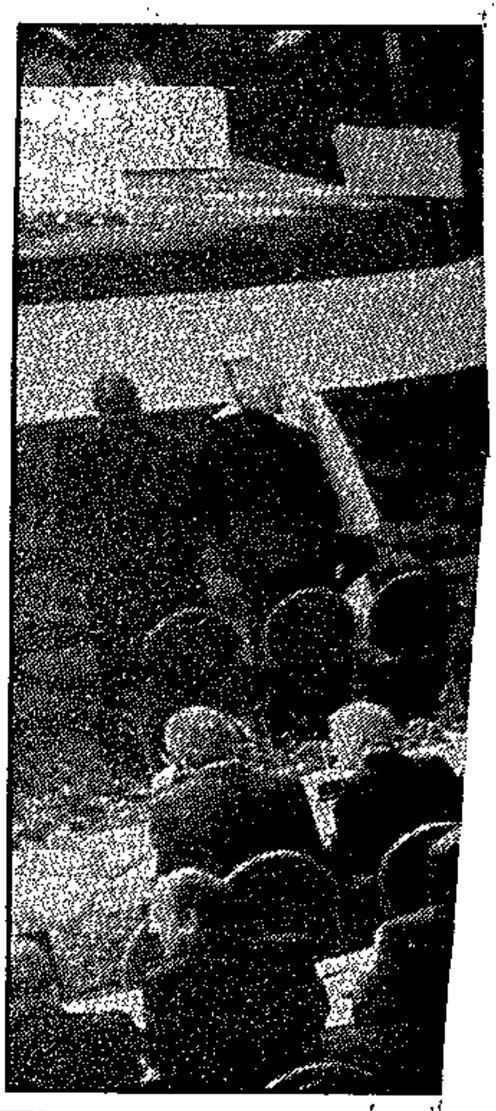

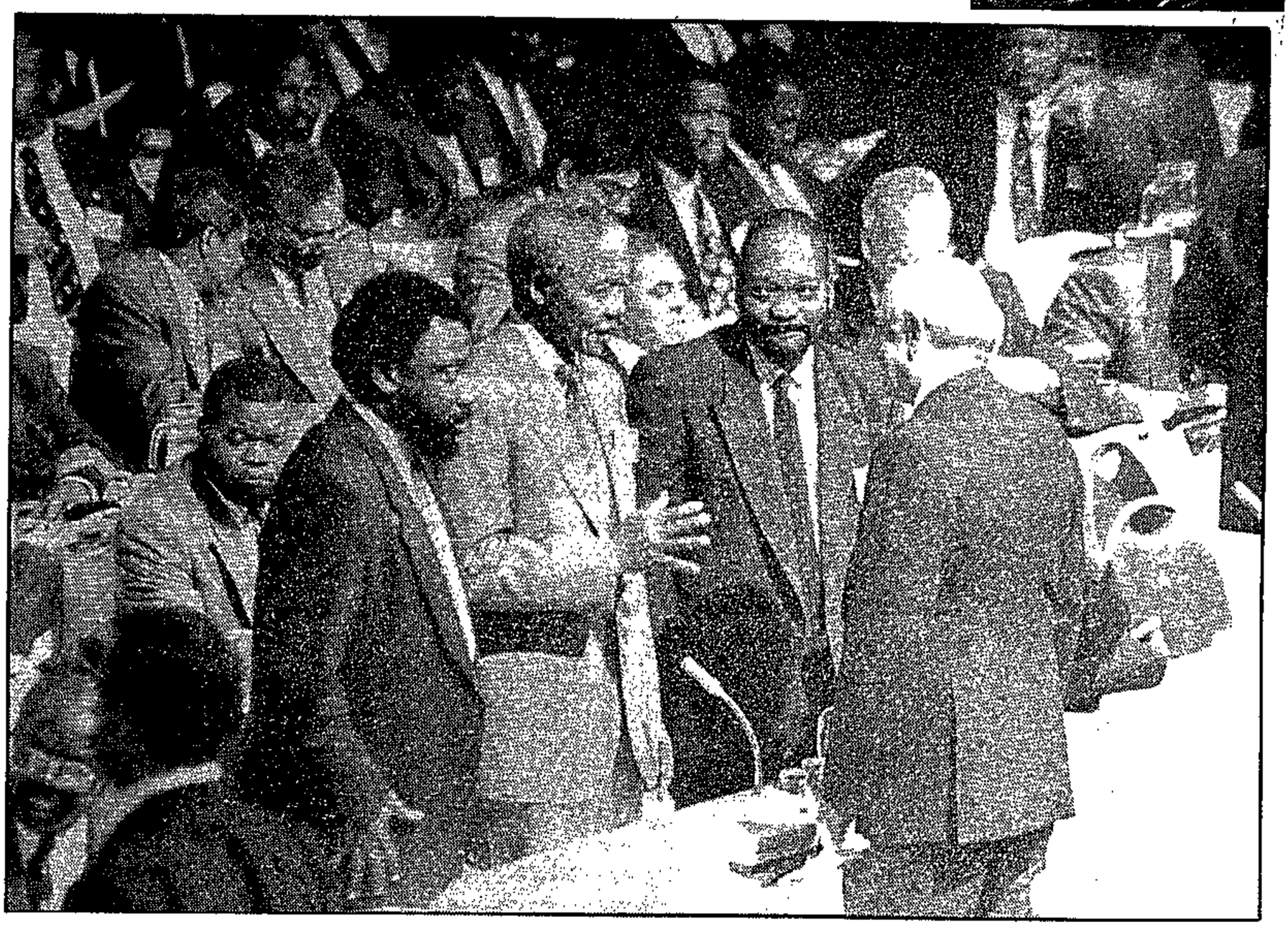

IN SEARCH OF A JUST SOCIETY . . . President FW de Klerk and ANC leader Nelson Mandela.

NP DELEGATION leader Dawie de Villiers expressed his party's deep regret that apartheid had deprived people of their rights and contributed to their misery.

The policy of separation was intended to bring peace to the nation, but that "did not materialise", producing instead "greater conflict and increasing injustice. We deeply regret it."

□□□□

THE government was amenable to a negotiated form of transitional government being implemented quickly in a democratic and constitutional manner, President FW de Klerk said. "A newly constituted Parliament may be part of it."

□□□□

UNITED Nations secretary-general Xavier Perez de Cuellar expressed the hope that a united, nonracial and democratic South Africa would be negotiated at Codesa. His message was conveyed to the media by UN High Commissioner for Refugees, Sadako Ogata.

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IT WAS only through reconciliation that success could be achieved at Codesa, Chief Justice Michael Corbett said. South Africans wanted a truly democratic South Africa with a just and open society dominated by the rule of law.

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THE future required South Africans to be constructive, conciliatory and courageous, said Labour Party leader Allan Hendrikse. His party wanted the negotiation process completed within 18 to 24 months, with a new constitution implemented 12 months later.

□□□□

BOPHUTHATSWANA leader Lucas Mangope refused to sign the Declaration of Intent. "I cannot unreservedly commit myself to the Declaration of Intent as it is presently formulated," he said.

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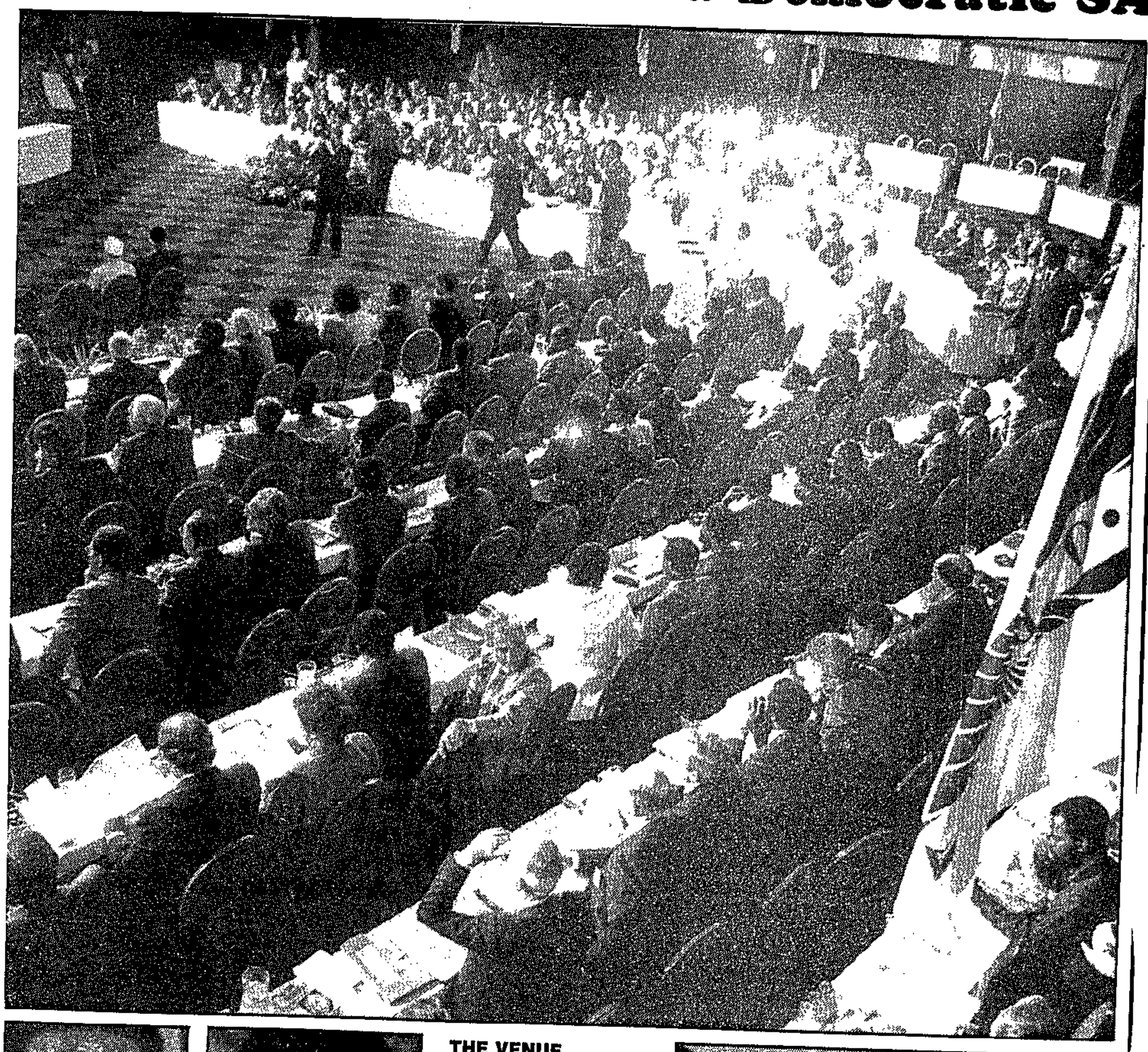
ANC president Nelson Mandela said it was inconceivable that a democratic constitution could be reached in any way but

gret) at Conference for a Democratic SA





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E of Codesa's greatest
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Bantu Holomisa

to the peace accord signed in September. The problem was the fact that the ANC had not terminated the armed struggle, he said. "The ANC has not honoured important undertakings in terms of the Pretoria Minute and the DF. Malan confer-

THE VENUE ... Codesa delegates packed the conference room at the World Trade Centre, near Jan Smuts Airport, on Friday, intent on trading in the polecat of world politics for a democratic society.

■ **Pics: TLADI KHUELE and EVANS MBOWENI**

seriousness.

"All of us must stand together because we cannot afford to let important developments in the world pass us by." For the sake of conciliation government had refrained from hitting back.



CMPHEN 22/12/91

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abuse of government power, DP leader Zach de Beer said. "Unless we wish to be hated by generations to come, we must stay away from all authoritarianism." A new government had to restore law and order and establish sustained, rapid economic growth.

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SAYING his party was strongly committed to Codesa, Inkatha national chairman Frank Mdlalose made a plea for the inclusion of Zulu King Goodwill Zwelithini in its processes.

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THE NP regretted that the ANC was still calling for sanctions against South Africa. "This is not in line with the spirit of Codesa, where delegates bind themselves to support economic growth and development for all."

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AS THE Government was either unwilling or incapable of tackling the challenges facing South Africa, the SACP demanded the immediate installation of an interim government of national unity, said SACP general secretary Chris Hani.

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TRANSKEI leader Maj-Gen Bantu Holomisa backed the ANC's demand for an interim government by June 1992.

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PRESIDENT FW de Klerk lashed out at the ANC for failing to live up to his promises of violence, and has resorted to delaying tactics."

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IT WAS unacceptable for the President to insist that the ANC hand its arms to those regarded by the people as responsible for massacres, ANC president Nelson Mandela said. "No political organisation can commit suicide as he (De Klerk) is recommending."

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THE ANC was prepared to reveal its arms caches only once an interim government was in place, Umkhonto weSizwe chief of staff Chris Hani said. "It was wrong, it was in bad taste, for De Klerk to raise this issue at the Codesa conference as he knows our position. We will sit down with an interim government immediately to devise the best possible methods of joint control of those weapons."

□□□□

FOREIGN Affairs Minister Pik Botha said government was badly hurt by ANC president Nelson Mandela's remarks.

"I too can go back in history but I don't know where we must stop. I can think of 30 000 women and children who died in the concentration camps ... that meant that we, the Boers, the Afrikaners, would have been a few million more today. I can think of the mineral rights my family was deprived of ... I say this in all

THE white community, not Codesa, would have the last say in an interim government, SACP chairman Joe Slovo said. It was clear that "what they have in mind is some kind of interim authority broadening parliament ... given effect after a referendum of the existing electorate".

□□□□

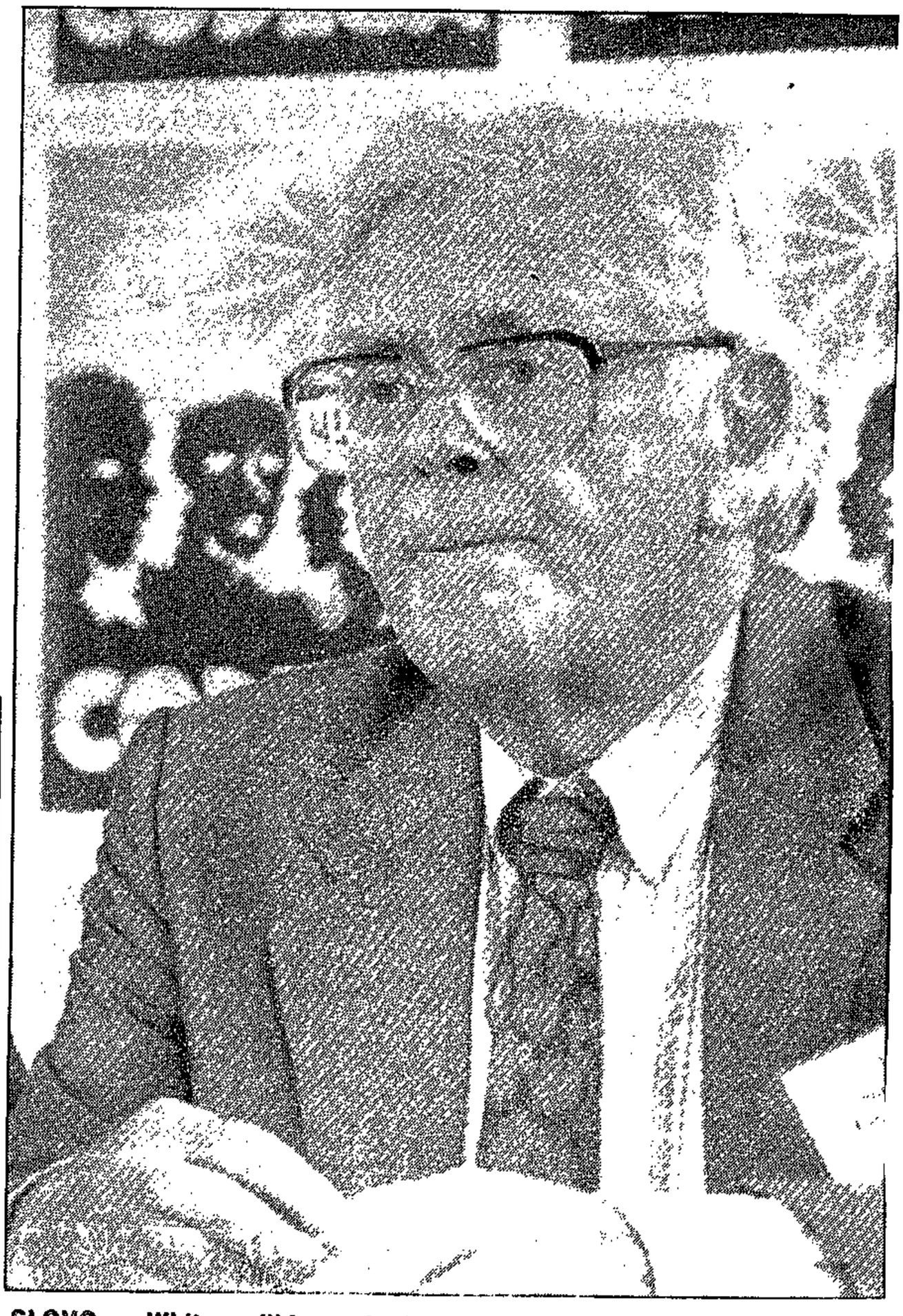
DESPITE the SACP's reservations, there was broad agreement that Codesa had suceeded, SACP general secretary Chris Hani said. "It is a victory that these organisations have come together and that the majority of them have signed the Declaration of Intent."

– Sapa.

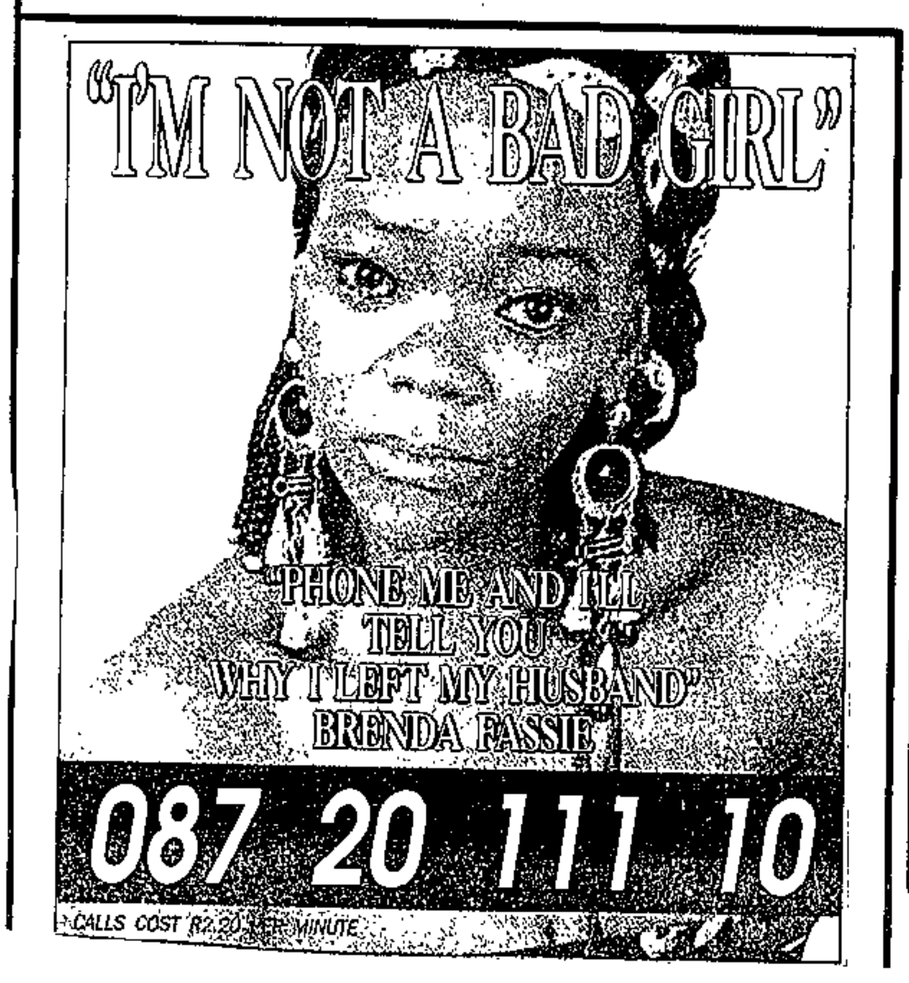
■ See Page 12



CHALLENGES NOT MET ... The government is incapable of or unwilling to tackle the challenges facing it, says the SACP's Chris Hani.



SLOVO ... Whites will have the last word on an interim government.



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CODESA

MIKE ROBERTSON, EDYTH BULBRING and CHARLES LEONARD



What's being debated and where the different parties' loyalties lie

AN ambivalent relationship between the ANC and NP will dominate the proceedings of Codesa as the convention moves beyond procedural discussions to the real work of hammering out a new constitution.

On many of the issues to be negotiated, the ANC and the NP hold clearly differing views and it is here that the role of the smaller parties will become crucial.

Five working groups were appointed yesterday by Codesa to deal with a range of issues. They have been described as the "heart" of Codesa and it is in these forums that political alliances will be formed around issues and tactics.

Here is a checklist of the main groups, the issues and the possible alliances.

● The first working group will look at creating a climate for free political participation and the role of the international community.

Two key issues to be explored by the the first working group will be the termination of military means to promote the objectives of political organisations and the political neutrality of the state media.

On the first issue the ANC can only really count on the support of the SA Communist Party, the Transkei and the Natal and Transvaal Indian Congresses for the continued existence of Umkhonto we Sizwe.

On control of the SABC, the ANC will have virtually unanimous support for its proposal that it be placed in the hands of a neutral body.

● The second working group, perhaps the most important, has been asked to explore a myriad of constitutional principles.

On many, such as a Bill of Rights, equality before the law and proportional representation in elections, there is already broad agreement although, on the first, much of the fine print has still to be settled.

But two conflicting constitutional proposals have emerged. One is that South Africa should be a unitary state; the other that it should be a geographical federation or confederation.

The SA government can expect support for the federal option from the Democratic Party, the Labour Party, the National People's Party and Inkatha. The ANC, which favours a unitary state with regional authorities that derive their power from the central government, will get the backing of the SACP, NIC/TIC, Transkei and perhaps Inyandza.

This working group will also decide on the crucial issue of a constitution-making body.

Mr de Klerk proposed on Friday that Codesa negotiate an interim constitution which, after approval by a referendum in which votes would be counted on a racial basis, would be put to parliament for approval. Thereafter an interim government would be elected which would both govern and serve as a negotiating forum for a final constitution.

The ANC proposes that Codesa work out only broad constitutional principles and that a constituent assembly be elected to fill in the details.

The Democratic Party has a proposal that fits somewhere between the two. It proposes that a constitutional conference be elected on the basis of one man, one vote with a one-percent cut off. Both the majority party in the conference and the majority party in parliament would have veto rights.

On this issue the ANC can expect the support of the SACP, TIC/NIC, Transkei, Inyandza, the Intando Yesizwe Party, the Ximoko Progressive Party, the Venda Military Council and the Labour Party.

Inkatha, the Ciskei government, the National People's Party, Solidarity and the Dikwankwetla Party oppose or appear to oppose the idea of an elected constituent assembly, agreeing with the NP that Codesa should be the negotiating mechanism.

● The third working group will deal with transitional arrangements/interim government. Here the ANC and the NP are far apart.

The ANC proposes that Codesa set up a sovereign interim government of national unity to oversee the holding of constituent assembly elections.

In terms of Mr De Klerk's proposal, an interim government would be elected after Codesa has worked out an interim constitution. According to Constitutional Development Minister Gerrit Viljoen, the interim constitution and government could be in place for 10 years or more.

On this issue the DP has proposed a Transitional Government of National Reconciliation headed by a council of leaders appointed by Codesa. The state president would exercise executive functions on the advice of the council.

The breakdown of support of the other parties on this question is much the same as that on the constitution-making forum.

● The fourth working group will debate the future of the homelands.

Here all parties, with the exception of the Bophuthatswana government, agree on reincorporation. But Codesa has decided that if a party is materially affected by a decision with which it does not agree, it shall be deemed that there is not sufficient consensus. Heated debate on this can be expected.

● The fifth working group will talk about time frames.

The National Party wants the negotiating process to proceed swiftly until an interim government is in place, followed by a long period before a final constitution is decided. The ANC wants Codesa to finish its work by the middle of this year and constituent assembly elections to be held within 18 months.

The other parties have not clearly spelt out their views on this issue but most would favour a shorter rather than an extended negotiating period.

With such differing viewpoints on so many issues, it is difficult to see how any resolution can be speedily achieved. It becomes doubly difficult to envisage when one considers that both the NP and ANC have effective veto rights.

SUNDAY TIMES, December 22 1991





15 may have voted twice

S/Times (CM), 304A, 22/12/91

By NORMAN WEST, Political Reporter

THE names of 15 people who may have cast more than one vote in the recent Athlone Management Committee by-election, have been handed to the Public Prosecutor.

This has been confirmed in letters which the Returning Officer and Administrator of the Cape Town City Council, Mr G R Hofmeyr, sent to the candidates, Mrs Brenda Matthews of the National Party and Mr John Miranda of the Labour Party.

The election, which took place on November 20, was won by Mr Miranda with 860 votes against Mrs Matthews' 792 — a majority of 68.

The NP MP for Bonteheuwel, Mr Pat McKenzie, whose constituency includes the Athlone and District Management Committee, said he believed the investigation had uncovered "a big cheat".

"I believe the election results should be declared null and void", he said.

The Nat MP for Retreat, Mr Gerald Morkel, who acted as special agent for Mrs Matthews, said: "I am glad the matter is going to court. This will expose the culprits. Innocent people are sometimes influenced to vote twice because they know no better.

"There must be sinister forces behind the duplicate voting and the law must take its course," said Mr Morkel, who led the breakaway of MPs from the LP to the NP during the last session of Parliament.

Mr Kenny Lategan, national organiser of the LP and the person who co-ordinated the election campaign for Mr Miranda, said: "It is too early to cast aspersions. All we know is that the names of 15 persons appear on ballot papers at two polling stations, suggesting they voted twice.

"They may, perhaps, be unaware of this and may not even have voted at all."

Asked to explain, Mr Lategan said: "In the case of management committee elections, no proof of identity is needed. Anyone can, therefore, pretend to be someone else.

"If the name you give appears on the ballot paper, you are given a form and you make your cross and go to the next polling station.

"Theoretically, therefore, anybody can vote in the name of a registered voter at all the polling stations.

NEWS ANALYSIS



Any free election will be won in the rural areas

BY NORMAN WEST

RURAL approval will play a key role in who will rule the roost in a "post-Codesa" South Africa — and the political parties and organisations which neglect the rural voters will pay the price when the country finally holds free and fair elections.

Cold statistics show that the largest majority lives in South Africa's rural areas — and that any party which can organise sufficiently to win over this largely politically illiterate constituency can be virtually assured of ascendancy to power in the new South Africa.

It is this reality that has sparked renewed interest in this otherwise unseen and often neglected cinderella segment of society, which has suddenly acquired a new political importance.

Statistics provided by the Development Bank of South Africa (DBSA) show that whoever aspires to rule will need rural approval.

DBSA figures show that South Africa has 17 319 120 potential voters, 9 374 870 of whom — 54,12 percent — live outside the homelands.

A further 3 191 094 live in the TBVC countries and 4 753 156 in the other six homelands.

Based on these figures it is clear that the party or alliance that can capture the confidence (and votes) of the majority of blacks will have the majority proportionate representation in a future government.

If the far-rightist organisations now refusing to participate in Codesa have their way and elections take place on the present ethnic basis — assuming blacks will also have the vote — then "white", "coloured" and "Asian" representation will be of little significance in future.

Statistics show there are a mere 1,5 million white voters — constituting 8,8 percent of the total population of South Africa — 1,3 million coloured voters (7,3 percent) and 642 220 Asian voters (3,7 percent).

Significantly, the millions of potential black voters are not in the cities but in the rural backwaters — and canvassers will have to travel "deep into the bush" in search of votes.

Both mainline political adversaries, the NP and the ANC, appear to be responding to the DBSA figures for rural voters, as evidenced by last weekend's historic ANC Rural Conference at Worcester.

Dr Allan Boesak, chairman of the ANC's Western Cape Region, had a blunt message for the conference: if the ANC did not succeed in the platteland, he warned, the ANC would not succeed at all.

The conference, attended by 356 delegates from 84 rural areas, expressed concern over the development problems facing rural areas "after the havoc caused by the massive social engineering of the NP" — as the ANC put it.

Of particular concern was the position of farm workers often under total control of farmers who refused them permission to attend meetings or even to join political parties.

Issues such as these, the conference resolved, needed to be addressed by Codesa ... otherwise "there will be little chance of free and fair elections in the rural areas".

DBSA statistics prove it would be fatal for political organisations to believe (as the NP did previously) that the Pretoria/Witwatersrand/Vereeninging (PWV) region would dominate a common voters' roll elections.

In fact two out of every five voters will come from Natal and the Eastern Cape — and the 3,8 million voters in the PWV area will be smaller than the 4,3 million in the Natal region.

The 10 homelands will also have a decisive influence over the elections, with a massive 45,9 percent of potential voters living in these areas.

The largest number of potential voters over the age of 18 — 4 277 617 — live in the densely populated Transkei, Natal and KwaZulu rural district.

In the Western Cape — where ANC president Nelson Mandela recently said that the NP "was making inroads in our constituency" — it appears that the Nats would emerge victorious, according to the statistics.

Of the total of 1,4 million voters over the age of 18, based on the 1990 figures in the Western Cape, the 811 667 coloured voters (nearly 60 percent of the electorate) could play a decisive role.

Slightly more than half of the coloured voters, together with most of the 245 231 white voters (17,8 percent of the total in the region) can help make this region Nat.

At the Western Cape Regional Congress of the ANC, where Dr Boesak was elected chairman after some gentle coercion of the delegates by Mr Mandela, the ANC President acknowledged the popularity of State President F W De Klerk among coloureds and Indians.

He warned that "the NP has organisation and they are forming alliances very quietly among our black people".

At the moment the Labour Party lays claim to the majority of rural coloured voters in the Western Cape, which might explain why the strategists of the ANC were not prepared to shun Labour approaches to become an informal ally of the ANC.

The ANC needs to capture the coloured rural constituency now controled by Labour to try to ward off an almost certain NP victory in the Western Cape region — and seems forced to offer Labour political sanctuary in exchange.

But political parties involved who capture the rural vote will also have to take on the responsibility of redressing the imbalances that have so long existed in these areas — or face the consequences when next the country goes to the polls.

Outlining visions for a democratic SA

ST Times 22/12/91 (3041)

DAWN BARKHUIZEN reports on the fears, hopes and foibles of the speakers on Codesa's first day

THEY came from all over the country, bringing shared concerns and private hopes.

The 320 delegates and advisers at Codesa, the largest representative gathering of political leaders in the country's history, reflected the full breadth and complexity of the nation.

All, to some extent, focused on the details of constitutional principle, the methods of change and the objectives of Codesa.

Mr Nelson Mandela predictably demanded that the government make way for an interim government to supervise the transition, and made a call for Codesa's decisions to be translated into full legal force.

"It is inconceivable that a democratic constitution be reached except by a constituent assembly. We see no reason why an election for a constituent assembly should not be possible during 1992," he said.

Mr Chris Hani of the SA Communist Party, equally predictably, endorsed his ally.

"We demand the immediate installation of an interim government. Parties should commit themselves to ensuring the establishment of an interim government, and elections for a constituent assembly should be completed within 18 months."

President FW de Klerk, less predictably, offered an elected interim government, but was coy on the details. He also took time out to hector the ANC for its failure to disband its military wing, and accused it of dragging its feet. That led to a bitter riposte by Mr Mandela.

But that was not really what Codesa was about. There were many other agendas hidden away in the rhetoric.

Exclusion

Like the homeland leaders' concerns about their sovereignty and, more often than not, traditional roots and values.

Inkatha was strong on this. Referring to the exclusion of King Goodwill Zwelethini and the subsequent decision by Chief Mangosutho Buthelezi not to attend, the IFP delegation leader, Dr Frank Mdlalose, said: "The exclusion of the Zulu people is tragic and we should all support the president of the IFP, who, in his other role as traditional prime minister to His Majesty the King of the Zulus, had no alternative but to stand by his king and campaign for the acceptance of the rightful role of the Zulu people in reshaping South Africa."

President Lucas Mangope of Bophuthatswana also spoke at length about his people's history.

"It is not fair in terms of our history and ... economic performance to be regarded as just another so-called self-governing territory or TBVC state," he said plaintively before making it clear that he would not be dragooned into surrendering independence.

The problem of reincorporation played on some other people's minds as well.

Ciskei's Brigadier Oupa Gqozo: "Ciskei cannot be reincorporated into a constitutional vacuum. During the transitional period constitutional structures should be kept in place till a new dispensation has been established."

Economic concerns also featured.

There were those who called for economic redistribution. The Intando Yesizwe Party's Prince James Mahlungu: "We call for a system that will aggressively address the economic imbalances."

Venda President Brigadier M Ramushwana concurred: "Land is a burning issue because of the imbalances and the cruel removals. It stands to reason that any future government should reconsider redistribution."

Pensions

But in case anybody thought he was calling for *too much* redistribution, he hastened to call for a declaration from Codesa protecting the interests (and pensions) of civil servants in a new South Africa.

There were those who spoke, instead, of enterprise. Solidarity Party leader Dr JN Reddy: "There is a need to inculcate the work ethic."

There were bitter reminders of the past: the Labour Party's Reverend Allan Hendrickse: "It must not be possible to do what was immorally done by the NP when they removed the so-called Coloured people from the common voters roll."

And apologies for the past: National Party delegation leader Dr Dawie de Villiers: "It was not the intention to deprive other people of their rights and to contribute to their misery, but eventually the policy of separation led to just that. Insofar as that occurred; we deeply regret it."

Then there were warnings for the future: Transkei's Major-General Bantu Holomisa: "The failure of Codesa will spell economic disaster. South Africa can no longer afford an economic siege."

And challenges for the future: The Democratic Party's Dr Zach de Beer: "The new government of South Africa will have, above all, two tasks — to restore law and order and to establish sustained rapid economic growth.

"One of the great tasks Codesa must fulfil is to produce a constitution which prevents the abuse of power by government."

Finally, there was even a word for those who were not there. The National People's Party's Amichand Rajbansi: "Our regret is the empty chairs.

"It is our task to mediate so that the empty chairs can be filled with people from the PAC, Azapo, AWB, the CP and others."

Squabble over founding charter

CODESA'S Declaration of Intent, the founding document of the convention, started out as a diverse set of political statements, *writes Brian Pottinger.*

In hours of negotiations it was honed into a charter of basic values which were broad enough to satisfy most parties but precise enough to have real meaning.

Yet three parties initially failed to sign and the ANC expressed reservations.

What, then, were the sticking points?

The main one, which also exercised the National Convention of 1908, was about how much power should be held by the central government and how much given to the regions in a new constitution. It was the old debate between a unitary state versus a federal one.

The Inkatha Freedom Party, essentially a regionally based party, believes in as much decentralisation of power as possible.

It objected to the words "an undivided South Africa" in the declaration and suggested they be replaced by "a new South Africa". It also suggested scrapping a statement that a new constitution would exercise "sovereign authority ... over the whole of its territory".

These words, Inkatha claimed, implied a commitment to a unitary state and ruled out the possibility of federalism.

The government and ANC publicly said they respected Inkatha's right to differ.

The second major problem arising from the Declaration of Intent can be summed up in the word "sovereignty" — the exact powers of Codesa and the status of its decisions vis-a-vis already established bodies such as parliament and homeland administrations.

At the one pole stood the ANC. It originally wanted decisions of Codesa to have legal force and suggested implementing mechanisms to achieve this. The South African government and Inkatha opposed the idea — both because they saw it as abrogating their sovereign powers.

President Lucas Mangope of Bophuthatswana also had reservations. The sovereignty of his homeland would be abolished. The government and the ANC eventually compromised: Codesa and the government would jointly draft legislation to implement Codesa decisions.

But Inkatha remained intransigent and in the end it, together with Bophuthatswana and Ciskei, were not among the delegations trooping up to the dias at Codesa to sign the declaration on Friday.

The Ciskei later capitulated and signed yesterday. The final version of the Declaration of Intent, agreed all delegations to the Convention, was a very fine thing. But for two parties apparently not quite fine enough.

Law report condemns the 1983 constitution

ST Times 22/12/91

THE SA Law Commission has roundly condemned the present SA Constitution approved in 1983 by two-thirds of whites after a bitter referendum struggle.

The commission, in its *Report on Constitutional Models* released to the press and Codesa delegates yesterday, held the present constitution responsible for many of the problems confronting the country.

The constitution, said the commission, lacked substantive principle, constitutionalism and even a regard for the rule of law.

It also failed to protect individual human rights, showed a fundamental lack of democracy, lacked an independent judiciary in the broad sense of the word, did not have adequate checks and balances, had no minority protection and gave excessive power to the president.

The criticism by the Law Commission — a statutory body which has responsibility for advising the government on matters affecting the law — is one of the most vociferous yet heard against the constitution which the PW Botha administration pushed through in 1983 against strong opposition from liberals, conservatives and radicals.

Options

"It need hardly be argued that the problems being experienced by our country are due at least in large measure to the shortcomings of the existing constitution."

The attack on the present constitution introduces the four-volume report by the Law Commission.

Mr Justice Olivier, leader of the commission's project, said at a press conference yesterday that the commissioners had not been asked to work out a constitutional model, but rather to place all the options on the table.

However, the committee did make some recommendations.

It suggested a collegial cabinet system based on the Swiss system, a president directly elected by the people and a two-chamber parliament consisting of an upper house of 33 and a lower house of 100 members. The electoral system should be based on proportional representation.

By CHARIS PERKINS

The head of state in a future South Africa should be elected directly by the people. He should perform ceremonial functions but should be assigned certain executive powers that would enable him to promote unity.

A prime minister should be elected by the cabinet.

The Law Commission recommended proportional representation in the government. Minority vetoes were rejected, but the commission suggested that more than a simple majority should be required to decide certain questions.

It also suggested tribal chiefs be included in the government at municipal level. It argued for a strict separation of the legislature, executive and judiciary, suggesting that members of the executive should not have a seat in any legislative body or appoint any member of any legislative authority.

Regions

The executive, said the commission, should have no power to decide when to hold an election or when to convene meetings of the legislature.

The report ranged widely in dealing with national symbols, names and definitions of boundaries. It also recommended that parliament sit for only three months a year and meet in cities other than Cape Town.

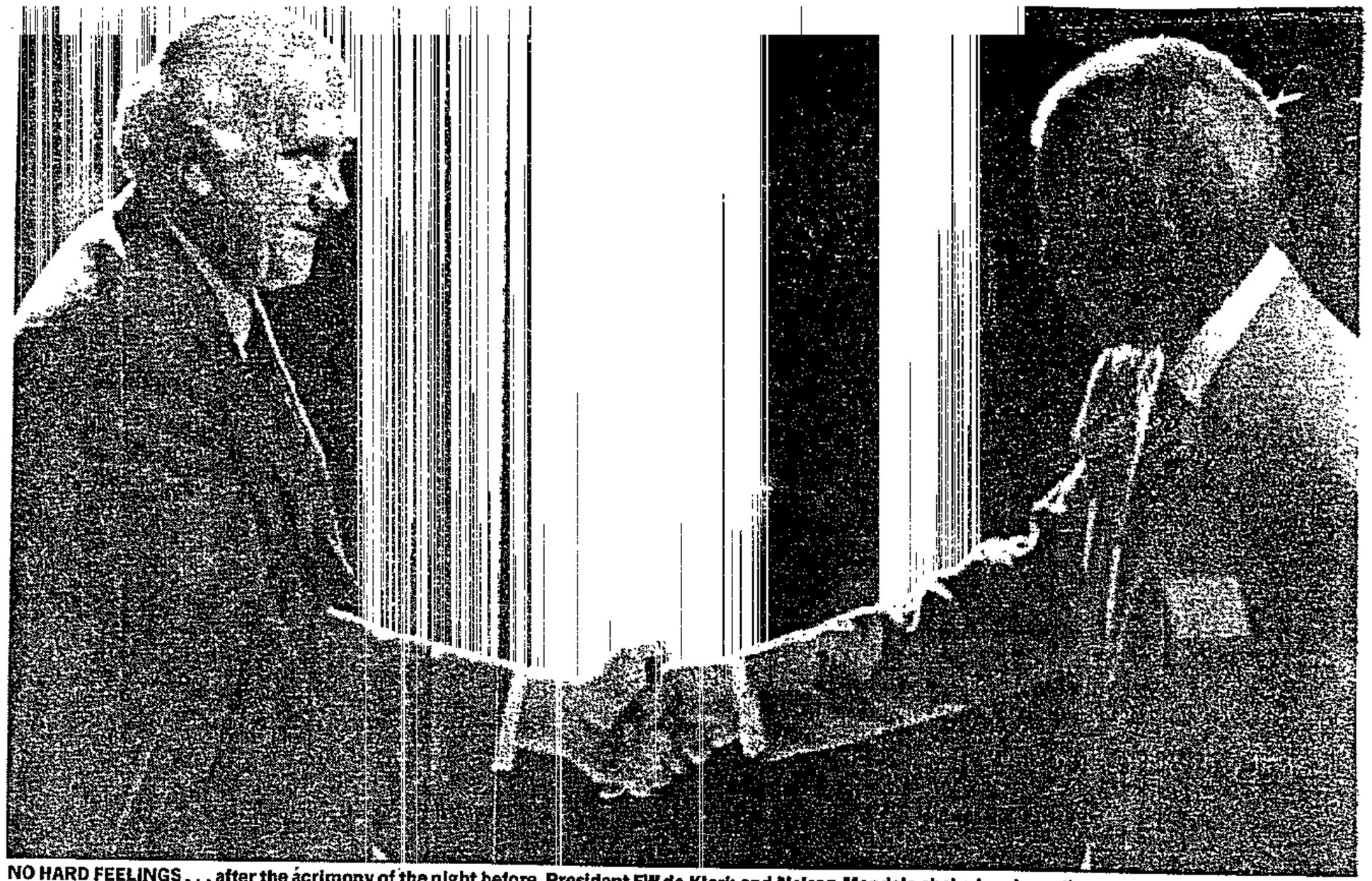
It reported on the question of partition — suggesting that the homelands be given the opportunity of re-incorporation — but did not make a finding on the various models of partition.

It recommended a system of regions based on socio-economic factors rather than on ethnic groups: "Regionalism based on ethnicity would be stillborn," said Mr Justice Olivier.

The report said: "We need to accept ethnic diversity but foster national loyalty."

Other recommendations in the report:

- A code of conduct for political parties;
- Judges be appointed by a judicial service commission;
- A constitutional court in the Appellate Division.



NO HARD FEELINGS . . . after the acrimony of the night before, President FW de Klerk and Nelson Mandela shake hands on the second day of the Codesa talks

Power-sharing parliament is key to interim government plan

10-YEAR JOINT RULE: FW'S AIM

S/Times 22/12/91

By MIKE ROBERTSON and EDYTH BULBRING

SOUTH AFRICA will have an interim government for a minimum of 10 years in terms of proposals to be put to South Africa's second national convention by the National Party. The proposals will be submitted to Codesa in January. (304A) (HEP)

This follows President FW de Klerk's announcement this week that the NP is prepared to accept a democratically elected interim government which would share power, govern the country and negotiate a new constitution. Constitutional Development Minister Gerrit Viljoen said yesterday the proposals to Codesa would contain some of the principles and guidelines contained in the NP constitutional model unveiled earlier this year.

Key elements of the model include a presidency composed of the leaders of the three largest parties, an enforced coalition cabinet and a two-chamber parliament with the first house elected on the basis of one man one vote by proportional representation, while in the second chamber all regions would be accorded an equal number of seats.

Dr Viljoen said the NP proposal to Codesa would definitely contain a two-chamber parliament and measures to protect minority interests.

He said there was no point in making a drastic change to the constitution if it was not going to be in place for "at least one and probably several" parliamentary terms. Each term lasts five years.

He said the NP believed that the parliament elected under its envisaged interim constitution would be a far more representa-

CODESA

One man's scorn and another's blind spot

(304A) (HEP)

S/Times 22/12/91

By KEN OWEN

CODESA came to earth at a few minutes before seven o'clock on Friday evening when Mr Nelson Mandela set out, coldly and deliberately, to assassinate the character of President De Klerk.

He began by accusing the president of moral turpitude and duplicity, and went on to pile insult on insult, scornfully, abusively, venomously, and when it was over nobody could doubt

All she wants for Christmas . . .



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He said the NP believed that the parliament elected under its envisaged interim constitution would be a far more representative forum to negotiate a final

WITH THE BEST OF INTENTIONS
See Pages 28 & 29

constitution than Codesa, in which it was impossible to gauge the relative strengths of the various parties.

In addition to negotiating a final constitution, the parliament and the executive elected from its members would be able to carry out the work of government.

The ANC's response to the proposal has been wary, although the organisation has conceded that parliament is the legally constituted body that must usher in any changes to the constitution.

ANC president Nelson Mandela said: "We are ready to consider the proposals which the government says it is almost ready to present concerning these matters."

However, ANC secretary-general Cyril Ramaphosa said the long-term interim government envisaged by the National Party was unacceptable to his organisation.

The ANC insisted that an interim government of national unity be appointed for at most 18 months and that its primary function be to oversee the transition process before the holding of elections for a constituent assembly that would draw up a new constitution.

ANC negotiating team mem-

☐ To Page 2

Ten years of joint rule

☐ From Page 1

ber Mohammed Valli Moosa described Mr de Klerk's proposals as a "trap". The interim government envisaged by the NP, he said, would "go on for ever".

Mr Ramaphosa said the interim government which the ANC envisaged should be appointed in much the same way as members of the Codesa steering committee had been, and be representative of all parties.

He rejected suggestions that this would lead to inefficient government, saying: "We have done marvellous work in the committee. I can tell you that the degree of consensus and level of understanding we have reached in the committee has surpassed our expectations."

Mr Ramaphosa said the ANC wanted a sovereign interim government to exercise jurisdiction over all areas of government. The very minimum it would be prepared to accept was that the interim government exercise control over those areas specified by the recent Patriotic Front conference in Durban.

Ensure

These include control of security forces, state media, the electoral process and defined areas of the budget and finance.

Mr Ramaphosa added that the ANC accepted that the existing parliament was the legally constituted body that should usher in such an interim government.

The government, meanwhile, is still insisting that any constitutional changes will have to be put to a referendum. All South Africans will be able to vote but the existing voters' rolls will ensure that the white vote will be counted separately. Mr De Klerk has made it clear that if a majority of whites opposes the plan, the NP will go back to the drawing board.

The ANC, for its part, this week made it clear that it would not accept a racially based referendum.

Feelings

Codesa ended its two-day meeting yesterday with the shadow of the blazing row between Mr Mandela and Mr De Klerk over the disbanding of the ANC's armed wing still hanging over delegates.

Yesterday senior government officials were adamant that Mr Mandela knew the issue was to be raised at Codesa and that it was necessary to put the matter on the table before negotiations could continue.

Mr Ramaphosa, however, denied that the ANC had been informed that it would be raised.

After formal proceedings at Codesa yesterday, the hard feelings raised the previous day were somewhat allayed by a conciliatory speech by Mr Mandela which he concluded by shaking hands with Mr De Klerk.

Hurt

But Foreign Affairs Minister Pik Botha was not that easily appeased when he said after the ANC leader's speech: "On behalf of the SA government it is my duty and the wish of my heart to tell the leader of the ANC and the ANC that we were badly hurt yesterday ... very badly hurt by his remarks yesterday."

Mr Botha said that the Afrikaner could also go back in history to list the injustices against his *volk*.

● In his closing remarks, Mr Mandela praised the "excellent and even-handed manner" in which three judges had chaired Codesa.

"Their performance was evidence that some of the traditions of great judges of the country have not altogether been lost."

A YEAR OF HOPE AND

(304M)

By SEKOLA SELLO Cipher 22/12/91

POLITICALLY speaking 1991 was a year of great expectations but few realised goals.

Great hopes for an end to the violence tearing the country apart were fueled early in the year following a meeting between ANC leader Nelson Mandela and Inkatha's Mangosuthu Buthelezi. But, the Royal Hotel meeting in Durban has failed to stop the orgy of bloodletting.

Another event which raised high hopes among our people was the launch of the much sought after Patriotic Front between the ANC and PAC and several other smaller organisations.

Today, as the year teeters to an end, the PF which was also launched in Durban, exists in name only.

It was also a year when the government showed it could act tough against rightwing extremists.

In the past two days the government, the ANC and a host of other interested parties made another attempt to introduce a new constitutional dispensation during a Convention for a Democratic South Africa.

This is a brief glimpse of political events since January.



MANGOSUTHU BUTHELEZI ... His meeting with Mandela in January failed to stop the political killings.



FW DE KLERK ... Scored diplomatic coups abroad, but received flak from the left and the right at home.



NELSON MANDELA ... mass action for the

Great expectations, but the bloodshed c

January

Lucas Mangope's government places itself on a confrontation course with the ANC following the expulsion of several ANC activists in the homeland.

The ANC proposes an All Party Conference on constitutional negotiations to break the political logjam. Two days later Mandela proposes the idea of an interim government saying "we are not setting out any time frames now, but we emphasise the urgency".

The ANC declares 1991 a "year of mass action for the transfer of power to the people". Askaris continue to track MK members. George Nene, ANC representative in Nigeria, is among the prominent members attacked.

Renewed fighting between the ANC and PAC in Komga near East London and Mupsieville near Krugersdorp is reported.

The PAC's military wing, the Azanian People's Liberation Army, resurfaces in the country. It launches attacks against policemen in Port Elizabeth.

Rumblings in the PAC surface. This follows the expulsion of four high-ranking members of the Azanian National Youth Unity, the PAC's militant youth wing.

Mandela and Buthelezi meet in a historic meeting at the Royal Hotel and vow to end hostilities and vilification of each other. Within hours of this accord eight people die in interparty clashes on the Natal South Coast.

February

The State President opens Parliament and declares that all existing apartheid laws will be scrapped in coming months. The ANC condemns this, saying FW de Klerk's speech makes no reference to security legislation.

The ANC and PAC leaders join hands in protest marches in Cape Town to demand a constituent assembly and an end to the tricameral system. Later, Mandela and PAC leader Clarence Makwetu meet to work on a "common national agenda and to foster co-operation".

An ANC member and human rights lawyer, Bheki Mlangeni, is killed by a booby-trapped walkman which was allegedly meant for former hit squad member Captain Dirk Coetzee.

The ANC buys an imposing building in central Johannesburg, Shell House, as the organisation's headquarters.

Denmark, a strong critic of Pretoria, lifts a ban on sports, cultural and some business contacts.

Czechoslovakia is the first former Soviet satellite state to lift trade sanctions against the republic. The United States also announces that sanctions will go once all prisoners are released.

Hot on the heels of the US statement, the European Community announces it will do likewise once the Group Areas Act and Land Acts have been scrapped in Parliament.

One of South Africa's major critics and Australia's Prime Minister, Bob Hawke, agrees along with British Premier John Major to lift Commonwealth sanctions. They indicate that sports sanctions will be the first to go.

March

The Dutch Parliament delivers another body blow to those still conducting the sanctions campaign by urging the EC to lift sanctions. In a surprise but guarded interview Archbishop Desmond Tutu calls for the reviewal of sanctions.

Several ANC prisoners on Robben Island refuse to sign indemnity forms and demand total pardon.

Ciskei strongman Brigadier Oupa Gqozo faces a major crisis as the ANC-aligned National Education and Health Allied Workers Union call for his government's resignation. This is backed by a crippling strike by civil servants.

April

Buthelezi moots the idea of a troika leadership ostensibly to deal with violence, but in reality a power-sharing mechanism between Inkatha, the ANC and the National Party.

The ANC and PAC meet in Harare to pave the way for a Patriotic Front. An ANC document proposes township defence units.

The ANC gives the government an ultimatum in an open letter demanding the sacking of Police Minister Adriaan Vlok and Defence Minister Magnus Malan.

The ANC also makes six other harsh demands on the government, saying if these are not met by May 9, the organisation will break off constitutional negotiations.

De Klerk announces a peace summit scheduled for May. The worsening condition of hunger strikers places relations between the government and ANC on a knife edge.

A confident De Klerk makes a diplomatic coup when he leaves for a six-day visit of the UK, Denmark and Ireland. Mandela also visits London at almost the same time.

Winnie Mandela fails in her bid to win the leadership of the ANC Women's League. She is defeated by Gertrude Shope.

May

Reports of the government's intention to have a mixed Cabinet, possibly with members of extra-parliamnetary tions, gathers

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June

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De Klerk meets president Daniel A on official visit to

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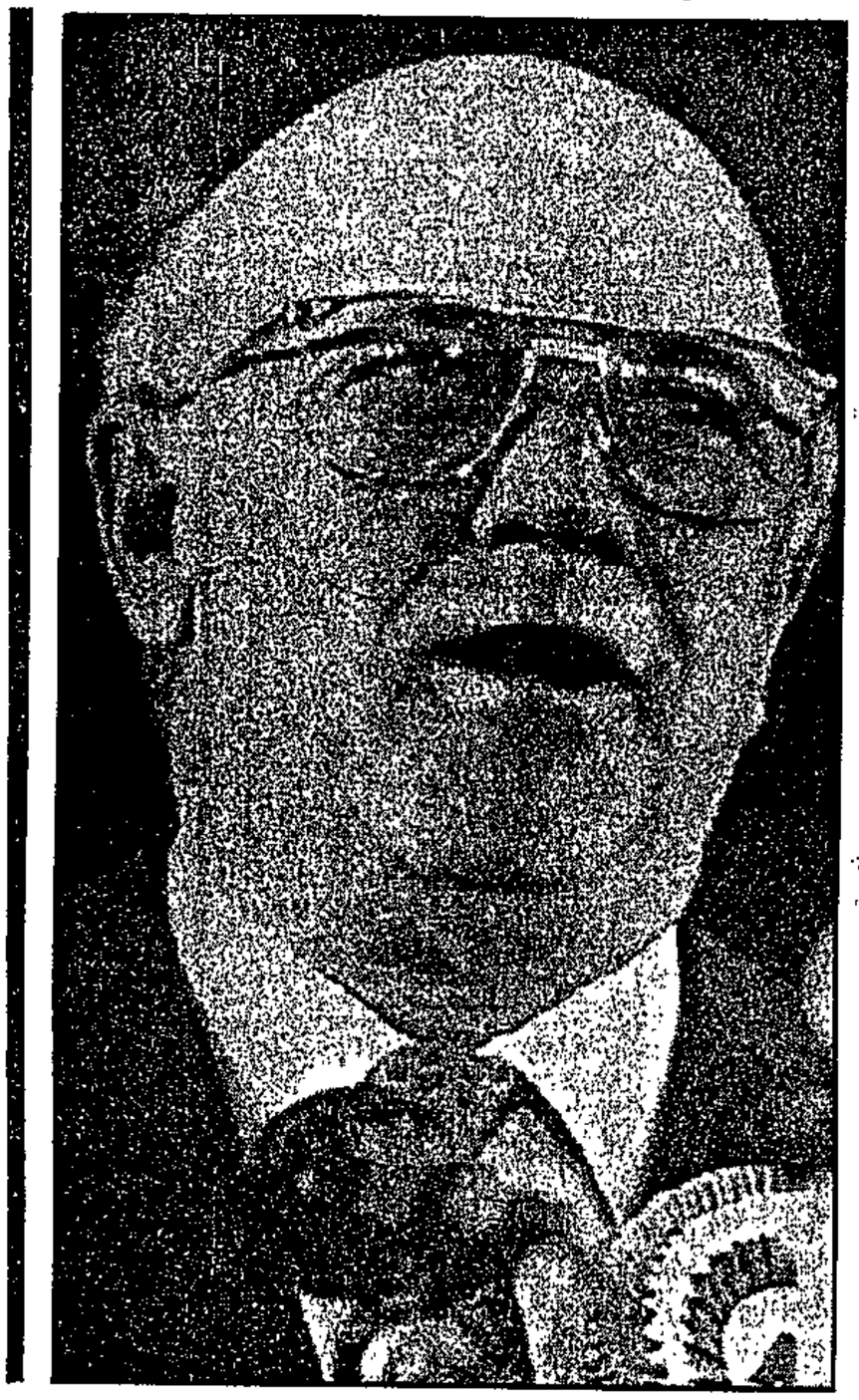
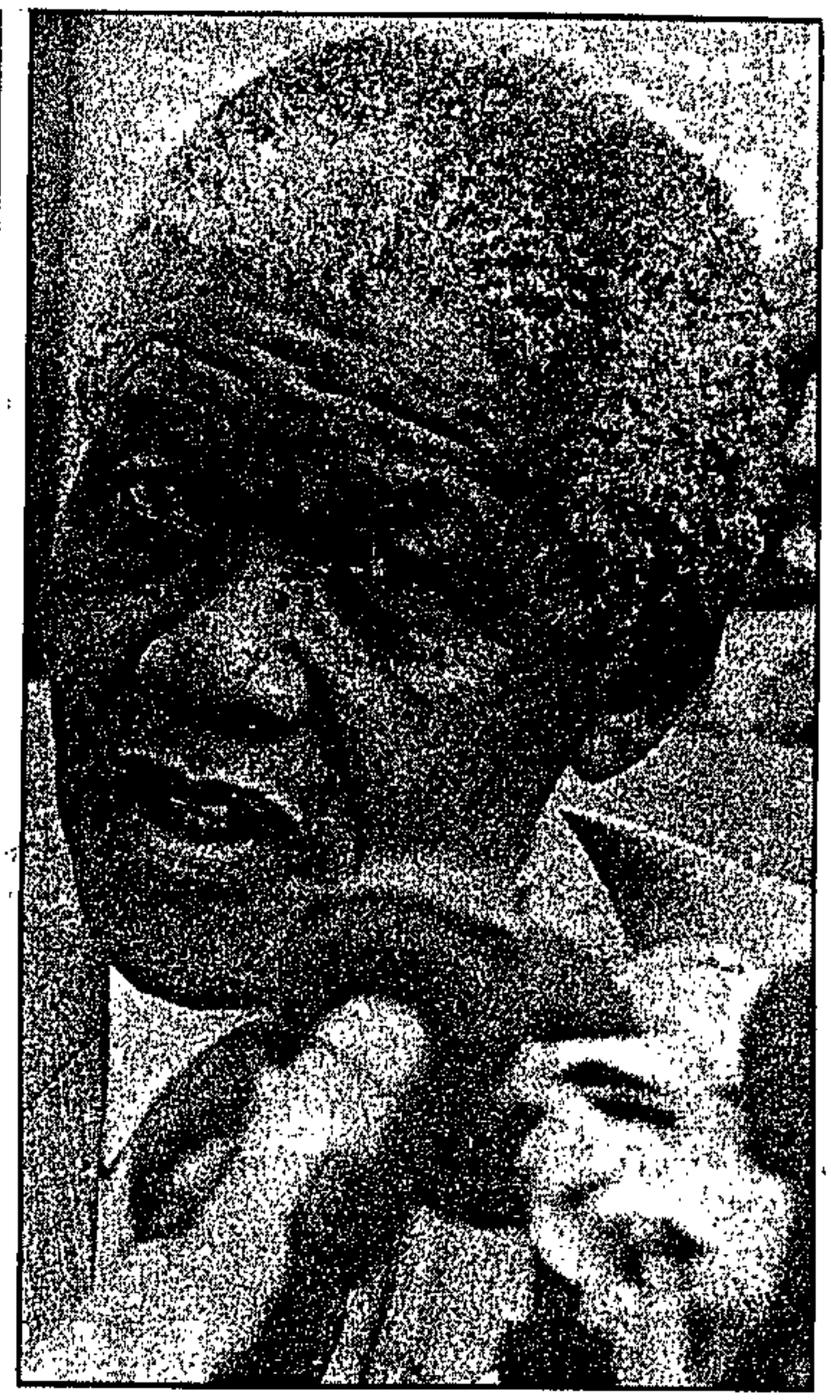
HOPE AND TURMOIL



FW DE KLERK ... Scored diplomatic coups abroad, but received flak from the left and the right at home.



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May

Reports of the government's intention to have a mixed Cabinet, possibly with members of extra-parliamnetary organisations, gathers momentum.

A burglar, Carel Nicolaas Roodt, is killed at ANC offices while resisting arrest. ANC suspends talks with government.

In a surprise about-turn, the ANC proposes partial lifting of sanctions during an OAU meeting in Abuja, Nigeria. This angers the PAC and Zimbabwe's Robert Mugabe.

June

The ANC proposes a tax on wealth – a proposal which draws strong criticism from big business. New but unproven allegations of MK bases in Transkei resurface.

De Klerk meets Kenyan president Daniel Arap Moi on an official visit to Nairobi.

Former SADF member Nico Basson reveals the existence of secret training camps for youths engaged in hit squad killings and accuses the government of creating violence and trying to destabilise the ANC.

July

The US lifts sanctions against South Africa. On the same day the country is readmitted to world cricket thanks largely to the efforts of ANC sports chief Steve Tshwete. Japan announces that it is also lifting sanctions.

The much-awaited ANC conference, the first inside the country in three decades, takes place in Durban. Several members of the UDF and the MDM are elected to senior positions including Cyril Ramaphosa, the new secretary-general.

The Inkathagate scandal erupts with revelations of police funding for Inkatha.

August

Umkhonto weSizwe holds its first congress on South African soil in three decades in Thohoyandou, Venda. The conference is opened by Venda military leader Colonel Gabriel Ramushwana.

Former members of MK whom the ANC accused of being spies are released from detention camps and return home.

De Klerk's proposed meeting in AWB heartland, Ventersdorp, is disrupted by hundreds of rightwingers. Three die in clashes between rightwigners and police.

The United Democratic Front closes shop.

September

The government announces plans to spend R1-billion from the sale of oil reserves for socio-economic upliftment. The National Peace Accord is convened to try and stop political violence that has claimed 10 000 lives in the previous six years. This is the first meeting to bring together the major political players.

October

Cosatu and Nactu spearhead a crippling two-day strike in protest against the imposition of Value Added Tax.

Azapo is expelled as co-convenor of the Patriotic Front which is launched in Durban between the ANC and PAC and several organisations.

The Commonwealth, meeting in Harare, decides to lift people-to-people sanctions Soon after this, India, a leading member of the Commonwealth, is among the first to do so by ending travel restrictions between the two countries; also lifting a ban on scientific and cultural contacts.

November

Mudslinging between Mandela and De Klerk continues. At the National Party congress De Klerk accuses the ANC of being in the clutches of radicals and says it would lead South Africa to ruin.

New York mayor David Dinkins, who had earlier postponed a visit, finally arrives with a large delegation as a guest of the ANC.

Serious divisions surface in the PAC as its student wing, the Pan Africanist Student Organisation, threatens to pull out its 195 000 members if the PAC attends the constitutional talks with government.

The PAC reveals a secret document which claims that the ANC and government have a secret deal on power-sharing.

The government, Inkatha, PAC, ANC and several other organisations attend the first preparatory talks on a new constitutional dispensation. Later the PAC walks out of the talks.

The Convention for a Democratic South Africa is launched at the preparatory talks.

December

De Klerk becomes the first South African head of State to be invited to Moscow. The trip is later cancelled owing to problems in the Soviet Union.

Codesa One kicks off.

OF INTENT

IT was a turbulent week leading up to Codesa. EDYTH BULBRING and MIKE ROBERTSON report on the crises and reconciliations behind the scenes



TENSION: President de Klerk, Gerrit Viljoen and Pik Botha register displeasure during Nelson ... Barend du Plessis and Koble Coetsee. Back: Rina Venter. But the real crunch came behind closed ...

Legal tussle nearly b

S/Times 22/12/91 S/Times

THE real crunch for Codesa did not come late on Friday when Nelson Mandela and FW de Klerk clashed in a raw and angry exchange. It came, instead, on Tuesday morning.

A task group, comprising representatives of the government and 18 political parties and organisations, met to decide on a final draft for a declaration of intent that would guide the workings of the Convention for a Democratic South Africa.

The ANC and the government could not agree. The meeting between the ANC's Mohammed Valli Moosa and the government's Dr Gerrit Viljoen began politely but ended in harsh words and threats.

The core of the dispute was that the ANC wanted Codesa and its decisions to have a legal and binding effect and structures put in place which would make this possible. The government refused to surrender its authority.

Mr Valli Moosa threatened to take the issue to the floor of the first plenary session of Codesa, thus ensuring a bruising and public debate.

The task group's deliberations ended inconclusively.

Compromise

That night 10 people met. The ANC's Thabo Mbeki, Valli Moosa, Jacob Zuma, Cyril Ramaphosa and Joe Slovo met the government's Dr Viljoen, Roelf Meyer, Tertius Delport, Dawie de Villiers and Barend du Plessis.

At the end of the meeting the government had compromised. Codesa would have a hand in drafting legislation which gave effect to the decisions of the convention and all parties would be bound to it. The crisis had passed.

The Tuesday row was only one event in a turbulent week leading up to the Codesa meeting, a week that did not begin propitiously when Pan Africanist Congress leaders arrived at their congress on Monday confident they could persuade their members to rejoin the convention.

Instead, they were met by supporters who chanted "Panzi Codesa — down with Codesa". The matter was decided before the meeting began. The PAC was out of Codesa.

Then came Tuesday's drama. Wednesday was hardly better.

A steering committee meeting had been called to finalise arrangements for the historic first meeting of Codesa on Friday and Saturday. Initially all went well — the representatives rapidly agreeing to a check list of items involving security, media and protocol.

But there were some sharp disagreements over when consensus is really consensus. The Labour Party wanted an 80 percent majority for consensus. It was overuled by the ANC and the government which made it clear that, in the final analysis, sufficient consensus is when parties agree.

The declaration of intent — despite the previous night's meeting — was still the subject of much heated debate and was only finally agreed to after several drafts.

Then came another sticky issue — the status of the Zulu King, Goodwill Zwelithini, at the convention.

Inkatha Freedom Party central committtee member Walter Felgate delivered an impassioned plea for the king to be given a full delegation of equal status to the other parties.

Battle

The ANC proposed a compromise. The king could observe the proceedings and address Codesa. But other paramount chiefs should then also be allowed.

This was unacceptable to Mr Felgate and the other participants at Codesa would not budge.

Shortly after 7pm, IFP leader Chief Mangosuthu Buthelezi, on receiving news of the decision, announced he would not be attending. However, Inkatha would.

The PAC was out, Chief Buthelezi was out, the right-wing and ultra-left were never in — but the show went on.

On Thursday, more problems arose. The ANC's national working committee met at 9am to discuss the steering committee's decisions.

The majority wanted Codesa decisions to have "legal" effect — fearing that without this stipulation the decisions could be nullified by either the government or the tricameral Parliament.

Set to last just over three hours, the meeting ran over time as secretary general Cyril Ramaphosa battled to convince members that the compromise worked out with the government gave Codesa *de facto* if not *de jure* power.

ANC president Nelson Mandela was instructed by the working committee to telephone President De Klerk to effect some amendments.

RIC CONFERENCE **CODESA**

ENTIONS



...the register displeasure during Nelson Mandela's attack on Friday. Immediately behind are Sam de Beer, ... But the real crunch came behind closed doors earlier in the week Picture: DAVID SANDISON

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-11/2/91 S/Times (30411) (4/4)

intent would not be attending. However, Inkatha would.

The PAC was out, Chief Buthelezi was out, the right-wing and ultra-left were never in — but the show went on.

On Thursday, more problems arose. The ANC's national working committee met at 9am to discuss the steering committee's decisions.

The majority wanted Codesa decisions to have "legal" effect — fearing that without this stipulation the decisions could be nullified by either the government or the tricameral Parliament.

Set to last just over three hours, the meeting ran over time as secretary general Cyril Ramaphosa battled to convince members that the compromise worked out with the government gave Codesa *de facto* if not *de jure* power.

ANC president Nelson Mandela was instructed by the working committee to telephone President De Klerk to effect some amendments.

At 8.20 on Thursday night, Mr Mandela put down the telephone, convinced by Mr De Klerk's arguments that as the declaration of intent had gone through the necessary committees, it would be wrong to change it now.

That night and the following morning, within hours of Codesa starting, he told members of his working committee that he had backed down. By his own admission he was nearly lynched — but survived to tell the tale.

Warning

Thursday night also saw a turnaround by the IFP. While Mr Felgate had raised no objections to the agreements reached on the declaration of intent at the Wednesday steering committee meeting, Inkatha's lawyers had a different view when they were given the final draft on Thursday — they felt they were committing themselves to a unitary form of government. Inkatha refused to sign the declaration.

But now an even more ominous issue was threatening Codesa: the perennial problem of the failure of the ANC to disband its military wing, Umkhonto we Sizwe.

President De Klerk and Nelson Mandela had agreed at a meeting in September that at an attempt should be made to resolve the issue. But as the Codesa meeting drew near, no solution was in sight and Mr de Klerk warned he would raise the matter when he spoke at the convention.

On Thursday a last attempt, involving a flurry of telephone calls between the government and ANC officials, was made to resolve the matter. But, the parties were deadlocked. While the various working groups continued to plod away at reaching agreements on Codesa details, the top leadership on both sides was embroiled on Wednesday and Thursday with the problem of MK.

In the event, Mr De Klerk carried out his threat and castigated the ANC at the Codesa meeting for not honouring its agreements to surrender arms caches and other matters connected with the suspension of armed action. It drew an angry and personal attack from Mr Mandela. And then a response from a Mr De Klerk, gasping with indignation.

It was a fierce exchange which sharply brought home to all delegates how fragile the process of settlement was — and yet how durable. At a delegates' cocktail party on Friday night, Mr Mandela said he bore no grudges and wished to shake Mr De Klerk's hand. At the start of yesterday's talks he did.

Co-chairman Ismail Mahomed, speaking after the Mandela/De Klerk spat, summed up the situation when he said: "Let the exchange not take away our perspective of what the declaration has said and that to which people have committed themselves ... a non-negotiable commitment to an apartheid-free society."

He added: "However hilly the road and dark the night — the dawn must still break."

CODESA

One man's scorn and another's blind spot

(3041) S/Times 22/12/91,

By KEN OWEN

CODESA came to earth at a few minutes before seven o'clock on Friday evening when Mr Nelson Mandela set out, coldly and deliberately, to assassinate the character of President De Klerk.

He began by accusing the president of moral turpitude and duplicity, and went on to pile insult on insult, scornfully, abusively, venomously, and when it was over nobody could doubt that the relationship of trust which once existed between the two men was utterly, irretrievably destroyed.

That was not necessarily a bad thing. In a country riven by ancient hatreds and poisoned by continuing distrust, sentimentality is an obstacle to constitution-making. To achieve a good constitution it is necessary to put the hatreds and the distrust on the table, and deal with them, not bury them under a well-meaning chumminess.

Mr Mandela certainly put his distrust on the table. Speaking with cold fury, he said "even a discredited, illegitimate, minority government must observe certain moral standards", and went on from there. He offered condescendingly to make allowances for the fact that Mr De Klerk was "a product of apartheid" but accused him of being "less than frank", of abusing his position, of trickery.

He dismissed with scorn Mr De Klerk's excuse that he hadn't known of the police funding of Inkatha, saying that, if so, he wasn't fit to be head of government. He said he could understand why the Nationalists were losing ground to the Conservatives because nobody would want to deal with such a man as Mr De Klerk.

Paralysis

The effect on the Codesa delegates who had, only minutes earlier, warmly applauded Mr De Klerk as "co-architect of this day", was a kind of paralysis. They sat motionless in shock. DP leader Zach de Beer, who played no small part in bringing Codesa to life, stared stonily downwards; Mrs Helen Suzman covered her eyes with her hand.

Not even her old adversary, John Vorster, the most devastating of parliamentary hatchet men, descended to quite this level of calculated vituperation. In South African politics, it was unprecedented.

President De Klerk flushed, started taking notes, then dropped his pen. Foreign Minister Pik Botha, an old campaigner hardened by his days as resident polecat at the United Nations, whispered urgently in the president's ear, trying to steady him, perhaps. But when Mr De Klerk followed Mr Mandela to the podium he was still hyperventilating, so that he snatched for breath and struggled for control of his voice. Far less articulate in English than Mr Mandela, he rambled through an explanation, searched vainly for a reference in his notes. To his credit, he avoided responding by personal abuse.

To those who

□ To Page 2

Now let us

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The scorn and the blindness

□ From Page 1

watched, from the floor of the convention and from the balconies above, it was plain that the outburst had been simmering for some time. It was sparked by President De Klerk's criticism, valid but ill-timed, of the ANC's insistence on retaining its dual personality as political organisation and army of liberation. S/Times 22/12/91

What infuriated Mr Mandela, however, was not the substance of the criticism. It was the fact that the government had asked to be allowed to speak last, out of turn, and the ANC magnanimously agreed. When Mr De Klerk used his last word on attacking the ANC, Mr Mandela felt he had been led into a trap.

As he pointed out, the two men had been working together all week long to defuse their dispute over violence — Mr Mandela claiming that the government has the forces, but not the will, to end the killing in the townships, and Mr De Klerk demanding the ANC's abandonment of armed struggle — but the president had given him no hint, even as late as the previous evening, that he intended to raise it.

Mr Mandela perceived duplicity; I suspect something else. Mr de Klerk has a curious blind spot, an Afrikaner's isolation from other people and other cultures, which makes him incapable of understanding the damage done to his own credibility by his failure to control the security forces. (#3041)

Destroy

If he is telling the truth, they deceive him, and he is too feeble to dismiss them; they defy his commands, as the CCB did, with impunity; they hide files which they use to blackmail him, and he does nothing; they murder and destroy the evidence, and are not prosecuted; they interfere in politics, they lie, they subvert the democratic process, they are corrupt and depraved, and he protects them. The filth rubs off.

To say this is to predict more high drama as Codesa proceeds but there is no need to be alarmed. As this uproar demonstrated, Codesa is now stronger than its co-architects. Reform no longer depends on trust between two demonstrably fallible men; it has been institutionalised.

Both Mr De Klerk, in refraining from invective, and Mr Mandela, in saying later that the fuss was over, have recognised that Codesa has the power to shape the behaviour of the men and women who participate in it. And that is a great step forward.

For if this episode has demonstrated anything at all, it is that we would be mad to sign a constitution that failed to put strict limits on the power of men like Mr Mandela or Mr De Klerk, neither of whom will ever trust the other to hold the fate of the nation in his hands.

As all liberals will know, that is the beginning of constitutional wisdom.

C O D E S A

SUNDAY TIMES WRITERS ASSESS THE BUILD-UP AND

WITH THE BEST

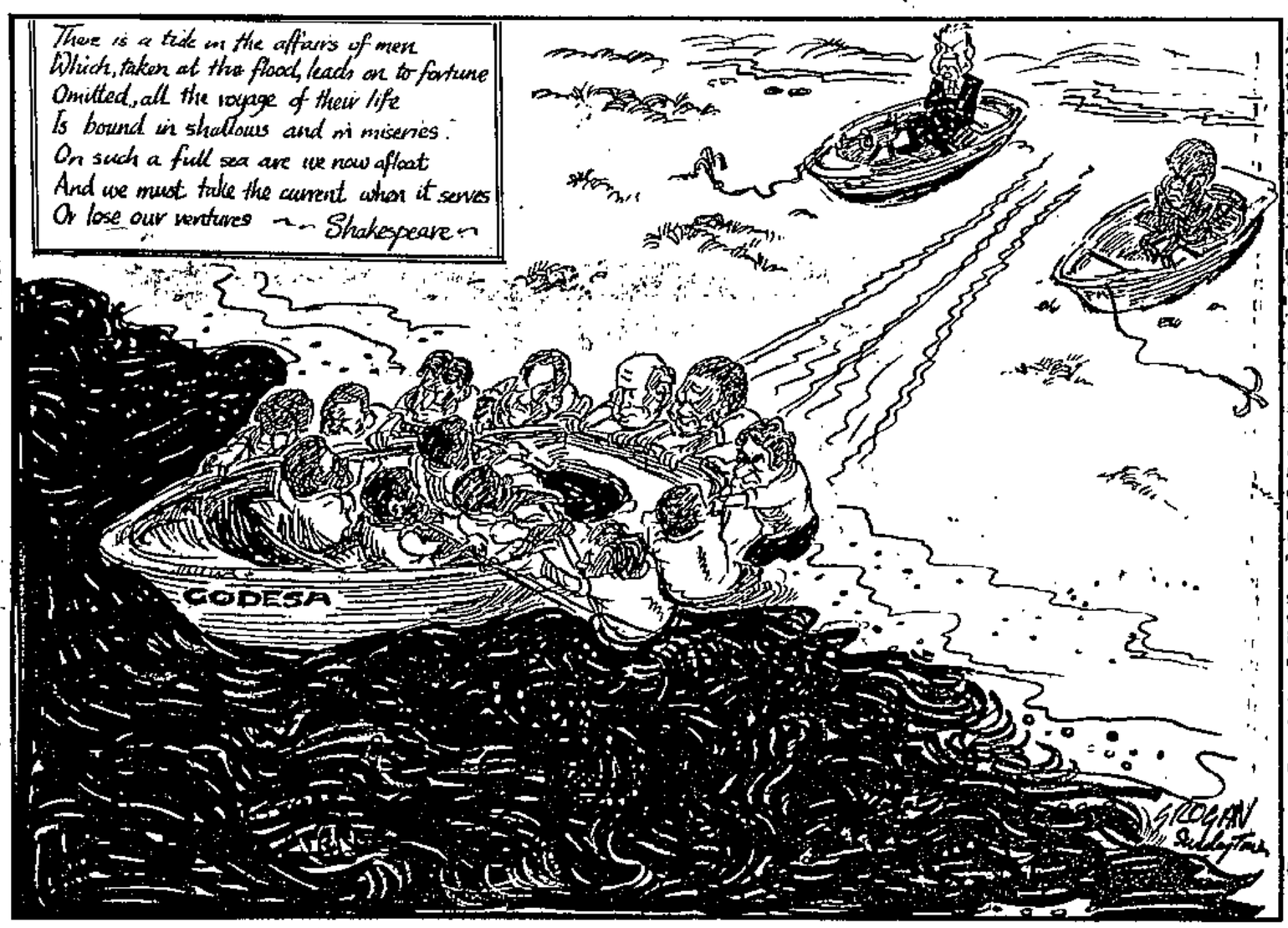
IT BEGAN with a few tentative messages by Prisoner Nelson Mandela, via his warders, to the government in 1986. This led to a conversation with President PW Botha in Tuynhuys on May 6 1989 and on Friday this dialogue culminated in the Convention for a Democratic South Africa.

That first encounter between President Botha and Prisoner Mandela, secretive and elliptical as the record now suggests, was not exactly a meeting of minds. But it did set the context for what was to follow.

Both men agreed that they wanted, at the minimum, a peaceful solution to South Africa's problems. It is now known that Mr Botha was already signalling Western governments that he accepted the inevitability of sharing power with black South Africans.

Mr Mandela was for his part doubtful that the ANC could ever prevail in an armed struggle against the white government.

But Mr Botha was not around long enough to pursue the matter. On August 14 he quit as president and just over a month later Mr FW De Klerk was sworn in. It was from this point that the countdown to Codesa, and this week's historic gathering at the World Trade Centre in Kempton Park, really began.



Step by step on the rocky road to Kempton Park

S/Times 22/12/91 (3044)

BRIAN POTTINGER traces the events and encounters of the past 31 months

Direct

In December 1989 Mr De Klerk first met Mr Mandela — then still a prisoner. Since then there have been at least 29 such face-to-face meetings and numerous telephone conversations about matters large and small, most of them concerned with immediate problems — violence, VAT protests, threatened breakdowns in talks: in fact, whenever the ANC has felt an indaba to be necessary.

This fire-brigade manner of doing business has sometimes exasperated officials but it had one advantage — constant, direct communication between the two most senior men in the two most important organisations.

The immediate foundations of Codesa were, however, laid elsewhere — in the crop of bodies and forums which sprung up after Mr De Klerk's February 2 1991 speech. The most important, as far as Codesa is concerned, was a steering committee set up by the government and the ANC to organise the preliminary talks between the two major parties at Groote Schuur in May 1990.

From Groote Schuur, runs the thread, came the Orwellian-sounding Paragraph Nine Working Committee, latterly referred to as the negotiating committee, which was asked to plan for a possible multi-party conference (all-party conference in the ANC lexicon). Mr Roelf Meyer for the government and Mr Thabo Mbeki for the ANC sat on this committee.

The committee's work was suspended on May 9 this year when the ANC protested against what it regarded as government complicity in the continuing township violence. Retrospectively, it may have been a blessing in disguise.

Church, business and political leaders banded together to launch a national peace initiative. This National Peace Accord, signed by 23 organisations on September 14, for the first time entrenched the principle of full accountability on the part of both the state and political parties for the actions of their servants or supporters. More to the point, it provided an example of what could be done with sufficient compromise and goodwill and gave valuable negotiating experience to all sides.

Chiding

By the end of October the government and ANC were back talking to each other through the negotiations committee. Both sides were now predicting an imminent start to preliminary talks about a constitutional forum.

A week later the Patriotic Front — an alliance of generic "anti-apartheid" groups — met in Durban. The National Party was excluded, despite a chiding demand by Mr De Klerk to one ANC member that he, too, should be allowed to attend as he was also anti-apartheid.

The government was at first suspicious of the Patriotic Front meeting, fearing it would disrupt the progress of constitutional talks. It need not have worried.

The ANC and the other main participant at the Front, the Pan Africanist Congress, agreed, pro forma, to push for an elected constituent assembly and an interim government. Thereafter, things rapidly fell apart. The PAC accused the ANC of conspiring with the government and then walked out of the preliminary Codesa meeting three weeks ago. Now the PAC has launched a "Death to Codesa" movement.

The PAC can at least draw some comfort from history. When the white representatives of the four South African colonies met in Durban in 1908 in their national convention, the smaller parties also complained that they had been sidelined by wheeler-dealing between the Transvaal's Jan Smuts and the Cape's John X Merriman over crucial constitutional issues.

The PAC's truculence does not seem, however, overly to concern the ANC. The minutes of the preliminary meeting of Codesa in Johannesburg on November 29 disclosed remarkable agreement between the National Party and the ANC, prompting Democratic Party Leader Zach De Beer to remark later that he felt like a "gooseberry" at a love affair.

Among issues agreed after varying degrees of arm-wrestling at the preparatory meeting were: the name of the convention; the venue; the status of international observers; the role of the Chief Justice in opening the convention; the election of co-chairmen of Codesa; the referring of controversial issues such as a Declaration of Intent to a steering committee; and agreement that debate on the timing and role of constituent assembly elections be held over for Codesa to debate in the coming months.

Incisive

Even the petulance of the Inkatha Freedom Party, leading this week to a stayaway by Chief Mangosuthu Buthelezi, has not disturbed the equanamity. But then perhaps the ANC and the NP have also read their history: in the 1908-1909 convention it was also the Natalians who were the most rumbustious.

From the minutes of Codesa's preparatory meeting on November 29 one can also guess who will be the pillars that will carry Codesa into the future now that this weekend's speech-making and hoopla has ended.

There is Mr Justice Mahomed, incisive and stern senior partner in the co-chairmanship with Mr Justice Schabort; Roelf Meyer, in real life Defence Minister but for Codesa's purposes representing the National Party delegation; Cyril Ramaphosa, ANC secretary-general and former trade unionist who, tempered by numerous industrial disputes, has a diplomat's flair for negotiations; and the DP's Zach de Beer who, with an Anglo chairman-of-the-board style, could become the institutionalised honest broker on hand for the impasses.

Nations are driven to conventions such as these by different routes. In 1908 it was Lord Selbourne's dire warning about economic collapse of the region unless agreement was reached on customs and railways that precipitated the National Convention.

Similar fears over the economy may have ironically helped bring Codesa to life — together with a range of other social, political and international pressures building up since the early 70s and leading, perhaps inexorably, to this week's convention in the vast and sometimes anomalous glitz of the World Trade Centre.

Unity is key to future

A FUTURE government in South Africa should be based on a multiparty democracy, but should not be constituted on ethnic groupings, South African Law Commission vice-chairman Judge Pierre Olivier said yesterday.

He was addressing a media briefing in Pretoria on the Commission's 1 500-page Report on Constitutional Models, and a 255-page summary, released yesterday.

The report warned that no matter what clever techniques and mechanisms were built into the constitution, power-sharing would fail unless all parties had the serious will and sustained commitment needed to make them work.

"We should strive for national unity and nation-building," said Olivier.

Peace and harmony would not come overnight.

Regionalism on a socio-economic basis with a central government granting decision-making powers to regions might be viable, it said.

Despite rejecting the use of minority vetoes and separate voters' rolls based on race, the Commission said there was "much to be said for laying down in the constitution a stronger requirement than a simple majority in respect of certain fundamental matters".

The existing electoral qualifications should be retained and the vote should simply be extended to all, said the Commission.

The Law Commission recognised the complicated situation in South Africa and said a unitary state may have to enter into a confederation with one of the TBVC states or any other that had been granted partition.

Whatever the combinations, it would be possible to apply power-sharing techniques in every legislative and executive body.

"The eventual system may therefore be a most interesting multiform one," the Commission said.

The viability of an independent Boer state was rejected as impractical.

The Commission recommended that South Africa retain its name. "Azania" was historically and geographically misconceived and did not enjoy general support.

The Commission said it was preferable to address the issue of an official language or languages in the constitution and not simply leave it hanging in the air. – Sapa

Here's the full Codesa mission

c/Pnews 22/12/91 (304A)

WE, the duly authorised representatives of political parties, political organisations, administrations and the South African Government, coming together at this first meeting of the Convention for a Democratic South Africa, mindful of the awesome responsibility that rests on us at this moment in the history of our country, declare our solemn commitment:

■ To bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination;

■ To work to heal the divisions of the past, to secure the advancement of all, and to establish a free and open society based on democratic values where the dignity, worth and rights of every South African are protected by law;

■ To strive to improve the quality of life of our people through policies that will promote economic growth and human development and ensure equal opportunities and social justice for all South Africans;

■ To create a climate conducive to peaceful constitutional change by eliminating violence, intimidation and destabilisation and by promoting free political participation, discussion and debate;

■ To set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:

● That South Africa will be a united, democratic, non-racial and non-sexist state in which sovereign authority is exercised over the whole of its territory;

● That the Constitution will be the supreme law and that it will be guarded over by an independent, non-racial and impartial judiciary;

● That there will be a multi-party democracy with the right to form and join political parties and with regular elections on the basis of universal adult suffrage on a common voters roll; in general the basic electoral system shall be that of proportional representation;

● That there shall be a separation of powers between the legislature, executive and judiciary with appropriate checks and balances;

● That the diversity of languages, cultures and religions of the people of South Africa shall be acknowledged;

● That all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees quality of all before the law.

We agree:

■ That the present and future participants shall be entitled to put forward freely to the Convention any proposal consistent with democracy.

■ The Codesa will establish a mechanism whose task it will be, in cooperation with administrations and the South African Government, to draft the text of all legislation required to give effect to the agreements reached in Codesa.

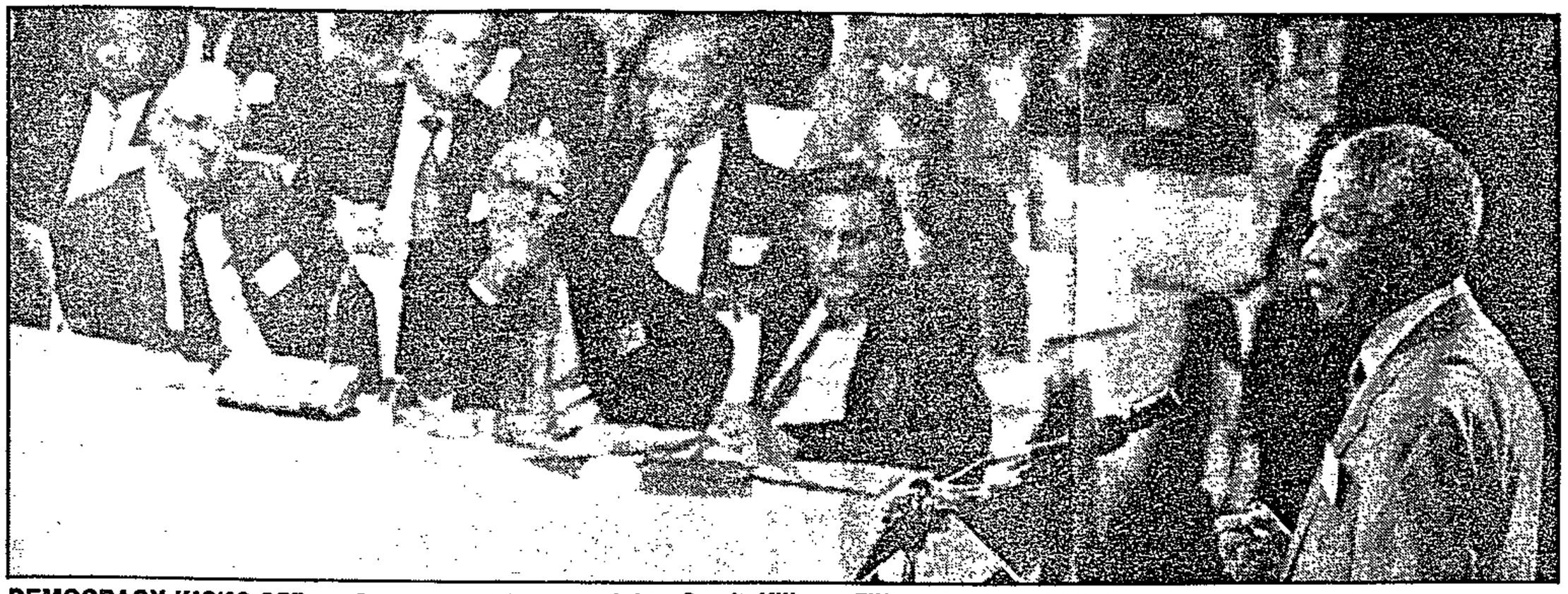
We, the representatives of political parties, political organisations and administrations, further solemnly commit ourselves to be bound by the agreements of Codesa and in good faith to take all such steps as are within our power and authority to realise their implementation.

We, the South African Government, declare ourselves to be bound by agreements we reach together with other participants in Codesa in accordance with the standing rules and hereby commit ourselves to the implementation thereof within our capacity, powers and authority.

Nkosi Sikelel' iAfrika. Ons vir jou Suid Afrika. Morena boloka sechaba sa heso. May the Lord bless our country. Mudzimu Fhatutshedza Afrika. Hosi katekisa Afrika.

See pages 8, 12

The big event we've all been waiting for



DEMOCRACY KICKS OFF ... Government heavyweights Gerrit Viljoen, FW de Klerk and Pik Botha look on as ANC president Nelson Mandela addresses those gathered at Codesa. ■ Pic: EVANS MBOWENI

By ZB MOLEFE and Sapa
Cipher 22/12/91

YOU could have sung those old and familiar words "when an irresistible force meets an immovable object, something's gotta give" at the opening of South Africa's political show to beat all shows – the Convention for a Democratic South Africa.

Depending on your politics, it was quite clear that the immovable was President FW de Klerk and the irresistible was ANC leader Nelson Mandela.

Mandela and De Klerk loomed large, long before Friday's opening of this indaba to lay the foundation for a democratic South Africa. On the shoulders of these men rested the hopes, fears, doubts and expectations of millions of South Africans.

That is what the placard-waving Christians for Truth seemed to have in mind. Obviously this fellowship, which claims a membership of 20 000 worldwide, and which met delegates at the gates leading to the grounds of the World Trade Centre, made sure that the 19 organisations and political groups attending Codesa never forgot The Lord.

"Swine! Traitor!" a white woman screamed as State President FW de Klerk whisked past in a white Mercedes.

"Don't kowtow to Geoffrey Howe", "Whites will not surrender" and "De Klerk has no mandate" stated various rightwing posters. At the helm of the protesters was the head of the English-speaking Republican Unity Movement, Clive Derby-Lewis.

The Five Freedoms Forum, by contrast, sent a message of peace to all leaders from the children of South Africa.

Inside the centre's reception area Umkhonto weSizwe commander Joe Modise was a worried man. To him Friday's opening had something missing.

"The thing that breaks my heart is the absence of the PAC. They have isolated themselves," said Modise as he surveyed arrivals from the mezzanine floor of the World Trade Centre.

Within seconds Modise's spirits lifted. He declared: "This is the crowning glory of our efforts. We will allow no tricks during the convention. We will not allow certain things which are not in the interests of our people to happen at this convention."

A deadpan Lebowa Chief Minister Nelson Ramodike made his arrival.

Just then Foreign Minister Pik Botha made a grand entrance and was mobbed by TV and press photographers. There was a glimpse of the "new" South Africa when Botha was escorted past the security checkpoint by two black security officers.

Meanwhile United States ambassador William Swing was shaking hands with members of the ANC delegation. The reception area was filling fast. Most of the predominantly male arrivals were as sombre as their dark suits.

There was a dash of African colour when Nigerian High Commissioner Alaba Ogusanwo, in flowing colourful robes and waving a whisk, made his grand entrance. In tow was equally colourful Nigerian ambassador Chief HE Segum Olusola, carrying himself with the dignity born of diplomatic training.

Nobody was excited when yet another sleek black BMW slid to a quiet stop near the entrance. It was the jostling and noisy TV and press photographers that gave the game away.

A smiling Nelson Mandel emerged from the car. His entou rage followed as if on cue. Ther was Cyril Ramaphosa, Jaco Zuma, Patrick "Terror" Lekot and a dainty Barbara Masekela

"We have arrived. There is n turning back now," said Lekot sounding like a prizefighter wh had prepared long and hard for fight he had to win.

What a contrast when Cisk strongman Oupa Gqozo, in dar glasses, cut a lonely figure ju behind the Mandela-led proce sion.

Two women well-known in South African politics made their entrance. There was the tireless human rights champion Helen Suzman in a smart blue suit, white handbag and two-ton black and white shoes.

Unsmiling Health Ministe Rina Venter entered dressed in smart green suit, fawn shoes an carrying a fawn briefcase.

It was after 9 am that anothe star of the show made his atter tion-grabbing arrival. Who coul blame President de Klerk? Sout Africa's history in the ninetie had made the man. The photogr phers who mobbed him seemed t confirm that.

The moment of truth had a rived. The hall with its chande liers, red upholstered silver chair and white cloth-draped tables re sembled a mini version of th United Nations. But this time was South Africa. The issue were different and the peopl were different.

Most delegates' eyes were fixed on the raised stage with it huge Codesa banner with black and white silhouettes, which obviously symbolised a new South Africa. Then delegates got down to the talks to make that a reality.

Interim government possible – De

By SEKOLA SELLO and THEMBA KHUMALO

THE government was prepared to institute an interim government soon, provided it took place constitutionally and without circumventing or suspending the present constitution, President FW de Klerk told the Convention for a Democratic South Africa on Friday.

He said one of the biggest problems which would have to be resolved, was mutual mistrust and suspicion. Nobody could deny it prevailed on a broad front.

A specific aspect of this was the insistence from various sources on a transitional government, an interim government or a government of national unity.

People were suspicious that the government intended to misuse its powers during negotiations.

De Klerk said it was not the government's intention to cling to power or to misuse its powers during negotiations.

The perception that the government was opposed to any form of interim government was incorrect. The government's views were:

■ "We are prepared to start negotiating immediately about amending the constitution to make possible an interim power-sharing model, on a democratic basis.

■ "We are convinced it would be in the best interests of South Africa and all its people that, as a first phase, we institute a government which will be broadly representative of the whole population. Such a generally representative government will not only take care of the administration of the country, but it can also initiate further constitutional changes."

■ "We are equally convinced that the compilation of Parliament should be amended during the first phase to include the whole population in a reasonable manner."

■ "We are nearly ready to table specific proposals in this regard which will naturally have to be negotiated – together with the proposals from other people."

De Klerk said the government was not prepared to allow the circumvention or suspension of the constitution. Any meaningful constitutional amendments, even those aimed at transitional measures only, must be passed by Parliament after a mandate had been obtained in a referendum.

If the proposals on interim measures were fair to all people, the answer from all sections of the population would be "yes".

"All South Africans must participate in such a referendum," he said.

De Klerk said he wanted to make it clearer than ever before that the goverment was prepared to accept a negotiated form of transitional government which could be introduced quickly in a democratic and constitutional manner.

ANC President Nelson Mandela told Codesa the present government must make way for an interim government of national unity to supervise the transition to democracy.

"The incumbent government is unsuited to the task of overseeing the transition to democracy. Its oft stated commitment to democracy must now compel it to make way for an interim government of national unity."

Codesa would set the country on the road to democracy, said Mandela, and the strength of its initiative lay in the range of political parties and persuasions represented.

However, Mandela warned that Codesa would not deliver democracy singlehanded. Even absolute consensus at the convention would still leave an apartheid constitution in place.

He called for an immediate amnesty "in the spirit of our convention" to be proclaimed for all remaining political prisoners.

While several representatives of political organisations and parties participating in the Codesa endorsed its Declaration of Intent, Bophuthatswana and the IFP were the only ones which struck a discordant note.

Bop President Lucas Mangope refused to sign the Declaration in its present form, while the IFP had not signed before going to press.

Although IFP leader Chief Mangosuthu Buthelezi did not attend, in protest against the exclusion of King Goodwill Zwelithini, Inkatha spokesman Dr Frank Mdlalose said the IFP "has come to Codesa deeply committed to turn South Africa into a showpiece of racial co-operation leading to a united people with a national will to make democracy work."

Mdlalose, who is the IFP chairman, was highly critical of the exclusion of King Zwelithini. He said: "His Majesty is no bystander to the great events that must now be shaped in this country.

In a surprise move, Ciskei strongman Brig Oupa Gqozo indicated willingness to have the homeland reincorporated into South Africa. However, he believed this should be done in a federal arrangement.

Gqozo said: "Regional government is a factor for future stability. Throughout the world this type of goverment is increasing and is recognised as an effective mechanism for keeping in touch with the electorate.

By late Friday afternoon the government and the ANC, the major players in the Codesa, were reportedly making frantic efforts to persuade Chief Lucas Mangope and the IFP delegation to sign the declaration of intent.

The IFP's objection to the declaration of intent is the making of South Africa a unitary state. Inkatha is known to be in favour of a federal structure.

GIANT STEP

clipper 22/12/91

Mandela and De Klerk make peace on day SA is reborn

By SEKOLA SELLO, THEMBA KHUMALO and Sapa

CODESA had made a giant leap forward from the days of an apartheid South Africa, co-chairman Justice Ismail Mahomed said in his closing address to the convention yesterday.

Future South Africans would identify "this day and this moment" as the time when South Africa was reborn, he said.

The two-day Codesa meeting ended yesterday amid high hopes that the interim government preceding a Constituent Assembly could be established within the next 12 months.

State President FW de Klerk and ANC leader Nelson Mandela publicly shook hands and made peace at Codesa's closing yesterday after their bitter clash on the first day of the convention.

De Klerk had attacked the ANC for refusing to dismantle its armed wing, and Mandela later launched a scathing attack on the State President, saying he was not fit to be a head of state and was guilty of double-dealing – talking peace but waging war against the ANC at the same time.

After the two leaders publically made peace, Foreign Minister Pik Botha told delegates the NP had been badly hurt by Mandela's remarks, but had not hit back in the interests of conciliation.

Although both De Klerk and Mandela were not prepared to bind themselves to specific time frames, both said an interim government should be implemented soon.

Mandela went as far as saying that given the [illegible] sembly" were the two most outstanding achievements of Codesa.

Yesterday the State President went a step further in allaying the fears of both the ANC and SACP by saying he had no intention of perpetuating white domination in a disguised form.

Addressing a local and foreign media conference soon after the conclusion of Codesa One, De Klerk said his proposed transitional government was not a variant of the tricameral parliament or a forced chamber for blacks. He said the NP firmly supported universal suffrage.

If whites did not give their mandate to proposals for an interim government "we will go back to the negotiating table," he said at a press conference at the close of Codesa.

However, he reiterated the government's well-known stand that in any new dispensation no majority must be in a position to abuse its position in dominating minorities.

On his stand that Umkhonto weSizwe disband, De Klerk said this applied equally to rightwing groups such as the Afrikaner Weerstandsbeweging.

He said he had not mentioned them by name in his speech to Codesa on Friday because they were not present at the convention.

At separate press conferences Mandela and SACP national chairman Joe Slovo had expresed



HIGH HOPES . . . ANC president Nelson Mandela addresses South Africa's historic gathering. (Inset) President FW de Klerk. Both expressed optimism at the end of the two-day convention.



Merry Xmas

THE Editor and staff wish all City Press readers a merry Christmas and a peaceful New Year.

May the spirit of peace prevail in our hearts, minds and in communities throughout our beloved land this festive season.

May we also enter 1992 with a spirit of dedication to a better South Africa.

■ City Press will take a break this festive season. Next Sunday, December 29, there will be no issue of your favourite Sunday newspaper. But we will be back on January 5.

Soccer boss on car theft charge

By DESMOND BLOW

SAMUEL Coloured Mdluli, better known as Coloured Passmore – a defence witness in Abdul Bhamjee's R7,4-million theft trial – has been charged with car theft.

Passmore, one of the most flamboyant characters in football, appeared with co-accused Moroka Swallows coach Sandile Bali in the Benoni Regional Court on Thursday. Bali managed Passmore's business in Dobsonville, Soweto – called Passmore Panel Beaters – at the time of the alleged theft of a Toyota Hi-Ace.

No evidence was led. The case was postponed until next month.

Passmore, who lives in a luxury home in Johannesburg's northern suburbs, is the managing director of Highlands Park Soccer Club and an executive member of the NSL.

The charge sheet alleges that the theft occurred in Benoni between July 30 and November 30 1987. It lists the stolen vehicle's owner but states that the registra-



GIANT

Cl Press 22/12/91.

Mandela and De Klerk make peace on day SA is reborn

By SEKOLA SELLO, THEMBA KHUMALO and Sapa

CODESA had made a giant leap forward from the days of an apartheid South Africa, co-chairman Justice Ismail Mahomed said in his closing address to the convention yesterday.

Future South Africans would identify "this day and this moment" as the time when South Africa was reborn, he said.

The two-day Codesa meeting ended yesterday amid high hopes that the interim government preceding a Constituent Assembly could be established within the next 12 months.

State President FW de Klerk and ANC leader Nelson Mandela publicly shook hands and made peace at Codesa's closing yesterday after their bitter clash on the first day of the convention.

De Klerk had attacked the ANC for refusing to dismantle its armed wing, and Mandela later launched a scathing attack on the State President, saying he was not fit to be a head of state and was guilty of double-dealing – talking peace but waging war against the ANC at the same time.

After the two leaders publically made peace, Foreign Minister Pik Botha told delegates the NP had been badly hurt by Mandela's remarks, but had not hit back in the interests of conciliation.

Although both De Klerk and Mandela were not prepared to bind themselves to specific time frames, both said an interim government should be implemented soon.

Mandela went as far as saying that given the achievements of the last two days, he firmly believed that this could be done by Christmas 1992.

The ANC leader said the government's commitment to an interim government and "reference to a constituent assembly" were the two most outstanding achievements of Codesa.

Yesterday, the State President went a step further in allaying the fears of both the ANC and SACP by saying he had no intention of perpetuating white domination in a disguised form.

Addressing a local and foreign media conference soon after the conclusion of Codesa One, De Klerk said his proposed transitional government was not a variant of the tricameral parliament or a forced chamber for blacks. He said the NP firmly supported universal suffrage.

If whites did not give their mandate to proposals for an interim government "we will go back to the negotiating table", he said.

"We have to have general acceptance. If there is overwhelming support from the rest of the population and not from the whites that will be a clear sign for us to go back to the negotiating table," he said at a press conference at the close of Codesa.

However, he reiterated the government's well-known stand that in any new dispensation no majority must be in a position to abuse its position in dominating minorities.

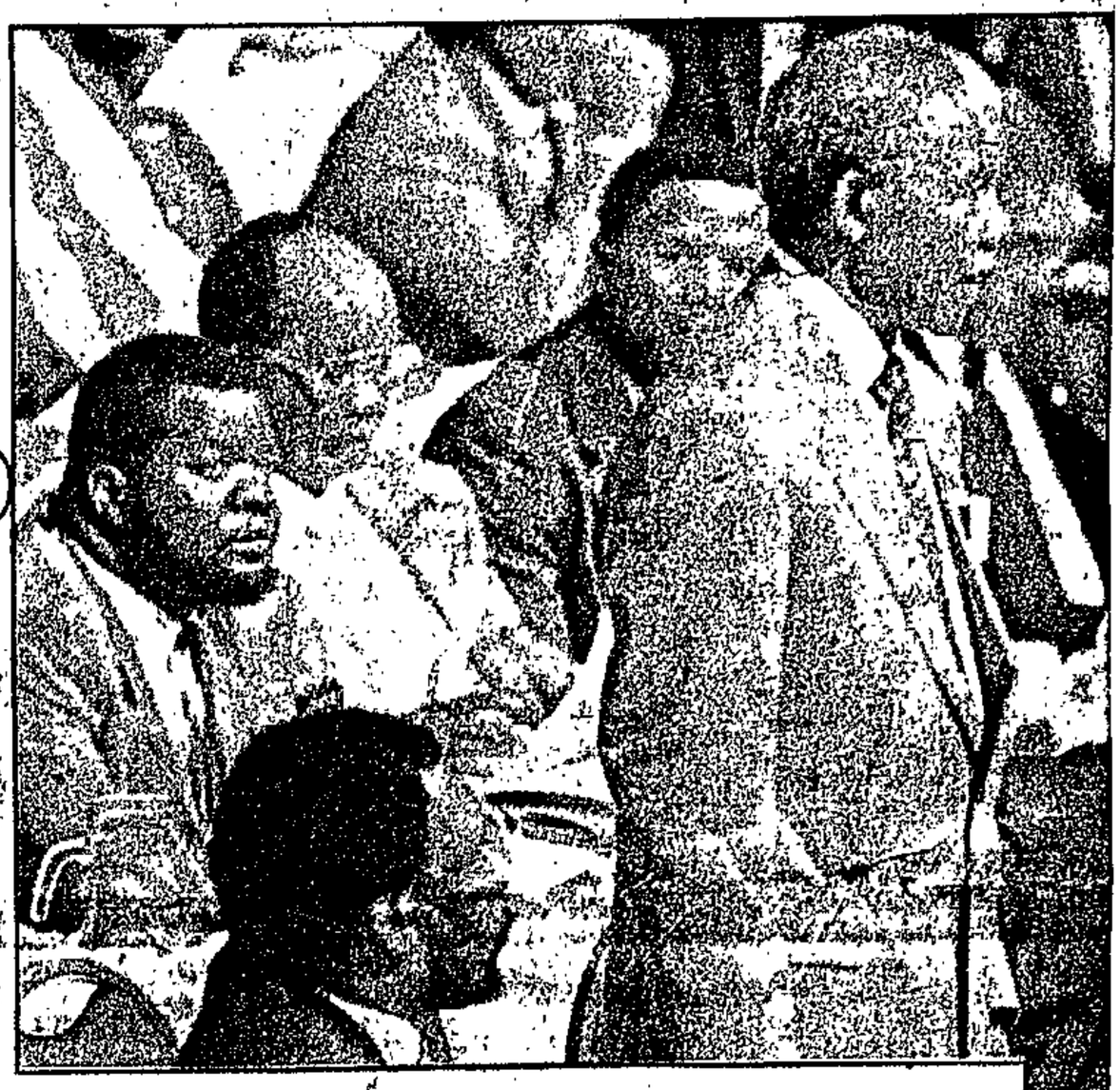
On his stand that Umkhonto weSizwe disband, De Klerk said this applied equally to rightwing groups such as the Afrikaner Weerstandsbeweging.

He said he had not mentioned them by name in his speech to Codesa on Friday because they were not present at the convention.

At separate press conferences Mandela and SACP national chairman Joe Slovo had expresed doubts about De Klerk's true intentions concerning his new proposals.

The ANC leader warned against any form of constitution that would co-opt blacks into a tricameral parliament.

See pages 2, 8, 12.





HIGH HOPES . . . ANC president Nelson Mandela addresses South Africa's historic gathering. (Inset) President FW de Klerk. Both expressed optimism at the end of the two-day convention.

Codesa spells end to revolutionary struggle

Sowetan 23/12/91

CODESA

The time for the revolutionary struggle and all that goes with it is over following historic decisions taken at the Convention for a Democratic South Africa at the weekend. THEMBA MOLEFE of our Political Staff reports.



WITH the advent of the Convention for a Democratic South Africa political reform appears to have replaced the revolutionary struggle in the country.

The decisions taken at the World Trade Centre at the weekend will now put a question mark against the continued relevance of the revolutionary liberation movement, as represented by the African National Congress, Pan Africanist Congress and the Azanian Peoples Organisation.

Where does each of the three stand at this juncture?

The ANC was the first to engage the South African Government in negotiations.

Its president Mr Nelson Mandela said on Friday the black majority had forced the "regime" to go to the table.

He hinted that Codesa was a culmination of a negotiation process dating back to 1986 when he was still in prison. The first government representative he spoke to was Justice Minister Kobie Coetsee.

Broederbond

However, authority has it that Codesa is actually a climax of a process initiated by the regime itself. The Broederbond, the secret power behind the Afrikaner throne, proposed in 1986 that there should be a black president and that liberation movements, ostensibly the ANC, should be engaged in negotiations.

However, to the ANC the "struggle" has taken a new dimension, that of setting up the mechanisms for a new government and constitution. According to the ANC, Codesa is a victory for the "people".

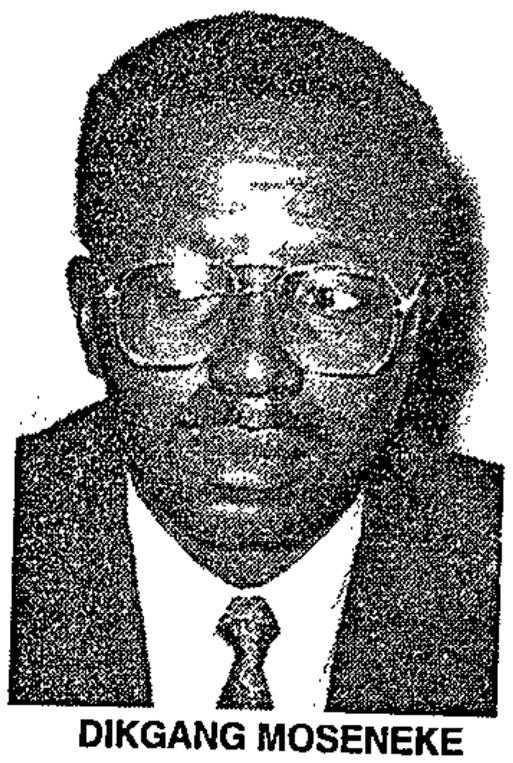


KOBIE COETSEE

The movement also views President FW de Klerk's acceptance of the notion of an interim government as a capitulation.

The PAC, on the other hand, has pulled out of the process and begun a campaign it calls "Death to Codesa".

Also, the Africanists are advocating another Patriotic Front of organisations opposed to Codesa, which the PAC sees as a conspiracy between the Government and the ANC.



DIKGANG MOSENEKE

On Saturday Mandela said the Patriotic Front - convened jointly by the ANC and the PAC - was not dead and the organisation was still committed to it.

He refused to speculate about the forthcoming meeting of the ANC and PAC over the PF in January.

The PAC leadership has stated that its decision to pull out of the talks was not irreversible.

PAC deputy president Dikgang Moseneke told journalists last week, after meeting Commonwealth observers, that negotiations were still paramount to the PAC.

But the organisation needs assurances that it will not be co-opted into a conspiracy, allegedly between the ANC and the Government to jointly run the country.

Political commentators think the PAC's stance is temporary and that it will eventually join the convention. (Codesa Two is being planned for March next year).

The mood at the convention was that the PAC should not be left out of any decision-making mechanism on South Africa's future. The ANC, the Government and the international community - UN and the OAU - say so.

It is thus a matter of time before the PAC joins Codesa.

This leaves Azapo alone, steadfastly maintaining a revolutionary posture.

Kicked out

Azapo was "kicked out" of the PF convening committee when it objected to the participation of organisations and parties "created by the Government".

The organisation has also ruled out negotiations with the Government and also advocates what it calls a "front of patriots and of organisations of the oppressed".

Whether Azapo will succeed in going it alone or harnessing support on its side will determine the future of revolutionary struggle in South Africa.

Rocky road ahead

Sowetan 23/12/91 (304A)

By ISMAIL LAGARDIEN
Political Correspondent

THE birth process of the new South Africa started at Codesa on Saturday, but when it will end is blurred by growing conflict between the Government and the African National Congress.

According to National Party sources, the Government wants an interim (transition) phase for as long as 10 years while the ANC wants a transition period of no longer than 18 months.

While the determination of the actual time frame for the transformation has been delegated to one of five working groups of Codesa, the issue is threatening to drive a wedge between the ANC and the Government.

Interim government

At the end of the weekend's convention, State President FW de Klerk refused to be drawn into discussing the National Party's proposals - which contain a blueprint for a 10-year interim government

In his reaction to the NP's plan, ANC president Mr Nelson Mandela, without committing himself in any way said: "We are ready to consider the proposals which the Government says it is almost ready to present concerning these matters."

But, other senior ANC leaders have repeatedly stated that a drawn out interim period was "totally unacceptable," some going as far as calling the NP plan a "trap".

De Klerk did, however, touch base with the ANC on the issue of Codesa reaching a swift end to its business when he suggested that an interim government of national unity should replace the present parliament.

"We are convinced that it is in the interest of South Africa and all its people for us to institute expeditiously, as a first phase, a government that is broadly representative of the whole population," De Klerk said.

Reconciliation

He spoke at the end of the first day's deliberations of Codesa where South Africa's immediate political horizon was re-arranged to make way for national reconciliation.

Codesa established confidences and its participants adopted a declaration of intent which propelled the country into a transition period and which finally brought truth to the notion that the process of change in South Africa was irreversible.

Five working groups were established to deal with the stated aims and objectives of Codesa.

The working groups will deal with the creation of a climate for free political activity; constitu-

• To page 2

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Trusses C

Reconciliation in South Africa has now begun

(304A) (GPA)

• From page 1

tional principles in a new dispensation including a Bill of Rights; a transitional authority or interim government; the future of the homelands; and the time frames for the implementation and execution of the decisions of Codesa.

Codesa will not automatically be granted legal force, but its decisions will go to a committee that will draft legislation that will be placed before Parliament.

Sowetan 23/12/91

Legislation

If the legislation is accepted at (Codesa) committee level - where all the parliamentary parties will be represented except the Conservative Party - it is unlikely that it will not become law.

The five working groups that were established at Codesa will meet again soon after the opening of Parliament, when De Klerk is expected to announce his party's proposals for an interim government.

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DECLARATION OF INTENT

The majority of parties and organisations who attended the Convention for a Democratic South Africa summit at the World Trade Centre in Kempton Park near Johannesburg at the weekend endorsed a "Declaration of Intent" document which aims for a "democratic South Africa with justice for all". The declaration was signed by most of the participants except for the Inkantha Freedom Party and Bophuthatswana. The declaration says it seeks to transform South Africa "from an apartheid state to a democratic, nonracial, non-sexist country with justice for all". 23/12/91

We, the duly authorised representatives of political parties, political organisations, administrations and the South African Government, coming together at this first meeting of the Convention for a Democratic South Africa, mindful of the awesome responsibility that rests on us at this moment in the history of our country, declare our solemn commitment

1. **To bring about** an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination;
2. **To work** to heal the divisions of the past, to secure the advancement of all and to establish a free and open society based on democratic values where dignity, worth of rights of every South African are protected by the law;
3. **To strive** to improve the quality of life of our people through the policies that will promote economic growth and human development and ensure equal opportunities and social justice for all South Africans;
4. **To create** a climate conducive to peaceful constitutional change by eliminating violence, intimidation and destabilisation and by promoting free political participation, discussion and debate;
5. **To set in motion** the process of drawing up and establishing a constitution that will ensure inter alia:

A. that South Africa will be a united democratic, nonracial and non-sexist state in which sovereign authority is exercised over the whole of its territory;

B. that the constitution will be the supreme law and that it will be guarded over by an independent, non-racial and impartial judiciary;

C. that there will be a multiparty democracy with the right to form an join political parties and with regular elections on the basis of universal adult suffrage on a common voters role; in general the basic electoral system shall be that of proportional representation;

D. that there shall be a separation of powers between the legislature, executive and judiciary with the appropriate checks and balances;

E. that the diversity of languages, cultures and religions of the people of South Africa shall be acknowledged;

F. that all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees equality of all before the law.

We agree:

1. That the present and future participants shall be entitled to put forward freely to the convention any proposal consistent with democracy.
2. That Codesa will establish a mechanism whose task it will be, in co-operation with administrations and the South African Government, to draft the texts of all legislation required to give effect to the agreements reached in Codesa.

We, the representatives to political parties, political organisations and administrations, further commit ourselves to be bound by agreements of Codesa and in good faith to take all such steps as are within our power and authority to realise their implementation.

As special clause bound the South African Government separately from the other signatories, this clause reads as follows:

We, the South African government, declare ourselves to be bound by agreements we reach together with the other participants in Codesa in accordance with the standing rules and hereby commit ourselves to the implementation thereof within our capacity, powers and authority.

Groups to map out new SA

By ISMAIL LAGARDIEN
Political Correspondent

THE Convention for a Democratic South Africa at the weekend established five working groups to work towards creating a new political order for South Africa.

The five working groups have been assigned to:

*Investigate, report on and make recommendations for creating a climate for free political participation and define the role of the international community;

*Formulate general constitutional principles and define or reach agreement on a constitution-making-body (constitutional assembly or conference) and what such a process should actually entail;

*Investigate the composition and structure of an interim government or transitional authority;

*Investigate and give detailed clarity on the role of the homelands - Transkei, Bophuthatswana, Venda and Ciskei; and,

*Determine time-frames and completion target dates for the processes and assignments being undertaken by Codesa.

The working groups will start their work on February 6 and prepare reports for Codesa 2 - which could take place during March.

It is also here in the working groups where the serious tensions over constitutional details and the shape, size and lifespan of an interim government will be felt.

The first working group will be faced with the daunting task of creating a condition conducive to free political participation.

The immediate issue could be the status of Umkhonto we Sizwe and its military strength, the South African Defence Force and South African Police and their perceived role in the violence in the country as well as their historical involvement in internal and regional conflict.

The second working group's brief of searching for and defining constitutional principles is a political minefield. It is here where the greatest differences between the political parties lie.

The third working group, which will deal with the transitional arrangements or interim government, has a similarly arduous task.

State President FW de Klerk on Friday proposed that Codesa negotiate an interim constitution which, after approval by a referendum in which votes will be counted on a racial basis, would be put to Parliament.

The fourth working group's task, that of determining the role of the homelands, face the wrath of Bophuthatswana's Chief Lucas Mangope.

While all the other homeland leaders have either implicitly or explicitly accepted re-incorporation, Mangope is obdurately clinging to his position.

Weighty issues on cards for Codesa 2

STAR 23/12/91 (30A)

By Peter Fabricius
Political Correspondent

Fundamental political questions such as the nature of an interim government and a constituent assembly and the future of the TBVC states are to be debated when Codesa holds its second plenary meeting in March.

In the meantime, five important Codesa working groups will be holding an intense series of meetings in an attempt to reach agreement on these issues behind closed doors.

Codesa sources see the March meeting as an interim one where progress in the working groups, rather than final agreements, will be presented.

The timetable for change was agreed upon on Saturday at the end of Codesa's first meeting at the World Trade Centre near Jan Smuts Airport.

Seventeen of the governments and parties at "Codesa 1" signed a Declaration of Intent, committing themselves to basic principles of multiparty democracy and to abide by the decisions of Codesa.

Only the Inkatha Freedom Party and the Bophuthatswana government refused to sign, fearing that they would be committing themselves to decisions that could jeopardise their autonomy or existence. But they have remained in Codesa.

The tasks of the five working groups, which will meet for the first time on January 20 are to create a climate for free political participation, to agree on the role of the international community in the transition, to agree on basic constitutional principles and a constitution-making body or process, to agree on a transitional or interim government, to agree on whether the TBVC states should be incorporated into South Africa and to agree on the timing for implementing Codesa's decisions.

The trickiest problems will be whether or not the ANC finally abandons the armed struggle, the future of the TBVC states and the nature of a constituent assembly and interim government.

Improved

President de Klerk presented an ultimatum to the ANC at Codesa 1 when he said that the Government would not enter into any binding agreements on fundamental questions unless the ANC fully gave up the armed struggle.

However, he also dramatically improved the chances of agreement by disclosing that the Government now accepted the idea of a sovereign, nonracial interim government — including an elected one person, one vote Parliament — which would also draft a final new constitution.

The agenda for the working group meetings includes other difficult questions.

As part of the process of creating a climate for free politics, Working Group 1 will consider the political neutrality of, and equal access to State-controlled media — especially the SABC.

The timetable for future Codesa business was announced on Saturday. The Codesa Steering Committee is now to be known as a Management Committee. It will meet for the first time on January 13.

It will choose a chairman, establish a day-to-day executive of five people and a secretariat and set up the working groups.

Each working group will comprise two representatives and two support staff from each of the 19 Codesa delegations.

ANC official Murphy Morobe will continue to head Codesa administration and Constitutional Development official Deon du Plooy, Codesa finance.

The Management Committee will have to decide whether or not to allow other parties and organisations to join Codesa.

Several have applied. The most difficult application is that from the Zulu king.

Failed negotiations about his status at Codesa caused Inkatha Freedom Party leader Chief Mangosuthu Buthelezi not to attend Codesa.

It is now being proposed that all traditional leaders should attend future Codesa meetings.



Helen Suzman . . . issued a call at Codesa for a greater role to be given to women to prevent accusations of sex discrimination.



Daphne Mashile . . . of 19 political organisations at Codesa, not one gave their women a significant role to play.

30/9/19.4 Depreciation:
Disp. (2 880 + 2 160)
B: (13 600 x 20%)
E: (16 800 x 20%)
F: (13 760 x 20% x 9/1
Balance

● Nat, ANC views converge ● FW, Mandela as co-leaders?

New govt 'by 1993'

304A STAR 23/12/91

By Peter Fabricius
Political Correspondent

South Africa could get its first, fully representative, non-racial government by 1993 or even sooner — with F W de Klerk, Nelson Mandela and other black leaders as co-presidents.

This may be the effect of President de Klerk's far-reaching announcements on the Government's new policy on an interim government.

He disclosed at the Convention for a Democratic South Africa at the weekend that the Government was ready and eager to install an interim (or "transitional") government and a new, elected Parliament, representative of the whole population.

Apart from running the country, the new government would draft a final constitution — in effect making it a constituent assembly.

Mr de Klerk's proposal takes the Government's position a giant stride closer to that of the ANC.

Government sources say that Mr de Klerk will present a detailed plan for an interim constitution at the opening of Parliament on January 24.

More reports – Pages 3, 12 and 13

It will then go to one of Codesa's working groups on February 6. This group will report to Codesa's second plenary meeting, scheduled to take place before the end of March.

Theoretically, agreement on an interim government could be reached then, but sources close to Codesa say this is more likely to be an interim meeting to report progress.

But these sources believe that agreement should be reached later next year.

In the Government view, a referendum would then have to be held to win approval for the constitution from the different population groups (whose votes will be counted separately).

If approved, the interim constitution could be submitted and passed during the 1993 parliamentary session — although a special session of Parliament could be held during the second half of 1992 if agreement were reached soon enough.

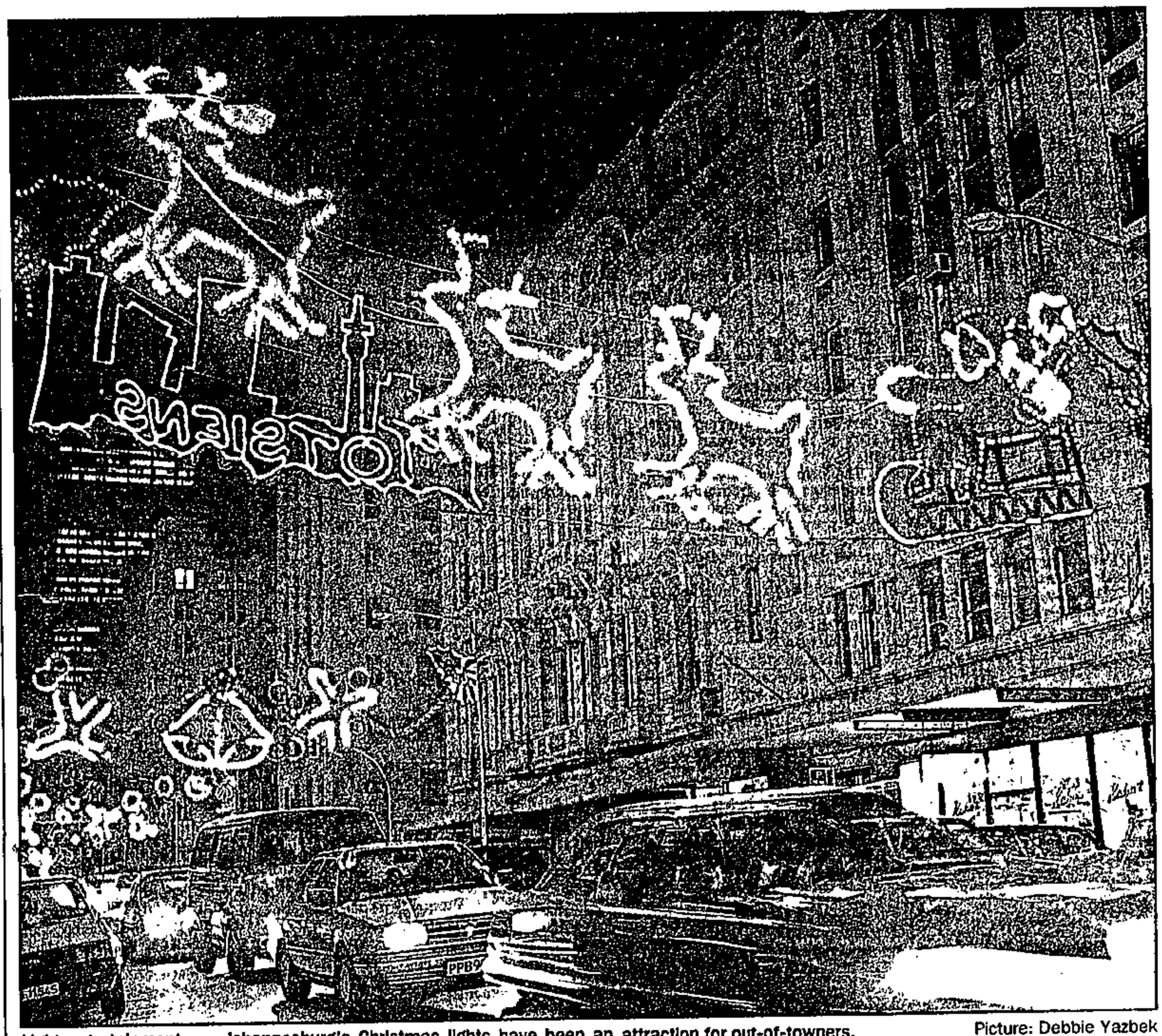
Elections for South Africa's first non-racial fully representative Parliament would then be held — and a government installed.

Although Mr de Klerk has declined to divulge much detail, he told a Codesa press conference that he did not intend merely adding a fourth black chamber to the tricameral Parliament, as some ANC officials suspected. Constitutional Development Minister Gerrit Viljoen told The Star at the weekend that the NP's envisaged interim constitution would be based on the NP's proposals for a permanent constitution.

Its main features are a joint executive presidency of three to five leaders of the biggest parties, and two legislative houses with equal power and strong protection for minorities.

Mr de Klerk's major concessions to the opposition

To Page 3



Light entertainment . . . Johannesburg's Christmas lights have been an attraction for out-of-towners. Picture: Debbie Yazbek

New govt could be in place by 1993

304A STAR 23/12/91

● From Page 1

demands for a sovereign interim government and an elected constitution-drafting body have dramatically improved the prospects for successful negotiations at Codesa.

Until now the NP's official policy has been that the constitution should be drafted by an unelected multiparty conference — such as Codesa.

The catch in the Government plan — at least from the ANC view — is that it would like the interim government to rule for much longer than the 18 months or so envisaged by the ANC.

Another point of difference with the ANC is that the Government sees the interim government as an unelected body.

And the strong minority protection in the legislature, which is sure to be a feature of the NP plan, is certain to cause problems to the ANC.

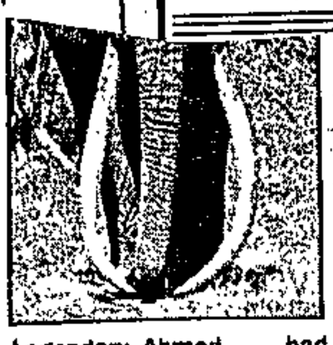
Yet another problem is that the Government has made it clear that apart from other groups, the new constitution will have to be approved by the white electorate.

Nonetheless, the ANC's initial reaction to Mr de Klerk's proposal has been promising.

Mr Mandela said in a statement on Saturday that the ANC welcomed the fact that the Government had acknowledged the legitimacy of various aspects of ANC policy.

These included the demand that the NP should not be referee and player, that an interim government of national unity should be established expeditiously, and that the present constitution and the tricameral Parliament had no legitimacy.

Another looming obstacle is the Government's growing insistence that the ANC abandon its armed struggle.



Legendary Ahmed . . . had a permanent bodyguard.

He wants the current temporary ban on ivory sales to stay in place.

His announcement is likely to upset Zimbabwe in particular.

Zimbabwe is adamant that, like South Africa and Botswana, it deserves the right to sell its ivory because — unlike Kenya which has mismanaged its elephant population — Zimbabwe is forced to annually cull thou-

tinuation of the year long ivory moratorium.

The Minister of Foreign Affairs agrees with him.

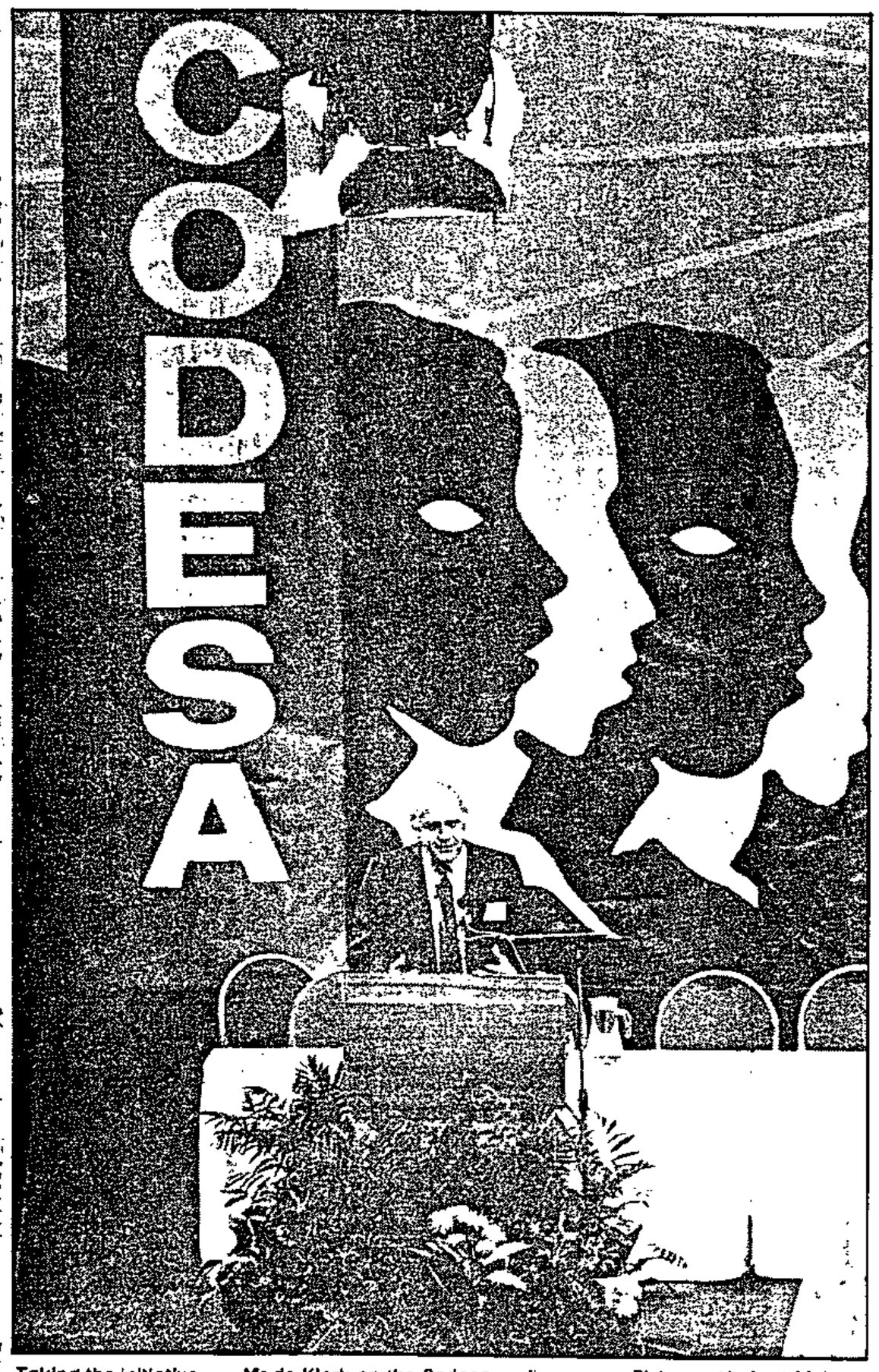
Kenya claims that as long as ivory sales are allowed poaching will continue.

This, they argue, will eventually wipe out most of Africa's elephants.

An exclusive interview with Dr Robsinson will be published in The Star tomorrow.



Another coup by De Klerk



Taking the initiative . . . Mr de Klerk on the Codesa podium. Pictures: Herbert Mabuza

(304A) STAR 23/12/91.

PATRICK LAURENCE assesses the state of play after Codesa 1.

PRESIDENT de Klerk made a bold bid to seize the initiative at the historic first meeting of the Convention for a Democratic South Africa by pre-empting two central African National Congress demands.

He used the two-day Codesa meeting, which ended at the weekend, to launch another of the daring gambits which have characterised his presidency since his inauguration not much more than two years ago.

In a manner reminiscent of his celebrated February 2 speech last year, he pre-empted ANC demands for an interim government of national unity, and the election, on the basis of adult suffrage, of a constituent assembly to draw up a new constitution for South Africa.

Mr de Klerk announced that his administration was willing to negotiate amendments to the present constitution to provide for the inclusion of the black majority at both the executive and legislative levels of government.

The speech remained the highlight of Codesa, even after ANC president Nelson Mandela, responding to what he considered to be unfair criticism of the ANC by Mr de Klerk over its refusal to dissolve its underground army, launched a bitter attack on him.

In full view of television cameras Mr Mandela accused Mr de Klerk of duplicity and responsibility for the township violence, provoking a counter-attack from a distressed Mr de Klerk who, for the first time since he assumed office, appeared to be close to losing his cool.

But by the end of the watershed meeting, after tempers had cooled and harsh words had been tempered, if not withdrawn, Mr de Klerk's speech regained its central importance, matching if not superseding that of the Declaration of Intent, in which 17 of the 19 participating organisations pledged to strive for a non-racial and democratic South Africa, and to give legislative effect to Codesa's decisions.

As Mr de Klerk put it in his address, his administration wants to "institute expeditiously" a government which is representative of all the people and to establish a Parliament which includes the "total population in an equitable manner".

To that end his administration is "almost ready to table specific proposals" for consideration by Codesa's 228 delegates and, after they have been debated, refined and modified, to present them to South Africans of all colours for approval in a referendum.

"We are in a hurry," Mr de Klerk told journalists after his closing speech in which he reaffirmed his commitment to Codesa's "noble aim" of a democratic South Africa.

The proposed new government, based on a new constitution and new Parliament which would include black representatives for the first time since the Act of Union in 1910, would be a transitional government and an alternative to the ANC's recommended interim government of national unity.

Mr de Klerk's envisaged transitional government, and the Parliament on which it rests, differ from the ANC's suggested interim government in several important aspects.

The transitional government would be based on an amended constitution; the interim government presupposes the abolition of the present racially structured and, in the ANC's view, illegal constitution.

The transitional Parliament might serve as a forum for negotiations for a "more final constitution", and thus fulfil the function of the constituent assembly; the interim government's primary function would be to prepare the way for the holding of constituent assembly elections before the end of next year.

Mr de Klerk's proposal thus seems to concertina the concepts of interim government and constituent assembly into one. It may, therefore, have a longer life than that foreseen by the ANC for its interim government.

As Mr de Klerk remarked: "(It) could produce an entirely new dimension in the debate about a constituent assembly."

The initial reaction of the ANC and its ally, the South African Communist Party (SACP), was to suspect Mr de Klerk of planning to modify the present tri-racial constitution for whites, coloureds and Indians by grafting on a fourth chamber for the black majority.

Voicing its suspicions, the ANC rejected as "totally unacceptable" the idea of an "interim government which finds its form in a glorified tricameral Parliament with an indefinite timespan".

Asserting its opposition to constitutional "restructuring through co-option", the ANC rejected with equal vehemency the holding of "racially based referenda" by Mr de Klerk to secure a mandate for his proposed move from the three communities represented in the present Parliament. As Joe Slovo, of the SACP, saw it, these referenda would give the white minority an effective veto over Codesa's decisions and are in conflict with the undertaking by the De Klerk administration binding itself to implement Codesa resolutions.

At a later press conference, these fears and objections of the ANC and the SACP were put to Mr de Klerk.

On the "racial referenda" issue he replied that all South Africans would vote on the proposal simultaneously under a system devised to establish whether a majority in each of the racially composed components of the total population — whites, coloureds, Indians and blacks — supported it.

The referendum which he has in mind would enable him to fulfil a pledge to white voters not to change the constitution radically without consulting them by way of a referendum or an election. At the same time, however, blacks would not be excluded from recording their judgment on the plan.

As Mr de Klerk made clear, he does not foresee a situation in which the whites will reject the proposed new constitution: he is confident that Codesa will ensure that it will be a balanced and "good" constitution.

Mr de Klerk gave a categorical assurance that he had "no hidden agenda" and that he had no intention of introducing a fourth chamber for blacks into the present constitution. "I can definitely give you the assurance that our proposals won't be for a fourth chamber," he said.

The proposals will be based on the principles outlined by the ruling National Party in its draft constitution for a "new democratic South Africa", Mr de Klerk said.

He declined to elaborate.

The draft constitution envisages a Parliament elected by adult suffrage, with elaborate checks and balances against the abuse of power, including a shared presidency, a rigid constitution with entrenched clauses, proportional representation, and, critically, a second chamber drawn equally from nine regions where representation will be weighted in favour of smaller parties.

When the draft constitution was first released, Mr Mandela castigated it as a plan to "prevent majority rule from having any meaning" and designed to ensure that the "accumulated privileges of white minority rule remain inviolate".

The majority of delegates at Codesa may, however, take a different view. Many represent parties which are either rooted in the minority white, coloured or Indian communities or based in the tribal homelands. They may be attracted to the National Party's emphasis on minority rights and regionalism, and fearful of the ANC's vision of a strongly centralised future South African state.

Mr de Klerk appeared confident on that score. Recalling a joint resolution by his administration and the six "self-governing" tribal states in favour of the decentralisation of power in the new South Africa, he predicted that a majority of Codesa delegates would favour federalism and the devolution of power above the centralised state advocated by the ANC.

Codesa's working committees start their work on February 6. When they do, the ANC, the SACP and their Indian Congress comrades — whose natural allies in the drive for an interim government and a constituent assembly, the Pan Africanist Congress and the Azanian People's Organisation, rejected invitations to attend Codesa — may find themselves outnumbered.

It is true that Codesa will not take decisions by a majority vote, but by consensus or, failing that, by an undefined "sufficient consensus". Majority support will, however, serve as valuable currency in the bartering process of give and take between the De Klerk and Mandela camps.

Major political manoeuvres clearly lie ahead before Codesa assembles for its second full session in March next year. Meanwhile, forces hostile to Codesa, and already gloating over the public clash between Mr de Klerk and Mr Mandela, will campaign vigorously to discredit the process. □



Bitter attack . . . but Mr Mandela's words should not distract from the substance of Mr de Klerk's proposals.

Don't stall —ANC

30/4A
CT 23/12/91

By ANTHONY JOHNSON
Political Correspondent

THE ANC yesterday accused President F W de Klerk of trying to delay handing over power for several years.

The ANC's reaction to the two-day Codesa meeting indicated a growing chasm between it and the government on the way to a new constitution.

The government in turn insisted that uMkhonto weSizwe (MK) arms caches and cadres come under joint control.

But in spite of these differences virtually all the 18 parties attending the historic negotiations claimed that dramatic progress had been made and pledged to keep up the momentum in the new year.

However, a potentially damaging dispute is brewing over Mr De Klerk's promise to hold a racially-based referendum on the outcome of Codesa negotiations, as this would give whites an effective veto over Codesa decision-making.

Battle lines have also hardened on the sensitive issue of the future of uMkhonto weSizwe, which sparked a flaming row at the convention.

Codesa's all-party working groups get down to business on February 6 and will present agreements negotiated to a plenary session of Codesa 2, with Cape Town as a likely venue, at the end of March.

At the close of Codesa 1 at the weekend the more than 200 delegates and scores of diplomats and international observers were brimming with optimism.

Poles apart

Mr Nelson Mandela told the Cape Times that he believed the government's commitment to an interim government and its "reference to a constituent assembly" were the two most outstanding achievements of Codesa 1.

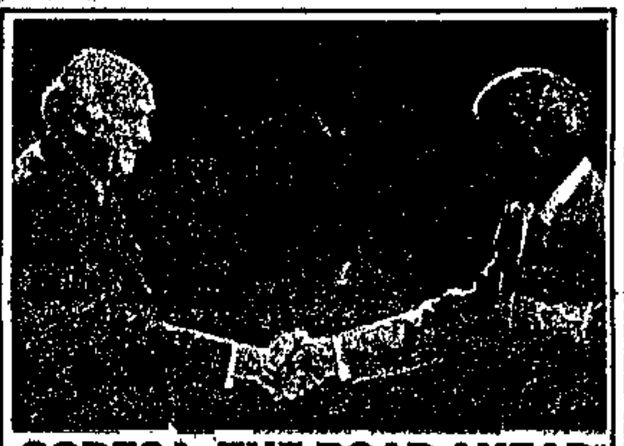
However, major differences have already emerged between the government and the ANC on how an interim government should be constituted and the period that should elapse before the issue of a permanent constitution is finally resolved.

Both the government and the ANC have declared themselves to be "in a hurry" to complete the first phase of negotiations in Codesa which would lead to the installation of an interim government under an amended interim constitution.

But the two sides are poles apart on the second phase, during which democratically-elected representatives would oversee the process of arriving at a final constitution.

The ANC is insisting that an interim government of national unity remains in power for a maximun of 18 months, while the government favours an interim government remaining in office for an indefinite period — or preferably up to 15 years — before a final constitution is agreed upon, either through direct negotiations or a series of referenda.

ANC constitutional experts and Mr Mandela himself hinted at the weekend that there could be new room for compromise over Mr De Klerk's latest proposal that a "fully representative and constitutionally grounded" Parliament be charged with the task of shaping the final constitution instead of an elected constituent assembly.



CODESA: THE ROAD AHEAD

More reports — See PAGE 4

Women rally to Suzman's Codesa plea

STAR 23/12/91

By Shirley Woodgate and Zingisa Mkhuma (304A)

Women have strongly backed the call by former MP Helen Suzman to Codesa at the weekend for a greater role to be given to women to prevent accusations of sex discrimination.

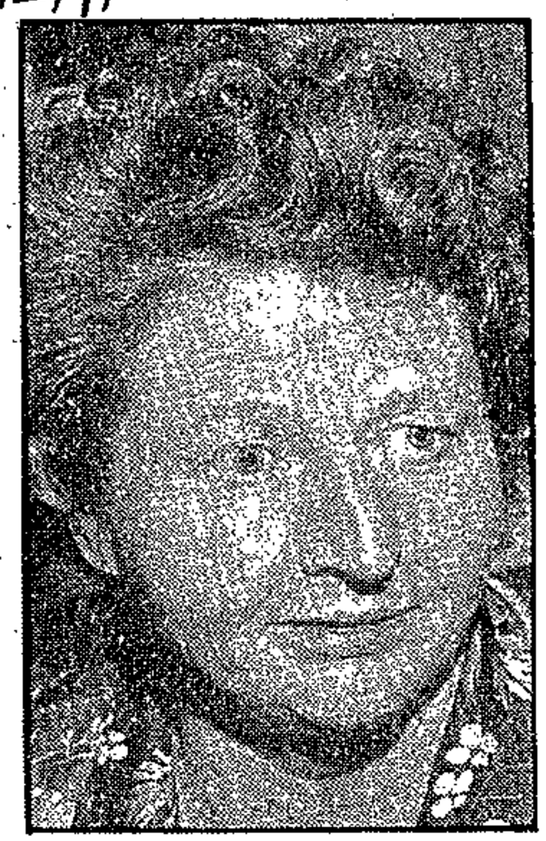
Sheena Duncan, Black Sash national executive member and vice-president of the National Council of Churches, called it "disgraceful" that only 5 percent of the 228 delegates to Codesa were women.

"This is particularly bizarre in view of resolutions about a future non-racist, non-sexist democracy in South Africa.

"Women are the backbone of most political parties, doing most of the constituency work as well, and can expect to be seen up-front when it comes to decision-making.

"The truth is that women are simply not taken seriously when it comes to power in our patriarchal society, which has been fashioned by men."

She warned all political groups seeking support that women comprised more than half of the electorate, and would take a long, hard look at the status of their sex when it came to casting a vote.



Sheena Duncan . . . women voters are in majority.



Lise Essberger. . . women are not assertive enough.



Moira Winslow . . . we are generations behind the world.

Mrs Suzman's appeal on Saturday was backed at Codesa by the Inkatha Freedom Party, the National Party, the ANC Womens League and the SA Communist Party.

The biggest female representation was from the Natal Indian Congress, which had seven women representatives.

Daphne Mashile, a member of the ANC Soweto Crisis Committee, said: "Out of the 19 political organisations represented in Codesa, not even a single one gave their women a significant role to play.

"All the speeches were read by men, while the few women who were there were awarded observer status. Women work hard at grassroots levels and are being sidelined for leadership positions."

Ms Mashile warned that if women did not get involved in the political decisions being made now, other people would decide their fate in future.

The Government should set the trend by getting more women into leadership positions, and all extra-parliamentary organisations should follow suit, she said.

The publisher of "Who's Who in Southern Africa", Lise Essberger, believed the reason why women got middle-management rather than top leadership positions was that they were not assertive enough.

She said only 20 percent of the 7 000 people in "Who's Who" were women, and the publisher had had to push hard to get some of them into the book.

"There is still a problem for women to assert themselves — perhaps it has something to do with our culture. If we compare ourselves to European and American counterparts, we are far behind," Ms Essberger said.

"But I agree that women have an important role to play and they should be given an opportunity to get involved in any future discussions on the constitution of the country."

Moira Winslow, actress and chief executive of Drive Alive, said: "We are three generations behind the world when it comes to women's equality. South Africans tend to display Third World symptoms where women are not considered as important people.

"If South Africans want to continue as a First World country with a new dispensation, everybody must realise that women must have an equal say — if they qualify to do this."

'Disgraceful' lack of women in negotiations attacked by leaders

The Argus Correspondent

JOHANNESBURG. — Women have strongly backed the call by former MP Mrs Helen Suzman at Codesa this weekend for a greater role to be given to members of their sex to prevent accusations of gender discrimination.

Ms Sheena Duncan, Black Sash national executive member and vice president of the National Council of Churches, labelled as "disgraceful" the fact that only five percent of the 228 delegates to Codesa at the World Trade Centre were women.

"This is particularly bizarre in view of resolutions about a future non-racist, non-sexist democracy in South Africa," she added.

"Women are the backbone of most political parties, doing most of the constituency work as well, and can expect to be seen up-front when it comes to decision-making.

"The truth is that women are simply not taken seriously when it comes to power in our patriarchal society which has been fashioned by men."

She warned all political groups seeking support from the electorate that females comprised more than 50 percent of the electorate who would take a long, hard look at the status of their sex when it came to casting a vote.

Mrs Suzman's appeal on Saturday was backed at Codesa by the Inkatha Freedom Party, the National Party, the ANC Womens' League and the South African Communist Party.

The biggest high-level female representation was from the Natal Indian Congress which had seven female representatives.

Ms Daphne Mashile, a member of the ANC Soweto Crisis Committee, said: "Out of the 19 political organisations represented in Codesa not even a single one gave their women a significant role to play.

"All the speeches were read by men while the few women who were there were awarded observer status. Women work hard at grassroots levels and are being sidelined for leadership positions," she said.

Ms Mashile warned if women did not get involved in the political decisions being made now, other people would decide their fate in future.

The NP government should set the trend by getting more women into leadership positions and all extra-parliamentary organisations should follow suit, she said.

However, the publisher of *Who's Who in Southern Africa* Ms Lise Essberger believed the reason why women got involved in middle-management positions, but never went on to leadership positions, was that they were not assertive enough.

She said only 20 percent of the 7 000 biographies in the *Who's Who* were on women and the publisher had had to push hard to get some of them into the book.

Timetable for dealing with critical issues

304A
ARG 23/12/91

ESTHER WAUGH
Political Staff

THE era of real negotiations on crunch issues has begun with the successful completion at the weekend of Codesa I.

After 17 of the 19 groups participating in the convention signed a Declaration of Intent embodying basic constitutional principles for a post-apartheid South Africa, Codesa set itself a timetable for dealing with critical issues of the transitional period.

Nominations for the five working groups are to be finalised by January 10 and they will meet for the first time on January 20 to elect chairmen and to work out a programme.

The first working sessions of these groups is set for February 6. Codesa's management committee meets on January 13 to elect a chairman.

Codesa 2 is to take place not later than the end of March where it is expected that the working groups will report back on progress rather than final agreements.

The working groups are to thrash out consensus on transitional arrangements, a constitution-making body or process, creating a climate for free political activity, constitutional principles, the future of the TBVC states and time scales for implementing decisions.

All organisations except the Inkatha Freedom Party and the Bophuthatswana government signed the Declaration of Intent.

All parties reached consensus on an agenda for the working groups.

The first meeting of Codesa has been hailed by participants as a success.

ANC president Mr Nelson Mandela said: "We firmly believe that ... we can have a constitution in place by Christmas 1992."

He said Codesa for the first time gave all South Africans the opportunity to participate in determining the country's future.

President De Klerk said Codesa 1 had attained "wonders" in two days.

SACP general secretary and Unkhonto we Sizwe Chief of Staff Mr Chris Hani said Codesa's success was "beyond our expectations" and had ushered the country into a new era of politics.

Mr De Klerk said the government was ready to negotiate an elected interim government and a fully representative parliament.

The government would be ready to table its proposals at the working groups' first meeting. Once consensus was reached on an interim government, the proposal would be put to a referendum among all population groups.

But the proposal would have to be supported by a majority in each group.

If accepted, parliament would have to approve the new constitution and then an election would be held among all population groups for a new parliament.

An interim government would then be formed which would draft a new constitution.

Mr De Klerk said the government was morally bound to have a white referndum as its mandate was based on a promise to do so.

Should whites not vote in favour of an interim government, Mr De Klerk reiterated his view that "we then go back to the drawing board".

SACP chairman Mr Joe Slovo said a white veto in a referendum was unacceptable.

FW, Mandela co-presidents by '93?

(SOUTH)

ARGUS 23/12/91

PETER FABRICIUS, Political Staff

SOUTH AFRICA could get its first fully-representative, non-racial government by 1993 or even sooner — with Mr Nelson Mandela, Mr F W de Klerk and other black leaders as co-presidents.

This could be the effect of President De Klerk's far-reaching announcements on the government's new interim government policy, at the weekend Convention for a Democratic South Africa (Codesa).

He disclosed the government was ready and eager to instal an interim (or "transitional") government and a new, elected parliament, representative of the whole population.

Apart from running the country, the new government would draft a final constitution — in effect making it a constituent assembly.

President De Klerk's proposal takes the government's position a giant stride closer to that of the ANC.

Government sources say Mr De Klerk will present a detailed plan for an interim constitution at the opening of parliament on January 24.

It will then go to one of Codesa's working groups on February 6. This group will report to Codesa's second plenary meeting, scheduled to take place before the end of March.

Theoretically agreement on an interim government could be reached then, but sources close to Codesa say this is more likely to be an interim



meeting to report progress.

But these sources believe that agreement should be reached later next year.

In the government view, a referendum would then have to be held to win approval for the constitution of the different population groups (whose votes will be counted separately).

If approved, the interim constitution could be submitted and passed during the 1993 parliamentary session — although a special session of parliament could be held during the second half of 1992 if agreement is reached soon enough.

Elections for South Africa's first non-racial fully-representative parliament would then be held — and a government installed.

Although Mr De Klerk has declined to divulge much detail, he told a Codesa press conference that he didn't intend merely adding a fourth black chamber to the tricameral parliament, as some ANC officials suspected.

Constitutional Development Minister Gerrit Viljoen said the NP's envisaged interim constitution would be based on the NP's proposals for a permanent constitution.

Its main features are a joint executive presidency of three to five leaders of the biggest parties and two equally-powerful legislative houses with strong protection for minorities.

Mr De Klerk's major concessions to the opposition demands for a sovereign interim government and an elected constitution-drafting body, have dramatically improved the prospects for successful negotiations at Codesa.

The catch in the government plan — at least from the ANC view — is that it would like the interim government to rule for much longer than the 18 months or so, envisaged by the ANC.

Dr Viljoen told The Argus the interim government should remain in power for some time, and he said later that this could be ten years or more.

●See page 4

Basic political questions to be debated at March meeting

(304A) ARG 23/12/91



MR Nelson Mandela addresses the Codesa conference and President de Klerk answers questions at a press conference on the deliberations.

PETER FABRICIUS
Political Staff

FUNDAMENTAL political questions such as the nature of an interim government and a constituent assembly and the future of the TBVC states are to be debated when Codesa holds its second plenary meeting in March.

In the meantime five important Codesa working groups will be holding a series of meetings to try to reach agreements on these issues behind closed doors.

Codesa sources envisage the March talks as an interim one where progress in the working groups — rather than final accords — will be presented.

The timetable for change was agreed to on Saturday at the end of Codesa's first meeting at the World Trade Centre near Jan Smuts Airport.

Seventeen of the governments and parties at Codesa 1 signed a declaration of intent, committing themselves to basic principles of multiparty democracy and to abide by the decisions of Codesa.

Only the Inkatha Freedom Party and the Bophuthatswana government refused to sign, fearing that they would be committing themselves to decisions that could jeopardise their autonomy or existence.

But they have remained in Codesa.

The tasks of the five working groups to meet for the first time on January 20 next year are: to create a climate for free political participation; to agree on the role of the international community in the transition; to agree on basic constitutional principles and a constitution-making body or process; to agree on a transitional or interim government; to agree on whether the TBVC states should be incorporated into South Africa and to agree on the timing for implementing Codesa's decisions.

The trickiest problems will be whether or not the ANC finally abandons the armed struggle, the future of the TBVC states, and the nature of a constituent assembly and interim government.

President De Klerk presented an ultimatum to the ANC at Codesa 1 when he said the government would not enter into any binding agreements on fundamental issues unless the ANC gave up the armed struggle.

However, he also improved the chances of accord by disclosing that the government now accepted the idea of a sovereign, non-racial interim government — including an elected one-man, one-vote parliament — which would also draft a final constitution.

As part of the process of creating a climate for free politics, working group 1 will also consider the political neutrality of, and equal access to State-controlled media — especially the SABC.

The timetable for future Codesa business was announced on Saturday.

The Codesa steering committee is now to be known as a management committee which will meet for the first time on January 13.

It will choose a chairman, set up a day-to-day executive of five people and a secretariat and set up the working groups.

Each working group will consist of two representatives and two support staff from each of the 19 Codesa teams.

Their nominations have to be submitted by January 10.

ANC's armed struggle bedevils peace talks

ESTHER WAUGH
Political Staff

ALTHOUGH President De Klerk and ANC president Nelson Mandela have patched up their explosive row at Codesa, the underlying cause — the ANC's armed struggle — is likely to bedevil negotiations.

It is clear that the government is determined that the ANC should end the armed struggle before it enters into substantial agreements.

Mr Mandela gave notice to the Conservative Party and other "enemies of Codesa" that negotiations would continue.

In a conciliatory speech at the close of Codesa on Saturday Mr Mandela said Codesa's enemies were gloating over the tirade.

In a move apparently aimed at helping the government against rightwingers wanting to make political capital out of the row, Mr Mandela said:

"What was said yesterday (Friday), had to be said. But I want to disabuse the rightwing of any illusion that we can in any way approve of their efforts to undermine the ANC, the National Party, the government or any other parties committed to a peaceful solution."

Foreign Minister Pik Botha said: "On behalf of the government, and from my heart, to the ANC and the ANC leader, we were badly hurt yesterday. Very, very badly.

"There is no other way I can describe it . . .

"We could hit back. Believe me, we could hit back. But we refrained in the spirit of reconcilation continued by the ANC," he said, referring to Mr Mandela and other leaders shaking Mr De Klerk's hand that morning.

At Press conferences on Friday and Saturday the ANC leader said he had "forgotten" the row and Mr De Klerk said he did not bear grudges.

Zulu king 'set to get his invitation'

CT 23/12/91 (304A)

ZULU King Goodwill Zwelethini appears set to get an invitation to the next plenary session of Codesa.

This follows strong government support for the Inkatha Freedom Party's stance on the king's participation and a resolution adopted by Codesa to investigate the position of traditional leaders.

Natal National Party leader Mr George Bartlett said: "I believe the Zulu nation must have its view heard by Codesa and should be represented."

In his address to the convention Dr Dawie de Villiers, who led the NP delegation, spoke of "our understanding for and sympathy with the unique constitutional position of the king of the Zulu nation".

Constitutional Development Minister Dr Gerrit Viljoen proposed that the Codesa management committee investigate the "need for the Zulu king to be involved" and the position of other traditional leaders.

There were a number of requests from other organisations to join Codesa and these will also be probed.

IFP leader Chief Mangosuthu Buthelezi pulled out of the historic talks only two days before they were due to start because of the "snub" to King Goodwill.

The next plenary session of Codesa will take place not later than the end of March.

● The IFP delegation caused another upset during the opening session on Friday when it indicated that it would not be signing Codesa's declaration of intent, designed to outline broad principles for the constitution-making process.

This clearly came as a surprise to other delegates and Democratic Party delegation leader Dr Zach de Beer pointed out to the convention that the IFP's Mr Walter Felgate had chaired the task group which compiled the declaration.

However, IFP national chairman Dr Frank Mdlalose, leading the party's delegation in Chief Buthelezi's absence, indicated that the IFP would stay in the convention.

The IFP's objections centred on the use of the words "undivided" and "unitary" to describe the new state.

'Words over a drink' and Ciskei signs

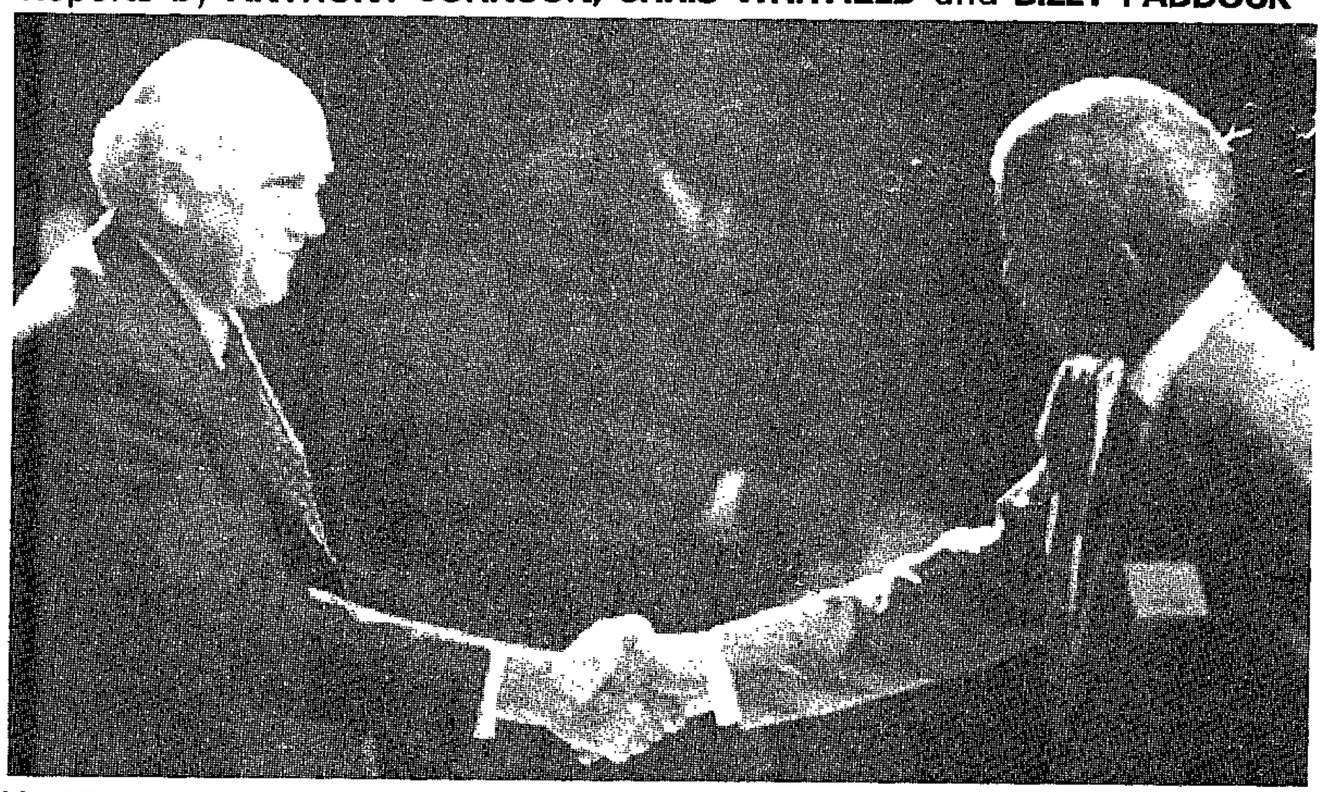
JOHANNESBURG. — The Ciskei agreed to sign Codesa's Declaration of Intent after Transkeian leader Major-General Bantu Holomisa intervened and spoke to Ciskei head Brigadier Oupa Gqozo.

"General Holomisa spoke at length to Brigadier Gqozo at a cocktail party for delegates on Friday night at the World Trade Centre," a source close to the Transkei delegation said.

Brigadier Gqozo had earlier in the day told Codesa that he would not sign "until we have considered a section we are not happy with".

On Saturday morning he announced that Ciskei had reconsidered and would sign the declaration. He said his objection had had to do with the "binding effect" of the declaration. — Sapa

Reports by **ANTHONY JOHNSON, CHRIS WHITFIELD** and **BILLY PADDOCK**



LEADERS SHAKE . . . President F W de Klerk and Mr Nelson Mandela shake hands at the end of the second day of the Codesa talks. The end of the first day saw a dramatic confrontation between the two leaders. Picture: AP

CT 23/12/91 (304A)

Good spin-off from big row

THE punch thrown by Mr Nelson Mandela that hurt the government most during the battle of the heavyweights in the first round of Codesa was the accusation that President F W de Klerk was indulging in unsportsmanlike conduct.

The ANC president's allegation that Mr De Klerk had indulged in dirty politics and was pursuing a "double agenda" was seen by the government camp as particularly damaging because it reflected on the President's integrity in the delicate negotiation process, where trust is the most valuable commodity.

As Mr Pik Botha put it in his theatrical bid to heal the wounds the morning after: "We were hurt very, very badly."

The riveting confrontation between Mr De Klerk and Mr Mandela stole the headlines, but hopefully it will be remembered as just one of the more colourful aspects of one of the most significant political gatherings in South African history.

Initially the gloves-off confrontation on prime time television appeared to deliver a knockout blow to the fledgling negotiating process, but in the cool light of the following day most parties were convinced that the bruising encounter could produce positive spin-offs.

Embarrassed

Foremost among these was the torpedoing of arguments from non-participants on both the far left and right that the government and ANC were secretly fixing the outcome of the constitution-making process.

The unbridled anger and emotion displayed by both leaders was clearly not orchestrated. Both men, in the past renowned for their coolness under pressure, were on the verge of losing control.

Mr Mandela's descent to bitter personal attacks won him few accolades among both delegates and international observers, and clearly embarrassed a number of his ANC colleagues.

Mr De Klerk's reputation as a shrewd politician and statesman also took a knock. For one thing, the President's rattled demeanour — at one point he almost lapsed into a bout of hyperventilation — did not tally with his image of being a man who maintains his composure in the heat of political battle.

But more significantly, many observers at the historic Codesa I launch — the beginning of real negotiations — felt the President had shown exceptionally poor judgement in choosing this forum to launch an unbridled attack on the ANC.

Diplomats and delegates from a number of parties felt the overwhelming objective of all participants at such an auspicious occasion should have been to foster a climate of reconciliation and unity.

Government representatives, however, argued forcefully that the whole process would have been in default if Mr De Klerk had failed to raise the thorny issue of the the ANC's refusal to abandon the armed struggle at the very time that South Africa was embarking on an era of negotiations designed to usher in a peaceful settlement.

They pointed to a long history of government attempts to get the ANC to come clean on the issue and give practical content to its pledge to resolve South Africa's political impasse through peaceful negotiations. As President De Klerk put it during the clash: "You cannot come to the negotiating table with a pen in one hand and an AK-47 in the other."

They also submitted that they had warned the ANC that its failure, after months of painstaking negotiation, to address the armed struggle issue would leave Mr De Klerk no option but to raise the matter in his opening address to Codesa.

A top government negotiator said that he told a senior ANC leader on the eve of Codesa that the contentious issue would be in Mr De Klerk's speech, but admitted that it was unclear whether the message had been passed on to Mr Mandela.

The ANC president's outburst appeared to be fuelled in large part by his perception that, despite a conversation with Mr De Klerk on the evening preceding the Codesa talks, he had not been alerted that the attack was imminent.

Government negotiators insist they will not allow the failure of the ANC to abandon armed struggle to drag on indefinitely. Indeed, they warn that the signing of future agreements emerging from the Codesa negotiation process will be conditional upon the ANC finally resolving the issue.

Intractable

The ANC, answerable to a constituency ravaged by escalating violence which it believes is fuelled by the state, is convinced that a commitment to abandon the armed struggle at this stage would amount to political suicide.

Both ANC leader Mr Mandela and uMkhonto weSizwe chief-of-staff Mr Chris Hani argue that the organisation would be signing its death warrant if it agreed to disband MK at the very time when its supporters were pleading for greater protection.

Unless a speedy way can be found to defuse this seemingly intractable row, there is a real danger that the right wing will be able to extract political capital from what it will portray as a futile attempt to reach a settlement through power-sharing.

In the aftermath of the Mandela-De Klerk scrap both the government and the ANC showed that they are keenly aware of the need for Codesa participants not to undermine other parties in the delicate search for a negotiated solution.

That understanding underlines perhaps the most valuable lesson to emerge from Codesa I — that the process is bigger than the participants and that, despite their differences, they are all now locked into the same negotiation camp.

Suzman: More women needed

CODESA has accepted a proposal to investigate mechanisms to ensure adequate representation of women in the various structures of the negotiating forum.

The proposal, forwarded by Democratic Party delegate Mrs Helen Suzman to the Codesa plenary session on Saturday, was backed by speakers representing the government/NP, the ANC, the SACP and the Inkatha Freedom Party.

Mrs Suzman noted that only a handful of the 228 delegates attending the historic Codesa negotiations were women.

Stressing that merit should be used as the yardstick, she said the convention needed to find a democratic way to include more women in the working groups and plenary sessions.

Endorsed

Other women delegates said the time had arrived for Codesa to stop paying lip service to non-sexism and called on the 18 parties attending to increase the number of women in their delegations as women comprised over 50% of the population.

"We are no longer lickers of envelopes and bakers of cakes," said the NP's Ms Anne Routier.

Later, ANC leader Mr Nelson Mandela told a press conference he fully endorsed arguments that the representation of women in Codesa structures should be substantially increased.

Enormous task faces negotiators

(304A)

THE first meeting of Codesa is over and television viewers got a brief glimpse of the enormous task facing negotiators in the next few months before the next plenary meeting of Codesa takes place some time in early March.

Between now and mid-January parties will rest and then finalise their proposals to be put before the five working groups set up at the weekend with defined terms of reference.

From mid-January until March the working groups will work full time, negotiating agreements and reporting back to the reconstituted steering committee, now called the management committee.

All agreements of the working groups will be reported back to Codesa 2, possibly at a venue in Cape Town. Where delegates to the working groups cannot reach agreement through the mechanism of consensus or sufficient consensus after bilateral, multilateral talks — including mediation and arbitration — the matter will be debated on the floor at the Codesa plenary.

Most parties prefer not to negotiate their positions in the full glare of the media and the international community and this is therefore seen as the final threat over parties holding onto intractable proposals.

The five working groups will concentrate on:

- The creation of a climate for free political participation and the role of the international community.
- General constitutional principles and the setting up a constitution-making body.
- Transitional arrangements, an interim government and transitional authority.
- The future of the TBVC states, if they are to be incorporated, the relevant time frames, use of infrastuctures and transitional arrangements in these homelands.
- Time frames and implementation of Codesa decisions.

The first working group will investigate and make recommendations on how to create a climate in which individuals and organisations can participate without interference or intimidation, in all political activity, particularly during the transition process.

The second working group will concentrate on general constitutional principles that should be enshrined in and not contradicted by any other provisions of a new constitution.

This group will also investigate an appropriate process and body, such as an elected constituent assembly, to draft the constitution and the role of referendums, if any, in the process.

This and the third working group, dealing with an interim government and forms of interim arrangements and authority, are likely to be the most hotly contested areas.

Codesa left these terms of reference as vague as possible, indicating that this territory had not been discussed to any great extent in bilateral talks or in the task groups leading up to the weekend's meeting.

Law Commission's constitutional plan

30/4 CT 23/12/91

Own Correspondent

JOHANNESBURG. — The Law Commission has proposed a constitution with extensive checks and balances, including a separately elected president, proportional representation and non-parliamentary selection of the judiciary.

But it warns that no matter what mechanisms are built into a constitution, power sharing will fail without a serious political will and sustained commitment.

The commission's 1 500-page report on constitutional models, initiated by President F W de Klerk's February 2 1990 speech, differs in important respects from both the ANC and the NP constitutional proposals. But it concurs with both, and the Codesa declaration of intent, in proposing a system of proportional representation — in local, regional and national elections.

The report rejects group rights and minority vetoes and insists on votes of equal weight. This contradicts the NP's proposal that there should be economic weighting at municipal level and that regions should be equally weighted in the upper house.

The report proposes a proportional executive, contradicting the proposals of the ANC, which sees this as undemocratic.

The commission proposes a federal system to divide power and give individuals and minorities security. Regionalism based on ethnic divisions would be still-born in South Africa, but regionalism on a socio-economic basis would be viable, it says.

For this purpose it sugests a nine-region breakdown, which divides the Transvaal into four parts, the Cape into three, increases Natal to take in roughly half of Transkei and leaves the Free State intact.

Besides creating areas of roughly equal economic weight, it would be in line with the distribution of population groups, each of which would have absolute or relative majorities in the various regions.

A federal system would encourage the establishment of a two-house Parliament.

The commission's vice-chairman and project leader, Mr Justice P J J Olivier, has said a collegial cabinet based on the Swiss example would probably be the best solution for South Africa, but the head of state should have real powers.

The head of state should be directly elected by the population and have certain executive functions to enable him to reach across ethnic and other differences.

The commission's proposals differ widely from the NP's for a rotating head of state, a position shared by leading parties.

The ANC has proposed a head of executive who would also be the head of state and has left open whether the president should be directly elected.

The commission has found that the president currently had "excessively wide powers", and a purely presidential system in South Africa could give rise to polarisation of groups. It proposes a separate head of government and says consideration ought to be given to making this post rotate.

Despite rejecting the use of minority vetoes and race-based voters' rolls, the commission says "there is much to be said for laying down in the constitution a stronger requirement than a simple majority in respect of certain fundamental matters".

The commission prefers a "single transferable vote" system of proportional representation, in terms of which a voter would indicate his order of preference between candidates.

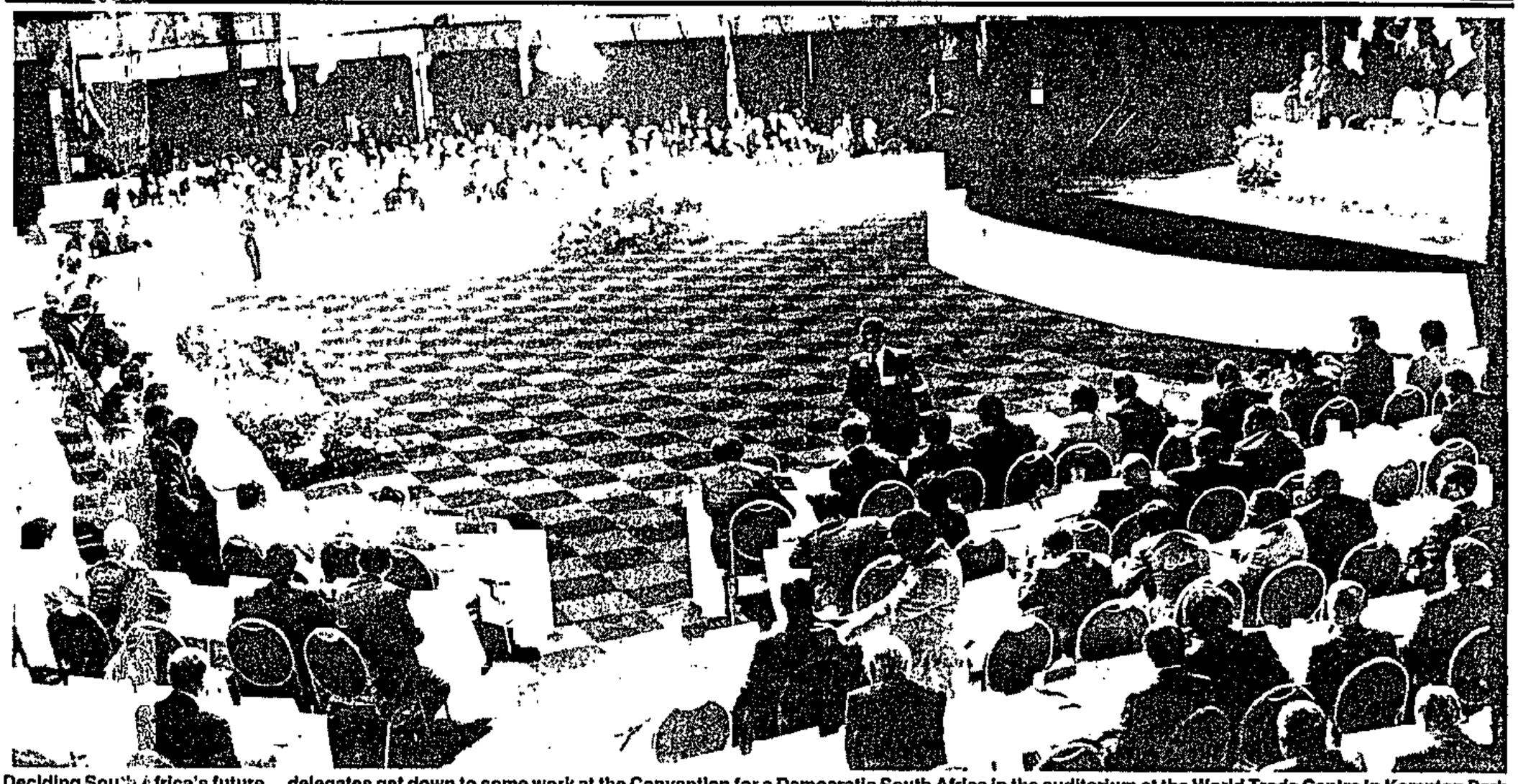
If his first choice is not elected, his further choices are still taken into account.

The commission also favours a "free mandate system", in terms of which an MP would have a constitutionally-protected right to vote in accordance with his own judgments and would not lose his seat if he voted against his own party.

In an extensive comparison of the constitutions of different countries, the report compares failed and successful power-sharing constitutions in countries with ethnic or religious differences.

It cites Switzerland's constitution as a successful example of power-sharing and proposes a modified Swiss system for South Africa.

Soweton 23/12/91 CODESA (30+A)



Deciding South Africa's future ... delegates get down to some work at the Convention for a Democratic South Africa in the auditorium at the World Trade Centre in Kempton Park. The logo of Codesa on the right is of black and white faces looking ahead to the future.

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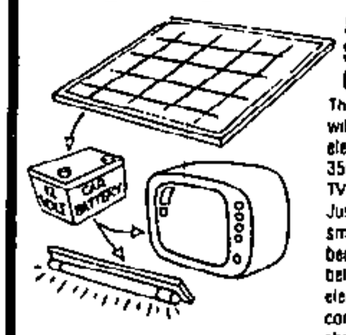

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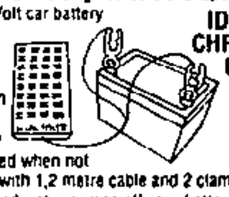

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ANC president Mr Nelson Mandela makes a point in his hard-hitting attack on State President Mr FW de Klerk at the Codesa conference at the weekend. All pictures by MBUZENI ZULU.

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State President Mr FW de Klerk listens attentively as the Codesa conference unfolds.



Bophuthatswana president Chief Lucas Mangope who refused to sign the Declaration of Intent at the conference.

Political Editor **Shaun Johnson** on the psychology of the Mandela/De Klerk battle

Long overdue, but what a fight

STAR 23/12/91. (304A)

NO ONE who sat in the chamber of the World Trade Centre on Friday evening, transfixed by the sight of a black leader speaking to a white leader as a South African head of state has never been spoken to before, will ever forget that half-hour.

When the confrontation between Nelson Mandela and F W de Klerk was over, delegates, dignitaries and journalists sat in silent stupefaction, unable to believe what they had just witnessed.

It is little wonder that they did so. Now that the shock has passed, the realisation is dawning that what we were watching was the first baring of South Africa's — our own — tortured psyche.

For every South African present, of every political stripe, the exchange was excruciatingly painful. We listeners were like children witnessing the first deadly, vicious argument between our parents. We had known for a long time that there were terrible tensions beneath the surface, of course, but we had never expected them to burst out in this way.

And now that the nausea of our first reaction has lifted, and we discover that our home is going to survive the trauma after all, we are beginning to feel the benefits of catharsis.

Septuagenarian Nelson Mandela's verbal savaging of the younger F W de Klerk was a product of something much deeper than a disagreement over the status of Umkhonto we Sizwe and the Pretoria Minute. It was a warning from black South Africa to white South Africa. It was a warning that will live with white South Africa, and influence its actions from here on.

Friday, December 20 1991 — as opposed to February 2 1990 — marks the moment at which black South Africa came of political age. It did so on its own terms.

President de Klerk made a fundamental error on December 20. He insulted Mr Mandela's dignity. Mr Mandela is in many ways an old-fashioned, traditional man. One treats Mr Mandela's dignity cavalierly at one's peril.

Mr de Klerk used the crucial final speaking opportunity, granted to him magnanimously by the ANC leader, to hector and threaten the ANC in the tones of a headmaster admonishing an errant child.

He did so in spite of the fact that other leaders — including the NP's Dawie de Villiers — had purposely adopted conciliatory stances in their Codesa speeches. He did so in the knowledge that Mr Mandela had, the very night before, overruled his own angry executive and agreed to sign the Codesa Declaration of Intent — because Mr de Klerk had convinced him that this was the honourable thing to do.

He did so despite Mr Mandela's earlier assurance of flexibility on the question of MK. He did so in front of the entire world — and paid the price.

The issue on which he chose to "discipline" Mr Mandela — and the fact that he expected to get away with it — showed just how shallow the understanding by white South Africa of black South Africa still is. The existence of MK is not primarily a military or security issue. It is a matter of pride — indeed dignity — above all else.

Aside from isolated acts by ill-disciplined individuals (and these occur in the SAP and SADF as well), MK has not launched any attacks since the armed struggle was suspended. It can be argued that it was, in any case, ineffective before that. MK's recent anniversary celebrations were a sign of how weak, rather than strong, the organisation really is. No one seriously believes that MK is capable of launching an armed insurrection, even if it wanted to.

But MK is, for black South Africa, the symbol of its own resistance to apartheid. No one should underestimate the shame that still exists in the townships, a shame at having impotently succumbed to discrimination for so long. MK's existence, irrespective of its efficacy, makes many black people feel better about themselves. Mr de Klerk underestimated the power of this symbolism.

He also underestimated the anger the ANC feels when Government spokesmen declaim about the political process from a position of assumed superiority — as referee in a game in which they are merely players. This is why Mr Mandela snarled: "De Klerk must forget (the idea) that he can impose conditions on the ANC ... he doesn't represent us. He can't talk to us in that language."

When Mr Mandela spoke the words "I am gravely concerned about the behaviour of Mr de Klerk today", he was delivering a message about dignity. Bluntly put, he was saying: You are treating us like picannins, and I am going to have to hurt you in order to make you stop.

He did hurt Mr de Klerk, badly. There were many present who found it distasteful, felt Mr Mandela had overstepped the bounds of political debate, that he became too personal in his attack, that it was too long, that it strayed into improper areas — like that of the NP's loss of support to the Conservatives.

There is truth in each of these allegations, but they are not enough to overshadow the fundamental issue. Mr Mandela's anger was genuine, and his opponents will not forget it in a hurry. They will think twice before again trying to pull a similar procedural trick. This was a growing pain of the new South Africa, it had to be gone through.

But once the error of judgment had been made — none of this would have happened had Mr de Klerk simply noted his concern about the MK issue at Codesa and left it for another forum — how did the president fare? Under the circumstances, very well, and for this the whole nation should be grateful.

He took the harangue on the chin. He did not walk out. Although visibly upset, he had the strength to take the podium and defend himself. He cleverly avoided a personalised counter-attack. He ended off with a ringing appeal for goodwill and solidarity in Codesa. He ensured that what could have been a humiliation — and that would only serve the right wing — ended up as a sharp disagreement between two strong-willed men. One shudders to think how P W Botha would have reacted under the circumstances.

And so in the end the painful, discomforting experience might actually help South Africans in their search for a fair compromise that will stick. The bottled-up grievances have to come out, decades of apartheid could not be wiped from memory in the course of an historic Parliamentary speech.

And the exchange has had another, somewhat perverse spin-off: it has made nonsense of the PAC's claims about a secret love affair between the NP and ANC. □

Mandela was right - callers

Sowetan 24/12/91

This is the last *Sowetan*/Radio Metro Talkback Show this year. Keep watching *Sowetan* for details about next year's arrangements.



CALLERS to the *Sowetan*/Radio Metro Talkback Show yesterday expressed optimism about the first round of the Convention for a Democratic South Africa.

In addition, they said Mr Nelson Mandela's attack on President FW de Klerk was correct because "he had asked for it".

However, two callers attacked the ANC for participating in the convention and described its move as "capitulation of a liberation movement".

The guest speaker on the show, Mr Mocletsi Mbeki, Cosatu's head of communications, said Codesa 1 was a "step forward in that it brought all major players into discussing the creation of a peaceful democratic South Africa".

He regretted that other political players such as the PAC, Azapo and the Conservative Party were absent. He added: "There is still room for them to rejoin Codesa and it will be in their interest to do so."

On the heated exchange of words between Mandela and De Klerk, Mbeki said Mandela's speech did definitely unsettle the National Party and the Government.

"Mandela's performance was commendable. De Klerk was wrong to bring some of the issues which pertain to the ANC and the Government to the convention. He tried to pressurise the ANC and he got what he deserved."

But Joseph of Sebokeng said the whole exercice was a blow to the oppressed majority. He said De Klerk had succeeded 80 percent into co-opting Mandela. What now remained for him to obtain 100 percent was to get the Umkhonto we Sizwe and the PAC.

Pre-conditions before peace is possible

STAR 24/12/91 (304A)

The Pattern of Politics

HERMAN GILLIOMEE



DURING a recent visit to Israel as a member of a delegation of the Institute for Multi-Party Democracy in South Africa, I was struck by the many similarities between the peace processes in Israel and South Africa. This was brought home forcefully in reading a 1990 article by Samuel Lewis, a former US ambassador to Israel, on the conditions that must be in place before a conflict situation is ripe for peace.

Firstly, the main antagonists must see the pain and the costs in continuing the struggle as weighing heavier than the risks and fears associated with reaching a compromise solution. Both South Africa and Israel have reached this point. Although they never won any military victories, the Palestinian *intifada* and the anti-apartheid struggle have sapped the confidence and will of those in power. In 1989 an influential study by the Jaffee Centre at Tel Aviv University described the option for Israel of maintaining the status quo in terms which could be applied literally to South Africa in 1989. The status quo, it wrote, allows the country to wait for the appearance of more desirable partners for peace; however, this is outweighed by the increasing deterioration of the country's strategic standing, the radicalisation of the subordinate population, domestic polarisation and growing strains in relations with friendly foreign countries.

The second condition for peace is a belief by the antagonists that a compromise is available that could satisfy the bedrock requirements of both. In South Africa and Israel the pre-negotiations phase failed to bring clarity on this score. In both cases the government is offering an open-ended process that over the next five to 10 years would draw the parties slowly together using all kinds of fail-safe mechanisms until a settlement finally "sticks".

Israel's fail-safe process rests on an offer of limited self-government for five years and a promise to start negotiations after three years on a more advanced form of autonomy.

In South Africa the NP confesses everywhere but in public that the constitution it proposes is of a temporary kind. It refuses to spell out a time limit for the transition — it can be anything from five to 15 years. Nothing is certain except that the constitution will "evolve".

Understandably both the Palestinians and the black leadership in South Africa have grave qualms about entering into such an open-ended process which could destroy their respective power bases.

In South Africa the ANC leadership is most reluctant to accept a power-sharing constitution unless there is a time limitation attached to it after which conventional majority rule would be introduced. However, neither Mr Shamir nor Mr de Klerk can survive politically if they were to name the date when they would lose control over the process (independence in the former and conventional majority rule in the other case).

This brings us to the third condition, which is the ability of leaders to carry their public with them if a compromise settlement is negotiated. This is the very point where both the Israeli and South African peace processes can come unstuck.

At present the dominant groups in both societies display attitudes that leaders could ignore only at their peril. There is a striking symmetry in the attitudes. In Israel a recent study found 16 percent favouring outright a Palestinian state, 58 percent supporting returning some of the territories on the West Bank and Gaza in exchange for peace and 15 percent indicating support for annexing the territories and expelling many of the Palestinians. In South Africa a survey of white student attitudes found some 15 percent in favour of undifferentiated majority rule, 66 percent various forms of power-sharing and 20 percent undiluted white control.

While political leaders and parties have some capacity to change public opinion, their constituencies are not easily fooled. Here it is of decisive importance that leaders stop trying to impress foreign governments (particularly the Americans) but instead address themselves to their adversary's constituency and assuage their fears and suspicions. The prime example is that of an Anwar Sadat flying to Jerusalem and making a genuine offer that satisfies both the identity and security needs of Israel.

During the period of negotiations leaders can ill afford to be soft on symbolic issues. Mr Shamir is unwilling to commit himself to ending new settlements on the West Bank, while the South African Government is unwilling to stop the military call-up. The peace camp finds this disturbing, but one can almost formulate a political law: the degree of fervour with which symbolic gestures are advocated is directly related to the distance from power and the responsibilities associated with it.

Finally, peace requires that the international environment must encourage and support the diplomatic process rather than further complicate it. Today we are in the fortunate position that the Big Power rivalry between the US and the Soviet Union no longer fouls everything up by giving negotiating parties an exaggerated sense of either their strength or vulnerability.

So will we get peace? The key question in both Israel and South Africa is whether unforeseen developments could drive the open-ended peace process faster and further ahead than it is currently anticipated or whether these developments could lead to it being aborted. In Israel there is the possibility of a flood of Jewish immigrants from the ex-Soviet Union, galloping Jewish unemployment and unrelenting pressure by the Bush administration.

In South Africa the key unpredictable factors are the radicalised white right wing and the marginalised black youth. Unless ways are found of bringing them into the process the prospects for peace are less bright than one would in the benign mood of Christmas assume them to be. □

Hermann Giliomee teaches politics at UCT.

CODESA



NELSON MANDELA

Negotiations have begun

Sowetan 24/12/91 3041

Sowetan Correspondent

THE era of real negotiations has begun with the successful completion at the weekend of Codesa 1.

After 17 of the 19 groups in the convention signed a Declaration of Intent embodying basic constitutional principles for a post-apartheid South Africa, Codesa set itself a timetable for dealing with critical issues of the transitional period.

Nominations for the five working groups are to be finalised by January 10 and they will meet for the first time on January 20 to elect chairmen and to work out a programme as required.

The first working sessions of these groups will be on February 6. Codesa's management committee meets on January 13 to elect a chairman.

Codesa 2 is to take place not later than the end of March where it is expected that the working groups will report back on progress rather than on final agreements.

The working groups are to thrash out consensus on transitional arrangements, on a constitution-making body or process, the creation of a climate for free political activity, constitutional principles, the future of the TBVC states and the time scales for implementing decisions.

At the first meeting of Codesa this weekend all organisations and governments except Inkatha Freedom Party and Bophuthatswana signed the declaration.

All parties reached consensus on agenda for the working groups.

Participants hailed the first meeting as a success. ANC president Mr Nelson Mandela said: "We firmly believe that from what we have achieved to date we can have a new constitution in place by Christmas 1992."

President FW de Klerk said Codesa 1 had attained "wonders" in two days.

SACP general secretary and Umkhonto we Sizwe chief of staff Mr Chris Hani said Codesa's success was "beyond our expectations" and had ushered the country into a new era of politics.

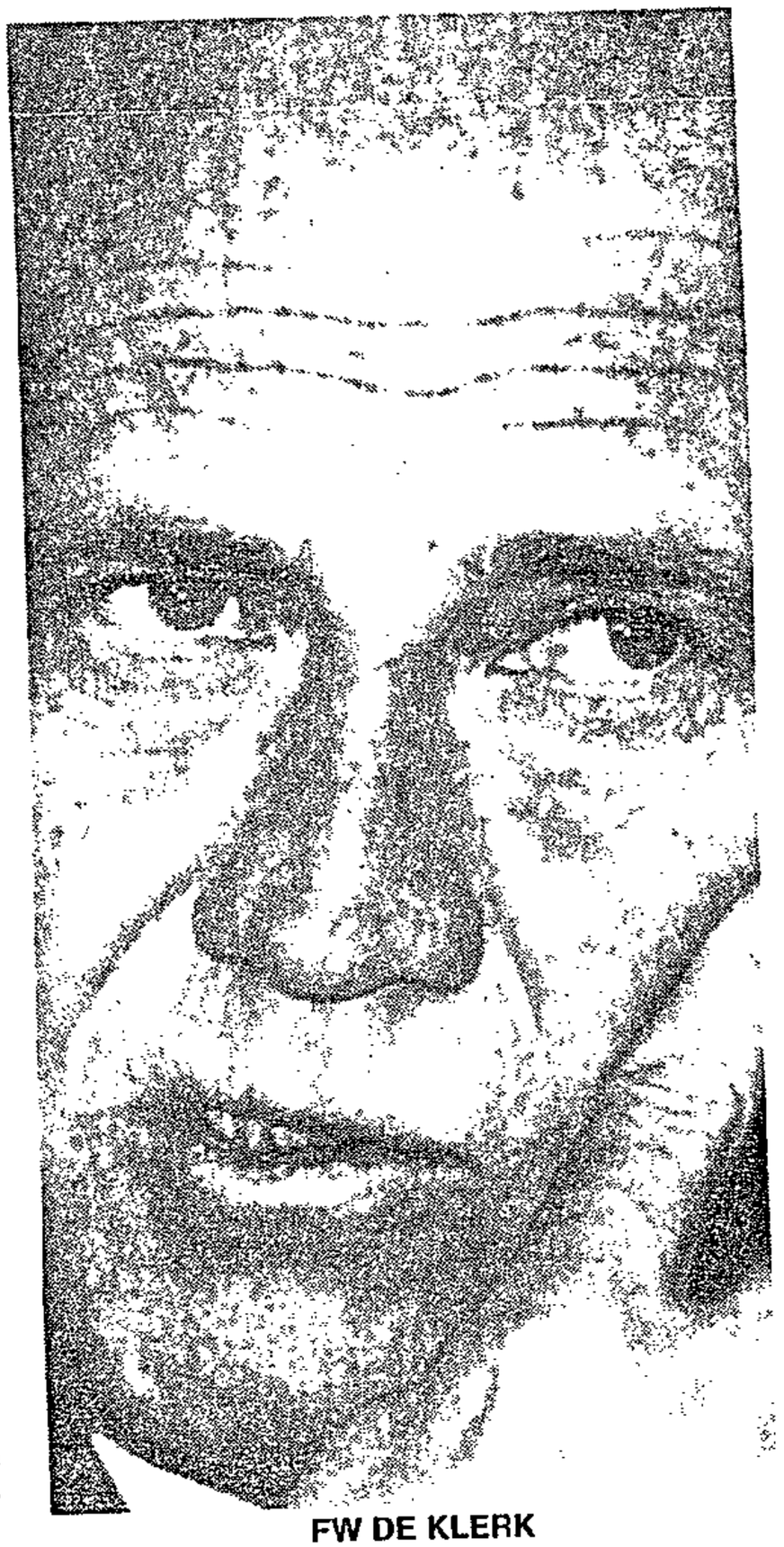
De Klerk said the Government was ready to negotiate an elected interim government and a fully representative Parliament.

The Government would be ready to table its proposals at the working groups' first meeting.

But the proposal would have to be supported by a majority in each group.

If accepted, Parliament would have to approve the new constitution and then an election would be held among the whole population for a new Parliament.

An interim government would be formed which would draft a new constitution.



FW DE KLERK

PAC and right set for battle

CT 24/12/91 (304A)

By ANTHONY JOHNSON
Political Correspondent

THE PAC and right-wing groups said yesterday that Codesa had confirmed their worst fears and underlined the need for anti-negotiation groups to scupper plans for a referendum and an interim government next year.

But Commonwealth representatives joined Codesa participants in expressing optimism in the negotiation process and urged all parties who boycotted the convention to reconsider their positions.

Plans are proceeding on the left of the political spectrum to forge a new patriotic front of anti-Codesa organisations, including the PAC, Azapo, the Workers' Organisation for Socialist Action, the New Unity Movement, the SA Council on Sport and others.

And Herstigte Nasionale Party leader Mr Jaap Marais said yesterday that an Afrikaner people's congress of right-wing organisations should be convened as soon as possible.

He said that with the immediate challenge of a possible referendum in 1992 "all powers must be concentrated on a primary attack to stop the government".

However, the Codesa process — particularly the government's proposal to put the right of self-determination for groups on the Codesa agenda — has created new strains between the hardliners and pragmatists in the Conservative Party.

A growing band of MPs in the CP appear to be getting nervous about being locked out of negotiations for the future of the country and the CP's parliamentary caucus will meet in Cape Town next month to thrash out the issue. There is growing speculation about a possible split.

PAC national publicity secretary Mr Barney Desai charged yesterday that the government had given clear notice that "the oppressed will have to wait up to 10 years or more for a democratic constitution".

An interim government emanating from a revamped Parliament, as indicated in the Codesa talks, would mean whites would still be able to veto the decisions of others.

However, Ziana news agency reports from Harare that former Zimbabwean president Dr Canaan Banana, who led the Commonwealth observers to Codesa, yesterday called on parties that boycotted Codesa to reconsider their position.

CT 24/10/91

DP: Zach for Barend's job

Political Correspondent

THE Democratic Party Youth yesterday called for DP leader Dr Zach de Beer to replace Mr Barend du Plessis as Minister of Finance in a transitional government of national unity.

"At Codesa Dr De Beer showed that he has unique skills in making co-operation politics work, a vital qualification for this key cabinet post in a transitional government," national vice-chairman Mr Colin Douglas and Western Cape chairman Mr Brian Berkman said in a statement.

30/A

Codesa faces united white reaction, says Treurnicht

B1 day 24/12/91

NEXT year would be marked by conflict and confusion and an unprecedented unity between Afrikaners and English-speaking whites against Codesa and the government's plans, CP leader Andries Treurnicht said yesterday.

Treurnicht said in a statement ANC president Nelson Mandela's "contemptuous denigration" of President F W de Klerk at Codesa on Friday was "but another symptom of the lack of respect which Africa has for weakness".

SA's real political heavyweights, the CP, KwaZulu and Bophuthatswana (although the two homelands attended), were opposed to Codesa because they rejected an ANC-ruled unitary SA, Treurnicht said.

Sapa reports HNP leader Jaap Marais as saying that an Afrikaner congress of right-wing organisations should be held as soon as possible in view of Codesa.

He said the immediate challenge of a possible referendum in 1992 should enjoy high priority.

Transvaal Agricultural Union president and CP MP Dries Bruwer said Codesa decisions would harm the South African agricultural economy.

Bruwer said in a statement an interim government would dramatically aggravate the unstable situation in the country.

Meanwhile, former Zimbabwe president Canaan Banana yesterday urged parties which had boycotted Codesa to reconsider their position.

Banana, who was a member of a team of

DAVE LOURENS

Commonwealth observers at the two-day talks, told a news conference in Harare it was important that the talks resulted in a broad political consensus. (304A)

The convention, he said, had made definite progress towards a non-racial and democratic SA. But, until the final products of the convention emerged, it was difficult to predict the results of the talks.

He said it was evident from talks the group had had with De Klerk that he was eager to resolve the situation.

"What was clear to us is that De Klerk realises that time is not on his side. The resolution of the problem of SA is in his interest."

Another member of the Commonwealth team, former Indian external affairs minister Dinesh Singh told a meeting of the Indian community in Durban that SA faced a "tremendous" future and said India would be willing to expand its investment ties with SA, provided South Africans joined India in co-operative efforts.

He referred in particular to collaboration in small-scale industries and what he termed middle category enterprises.

Canada's Secretary of State for External Affairs Barbara McDougall hailed Codesa as a milestone in SA's history and praised the spirit of goodwill and compromise at the talks.

● Comment: Page 4

'Barend out, Zach in' call

Political Staff 30/1

CAPE TOWN — The DP Youth yesterday called for Barend du Plessis to be replaced by DP leader Zach de Beer as finance minister in a transitional government of national unity.

"The DP Youth are encouraged that President F W de Klerk has finally started speaking the language of transitional government at Codesa," national vice-chairman Colin Douglas and western Cape chairman Brian Berkman said in a statement. BIDaily

The DP Youth said Du Plessis and the NP had made "a terrible mess" of the economy and were not competent to manage it on their own. 24/12/91

"At Codesa Dr De Beer showed that he has unique skills in making co-operation politics work, a vital qualification for this key Cabinet post in a transitional government.

"SA could not get a better gift for 1992 than Zach de Beer as finance minister," the statement said.

Joint rule may be next step

ANC, NP policy moving closer

Doug Hsu 24/2/91

SOUTH Africa could get its first fully-representative, non-racial government by 1993 or even sooner - with Mr Nelson Mandela, Mr FW de Klerk and other black leaders as co-presidents.

This may be the effect of President de Klerk's far-reaching announcements on the Government's new interim government policy at the weekend Convention for a Democratic South Africa.

He disclosed that the Government was ready and eager to install an interim (or transitional) government and a new, elected Parliament, representative of the whole population.

Apart from running the country, the new government would draft a final constitution - in effect making it a constituent assembly.

De Klerk's proposal takes the Government's position a giant stride closer to that of the ANC.

Government sources say that De Klerk will present a detailed plan for an interim constitution at the opening of Parliament on January 24.

It will then go to one of Codesa's working groups on February 6. This group will report to Codesa's second plenary meeting, scheduled to take place before the end of March.

Theoretically, agreement on an interim government could be reached then, but sources close to Codesa say this is more likely to be an interim meeting to report progress.

Political Staff

In the Government view, a referendum would then have to be held to win approval for the constitution of the different population groups (whose votes will be counted separately).

If approved, the interim constitution could be submitted and passed during the 1993 parliamentary session - although a special session of Parliament could be held during the second half of 1992 if agreement is reached soon enough.

Elections for South Africa's first non-racial fully-representative Parliament would then be held - and a government installed.

Although De Klerk has declined to divulge much detail, he told a Codesa Press conference that he didn't intend merely adding a fourth black chamber to the tricameral Parliament, as some ANC officials suspected.

Constitutional Development Minister Gerrit Viljoen said at the weekend the NP's envisaged interim constitution would be based on the NP's proposals for a permanent constitution.

Its main features are a joint executive presidency of three to five leaders of the biggest parties and two equally-powerful legislative houses with strong protection for minorities.

De Klerk's major concessions to the opposition demands for a sovereign interim government and an elected constitution-drafting body, have dramatically improved the prospects for successful negotiations at Codesa.

Until now the NP's official policy has been that the constitution should be drafted by an unelected multi-party conference - like Codesa - comprising all political parties with proven support.

And until De Klerk's Friday announcements, the Government had not departed publicly from its position that it would not surrender sovereignty to an interim government.

The catch in the Government plan - at least from the ANC view - is that it would be like the interim government to rule for much longer than the 18 months or so envisaged by the ANC.

Viljoen said the interim government should remain in power for some time, and he said later that this could be 10 years or more.

ANC sources suspect that the NP's idea is to bring in its constitution by the back door.

Another point of difference with the ANC is that it sees the interim government as an unelected body.

And the strong minority protection in the legislature which is sure to be a feature of the NP plan, is certain to cause problems to the ANC.

Yet another problem is that the Government has made it clear that apart from other groups, the new constitution will have to be approved by the white electorate.

Nonetheless the ANC's initial reaction to De Klerk's proposal has been promising.

Mandela said on Saturday that the ANC welcomed the fact that the Government had acknowledged the legitimacy of various aspects of ANC policy.

These included the demand that the NP should not be referee and player, that an interim government of national unity should be established expeditiously and that the present constitution and the tricameral parliament had no legitimacy.

Mandela firmly rejected the Government's aim of putting the interim constitution to a racially-based poll and also intention that the interim government should last indefinitely.



GERRIT VILJOEN

Time now to buckle down for real negotiations

(3041) B|Day 24/12/91

BILLY PADDOCK

CODESA I is over. Now that President F W de Klerk and ANC president Nelson Mandela have papered over the cracks after their angry exchange on Friday night, the parties can get down to the real hard work of negotiating their proposals for an interim government, a constitution-making body and a final constitution.

De Klerk, whose presidency has been characterised by playing his cards close to his chest, pulled an ace from his sleeve at the week-end. Determined to regain the initiative, he pre-empted two central ANC demands — a sovereign interim government and a constituent assembly.

He announced that government would propose a sovereign elected interim government based on universal adult suffrage. This government would be charged with drafting a new constitution. The two-in-one proposal, to be tabled at a Codesa working group in January, means De Klerk has in some way bridged an important chasm between his government and the ANC. He might also have taken a gamble that could lose him the whole game.

Government has consistently rejected the notion of a sovereign interim government and an elected constituent assembly, claiming this was unnecessary, costly and made negotiation more intractable.

The major argument of De Klerk and the NP has been that holding elections during the negotiating process would result in political parties and organisations hardening their positions, making compromises even more difficult to achieve during negotiations.

He has now firmly placed both items on the agenda and will be bound, in accordance with the commitment signed in the declaration of intent, to negotiate in good faith and abide by Codesa decisions.

De Klerk did not give many details of his proposal, but from the outline he disclosed it is possible to piece together a six-stage plan:

☐ The proposal for an interim constitution, based closely on NP constitutional proposals unveiled earlier this year, is put before working group 3 of Codesa for negotiation;

☐ The proposal, with or without amendments, must be agreed by Codesa itself, which then drafts the question to be put to the electorate. The question could also be drafted in such a way that it mandates the interim government to finalise and accept the final constitution. The process to get to this stage could be wound up within the first six months of next year;

☐ A referendum, taking another three months, polls all races but is conducted in such a way that the participants in the tricameral Parliament can be assessed separately;

☐ Should a majority of whites reject the plan, De Klerk and the NP go back to Codesa to renegotiate and steps 1 to 3 are repeated. If whites approve the constitutional proposal, the tricameral Parliament is asked to pass it into law as a new interim constitution. This is in keeping with the undertaking that Codesa decisions will be given the force of law, and could be completed by early 1993;

☐ After this, an election based on one man one vote in terms of the new interim constitution is conducted to set up an interim Parliament and government; and

☐ The new interim government is convened as soon as possible to elect a new president (or collective presidency of the leaders of the three biggest parties represented in Parliament) and Cabinet. The new Parliament starts governing the country and drafting a final constitution for the new SA.

The interim government proposed by De Klerk could be in place by the second half of 1993.

De Klerk does not want any time limit placed on the lifespan of the interim government, preferring to leave it open-ended so that a new constitution can be drafted at leisure. Consitutional Development Minister Gerrit Viljoen says that to justify the radical changes the interim government should remain in place for at least five years, but possibly 10.

The ANC opposes such a long lifespan of the interim government, wanting a final constitution by Christmas 1992.

If the ANC wins the day at Codesa, it will seek to have a limit placed on the duration of an interim government. But it could also manage to change De Klerk's plan so drastically that government is forced to comply with what the ANC wants.

The ANC will also not allow a minority white veto right; if De Klerk loses the white referendum, the ANC believes this is his problem, not its.

It also objects to the idea of a white veto overriding Codesa decisions.

The risks to De Klerk are enormous, but if he wins, he gives the NP a much longer hold on power than would be the case under the ANC proposals.

Rightwing plans to kill FW, Mandela and police generals

POLICE have been aware of violent plans in right-wing organisations "for some time", a police spokesman said yesterday.

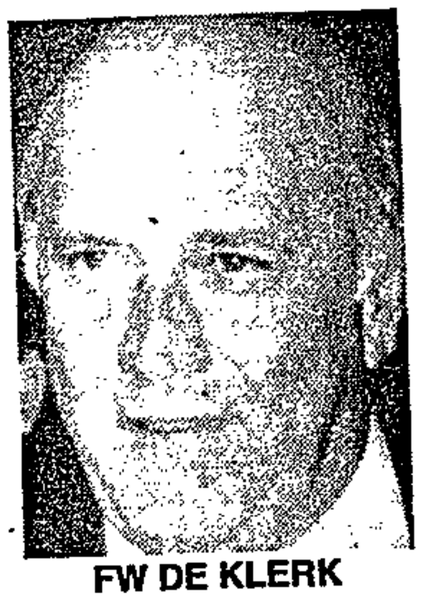
The plans allegedly include a hit list targetting prominent political figures, including President FW de Klerk and African National Congress leader Mr Nelson Mandela, as well as several police generals.

At the National Party's Cape congress in October, Minister of Law and Order Mr Hernus Kriel announced that police were aware of rightwing cells and their assassination plans.

"We are aware that certain targets have been identified by them. They are fanatics prepared to ignore the laws of the country and of civilised behaviour to achieve their goals," he told delegates at the congress.



NELSON MANDELA



FW DE KLERK

According to the SAP spokesman, the assassination plot was still being investigated.

Police are also investigating possible rightwing involvement in the recent spate of explosions in the Transvaal.

In the latest explosion, a hotel was destroyed at Koster in the Western Transvaal on Saturday.

No one was injured in the 3am explosion at the Jump and Jive Beerhall in the multiracial Koster Hotel, but damage to the building was estimated at about R100 000.

Last week a technical college at Lichtenburg and a private school at Klerksdorp were damaged in blasts thought to have been caused by commercial explosives. Another caused extensive damage to the Sabie Magistrate's Court in the Eastern Transvaal on Friday night.

Female fury

Sowetan 27/12/91 (304 M)

Woman rally to call by Helen Suzman

SOWETAN Correspondent

WOMEN have strongly backed the call by former MP Helen Suzman at Codesa at the weekend for a greater role to be given to members of their sex to prevent accusations of gender discrimination.

Sheena Duncan, Black Sash national executive member and vice-president of the National Council of Churches, labelled as "disgraceful" the fact that only five percent of the 228 delegates to Codesa at the World Trade Centre in Kempton Park were females.

"This is particularly bizarre in view of resolutions about a future non-racist, non-sexist democracy in South Africa," said Duncan.

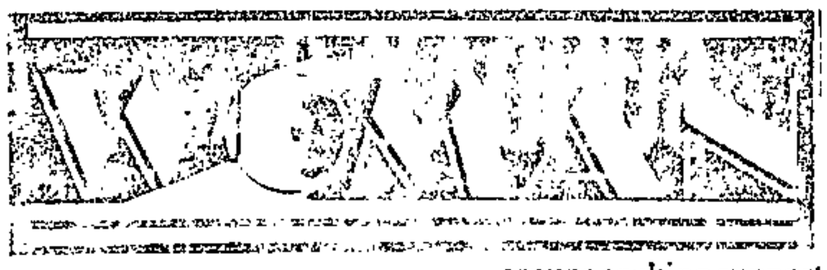
"Women are the backbone of most political parties, doing most of the constituency work as well, and can expect to be seen up-



HELEN SUZMAN



SHEENA DUNCAN



front when it comes to decision-making.

"The truth is that women are simply not taken seriously when it comes to power in our patriachal society which has been fashioned by men."

She warned all political groups seeking support from the electorate that females comprised more than 50 percent of the electorate who would take a long, hard look at the status of their sex when it came to casting a vote.

Suzman's appeal on Saturday was backed at Codesa by the Inkatha Freedom Party, the National Party, the ANC Womens' League and the South African Communist Party.

The biggest high-level female representation was from the Natal Indian Congress which had seven female representatives.

Said Daphne Mashile, a member of the ANC Soweto Crisis Committee: "Out of the 19 political organisations represented in Codesa not even a single one gave their women a significant role to play.

Sidelined

"All the speeches were read by men while the few women who were there were awarded observer status. Women work hard at grassroots levels and are being sidelined for leadership positions," she said.

Mashile warned that if women did not get involved in the political decisions being made now, other people would decide their fate in future.

The Government should set the trend by getting more women into leadership positions and all extra-parliamentary organisations should follow suit, she said.

However, publisher of *Who's Who* in Southern Africa Lise Essberger believed the reason why women got involved in middle-management positions, but never go on to leadersship positions, was that they were not assertive enough.

Culture

She said only 20 percent of the 7 000 biographers in *Who's Who* were women and the publisher had had to push hard to get some of them into the book.

"There is still a problem for women to assert themselves - perhaps it has something to do with our culture. If we compare ourselves to European and American counterparts, we are far behind.

"But I agree that women have an important role to play and they should be given an opportunity to get involved in any future discussions on the constitution of the country," Ms Essberger said.

Moira Winslow, actress and chief executive of Drive-Alive claimed: "We are three generations behind the world when it comes to women's equality. South Africans tend to display third world symptoms where women are not considered as important people.

"If South Africans want to continue as a first world country with a new dispensation, everybody must realise that women must have an equal say - if they qualify to do this," she said.

Democracy or chaos - Buthelezi

Sowetan 27/12/91

NO power on earth could save whites from calamity if a true democracy was not established in this country, KwaZulu Chief Minister Mangosuthu Buthelezi said.

Buthelezi issued separate messages of goodwill for whites and blacks. To whites, Buthelezi said apartheid South Africa did not deserve the generosity with which blacks were putting the past behind them and working for a new non-racist, non-sexist, multiparty democracy.

"Whatever some political leaders say to the contrary, blacks want the same things that whites want for the future.

"We want a democratic society in which there will be the rule of law and an independent judiciary which guarantees that both the legislative and executive arms of government abide by both the letter and the spirit of the constitution.

"My appeal to white South Africa at this critical juncture is to trust democracy and to fight with those who are determined to establish a democracy that will work."

To blacks, Buthelezi said there would be millions for whom the stirring experiences of today's politics would mean nothing because political leaders would have done nothing to alleviate the misery in their lives.

"You are now standing on the brink of the new South Africa and you and your leaders are negotiating this new South Africa into being on political platforms which long lines of heroes, heroines and martyrs created by their lives of struggle and pain.

"We must not take and grab what we can at the expense of generations to come. If you do this, you will in addition be grabbing what you can get now at the expense of what you yourselves can get out of the process of change." - *Sowetan Correspondent.*

Whites urged to put faith in democracy

304A

STAR 27/12/91

By Montshiwa Moroke

No power on Earth could save white South Africans from calamity if a true democracy was not established in this country, KwaZulu Chief Minister Mangosuthu Buthelezi said in his year-end message.

Chief Buthelezi issued separate messages of goodwill — one for whites and one for black South Africans.

In his message to whites, Chief Buthelezi said apartheid South Africa did not deserve the generosity with which black South Africans were putting the past behind them and working for a new nonracist, nonsexist, multiparty democracy.

"Whatever some political leaders say to the contrary, black South Africans want the same things that whites want for the future of our country.

"We want a democratic society in which there will be the rule of law and an independent judiciary which guarantees that both the legislative and executive arms of government abide by both the letter and the spirit of the constitution.

"My appeal to white South Africa at this critical juncture of South African history is to trust democracy and to fight with those of us who are absolutely determined to establish a democracy that will work.

"No power on Earth could save white South Africans from calamity if we do not end up establishing a true democracy in this country. If we achieve this whites on the other hand need fear no power on Earth," Chief Buthelezi said.

In a separate message to blacks, Chief Buthelezi said millions of black South Africans would be poorer at the end of 1992 than now. They would have less money to buy food and the necessities of life which would be a lot more expensive next year.

There would be millions for whom the stirring experiences of today's politics would mean nothing because political leaders would have done nothing to alleviate the misery in their lives.

"The black struggle for liberation has always been a struggle for South Africa, Africa and future generations. You are now standing on the brink of the new South Africa.

"You and your leaders are negotiating this new South Africa into being on political platforms which long lines of heroes, heroines and martyrs created by their lives of struggle and pain. For them it was struggle. For you now, it is continuing the struggle to reap the rewards of what they did.

"My message to black South Africans is that we in 1992 must not take and grab what we can at the expense of generations to come. If you do this you will be grabbing what you can get now at the expense of what you can get out of the process of change," Chief Buthelezi said.

Aid guru says development funds should play a subsidiary role, reports **Michael Chester**

Crucial tips from Africa's ruins

STAR 27/12/91 304A

AS THE seasoned director of the Africa Institute, Dr Erich Leistner has watched a new dawn break over dozens of countries on the continent as old political regimes have crumbled in recent years. And he has heard all the promises that were pledged about a brave new economic era.

In turn, with growing dismay, he has also watched as many of the dreams have faded into disillusion — with billions of rands in development funds wasted or squandered.

Now that South Africa stands on the brink of its own new dawn, Dr Leistner hopes its political and economic architects will heed the lessons that have had to be learnt the hard way elsewhere on the continent before they set the seal on development priorities.

He spells out the advice on caution in a special article in the current edition of "Developer", a publication of the KwaZulu Finance and Investment Corporation, which examines the entire role of foreign funds in economic development.

South Africa, he believes, should draw its fundamental lessons from experience across its borders in sub-Sahara Africa. He delivers the sharp reminder that the whole region, despite a multi-billion-rand cascade of funds from overseas, is now littered with what he calls "development ruins".

All in all, no less than $100 billion (about R275 000 million) in international aid was ploughed into the region during the 1980s.

Yet, when no fewer than 1 000 World Bank aid schemes came under review, it was revealed that 51 percent of all agricultural projects launched in East Africa had ended in failure. In West Africa, the failure rate was little better at almost one third.

The scarcity of success reports makes the Africa Institute suspect the casualty list may be even longer.

"The blatant failure of countless projects has dampened the almost universal optimism that characterised aid-giving in the '50s and '60s," writes Dr Leistner.

"But even though many serious and well-qualified analysts have long been deeply sceptical of aid, or even condemned it outright, powerful influences have ensured an ongoing flow of funds and experts into the less developed countries."

Often, the motives were not hard to find.

As long as the superpowers rattled their sabres in the Cold War, for instance, Africa was deemed to hold a strategic significance — and Western aid found it convenient to ignore tyrannical regimes, disdain of human rights and ruinous economic policies.

However, with the Cold War over and countries of the fractured Soviet Bloc now crying out for funds, Dr Leistner finds donor nations and agencies have become far more critical of Africa's performance. Western aid, he notes, is now increasingly subject to strict conditions that demand evidence of democratic political systems, observance of human rights — and market-oriented economic policies.

It still leaves Dr Leistner often wondering about the basic motives behind a lot of aid programmes. Does the donor country think first about its own national interest and ask whether aid will promote its exports? Will it enhance the donor's international influence somehow? Will it sustain a particular politician or political party in power?

He believes such displays of self-interest by donors run the risk of back-firing and weakening rather than strengthening the receiving country's development potential. It may easily turn investment and spending in the wrong direction — for instance, tying aid to capital equipment or services the donor is anxious to export, even though such imports may be totally unsuited to local circumstances.

In another example, aid in the form of food shipments may reduce the donor country's surplus stocks — but accustom whole populations to exotic foodstuffs and in the end undermine local food producers by turning traditional staple diets upside down.

A sure way to guarantee the failure of a sophisticated industrial project may be to insist on technical and administrative standards that prove beyond the ability of local manpower to handle.

Also, many donors, as well as recipients, tend to prefer glamorous capital projects that can be opened with lots of fanfare and publicity.

In turn, many of the schemes may fail because no provision has been made for high running costs and maintenance.

All in all, the Africa Institute has found the primary and most intractable reason for poorly-designed aid programmes has been ignorance and misjudgment about social, political and other basic conditions in recipient countries.

"The conclusion is inescapable," writes Dr Leistner, "that people's attitudes and skills are vastly more important in bringing about economic development than are natural and financial resources — though an inflow of resources from outside can facilitate and speed up a development process once it is in train."

He lists three specific lessons that have been learned:

- Throwing money at under-development problems merely causes social disruption — unless recipients are able and willing to use the cash constructively.
- The impact of aid on development is by no means proportional to the amount of cash flowing in.
- Foreign aid is not a pre-condition for economic progress or the elimination of poverty.

"Experience in Africa," he adds, "has shown that foreign aid is apt to promote incompetent and corrupt government and social disruption rather than economic development.

"Outsiders genuinely seeking to improve the living conditions of less-privileged people must go about this with empathy and modesty. Financial aid should play only a subsidiary role.

"Since South Africa's policy for the development of its less-privileged population groups and regions has until recently been determined almost exclusively by political and ideological considerations, the country has failed to learn important lessons that overseas donors have in the meantime absorbed in Africa.

"It is to be hoped that our country's development and aid policies will henceforth be guided by the lessons that others have learned at heavy cost to the people of Africa." □

Home care call for people with AIDS

DAVE LOURENS

SPOUSES, children and other immediate relatives of AIDS victims will need to be trained to take care of the sufferers in their own homes, because hospitals will be unable to cope, says AIDS expert Prof Ruben Sher. Bday 27/12/91

Sher estimated that more than 200 000 South Africans were already HIV positive. "There is no way we will be able to hospitalise all these people, and the number of cases doubles every 10 or 11 months. Some form of (home) care is the only answer."

The latest independently published AIDS Bulletin and Information Update reports that in the US the average lifetime cost of treating an AIDS patient is about R250 000. The annual cost of treating HIV positive people prior to their developing full-blown AIDS is about R14 500.

Sher said in SA treatment costs tended to be lower, depending on the amount of prophylactic medicines used to suppress symptoms.

The most widely used drug, AZT, sells for about R4 a tablet in SA. Dosage varies between three and five tablets a day, driving costs beyond the reach of all but the most affluent.

Sanctions on the agenda of Labour Party's congress

Bday 27/12/91

TIM COHEN

THE annual Labour Party congress, which starts in Durban today, would renew its calls for the lifting of sanctions and the dismantling of the tricameral system, party leader the Rev Alan Hendrickse said yesterday.

About 100 delegates would attend the congress, which Inkatha president Mangosuthu Buthelezi and ANC international affairs director Thabo Mbeki were expected to address tomorrow.

Hendrickse said the congress theme, "forward together", emphasised Labour's need to establish an independent identity in changing political circumstances and its policy of co-operation with other parties.

Resign

Congress delegates would elect a new chairman, secretary and treasurer, as these portfolio holders had defected to the NP.

Hendrickse said all the MPs who had defected to the NP had been sent letters demanding that they resign their seats and fight elections. However, no response had been received.

Labour almost lost control of the House of Representatives in June this year.

It survived a no-confidence motion by three votes after a mass exodus of MPs to the NP.

There are currently 43 Labour MPs and 35 NP MPs in the House.

The party suffered another blow when its national chairman, Willie Hoods, resigned last month in protest against Labour's association with the Patriotic Front.

"We have always said that it was immoral for the NP to accept these people who were elected on a Labour ticket, but so far none of them have resigned."

Despite having lost many of its leading figures, Labour's support had remained intact, Hendrickse said. "The hoi polloi are still with us," he said.

Delegates would be briefed on the recent Codesa convention and would be called on to ratify decisions taken at it.

Hendrickse said Labour would reaffirm its call for the lifting of sanctions.

It was the right time to call for the lifting of sanctions as SA was on the road to democracy, he said.

Although Labour felt Parliament should continue, it wanted the separate administrations, including the tri-cameral Parliament, dismantled now. "There is no sense in waiting."

Hendrickse, who is unlikely to be opposed as party leader, said current party chairman Mylie Richards and acting treasurer Duggie Josephs were likely to be returned unapposed.

There was doubt about whether Chris April would stand for the post of deputy chairman, but if he did he was also likely to be unopposed, Hendrickse said.

Date with destiny awaits in '92

STAR 28/12/91 (304A)

Undercurrent Affairs

SHAUN JOHNSON



CAN you hear how loud is the hush? The year — the big, crazy, hurtful, hopeful, historic year — is leaving us quietly, almost slinking away. If there are no more Acts of God or the Devil between now and midnight on Tuesday, 1991 will be gone before we know it.

Then it will sit patiently in the archives, knowing that a decent interval must pass before the historians exhume it, and knowing with complete certainty that it will assume its rightful place among that handful of years that really matter.

A great deal happened in 1991 that was memorable, and a great deal happened that we would prefer to forget. A look through the year's worth of "Undercurrent Affairs" reveals that these occurred in — or were unconsciously interpreted as having occurred in — almost equal measure.

But the conclusion is inescapable, going back over the 12-month rollercoaster ride: 1991 moved us from one epoch to another. You cannot say that about too many years in our short history.

This year was an eclectic journey. In January, we diverted ourselves with the romance between Willem de Klerk and Erica Adams, and the SABC's first attempt at a real news programme.

That was before we went Gulf Crazy, and forgot our own problems for a while.

It didn't last. That voracious and rapacious animal called the negotiations process seized our attention again, working groups proliferated, and the magician FW pulled off another surprise trick in Parliament — scrapping the Population Registration Act when we all said he couldn't, possibly.

Come February we watched the white farmers besiege Pretoria's streets and escort agencies. We saw Nelson Mandela and Mangosuthu Buthelezi meet at last, too late to save the thousands who had died in their names. We heard Pik Botha read a testimonial to the National Party from, of all people, Edson Arantes do Nascimento, better known as Pele.

In the same month the words "multiparty conference" began to be bandied about with some seriousness. Violence in the townships continued anyway.

In March came the Budget, and the promise of VAT. The Government allowed Penthouse magazine to be published, and the Democratic Party's Jannie Momberg made the heretical suggestion that perhaps F W de Klerk was not a saint, after all.

Taking this cue, the ANC issued its famous ultimatum in April, and it looked as if negotiations were for the scrapheap. The impression was compounded by the Swanieville massacre, among the most awful in a country which had overtaken El Salvador in its capacity for unleashing — and absorbing — unthinkable horror.

In June right-wing fear and frustration approached the point of no return. The Conservative Party spoke the unspeakable in Parliament, denouncing the Nationalists as traitors.

The Third Session of the Ninth Parliament of the RSA, continued to push at the pillars of social apartheid, regardless.

In July came Inkathagate, and the fall of Malan and Vlok — introducing an entirely novel notion of ministerial accountability into South African politics. In August came Ventersdorp, a dark and horrible night.

By September the political parties were unveiling their constitutional plans for the new South Africa, and the pall began to lift. There was the VAT strike still to come, yes, and the vicious exchanges over the South African flag and the Springbok. But something was changing, there was forward movement.

It was encouraged by the out-of-the-blue return to international cricket, and arrested by the brief return of Crocodile in the Wilderness. It prevailed with the preparatory meeting for what became known as Codesa.

And Codesa, controversial Codesa, closed the year. It was a typically South African success story. The CP, the PAC and Chief Buthelezi were boycotting. Mandela and De Klerk were fighting as never before. It went as well as anyone could have hoped.

That is the ray of light that shines forth from the confusing hotch-potch. The headline of the first Undercurrent Affairs of 1991 was: "Nightmare birth for the new year".

The column chronicled violence, mean-spiritedness, despair, and crumbling faith in the politicians.

It is different now. The last Undercurrent Affairs of 1991 knows that the coming year will produce our long-awaited date with destiny. We have a few weeks' respite in which to steel ourselves for what is to come.

Peace be with us all. Let us savour it.

Call for sanctions on those who hijack reform

STAR 28/12/91 (25) (304A)

DURBAN — Foreign countries should impose sanctions on any party or oganisation trying to hijack the reform process for its own political gain, the Rev Allan Hendrickse, leader of the Labour Party, said here last night.

Opening the 26th Labour congress, he also called on delegates to consider possible alliance partners.

Mr Hendrickse said the National Party could not rule South Africa alone while negotiations for a new constitution took place. It was the responsibility of the Convention for a Democratic South Africa to develop the structures of an interim government, he said.

MARTIN CHALLENOR

An interim government would prevent the NP from unilaterally dictating political processes with the authority of the state.

The involvement of foreign countries should be limited and their presence "should only serve as encouragement and realisation that any solution should be supported by an overwhelming majority of South Africans".

Violence would have to end so that elections could take place without intimidation and so that everyone was afforded the opportunity to vote the party/organisation of their choice, Mr Hendrickse said.

Delegates to the congress had to state their views on the new constitution, bearing in mind that Labour stood for a non-racial, geographic federation, he said.

Of future alliance partners, Mr Hendrickse said: "The Labour Party has reached the crossroads and must indicate unequivocally which political parties or groups will be considered for possible alliances. Let us in unity decide on the way in which we will move forward; let us join hands and unite. In this way the Labour Party and its suppoters will come into their own in the New South Africa."

Overhaul for SA legal

STAR 28/12/91 (3041?)

Far-reaching reforms give access to justice a much-ne

MANDY JEAN WOODS

CONFIDENCE in the judicial system, eroded by years of apartheid, may at last be restored in the wake of a number of important steps which have been taken to make the courts more accessible and the costs of court action more affordable for most South Africans.

This is significant because, as Legal Resources Trust chairman Charl Cilliers says: "New rights flowing from a constitution and a bill of rights will have meaning only if ordinary people assert them."

The Department of Justice acknowledges that accessibility and affordability are two of the most important demands currently being made on it. The reform process should put the legal system within reach of everybody, Justice Minister Kobie Coetsee says.

Association of Law Societies president Ed Southey says the department has for the past few years been investigating areas where reform is needed in the legal system and has taken steps to make it affordable and accessible for all.

REFORMING the legal system is a slow process, but it is gaining momentum.

The first step on the reform road was the establishment in 1985 of small claims courts. They have been overwhelmingly successful in creating a forum for rapid and effective legal action, where litigation costs otherwise would have made litigation undesirable.

There are at present 99 small claims courts in South Africa which attend to 87,9 percent of the population. Figures supplied by the Justice Department show there has been a steady increase in the use of small claims courts. In the year to July 1988, 95 995 cases were heard; by the year to June 1991, the number had grown to 133 719.

Mr Coetsee's recent approval of the establishment of a two-year pilot public-defender programme, a first for South Africa, is seen as another significant step towards reforming the judicial system. Public defenders will make their first appearance next month in Johannesburg's magistrate's and regional courts.

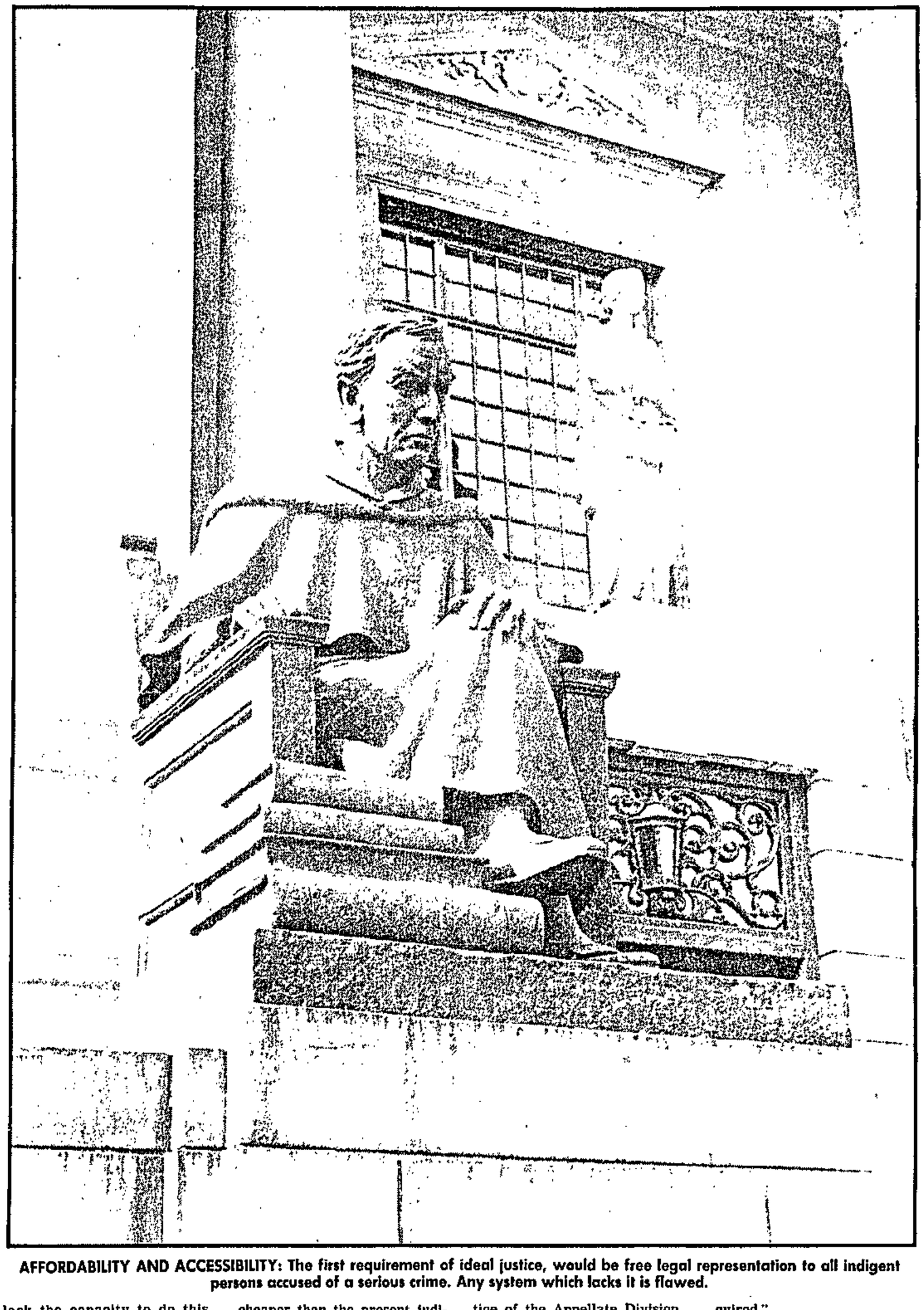
"Because of poverty, more than 80 percent of the 100 000 people imprisoned by South African courts do not have legal representation at their trials," Legal Resources Centre national director Arthur Chaskalson says.

"As a result, they have to defend themselves as best they can. More often than not, they lack the capacity to do this. Most of the unrepresented accused are black, and are tried by white prosecutors and magistrates in a language which has to be interpreted to them because they do not understand it; many are illiterate and ignorant of the law and its formalities."

The public defender system is expected to be three times cheaper than the present judicare system operated by the Legal Aid Board, where successful applicants are referred to lawyers who are then paid by the board.

The ideal of free legal representation to all indigent persons accused of serious crime is unquestionably a most worthy one, according to the Chief Justice of the Appellate Division, Mr Justice M M Corbett. "It is a *sine qua non* of a complete system of criminal justice, and any system which lacks it is flawed. Ultimately, it depends on how much the State is able and willing to provide for the funding of public defenders, legal aid and such like schemes and for the establishment of the additional infrastructure required."

About R2,5 million has been set aside to fund the pilot public defender programme. And the 57 percent increase in the 1992 budget of the Legal Aid Board, which assists indigent people in getting legal representation, is yet another sure sign of the Government's commitment to making justice affordable for the masses.



AFFORDABILITY AND ACCESSIBILITY: The first requirement of ideal justice, would be free legal representation to all indigent persons accused of a serious crime. Any system which lacks it is flawed.

THERE number of ... steps taken in make justice more available:

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Mr ... though the p... ing to address ... justice available to the masses ... is still an awful be done".

for SA legal system

STAR 28/12/91 (30417)

s give access to justice a much-needed shot in the arm



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tice of the Appellate Division, Mr Justice M M Corbett. "It is a *sine qua non* of a complete system of criminal justice, and any system which lacks it is flawed. Ultimately, it depends on how much the State is able and willing to provide for the funding of public defenders, legal aid and such like schemes and for the establishment of the additional infrastructure required."

About R2,5 million has been set aside to fund the pilot public defender programme. And the 57 percent increase in the 1992 budget of the Legal Aid Board, which assists indigent people in getting legal representation, is yet another sure sign of the Government's commitment to making justice affordable for the masses.

THERE have been a number of other important steps taken in the past year to make justice affordable and more available:

- The past year has seen a significant reduction in rules of procedure in magistrate's courts for civil matters, making it easier for people to go to court themselves.
- Increased jurisdictional limits introduced by Mr Coetsee in July this year mean certain cases which previously could be heard only in the Supreme Court (murder cases, for example) can now be dealt with in the magistrate's courts with reduced litigation costs.
- The acceptance of the Decriminalisation Act of 1991 has resulted in a considerable lightening of courts' workload. It has had the effect of decriminalising certain offences — such as minor traffic offences — and giving time to courts to adjudicate more serious cases.
- A number of magistrate's courts have since March this year been sitting for longer hours to enable a greater number of cases to be heard. This has proved so successful that all magistrate's courts, at their discretion, can now hold additional sittings.
- This month saw the introduction of yet another pilot project, that of mobile courts, which aims to bring speedy justice closer to the people who need it most. The quality of justice is not diminished as mobile courts have all the rights and privileges that regular magistrate's courts have.
- Early in 1992, the system of lay assessors will be introduced into magistrate's courts, which will give magistrates the opportunity of involving the community to a greater extent in the administration of justice and, in particular, with the imposition of sentences. This will go a long way towards involving the community in the justice system.
- A new Act (the Short Process Courts and Mediation in Certain Civil Cases Act) introduced this year makes possible informal and expeditious adjudication of civil disputes through a mediator, which otherwise would have had to have been heard in a magistrate's court.
- Earlier this year, legislation allowing for the establishment of an Office for Serious Economic Offences was passed. It will ensure speedy investigation and prosecution of complex white-collar crimes. While no official appointments have yet been made, investigators working on the Old Mutual, Masterbond and Fundstrust cases, for example, are already operating within the framework of the Act.

Mr Chaskalson says that although the process of attempting to address the need to make justice available and affordable to the masses has begun, "there is still an awful amount still to be done".

Attorneys seeking 'right of audience' in Supreme Court

THE legal issue of whether or not attorneys should be allowed to appear in Supreme Court cases has been revived with Justice Minister Kobie Coetsee instructing representative bodies of both sides to get together and resolve the matter.

A meeting between the Association of Law Societies (ALS) and the General Council of the Bar of South Africa (Bar Council) has already been held and another meeting is planned for late January.

Up to now, appearing in Supreme Court cases has been the exclusive domain of advocates. This separate Bar system is practised in South Africa, Hong Kong, Australia and the UK, with the latter currently amending its system to allow attorneys, with some restrictions, to appear in Supreme Court cases.

ALS president Ed Southey says the association strongly favours right of audience for suitably qualified attorneys. But the Bar Council was not in favour and was guarding its rights of audience jealously.

Bar Council chairman, advocate Milton Seligson, was this week reluctant to disclose his constituents' position on the matter, saying a report of a committee established in July to investigate the structure of the legal profession — including the issue of rights of audience in the Supreme Court — in a new South Africa had only just been completed and circulated.

Bar Councils would only respond to the report at a meeting scheduled for January 24.

Black Lawyers Association president Phineas Mojapelo says the crux of the matter is the notion of making the legal system more accessible to the majority of people in South Africa. "The present system only benefits people in the profession, not the man in the street" for whom it was intended, he says.

"By and large the Bar system which exists is an ideal one, a Rolls Royce system," Mr Southey says. "The problem is that it also carries a Rolls Royce cost, putting it beyond the means of the man in the street."

National Association of Democratic Lawyers publicity secretary Krish Govender points out that fusion would have the ripple effect of increasing the case load which the Supreme Court legal fraternity will be able to deal with, pressuring the Government to increase the number of courts and judges and ultimately resulting in speedier justice.

Mr Southey estimates that allowing attorneys rights of audience in the Supreme Court could save up to 25 percent of the current cost in average, run-of-the mill cases like divorces, insolvencies and third party claims. "People would be able to make an absolute minimum saving of 10 pecent in more complicated cases," he estimates. According to him, "the existing system props up inefficient advocates. Some of them make a good living without being good enough to do so."



JUSTICE MINISTER: Kobie Coetsee wants the matter resolved.

The Justice Department has already grappled withthe problem to some degree: the next parliamentry session should see heated debate of an amendment to the Supreme Court Act which would allow a judge president to ask an attorney to appear in the Supreme Court. According to the explanatory memorandum accompanying the amendment, the change is necessary because "available advocates do not always have sufficient experience or the capability to appear in certain specialised cases in the Supreme Court".

But the Bar Council and, according to Mr Seligson, the judiciary, have denounced the amendment. The Bar Council branded it "ill-conceived, badly timed and unnecessary", representing "piecemeal tampering with SA's legal system" and not in the public interest.

The issues in the seemingly simple matter are complex. Mr Seligson suggests that a commission of inquiry be established to consider the rights of audience for attorneys in Supreme Courts and even the wider topic of how to optimise the availability of legal services to the general public.

Take note FW, you too before long will follow Gorbachev into retirement

STAR 28/12/91.

Notebook
304A
CHRIS GIBBONS



EMPLOYMENT WANTED. Ex-Head of State and Nobel Peace Prize winner seeks a rewarding position. Anything legal undertaken. Contact M Gorbachev, c/o the Kremlin.

A man until very recently hailed as one of the great reformers of the age is now making arrangements to slide into retirement.

For what it's worth, it's a scenerio predicted exactly 12 months ago by this column. Spare the applause, though — it was not a very original thought and it took no more than a tiny crystal ball to see it happening.

But in the same piece, I also suggested that President de Klerk was following the very course charted by Mr Gorbachev. Twelve months later, I am even more convinced of that.

Mr de Klerk is presiding over his own political demise just as surely as his Moscow counterpart. Just like Mr Gorbachev, it will also come sooner than anyone imagines.

The process started by Codesa will develop a life and a momentum of its own which will overwhelm the present government.

This much has been recognised by Mr de Klerk, which is why he is talking about 10-year plans for power sharing, and why he is also insisting that the process be rubber-stamped by the tricameral parliament. He is trying as hard as he can to put the brakes on, to retain some control over the whole business. He is also fighting for his political life.

But, like Mr Gorbachev, he has almost no chance of survival.

Codesa will transform itself into some form of legal entity in the very near future or it will originate such a body. From this will emerge the new rulers of South Africa, just as Boris Yeltsin has emerged from what used to be the Soviet Union.

At this point, President de Klerk will become Mr de Klerk, heading up a small opposition grouping called the National Party.

But, as we sit here between Christmas and New Year, let's reach for that crystal ball once again and examine some of the problems which lie ahead. Once again, let's use the dynamics of the Soviet experience.

Boris Yeltsin faces exactly the same set of problems that beset Mr Gorbachev. The economy is in ruins, the shops are empty, jobs are few and far between and the people are hungry. Mr Yeltsin has so far produced no evidence yet that he can deal with these issues.

So it will be, too, for whoever leads the new South Africa.

The drawing up of a new constitution and the election of a new government are welcome aims, but neither will boost the economy. Nor will they bring an end to squatting, or rising crime, or unemployment.

It's at this juncture that one of the lesser Soviet problems will become one of the greater ones facing these new South African leaders.

One of the key factors driving the Soviet revolution has been aspirant nationalism. Now, despite the scattered pockets of ethnic unrest in places like Nagorno-Karabakh, this problem is fading away: The Lithuanians now have an independent Lithuania, and so on.

But in the new South Africa, it will grow and grow and grow to the point that it could easily threaten the existence of the nation. There will be no peace until white (and particularly Afrikaner) nationalism is addressed.

Many of the Codesa delegates seem to be of the opinion that somehow when they get into power, they will be able to deal with this problem. Perhaps they envisage some kind of tough-policing policy or perhaps they think the hard-line whites will wake up the morning after the election and have a change of heart.

This did not happen in the Soviet Union and will not happen here.

Many Codesa delegates of today will be the leaders of tomorrow. They would do well to bear the Soviet experience in mind.

If they do not, they will not be in power for long.

And they will join Mikhail Gorbachev in the ranks of the unemployed.

> The sooner issues such as sanctions, nationalisation, growth, redistribution, investment, land reform and industrial relations are settled, the more hope there is that a democratic constitution can unleash our potential to meet the challenges of development



FREDERIK van Zyl SLABBERT looks at the challenges confronting SA in the year ahead

Codesa could be start

TIME runs out for 1991 and South Africa's politicians conclude it with an "all"-party conference on the country's political future.

Codesa could be the start of a beginning. This beginning is light years away from the grinding deadlock of the 80s.

However, if we look at where the different political competitors say they would like to be at the end of the process we still have a long way to go.

We can measure progress one year from now on how our politicians have managed to respond to (at least) the following challenges:

ONE: The relationship between those who take part in negotiations and those who do not

THIS can also be described as the relationship between inclusiveness and "sufficient consensus". The latter concept is the fancy new term for how participants reach a decision at Codesa.

Consensus is deemed "sufficient" if, in the opinion of the chairmen (after consultations) "enough"(?) parties agree about a particular issue.

It is not quite clear why the excluded parties were necessary in the first instance.

This question becomes pertinent if one keeps in mind that the current composition of Codesa reflects the absence of the right wing as well as parties who want to form a new Patriotic Front, eg PAC, Azapo etc.

These two political poles encapsulate what has been the enduring source of political conflict in SA for most of this century: the demands for "white" self-determination precluding the possibility of "black" self-determination and vice versa.

No matter how crude, primitive, racist or irrational these demands may be, if these two political poles gather momentum as flanking parties, and by their own exclusion manage to outbid the consensus (sufficient or otherwise) of the centre, negotiations will fail.

If, however, these poles to some extent become part of the process of negotiations, a new look would have to be taken at the concept of "sufficient" consensus.

If consensus excludes any party that has the capacity to undermine progress, consensus is mean-

ack" self-determination and vice versa.

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If consensus excludes any party that has the capacity to undermine progress, consensus is meaningless.

For better or worse, this is what the guts of a political compromise is all about.

Dissent has to be containable enough not to undermine the consensus necessary for progress.

Codesa could be start of a good beginning

S/Times 29/12/91 (304A)

TWO: The relationship between negotiation and administration

THE fact that negotiations begin does not mean government stops. The politics of negotiation are not the same as the politics of administration and yet transition has to be negotiated as well as administered. Parties at present differ on who should participate in or accept responsibility for either.

The dilemma between negotiation and administration highlights the fact that our transition is not an event (flag-down, flag-up ceremony) but a process.

Continuity in this process depends on resolving this dilemma and the sooner clarity is reached on issues such as interim government, transitional government, government of national unity, constituent assembly and national referendum, the better.

Transforming the civil service to meet the imperatives of transition is a vital key to the success of the process.

Next year will be decisive for homeland governments ("independent" or not) as well as state departments — particularly defence, police, finance, education and health.

THREE: The relationship between stability and consent

THE process of transition has been plagued with problems of instability from the outset: violence, crime, destabilisation, factional confrontation, etc.

Generally speaking, stability in any society depends on a precarious relationship between coercion and consent and there is usually an inverse relationship between the two: the more society depends on coercion for stability, the less it can be sure of the consent of those subjected to it, and the more it depends on consent, the less it may need coercion.

In SA, conventional instruments of coercive stability, the defence force and police, become part of the process of transition, steeped in controversy.

They lack general legitimacy and therefore cannot assume the consent of many of those over whom they exercise coercion.

Can Codesa succeed in negotiating the maintenance of stability which is accepted by the participating parties to be impartial enough for them to proceed with negotiations?

The signing of the Peace Accord was, again, a good start, but its significance becomes clouded by Mr Mandela, Chief Buthelezi and Mr De Klerk accusing each other of bad faith on the issue of political violence, and, particularly, if some of their supporters observe neither the spirit nor the letter of the accord.

The relationship between stability and consent also touches directly on the legal system, our courts, civil liberties and the maintenance of public order.

FOUR: The relationship between civil society and political control

CIVIL society is that arena in the individual's social life in which he or she can participate free from direct party-political or government control, eg communal life, voluntary associations in churches, charities, sports clubs, ratepayers' associations, etc.

In authoritarian society this part of societal life was politically managed: where we slept, made love, went to school, bought property, went to church, played sport, etc.

From February 1990, the political management of apartheid began to collapse and we were exposed to the fragile and fractured nature of our civil society, particularly in deprived or oppressed communities.

Will the old political management of civil society be replaced by new political management, or will civil society be allowed to develop autonomy?

This is a vital question for the creation of a culture of democracy. It is in civil society that values such as tolerance, compromise and limitations on individual and bureaucratic power flourish.

Without such values in civil society, even the most perfect democratic constitution cannot be sustained. At present, civil society in SA is ravaged by violence, internecine strife, crime and political intolerance.

FIVE: The relationship between democracy and development

THIS is perhaps the most important challenge of all.

Development depends on a special relationship between growth (economy) and redistribution (polity) — one generates wealth, the other improves the quality of life in society.

If redistribution takes place at the expense of growth, development dies — if growth is indifferent to the demands of redistribution it generates conflict which undermines growth, and development dies.

There is nothing in democracy which guarantees either growth or redistribution, and therefore development. However, many who demand democracy expect development and many who resist democracy fear it will make development impossible.

Development without democracy is possible for a while, but democracy without development is short-lived.

If Codesa allows political negotiations to outstrip the capacity of the economy to deliver on the expectations which negotiations generate, then all of us can write growth and distribution on our tummies and wipe them off with our tattered shirts.

That is why an economic accord must develop alongside a political one, and such an accord cannot depend only on politicians — it must go wider than the current participants of Codesa and involve commerce, industry, labour and the state.

The sooner issues such as sanctions, nationalisation, growth, redistribution, investment, land reform and industrial relations are settled; the more hope there is that a democratic constitution can unleash our potential to meet the challenges of development. These five challenges can be restated in five simple questions about the individual:

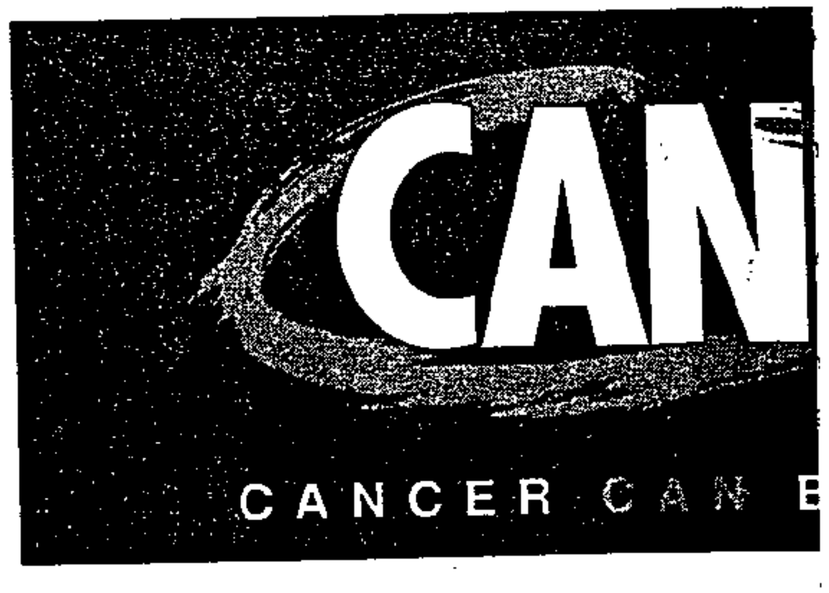
1. Are my political representatives part of the negotiations?
2. Do they share responsibility for administering transition?
3. Can I participate in politics without fear of intimidation, violence or persecution?
4. Can I pursue my personal social life free from direct political interference?
5. Can I expect of transition that it will not drastically reduce, but perhaps even enhance, the quality of my life?

If most South Africans, this time next year, can answer "yes" to all five, we are through the woods.

If "no" to any one of them, negotiations can still be derailed at any time.

What are our chances? Fifty-fifty.

As I said: Codesa could be the start of a good beginning.



LP pushes for interim rule

Sowetan 30/12/91

(304)

THE Labour Party has called for an interim government of national unity within the next 12 months.

In resolutions adopted at the LP congress in Durban yesterday the party also accepted the principle of a Constituent Assembly but emphasised that the CA's parameters and powers should be determined by Codesa and that the duration of a CA should not exceed 12 months.

The motion however stated that the constitutional principles to be adopted in a new constitution should be determined by Codesa prior to a CA.

The LP also skirted the potentially divisive issue of entering into a formal alliance with the ANC by supporting "in-depth talks" with all organisations on common aims and strategies.

While acknowledging that "alliances will be a determining factor in the future of South Africa", delegates were adamant that the LP should retain its identity and autonomy.

The LP's involvement in the Patriotic Front was also endorsed "with the clear understanding that the party's identity and autonomy is not compromised".

In another resolution, the LP called on the Government to transform the tri-cameral Parliament into a single chamber in preparation for an interim government of national unity.

The Government's proposed referendum among whites to seek endorsement for a new constitution was rejected in favour of a national referendum among all South Africans.

The LP called on the international community to lift remaining sanctions "to assist in the transformation from apartheid South Africa to a nonracial, democratic country".

On the issue of national symbols, the LP said the current national anthem, flag and Springbok emblem were "symbols of apartheid and racism" which should be replaced. - *Sapa.*

PAC, ANC slam Government over AWB camps

Double standards



AWB leader Eugene TerreBlanche

Sowetan 30/12/91 (304A)

THE Government was applying double standards by allowing the AWB's secret army to continue, the African National Congress said yesterday.

It was reacting to disclosures that the rightwing organisation was training a crack unit for guerilla warfare at a secret base.

The ANC also said civil war would be inevitable if foreign mercenaries were allowed to train secret armies, such as the AWB's Ystergarde (Iron Guard), inside the country.

By THEMBA MOLEFE, Political Staff

This followed the publication of exclusive photographs by the Sunday Star yesterday of the AWB's elite Ystergarde training at an undisclosed location in the Free State.

The newspaper reported that many of the Ystergarde recruits were trained in the South African Defence Force's elite Recce units and were being helped by foreign-professional soldiers, including an Irish national trained by the British Special Air Services.

ANC spokeswoman Ms Gill Marcus said it was ironic that the Government made an issue of Umkhonto we Sizwe (the ANC's military wing) whose cadres had been disarmed and its arms confined to "neutral bases".

She said: "If the whole question should be seen in terms of what is legal, we can only say the Government is displaying double standards.

"It will be highly regrettable if this is allowed to go on and civil war, instigated by hired mercenaries, erupts," said Marcus.

Indeed, it was the MK question which led to ANC president Mr Nelson Mandela launching a scathing attack on State President Mr FW de Klerk at the Convention for a Democratic South Africa at the World Trade Centre on December 20.

Pan Africanist Congress executive committee

● To page 2

Are the negotiators collaborators or are they liberators?

(304A)

ET 30/12/91

By NEVILLE ALEXANDER

IN AN ANC Viewpoint article in the Cape Times on December 10, Dullah Omar and Mziwonke Jacobs state, among other things, that any constitution that emerges from Codesa will not have a Muzorewa's chance since it will be illegitimate.

This is so because "none of the parties represented at Codesa can claim either to be representative or mandated".

They then go on to say that: "Central to the strategy of the ANC at Codesa will therefore be the winning of ... an elected constituent assembly.

"All the other demands underpin this central demand."

It is of some interest, in view of the centrality given to the goal of attaining the CA in their article that in the ANC draft declaration of intent, there is no mention of the CA at all.

However, the Omar-Jacobs argument is untenable in terms of the logic of a negotiations process.

Leaving aside for the moment other democratic demands of our liberation struggle pertaining to land, housing, education, health facilities, jobs, etc, it is common knowledge that the *minimum* political demand of the entire liberation movement is the full franchise (One person, one vote and the right of all adults to be elected to all organs of state).

Super Cabinet

In the politics of today, this fundamental demand is expressed in form of the call for the democratically elected constituent assembly. On this, all organisations in the liberation movement are agreed. This, in fact, is the only reason why none of us has been tempted to label the ANC leadership as a collaborationist leadership.

As long as they are genuinely committed to this principle and seen to be promoting it in terms of clearly stated strategy, they cannot be faulted.

As soon as they exercise State power (for example, in the guise of an interim government or a super Cabinet) without having realised this *minimum* demand of the oppressed people, they will not differ in any way from the Bantustan and tricameral "leaders" who consciously perpetuate the racial oppression and inequality of our people.

There is no escaping this logic. In a negotiation process, the two parties inevitably compromise unless the negotiations are a sham and are simply the dictation of terms by one party to the other.

Leaving aside the composition of Codesa, it is abundantly obvious, indeed it is the stated goal of the NP government and of its allies to block the attainment of the CA precisely because they do not accept and at this stage do not have to accept full and equal democratic rights for all the people of our country.

Bottom line

Unless someone succeeds in fooling us, it must be obvious that *any compromise* that comes out of the Codesa scrumdown will be something less than the CA as understood in the liberation movement.

To put it bluntly: The CA is our bottom line. We are probably not yet in the position to compel the government of the day to yield to the people's demand. It may not be the popular thing to say but, unlike Cyril Ramaphosa, we don't believe that we are walking the last mile.

Incidentally, Ramaphosa's Freudian slip may turn out to be more significant than he realises.

In normal slang, "walking the last mile" refers to the last few steps which the condemned person takes on the way to the gallows or the electric chair.

We in WOSA and in other organisations insist that the struggle continues. A luta continua. We are not prepared, as the Omar-Jacobs article seems to be, to con our people into believing that Codesa is a part of that struggle.

Indeed, the Codesa process, if left to itself, will become the shortest route to burying our struggle for years to come.

The critical question is: Are the negotiators collaborators or liberators? Things will become clear in the next few months.

[Neville Alexander is chairman of the Workers Organization for Socialist Action.]

Box 11 CAPE TOWN 8000

LP seeks interim govt within year

DURBAN — The Labour Party has called for an interim government of national unity within the next 12 months.

In resolutions adopted at its congress in Durban yesterday, the party also accepted the principle of a constituent assembly but emphasised that its parameters and powers should be determined by Codesa and that the duration of such an assembly should not exceed 12 months.

The LP also skirted the potentially divisive issue of entering into a formal alliance with the ANC by supporting "in-depth talks" with all organisations on common aims and strategies.

While acknowledging that "alliances will be a determining factor in the future of SA", delegates were adamant that the LP should retain its identity and autonomy.

The LP's involvement in the Patriotic Front was also endorsed "with the clear understanding that the party's identity and autonomy is not compromised".

In another resolution, the LP called on the Government to transform the tricameral Parliament into a single chamber in preparation for an interim government of national unity.

The Government's proposed referendum among whites to seek endorsement for a new constitution was rejected in favour of a national referendum among all South Africans.

The Rev Allan Hendrickse was yesterday elected unopposed to a 14th term as leader of the Labour Party.

And, in a surprise move, a woman was elected as deputy to new party chairman Chris April. Yvonne Bassier, secretary of the LP's Natal region, beat MPs Desmond Lockey and Luwellyn Landers to become vice-chairman.

Mr April, who is also Minister of Health and Welfare in the House of Representatives, fills the vacancy left by Dr Willie Hoods who recently joined the NP.

LP stalwart Miley Richards retained the deputy leadership.

Eddie Samuels, a Cape MEC, was elected secretary-general, beating LP heavyweights Mr Lockey, Abe Delport and Pat Wagenaar. President's councillor Mr Delport became deputy secretary-general.

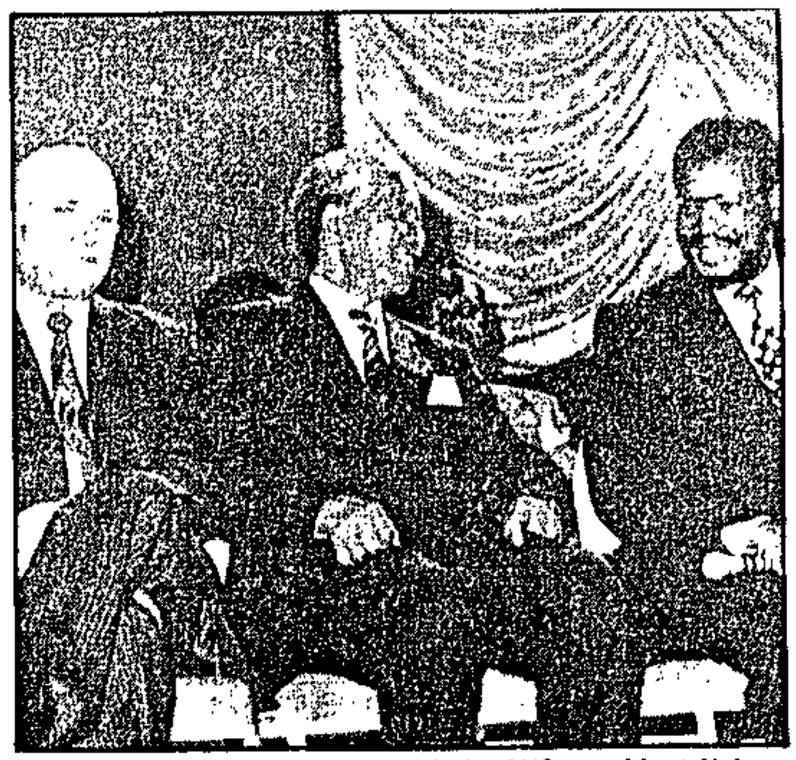
The MP for Riversdale, Doug Josephs, who has acted as treasurer since the defection of Paul Kleinsmidt to the NP, was elected unopposed to that post. Ken Lategan retained the job of national organiser. — Sapa.



Warm welcome . . . Mother Teresa greets South African cricket captain Clive Rice in Calcutta when the team arrived in India last month.



Free at last . . . SA-born Ian Richter after his release from an Iraqi jail.



Accord . . . President F W de Klerk, ANC president Nelson Mandela and Chief Mangosuthu Buthulezi at the meeting to sign the National Peace Accord in September.



Acclaim . . . dimer was the Nobel

Year heralds new er

STAR 30/12/91. (3041)

A toast to 1991 — a year of outstanding political achievement, appalling violence and riveting scandal. HELEN GRANGE recalls some of the more memorable events.

TRIUMPH and tragedy, hope and frustration — these were the bitter-sweet paradoxes of what may have been the most momentous year in South Africa's history.

The year 1991, threaded with unprecedented violent death, was also a year in which many dreams were realised and one that bridged the gulf between the dark days of apartheid and the dawn of a new era.

Political progress — frequently frustrated by a one-step-forward, one-step-back pace — was thankfully peppered with a good dose of humour, scandal and spectacular quarrels.

And who will forget the Greek crew which abandoned ship in the Oceanos disaster, the less-than-frank right-wing hunger strikers, the epic Winnie Mandela trial, Nadine Gordimer winning the Nobel literature prize, and South Africa's cricket team in India.

Inkathagate and the subsequent ousting of Adriaan Vlok and Magnus Malan from their controversial Law and Order and Defence portfolios will continue to provide numerous barroom jokes and ideas for aspirant thriller writers.

The novelty of uncensored, raw political drama unfolding on our TV sets invigorated some but unnerved others.

True-life television drama — depicting the Gulf War — was 1991's curtain raiser. Armscor was accused of supplying weapons to Iraq, and 330 South African Muslims found themselves stranded in Saudi Arabia.

At home, the last pillars of apartheid began to crumble. Onto the scrap-heap of history went the Population Registration Act, the Group Areas Act and the Land Acts.

Hundreds of white schools opened their doors to black pupils amid plans to forge a single education system, and some of the thousands of exiles began trickling home. Political prisoners were indemnified and released en masse, death sentences were commuted to jail terms, and sweeping changes to security legislation were set in motion.

However, the massacres of train commuters made headlines and political groups continued a daily slaughter in the townships.

Angry AWB supporters surged into bloody conflict with police in Ventersdorp, leaving two dead. Farmers protesting against Government land policies blocked Pretoria's streets and rightwingers attacked squatters in Goedgevonden in the western Transvaal.

Fights broke out at Orkney Stadium between soccer team supporters, leaving 40 dead, and taxi wars erupted in the Cape and on the East Rand.

The crime rate soared to new heights as unemployment and poverty bit deeper. Several mines closed because of the weak rand, leaving thousands of miners jobless. Prices spiralled and VAT was introduced amid huge opposition, which led to 84 deaths in clashes at Welkom's President Steyn gold mine.

Zulu "traditional" weapons at rallies became a source of bitter wrangling between the ANC, Inkatha and the Government. Parties struggled to share platforms in calling for an end to violence.

Yet hope survived with the signing of the historic National Peace Accord.

To reward South Africa for its efforts, sanctions were lifted by the US, the EC, the Commonwealth and Japan, and air links were resumed with the US and Australia among others.

Diplomatic offices were set up and South Africa set up missions in Eastern Europe. Former British Prime Minister Margaret Thatcher and British Foreign Secretary Douglas Hurd visited our shores. Australian Foreign Minister Gareth Evans also paid a visit and created a diplomatic furore when he swore at one of his police escorts.

We celebrated an invitation to next year's Olympic Games in Barcelona and wished Diana Tilden-Davis success in the Miss World contest, despite her unfortunate utterings.

South Africa also played its part in a year of international dramas. Apart from our contentious efforts in the Gulf War, we helped airlift and accommodated scores of refugees from war-torn Zaire and provided a base from which the USSR could launch a rescue of its men trapped on an ice-bound ship in Antarctica.

But who were scenes perso... vided us with ... and outrage?

Winnie ... media obsession twisted and ... with disappear... and reappear... before ending in six years' jail.

Also in court Soccer League supremo Abdul ... nection with ... sive fraud; the ... dolph, who ... before a colou... and the CP's ... who spent two ... refusing to ... information.

Police ... Lothar ... mation case ... Mail and Vrye ... exposed his ... with former ... captain Dirk ...

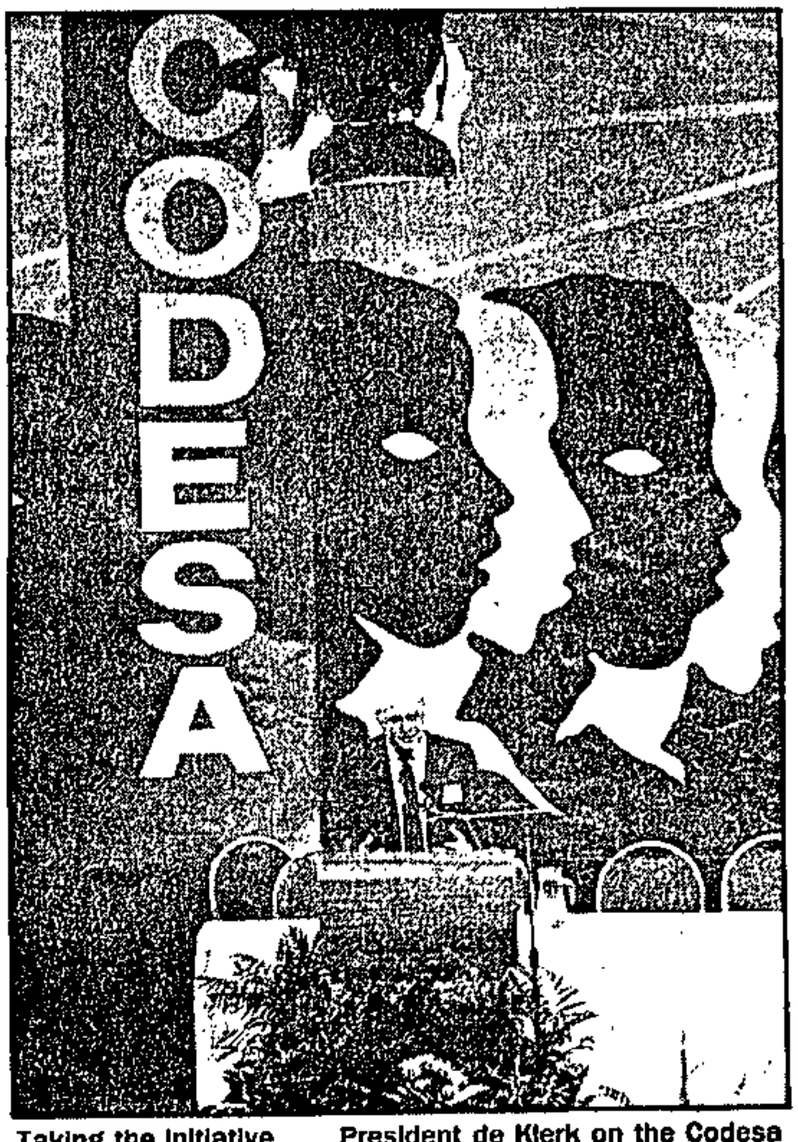
Then there ... room ...



Soccer scandal . . . NSL official Abdul Bhamjee appeared in court on massive fraud charges.



Ventersdorp violence . . . one of the policemen who was wounded during a running battle at a political rally.



Taking the initiative . . . President de Klerk on the Codesa podium earlier this month.



UN scandal . . . Foreign Affairs' Lidia van Heerden.



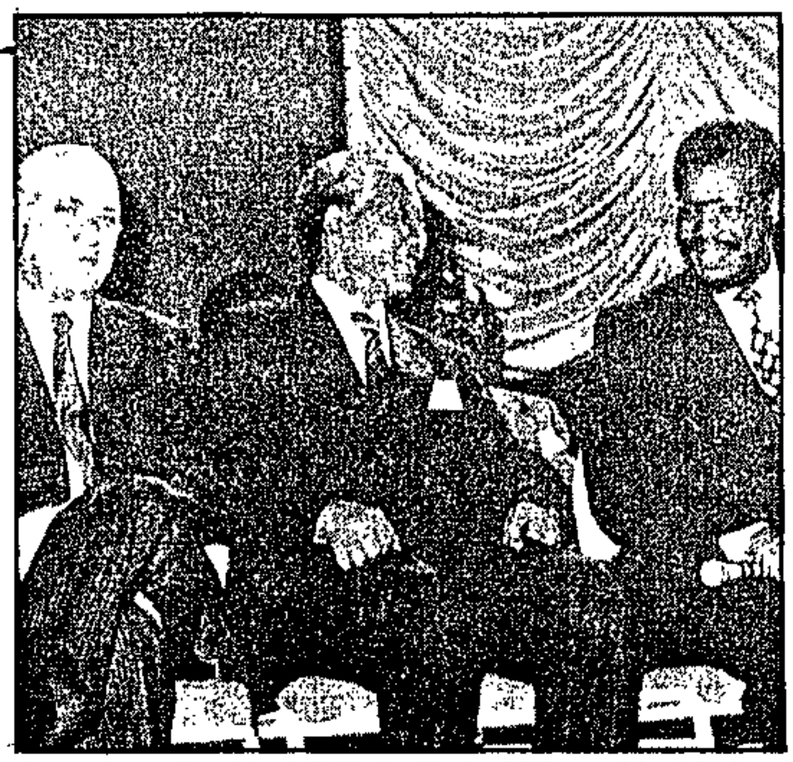
Soccer ...



Sea drama . . . hundreds of people were ... Oceanos broke up and sank in heavy ...



. . . SA-born after his re-an Iraqi jail.



Accord . . . President F W de Klerk, ANC president Nelson Mandela and Chief Mangosuthu Buthulezi at the meeting to sign the National Peace Accord in September.



Acclaim . . . Nadine Gordimer was honoured with the Nobel literature prize.



Station massacre . . . a panga lies abandoned near to two injured commuters on the platform at the Braamfontein station after an attack.

alds new era for SA

STAR 30/12/91. (3041)

A toast to 1991 — a year of outstanding political achievement, appalling violence and riveting scandal. HELEN GRANGE recalls some of the more memorable events.

olitical prison- and re- death sen- to jail changes to were set in

massacres of made head- groups con- in the

ters surg- with po- leaving two protesting land poll- ula's streets attacked dgerondon in

at Orkney soccer team 40 dead, and in the Cape and soared to new ment and Several cause of the thousands of

miners jobless. Prices spiralled and VAT was introduced amid huge opposition, which led to 84 deaths in clashes at Welkom's President Steyn gold mine.

Zulu "traditional" weapons at rallies became a source of bitter wrangling between the ANC, Inkatha and the Government. Parties struggled to share platforms in calling for an end to violence.

Yet hope survived with the signing of the historic National Peace Accord.

To reward South Africa for its efforts, sanctions were lifted by the US, the EC, the Commonwealth and Japan, and air links were resumed with the US and Australia among others.

Diplomatic offices were set up and South Africa set up missions in Eastern Europe. Former British Prime Minister Margaret Thatcher and British Foreign Secretary Douglas Hurd visited our shores. Australian Foreign Minister Gareth Evans also paid a visit and created a diplomatic furore when he swore at one of his police escorts.

We celebrated an invitation to next year's Olympic Games in Barcelona and wished Diana Tilden-Davis success in the Miss World contest, despite her unfortunate utterings.

South Africa also played its part in a year of international dramas. Apart from our contentious efforts in the Gulf War, we helped airlift and accommodated scores of refugees from war-torn Zaire and provided a base from which the USSR could launch a rescue of its men trapped on an ice-bound ship in Antarctica.

But who were the behind-the-scenes personalities who provided us with intrigue, gossip and outrage?

Winnie Mandela became a media obsession as her trial twisted and turned, complete with disappearing witnesses and reappearing co-accuseds, before ending in a sentence of six years' jail, subject to appeal.

Also in court was National Soccer League public relations supremo Abdul Bhamjee in connection with allegations of massive fraud; the AWB's Piet Rudolph, who refused to appear before a coloured magistrate; and the CP's Andries Beyers, who spent two weeks in jail for refusing to reveal a source of information.

Police forensic chief General Lothar Neethling lost his defamation case against the Weekly Mail and Vrye Weekblad, which exposed his poisonous dealings with former police hit squad captain Dirk Coetzee.

Then there was the courtroom revelation of massive money deals by the flamboyant Albert Vermaas and the end of SA's hospitality to shady Mafia man Vito Palazzolo.

Willem de Klerk and Erica Adams announced their controversial engagement, Broederstroom cell members Damian de Lange and Susan Westcott married in jail, and Naas Botha tried in vain to keep media vultures away from his wedding.

Novelist Nadine Gordimer took the coveted Nobel literature prize, Clive Rice returned triumphant from India after his cricket team won one of three test matches in India, and Sam Ramsamy provoked an identity crisis among South Africans with his contentious Nocsa flag and anthem.

On the political front, Foreign Affairs Minister Pik Botha ferociously fought off a mob of snarling journalists at a briefing on the Inkatha funding row, and P W Botha reminded us of old times with his taped tongue-lashing of NIS head Niel Barnard over a missing recording.

In the opposition camp, there was much ado over the election of Umkhonto we Sizwe's Chris Hani to the SA Communist Party's top position, Dr Allan Boesak's re-emergence in the ANC, Cosatu's Cyril Ramaphosa becoming the ANC's secretary-general, and Mrs Mandela's failure to win the ANC Women's League presidency.

Lidia van Heerden gave us light relief at the time when the political players simply couldn't get their act together, although her international sexploits with an Egyptian lady-killer somewhat ruffled the Department of Foreign Affairs.

Last but not least was the grand year-end drama played out by Nelson Mandela and F W de Klerk at Codesa, as they locked horns but disengaged just in time to save the nation.

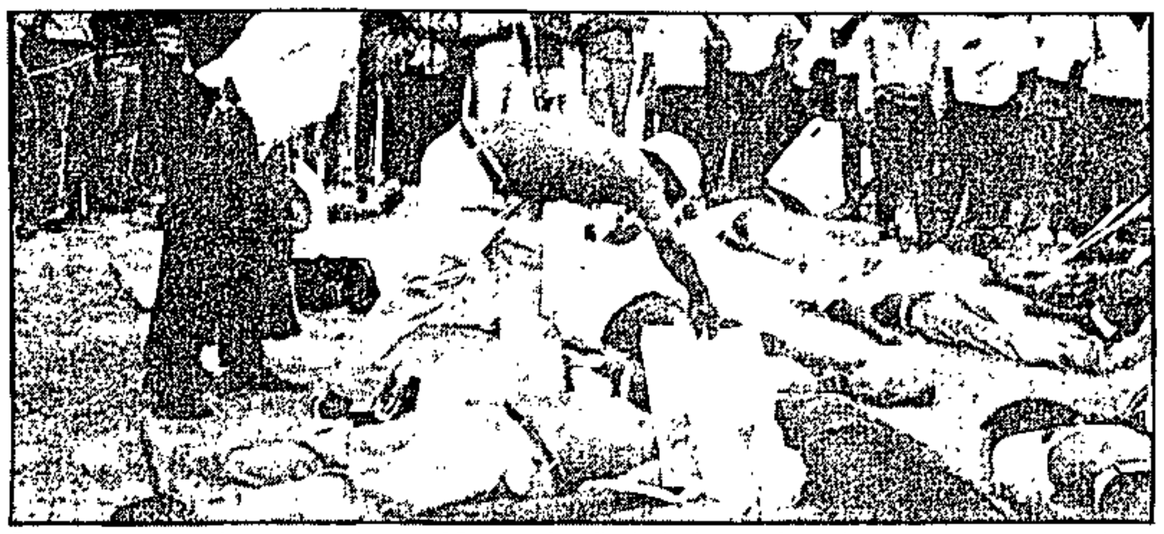
We leave behind a turbulent and historic year, which yielded many hard-earned lessons and great accomplishments. □



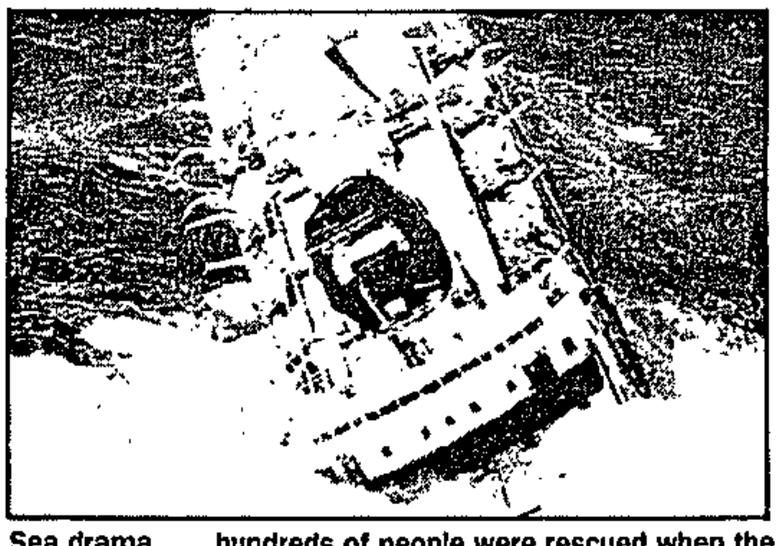
. . . President de Klerk on the Codesa podium earlier this month.



UN scandal . . . Foreign Affairs' Lidia van Heerden.



Soccer stampede . . . at least 40 people died during a brawl at a soccer match at Orkney in the western Transvaal.



Sea drama . . . hundreds of people were rescued when the Oceanos broke up and sank in heavy seas in August.



Tete-a-tete . . . former British prime minister Margaret Thatcher meets CP leader Dr Andries Treurnicht in May.

Brighter days ahead after tough 1991

304A
ARG 30/12/91

DEREK TOMMEY

JOHANNESBURG. — Few will regret the passing of 1991, which has been a year of considerable hardships for many.

It was a year, says Standard Bank, of "rising retrenchments, evaporating overtime, increasingly conservative wage settlements, combined with diminishing access to finance for many consumers, aggravated by outbreaks of violence in some black residential areas".

On top of this we have had to live with extremely high interest rates, continued high inflation, an increase in the real rate of income tax and the introduction of VAT on many foodstuffs previously tax-free.

However, this is the bad news. The good news is that there now appears to be a light at the end of the tunnel and that by this time next year economic activity and employment should be substantial greater than it is today.

The level of activity next year will depend on the amount of money injected into the economy. And evidence is mounting that this will be significantly more than was the case this year.

This money is expected to come from:

- Increased exports;
- Government deficit-financing;
- New investment; and
- An increase in bank credit.

Figures issued last week show that exports are booming, despite the recession overseas and the sharp fall in prices of many of South Africa's major foreign exchange-earning commodities.

Exporters sold goods worth R61,4 billion to foreigners in the 11 months to November. This was R5,6 billion more than a year earlier.

Although some of the increase was the result of a drop in the exchange rate of the rand, most of it came from a rise in the physical volume of goods sold.

The increase helped create jobs in the export industries and offset the effect of layoffs elsewhere.

Economists say that next year exports should make an even bigger contribution. For a start, the lifting of sanctions is opening many more markets to exporters.

Then there is the expected upturn in international economies, which was strongly indicated last week by a rise in US share prices to a new peak. These improved conditions overseas should also give South African exports a major boost.

Another major stimulus to development in 1992, at least in the early months of the year, is expected to be the huge government deficit.

Tax receipts so far this year are lagging badly behind budget. By the end of November they showed an increase of only R2 billion, against a projected increase in government spending of R10 billion.

In view of the depressed economy, it seems unlikely that tax revenues will reach anywhere near the government's target.

The result is that the government is already having to borrow substantial amounts to meet its expenses, and it seems likely it will have to continue doing so for some months to come.

This means it will be putting more money into the economy than it is taking out — which is good for business.

The third source of additional money will be new investment in factories and plant. The lifting of sanctions has provided a huge incentive for exporters to produce goods for overseas.

Work is almost certain to start in 1992 on the R4 billion Columbus stainless steel plant and the R4 billion aluminium smelter plant.

Together these should provide a substantial number of jobs and new business opportunities for the engineering and construction industries.

The motor industry is likely to continue its large investment programme, which is partly aimed at supplying foreign markets.

Fourthly, banks are likely to play a major role in 1992's business upturn. Stocks of raw materials and of manufactured and partly manufactured goods are low.

Because of the high degree of businss uncertainty, firms have not been replacing the merchandise they have sold.

At the first sign that the economy is moving out of recession, they are likely place orders for all sorts of goods. The new orders, which will probably have to be financed by bank credit, should expand factory activity and create many more jobs.

Altogether, it looks like 1992 should be a much better year than 1991.

If foreigner investors start to think the same way and begin reinvesting, 1992 could ultimately turn out to be a very good year indeed.

Mandela, De Klerk optimistic

CT 30/12/91 (304A)

Political Staff

BOTH President F W de Klerk and ANC president Mr Nelson Mandela have expressed cautious optimism about the successful outcome of the Codesa negotiations during 1992.

But both added significant qualifications: Mr De Klerk acknowledged that a considerable part of the population was afraid and uncertain and he warned that the government would not hesitate to act against ongoing violence and crime.

"We will not allow chaos to reign," he said in an interview with Rapport.

For his part, Mr Mandela rejected Mr De Klerk's interim government proposals as "a trap" to avert majority rule.

If an interim government were installed for ten years, Mr De Klerk "could simply go on and on with the interim government and never take the next step, which he knows is the real thing of transferring power from the existing Parliament to a government representing the majority of people.

"We would have fallen into a trap. So we are insisting on an interim government of very short duration, certainly not more than 18 months," he said in an interview with the Observer.

Mr Mandela also disclosed a readiness to make significant compromises to reassure white South Africans about the future.

These included a willingness to consider a block of white seats in the post-apartheid Parliament for a limited period, as occurred in Zimbabwe, even though this would mean perpetuating a separate white voters' roll.

In his interview, Mr De Klerk said he fully understood the uncertainty and "therefore it is necessary that we must quickly progress with real negotiations.

"As we progress, it will be very clear that negotiation will not result in destabilisation, but precisely in the solution of the problems with which we have been grappling for so long."

He expressed realistic hope that "light in the tunnel" would shine for South Africa.

Mr De Klerk also said that all indications were that the economy would move away from the low point it had reached and the painful steps that had been taken to fight inflation would bear fruit.

LP says tricameral parliament must go

(30/12) ET 30/12/91

Own Correspondent

DURBAN. — The Labour Party yesterday called for the abolition of the tricameral parliament and the establishment of a single chamber in preparation for a government of national unity.

At the close of the party's annual congress yesterday delegates also rejected the government's recommendation for a racially based referendum to be held before the establishment of an interim government.

A resolution unanimously adopted at the congress stated: "We resolve to call on the government to transform the tricameral parliament into a single chamber in preparation for a government of national unity."

The question of alliances also came under the spotlight at the conference, and it was decided to hold ongoing discussions with the ANC and the IFP "and other organisations and parties".

Natal-based delegates appear to be strongly in favour of entering into an alliance with Inkatha, while other regions lean toward the ANC.

"Any alliance with the National Party is out," a leading LP member said.

The congress called for the establishment of an interim government in 12 months to preside over the security forces, state-controlled media and aspects of the budget.

There is also a strong feeling in the party that the Codesa conference should start to operate from Parliament.

It was resolved that Codesa should draw up constitutional principles, but that its powers should be limited and it should not continue to exist after a year.

The LP called on the international community to lift sanctions without delay during the establishment of a "non-racial, non-sexist South Africa".

The recommendations of the South African Law Commission with regard to the drawing up of a justiciable bill of rights were warmly welcomed by the party.

The national anthem, flag and springbok symbol were described as "representative of apartheid".

Moves to achieve unity in sport will have the LP's full support.

Hendrickse re-elected

Own Correspondent

DURBAN. — The Rev Allan Hendrickse was unanimously re-elected leader of the Labour Party at the close of the party's annual congress here yesterday. His nomination was uncontested.

Mr Miley Richards was re-elected deputy leader, while Mr Chris April was elected chairman.

Labour Party history was made when Mrs Yvonne Bassier was elected vice-chairman. She is the first woman to hold office in the party.

Mr Eddie Samuels was elected secretary-general while Mr Abe Delport was elected as his deputy. Mr Dougie Josephs was elected treasurer, while Mr Peter Hendrickse was retained as national PRO.

Party leader the Rev Allan Hendrickse moved that the party should call for basic foods, medical care, electricity and water to be exempted from VAT.

● Sapa reports that the leader of the Inkatha Freedom Party (IFP), Chief Mangosuthu Buthelezi, has accused President F W de Klerk of "working to rig elections" and trying to obtain the maximum advantage for white South Africans.

In a speech to the LP congress read on his behalf by IFP central committee member Dr Ben Ngubane, Chief Buthelezi said Mr De Klerk's statements masked "his real intentions of misleading South Africa and the international community into believing he is working for a multi-party democracy".

He also attacked ANC president Mr Nelson Mandela for "pursuing revolutionary objectives" of seizing power and establishing an ANC/SACP government in a one-party socialist state.

Labour calls for a single parliament

Own Correspondent

DURBAN — The Labour Party called yesterday for the abolition of the tricameral parliament and the establishment of a single chamber in preparation for a "government of national unity".

At the close of the party's annual congress delegates rejected government's recommendation for a racially based referendum to be held before the establishment of an interim government.

The conference also decided to hold discussions with the ANC, Inkatha and other organisations and parties.

Natal-based delegates appear to be strongly in favour of entering into an alliance with Inkatha, while other regions lean towards the ANC.

"Any alliance with the NP is out," a leading Labour Party member said.

The congress called for the establishment of an interim government within 12 months to preside over the security forces, state-controlled media and aspects of the budget.

There is a strong feeling in the party that Codesa should operate from parliament.

It was resolved that Codesa should draw up constitutional principles but its powers should be limited.

The Labour Party called on the international community to lift sanctions without delay.

Party leader Rev Allan Hendrickse moved that the party should call for basic foodstuffs, medical care and electricity and water to be exempted from VAT.

There was a traitor in the ranks of the national executive committee who had fed false information on the financial status of the party to a Sunday newspaper, said party treasurer Dougie Josephs, presenting the financial report yesterday. A newspaper report stated that auditors acting for the party had failed to trace more than R500 000 in party funds.

Josephs said all amounts had been accounted for and the bulk of monies reported as "missing" had in fact been invested.

"The Labour Party of SA is far from bankrupt," he said.

□ The Labour Party said at the weekend it was expecting 800 delegates to attend its congress and not 100 as reported in Business Day last week.

CP slams Kotze 304A

THE Conservative Party has accused Law and Order spokesman Captain Craig Kotze of political statements which proved the SA Police was still used to further party political ends. Sowetan 31/12/91

CP spokesman on Law and Order Mr Moolman Mentz said: "It is this that damages the image of the SAP and plays directly into the hands of police's real enemies."

Mentz was reacting to Kotze's statement that it was the organisations with private armies who persisted with the armed struggle which had a double agenda and not the Government or the SAP. - *Sana.*

1992 will be better, say whites in poll

BIDay 31/12/91

(30+A)

NINA SHAND

DESPITE continuing violence, poor economic conditions and mass retrenchments, white South Africans are more optimistic than blacks that 1992 will be better than 1991, a recent Markinor survey has found.

The Gallup Poll, conducted in October as part of an international year-end poll, found that while 40% of whites believe things will get better in 1992, only 33% of blacks have the same opinion.

Last year, this situation was reversed, with 47% of blacks confident that 1991 would be better than 1990, compared with 34% of whites.

Markinor director Peter Scott-Wilson said it was directly attributable to violence and poor economic conditions.

Markinor says that from 1982 to 1985, optimism among South Africans decreased as a result of the state of emergency during this time, and picked up with the outcome of the 1987 general election.

The escalation of township violence in 1988 and 1989 led to an overall drop in optimism, although towards the end of 1989 blacks showed more confidence in the future than whites. This trend continued in 1990 after President F W de Klerk began his reforms and optimism levels among whites dropped dramatically.

The poll, conducted among 2 300 urban adults (1 000 whites and 1 300 blacks), found the higher income group to be more optimistic than the lower income group.

Some 45% of whites earning more than R6 000 a month feel 1992 will be better than 1991, while among those earning less than R2 500, only 36% share this view.

Among blacks this difference is more pronounced, with 42% of those earning above R1 500 and 28% of those earning less than R400 having the same opinion.

"The importance of earning power confirms the importance of economic factors in forming people's attitudes to the future," Scott-Wilson says.

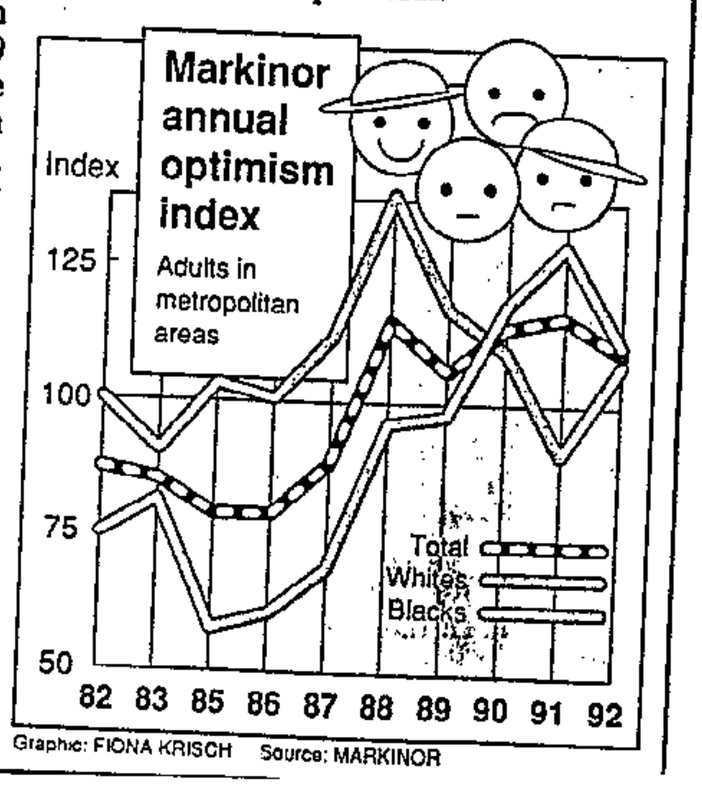
The poll found whites living in Bloemfontein (50%) and in Port Elizabeth/East London (49%) and blacks in Pretoria and Durban (39%) to be the most optimistic about the future.

With regard to strikes, 45% of whites and 30% of blacks, compared with 53% and 21% last year respectively, said they would increase.

English-speaking white South Africans are positive that 1992 will be a peaceful year, with only 26% believing it will be a troubled year with much international upheaval, compared to 43% of Afrikaans speakers believing this.

"Perceptions seem to be easing slightly despite disturbances throughout Eastern Europe," Scott-Wilson says.

Among black South Africans, 28% believe 1992 will be a troubled year and 30% believe it will be peaceful.



Graphic: FIONA KRISCH Source: MARKINOR

1991 – the agony and the ecstasy

STHR 31/12/91.

The vacillation between optimism and deep gloom to what 1991 brought is reflected in the reaction of the British press to events in SA. GARNER THOMSON reports from London.

THE YEAR 1991 goes down on the pages of history as the year in which change — breathtakingly swift, global and often terrifying — placed the world on a course from which it would never again be able to turn back.

Unassailable empires crumbled and fell. Unquestioned ideologies abruptly ran out of steam. As new pacts were being formed, old disagreements surfaced and boiled over into violence and death. Even those leaders who had had the foresight to try to help pilot the world into a new order were swept away by the gale they inadvertently helped to unleash.

The Gulf War, which opened the year, demonstrated a rare accord among some of the most powerful and formerly mutually hostile countries of the world. But the survival of Saddam Hussein and the near-genocide of Iraq's Kurds established that, while the scenery had been forcibly and expensively rearranged, the drama continued much as before.

The civil war in Yugoslavia and the assassination of Rajiv Gandhi heightened the fear that solutions were still being sought from the barrel of a gun, though the collapse of communism seemed to herald the dawning of President Bush's new world order. In reality, however, chaos — in Eastern Europe, at any rate — loomed in the light of the surfacing of old aggressions and an uncertain marriage between democracy and cruelly deflationary economic policies.

On the positive side, 1991 saw a united Germany, battle-scarred opponents in the Middle



Sweeping changes . . . President F W de Klerk.

for the first time in nearly 50 years.

The growing concern about what the world had believed would be a steady, incremental move towards a fully democratic, peaceful, nonracial South Africa was vividly illustrated at the weekend by reports from the Johannesburg correspondents of two major British newspapers, The Independent and the London Sunday Times.

The Independent's John Carlin was blunt. Majority rule in South Africa, he said, would offer no more guarantees of peace, stability and prosperity than dictatorship.

"The constitutional negotiations which began last week might decide to hold multiracial elections in two or three years' time, where the winner would emerge as the government," he wrote. "But under this admittedly pessimistic

readers, and feared that the situation would degenerate even further into a war of revenge for apartheid. Police had simply been overwhelmed. Despite more officers and patrols, senior officers said they were still too short of men and money to tackle the crisis.

"This has led to a DIY attitude among whites," he wrote. "In Johannesburg's affluent northern suburbs, homes have been turned into fortresses, with alarm systems linked to armed private security firms, and high garden walls topped with razor wire. Guard dogs patrol gardens. At least half the white households own guns."

Ellis quoted South African criminologists as blaming unemployment, poverty and frustration with the new South Africa as reasons for the rise in crime. Many black people were impatient for change, and weapons were cheap and in plentiful supply.

Just as the events leading up to Mikhail Gorbachev's glasnost preceded F W de Klerk's first steps towards irreversible change, the collapse of the Soviet Union into a collection of warring, self-serving factions offered a grim warning to South Africa.

As 1991 had shown the world, change, when it comes, should not only be sweeping, but also comprehensive and fair. It should also come from the minds and souls of the people whose lives were being shaped by these accelerating events.

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On the positive side, 1991 saw a united Germany, battle-scarred opponents in the Middle East sitting down around a negotiating table for the first time in decades, many Western hostages being released in Lebanon, and the leaders of the European Community setting in irrevocable motion the moves towards a politically and financially united Europe.

Nobody doubts that 1991 has been a year of political and moral progress. But across the celebration lie the shadows of the year ahead — warning of the dangers of anarchy, viciously opposing tribal passions, economic recession, continued oppression in distant lands, the lurking fear that Western democracy and capitalism may soon also prove unworkable in at least some political situations, and the threat of a slow, fatal leak of nuclear technology from the collapsing Soviet states to a grossly unstable and fractious Middle East.

While the death of South Africa's race laws are welcomed, its leaders — black and white — applauded, there is nevertheless a growing pessimism about the future of a country being faced with multiple political choices



Survived . . . President Saddam Hussein.



Sweeping changes . . . President F W de Klerk.

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"The constitutional negotiations which began last week might decide to hold multiracial elections in two or three years' time, where the winner would emerge as the government," he wrote. "But under this admittedly pessimistic analysis, such a government would prove, at best, utterly ineffectual. At worst, it would be helpless to stop the country descending into civil war."

Carlin went on to warn that:

- Faith in the ANC's ability to reverse four decades of apartheid injustice was sadly misplaced.
- A flight of capital was inevitable should the ANC and the SACP seriously consider a redistribution of the country's wealth.
- The cutting edge of South Africa's counter-insurgency forces — the instruments of untold suffering both inside South Africa and in the neighbouring states — could, as one senior officer has warned, go to war if negotiations did not turn out "successfully" (that is, to their own satisfaction).
- The danger to success remained greatest from the right wing. Carlin quoted Broederbond chairman Pieter de Lange as saying: "The Afrikaners visualise no future anywhere else but here. If change threatens them in their very existence, they have the capability to unleash something terrible, the likes of which Africa has not seen."
- For all the ANC's protestations of democratic guarantees, whites, haunted by the spectre of Africa, simply did not believe them.

The picture painted by the Sunday Times's Richard Ellis was equally grim. He reported a South Africa drowning in crime, with only a small percentage of the annual 20 000 murders due to political violence.

The country's 5 million whites felt under siege, he told his northern suburbs, homes have been turned into fortresses, with alarm systems linked to armed private security firms, and high garden walls topped with razor wire. Guard dogs patrol gardens. At least half the white households own guns."

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As 1991 had shown the world, change, when it comes, should not only be sweeping, but also comprehensive and fair. It should also come from the minds and souls of the people whose lives were being shaped by these accelerating events.

"Most experts believe that little will improve until a political settlement is in place, the economy recovers, people start to see social improvements and the huge gap between white and black in South Africa eases," Ellis wrote.

"In short, as the passing year also demonstrates, political change without a change of heart — individually, nationally, internationally — remains as worthless and as dangerous as the situations, conditions and oppression it seeks to replace.

Adaptability, flexibility, tolerance ... all are qualities that will be demanded on all sides by 1992. But even these sterling attributes remain only means towards a truly peaceful and democratic end.

As Carlin wrote about South Africa's no-longer-unique political and social problems: "Finding the right formula for compromise, with honour satisfied all round, is the challenge of the negotiations which have just begun. A democratic consititution etched in stone will have to wait." □



Assassinated . . . Prime Minister Rajiv Gandhi.

Patrick Laurence looks at the Olivier Report on constitutional models for SA

Getting down to basic issues

STAR 31/12/91 (3044)

THE pre-Christmas excitement over Codesa 1, whipped to froth by the public clash between the ANC's Nelson Mandela and President de Klerk, has obscured the South African Law Commission Report on Constitutional Models.

The report, known as the Olivier Report, is of central importance to the debate over South Africa's constitutional future, particularly as it provides a scholarly perspective on many of the issues on the agenda in the talks.

One of the issues is whether special provision should be made for the representation of tribal chiefs or traditional leaders, an issue made doubly topical by the quest by Mangosuthu Buthelezi's Inkatha Freedom Party to secure a place at Codesa for the Zulu monarch, Goodwill Zwelethini.

The vexatious question, plus that of traditional leaders in general, has been referred to Codesa's management committee.

The Olivier Report offers some interesting comments on the question of whether traditional leaders should be given a voice in the legislature of the incipient new South African state.

It is, the report observes, linked to the broader question of the extent to which, if at all, "indigenous or African forms of government should be recognised, respected and incorporated in the new constitution".

While the thought of tribal representation in SA's new constitution raises the spectre in the minds of some political actors of "tribalism" and "Verwoerdianism," the report notes that tribal representation is provided for in African countries which have been at the forefront of the struggle against apartheid, including Botswana, Zambia, Zimbabwe, Gambia, Nigeria and Lesotho.

The report says: "The traditional chiefs are accommodated in a second chamber or upper house of parliament. Since legislation is passed by a simple majority of both houses or chambers they play an important part."

It concludes that adoption of the same or a similar system could be "a very attractive proposition" for the new South Africa. It counsels that the choice of whether tribesmen should be represented by tribal leaders or not should lie with members of the different tribes and not with "Westernised, urbanised intellectuals."

It adds: "One of the first tasks in the negotiating process should therefore be to test the wishes of each tribe in this regard in a legitimate manner."

The report goes to make some pertinent points on the principles underlying the ruling National Party's controversial constitutional proposals. These principles, President de Klerk has indicated, will underpin his as yet undisclosed proposals for a transitional government and constitution for South Africa, pending the adoption of a "final" constitution.

One of the NP's key underlying principles is that the new constitution should offer cast-iron guarantees against the abuse of power, whether by the majority over minorities, or by a minority or combination of minorities over the majority.

To that end the NP proposals — which Mr Mandela has rejected as white rule in a new guise — envisage a series of checks and balances, including a strong emphasis on regionalism, a powerful second house where representation will be weighted in favour of smaller parties, and constitutionally prescribed power-sharing between three or more political parties at the executive level of government.

The Olivier report favours a constitution with strong regional or even federal components above a centralised unitary constitution for South Africa.

Contending that individual and minority rights have fared badly under centralised unitary states, whether in Africa, Asia or the now defunct USSR, the report says: "The physical and socio-economic needs of our country also militate against the option of a unitary state without decentralisation or devolution of power."

Warning that the potential for domination by one group is very high in unitary states without regionalism, the report adds: "In the African context, in particular, there is also a danger that a unitary state may evolve into a one-party state and then into a dictatorship."

But in opting for a unitary state with strong elements of regionalism or federalism built into it, the report warns unequivocally: ... regionalism based on ethnic divisions would be stillborn."

It commends, as do the NP's proposals, the nine development regions for consideration as the foundation on which the regional substructures are built in the new South Africa.

These regions are socio-economic units rather than homogeneous ethnic sub-divisions, although different language or cultural groups form an absolute or relative majority in each of the nine regions.

Dealing implicitly with the objection that regionalism or federalism is or may be a device for perpetuating white hegemony, the report says: "The most important point is that, however the country is divided up, whites would not be in the majority in any constituent state. Federation is therefore by no means an option aimed at white exclusivity."

The report favours a strong second house or chamber along the lines of the United States Senate, where the different states (or regions) have equal representation, irrespective of size, and where the Senate "through the powerful Committee of Foreign Affairs ... controls the actions of the President".

Squatters must go, says mine hostel's owner

ABOUT 700 squatters due to be evicted this week from Durban Roodepoort Deep gold mine's A hostel had appealed to government for a reprieve, a spokesman for the group said yesterday.

However, a Durban Deep spokesman said the mine needed the accommodation for its own employees and their families and had told squatters it would stand by an eviction order awarded by the Supreme Court.

Vulindlela United Community of SA president Eric Ntshigela said his organisation — established in 1989 as a result of mass demolition of shacks in the PWV area — was acting on behalf of squatters and had asked for the deadline to be extended to January 31.

Intervene

It had appealed to Local Government and National Housing Minister Leon Wessels, Justice Minister Kobie Coetsee and Law and Order Minister Hernus Kriel to intervene in postponing the eviction.

The squatters — among them a small percentage of miners — had to leave the mine premises by January 2 in terms of the court order granted to the company on December 4, Ntshigela said. He said the organisation was only informed of the eviction date two weeks before Christmas and had been unable to make arrangements to help people due to be evicted.

VERA VON LIERES

The Durban Deep spokesman said the squatters "took it upon themselves to occupy the hostel when a Mr Jack Morebudi approached the mine about a year ago to purchase the hostel". The sale had not materialised.

The building had been extensively vandalised and numerous attempts by the mine management to solve the problem had failed. Overcrowding and unhygienic conditions had left management with no alternative but to approach the court for relief, the spokesman said.

"Management is prepared to provide transport for A hostel occupants and their belongings to within a radius of a 100km in order to facilitate a smooth evacuation."

The judge had asked the mine to defer eviction until the beginning of January because of the approaching Christmas season, the spokesman said. Although management had been asked for a further deferment it had indicated to the squatters that it would stand by the court order.

"The mine intends to repair the damage and convert the hostel into married accommodation for its own employees as soon as it is practically possible."

Ntshigela said possible options available to squatters included accommodation in Nigel and in Pootjie, near Lenasia.

Incidence of flu declines

SUSAN RUSSELL

THE number of South Africans falling prey to winter ailments, such as colds and flu, is declining, a survey has found.

The four-year study by consumer research company Research Surveys has monitored the use and awareness of a comprehensive range of cold and flu remedies among 800 black and 800 white women over the age of 18 in major metropolitan areas.

Research Surveys director Binky Kellas said the incidence of colds and flu among white respondents had decreased from 58% in 1988 to 51% in 1991. While the incidence of winter ailments was generally higher among black respondents, there had also been a decline in this group.

"In 1988 about 66% of black female respondents suffered from winter related illnesses, compared with 55% in 1991."

Generally the winter of 1991 was not severe and "it is hypothesised that the severity of the symptoms of the ailments was lower".

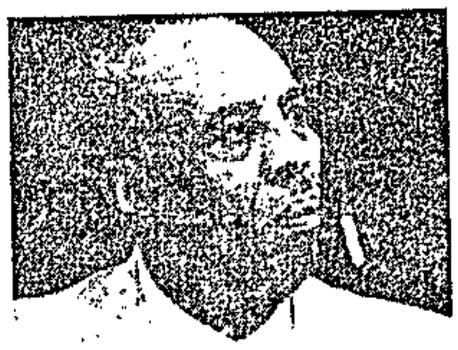


A new political landscape

1991 — a year of drastic world changes



FW DE KLERK



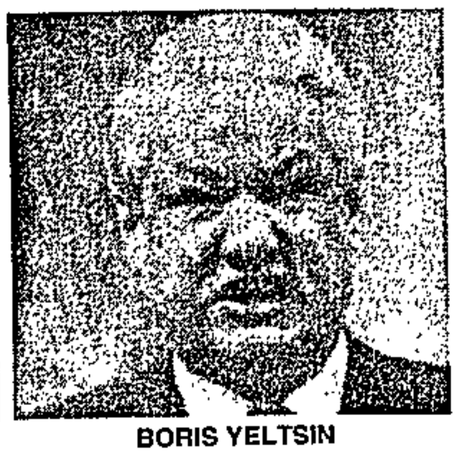
SIAD BARRE



KENNETH KAUNDA



MIKHAIL GORBACHEV



BORIS YELTSIN

NEW YORK - As 1991 neared an end, the repudiation of communism, a growth in democratic movements and a surge in ethnic violence reshaped the world's political landscape.

The disintegration of the Soviet Union had centre stage. But the pace of change was no less dramatic beyond the Soviet borders.

In the Balkans, Serbs and Croats waged Europe's bloodiest war since World War 2. In Africa, juntas and military dictators were swept away by winds of democracy blowing across the continent. In southeast Asia, a fragile peace replaced a long-running war in Cambodia.

The year began with the world community rallying to boot Iraq out of Kuwait.

But while the Mideast balance of power shifted away from war-devastated Iraq, President Saddam Hussein remained firmly in control in Baghdad.

Military coup

Longstanding authoritarian regimes also held sway in Syria, Burma, China, North Korea and Cuba. The Rev Jean-Bertrand Aristide was sworn in as Haiti's first democratically elected president, and ousted in a military coup within seven months. Indian Prime Minister Mr Rajiv Gandhi was assassinated while campaigning to regain his nation's leadership.

South African President FW de Klerk repealed his white-ruled country's apartheid laws and moved to share power with the black majority. The prospects were clouded by opposition from right-wing whites and continued black factional clashes in the townships.

The warring factions in Cambodia's 13-year civil war signed a peace accord in October calling for elections, expected in 1993. But the country's painstaking path to self-determination was marked by the political re-emergence of the Khmer Rouge, the guerilla group behind a reign of terror in the 1970s.

In the Soviet Union and Africa, the end of one-party regimes presented opportunities for reforms but also raised concerns about instability.

In Moscow, Mr Mikhail Gorbachev resigned as president last week, and the dissolving nation's powers shifted to Russian Federation President Boris Yeltsin, a hero of the botched coup by hard-liners on August 18-21. The coup's aftermath spawned independence movements among nearly all the 15 Soviet republics and the removal of the Communist Party from power.

Thus far, the Soviet break-up has produced relatively little bloodshed. But the vicious, six-month-old civil war between Serbs and Croats in Yugoslavia highlighted the threat ethnic disputes pose to a new world order.

Yugoslavia's fragile, ethnically diverse federation of six republics was shaken by the June 25 declaration of independence by Croatia and Slovenia, the country's two richest republics.

Elsewhere in 1991, Africa was shaken by extraordinary change, from the war-ravaged Horn of Africa to island nations off its Atlantic coast.

Marxism and one-party rule fell in country after country after decades of oppressive, corrupt administration.

At least 19 African nations - many former French and Portuguese colonies - have now approved multiparty politics since a wave of violent demands for democracy began sweeping the continent two years ago.

The changes can be linked in great part to the end of Soviet and US support that accrued during the Cold War, especially in the case of Ethiopia and Angola, one-time proxy states where two long civil wars ended in 1991.

Western donor nations, Africa's main lenders, began demanding democratic and economic reform in exchange for aid to African governments.

The most recent case was Kenya, where President Daniel arap Moi in December bowed to domestic and foreign pressure by offering to allow the legal existence of more than his own ruling party.

But an International Monetary Fund official, speaking on condition of anonymity, said pluralism would make life more complicated for Africans.

Results

"The people want to see instant results," he said. "It's going to be difficult for a newly elected government to ask for additional sacrifices from its people."

In the African upheaval of 1991, devastating civil wars ended and long-time leaders, both famous and infamous, fell.

Ethiopia's Marxist ruler, President Mengistu Haile Mariam, fled after 14 years of iron rule. The new transitional government in Addis Ababa has moved to spur private enterprise in one of the world's poorest countries.

Next door in Somalia, President Mohammed Siad Barre ended his 21-year rule by fleeing his country's civil war, which has killed 20 000 people. Angola ended its 16-year-old civil war, in which 300 000 people were killed.

President Kenneth Kaunda, Zambia's founding father, was soundly defeated in multiparty elections. During his 27-year leadership, the country slipped from one of Africa's wealthiest to one of its poorest. - *Sapa-AP.*



Half-blind Serbian pensioner Jela Vukovic lies frozen in her courtyard in Glevica at the weekend after Croatian forces took over the village in Europe's bloodiest war since World War 2.