S.A. Govt. & Politics

1993

NOVEMBER.

304A

Proposals on regional powers are key issue

Last-ditch talks for Govt, FA

Star 1/11/93

■ BY PAUL BELL

The Freedom Alliance (FA) will meet the Government tomorrow to find out what flexibility there can be in the new proposals submitted to the Negotiating Council on expanded regional powers, given that they have been agreed to by the Government and the ANC.

The alliance will hold its own meeting today to discuss the new proposals in detail.

But ANC and Government spokesmen have indicated that they have little to offer the FA.

At the weekend President de Klerk signalled his determination to see negotiations wrapped up in the shortest possible time and to mount a last-ditch effort to persuade the FA to be part of talks agreements.

Of immediate concern to the FA is what it claims to be an ANC strategy to "step up military action against Freedom Alliance mwmbers".

The Afrikaner Volksfront's General Tienie Groenewald claimed yesterday the organisation had received intelligence 11 days ago on the alleged plan, called Operation Sunrise.

He said this had prompted

ALLIANCE alleges that the ANC is plotting to step up military action against its members

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a bulletin by the Volksfront executive committee to its members, calling on them to prepare for attack.

Neither he nor General Constand Viljoen had been present when the bulletin was released, and they would seek further clarity today.

ANC PWV regional chairman Tokyo Sexwale responded by saying opinion polls had shown that greater levels of violence would hurt the ANC more at the polls.

Operation Sunrise-type violence would be more in the interests of the FA than of the ANC, he said.

On the new proposals, Bophuthatswana chief negotiator Rowan Cronje said he rejected the notion that they represented "a major breakthrough for federalism".

"That's simply not true."

In his view, powers of taxation remained essentially in the hands of central government, which would permit State interference in, and "punishment" of, regions.

These must have their own taxing powers, he said.

As for the division of powers and duties of regions, these had not been spelt out to the necessary degree.

Cronje also claimed the FA had gone through the new proposals with the Government at a meeting on Thursday — "and they agreed, especially on taxation".

"We will have to ask the Government what flexibility there is in this, given that they have made submissions jointly with the ANC.

"But I do not believe there are major differences which cannot be resolved."

The thorny issue of self-determination remained, Cronje said.

He believed the FA's call for a summit had been misunderstood. If the leaders of the various parties could themselves be subjected to the process of negotiations, with "its nuances and interchange", there would be movement.

Acknowledging the pressure of Friday's deadline for the end of constitutional

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Last-ditch FA-Govt talks

◀ From Page 1

talks Cronje said: "Things have to move very fast. We have to find a solution.

"But if there is no serious attempt to accommodate us, then there are various alternatives. These have not been fully thought through."

Chris Whitfield reports that De Klerk, speaking at the National Party's weekend rally at Kempton Park — which organisers say drew 7 000 supporters — said constitutional negotiations were almost complete "and will be finished in time".

However, there has been speculation that Friday's deadline will have to be moved back a few days. De Klerk appears to have referred to the broader target of getting agreements to the scheduled November 22 sitting of Parliament.

The president had some harsh words for the IFP, "which walks out and begins to beat the war drums every time it does not gets its way".

■ A senior Government source last night denied speculation that the Government and the ANC had reached a secret agreement by which the Interim Constitution would stay in force for five years.

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Constitution 'for five years'

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CT 1/11/93

ANC, govt compromise on timespan

JOHANNESBURG. — The interim constitution being finalised by negotiators this week could remain in force for the full five years of the government of national unity's lifespan, removing pressure on elected representatives to finalise SA's new constitution within two years.

This is the result of a compromise reached between government and the ANC at their latest round of secret talks on Friday.

The agreement, along with others reached between the two parties last week on a three-person executive and powers and functions of regions, have raised optimism that negotiators will finalise the interim constitution within the next 10 days.

Uncertainty over the status of the constitution had been viewed as a serious obstacle to wrapping up the World Trade Centre deliberations.

The five-year "breathing space" is also seen as going some way towards satisfying the remaining demands of Inkatha and the Freedom Alliance.

The new agreement will be submitted to the technical committee today for inclusion in its next draft of the constitution.

If the interim constitution can be extended to a full five years, Parliament would have a lot more time to negotiate to obtain the two-thirds majority necessary to pass the final constitution.

Under the previous plan, the elected constitutional assembly would have been forced to reach agreement on the final constitution within two years.

This raised the possibility of a controversial deadlock-breaking mechanism being introduced if agreement was not reached. This would have involved a referendum and further elections, with only a simple majority being sufficient to endorse the final constitution.

A senior government source said agreements reached over the past few days set in place "a very decentralised federal type of government".

The latest initiatives by the government and the ANC are regarded by their respective leaders as "the final reasonable offer" to the Freedom Alliance.

De Klerk throws down gauntlet

JOHANNESBURG. — President F W de Klerk threw down the gauntlet to the African National Congress and the Inkatha Freedom Party at an election rally on Saturday, saying the National Party would triumph at the polling booths on April 27 next year.

Addressing several thousand people, including many blacks, at an NP rally at the World Trade Centre outside Johannesburg, he accused the ANC of being a "dangerous party". (Sapa)

Mr De Klerk also dismissed the IFP as being "not much more than a regional party" CT 1/11/93

The NP was the only party that South Africans could trust with their future, he said.

Mr De Klerk played down the brouhaha Foreign Minister Mr Pik Botha caused last week by his apologies for the government's decisions on the controversial SADF Umtata raid and his remarks about the petrol price row. — Sapa

Pik cannot sit in cabinet any longer — Zac

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ARG 1/11/93

Political Staff

DURBAN. — Foreign Minister Pik Botha should no longer sit in the same cabinet as Kobie Coetsee and George Bartlett, says Democratic Party leader Zac de Beer.

Mr Botha shocked NP colleagues by apologising last week for the "awful and miserable" way the Apla raid on a house in Umtata, Transkei, and the recent petrol price increase were handled by his colleagues.

He has since gone further and apologised for the government's handling of the education crisis, the appointment of the board of the SABC, the Walvis Bay issue, the drivers' licences controversy, the amnesty for political prisoners and the Banana Board.

This reflects on four cabinet colleagues who together handle education — Home Affairs Minister Danie Schutte, Transport Minister Piet Welgemoed, Agriculture Minister Kraai van Niekerk and himself as minister responsible for passing Walvis Bay to Namibian control.

● Argus political staff writer **Tos Wentzel** writes:

Mr Botha's criticisms may be raised at this week's cabinet meeting. National Party spokesmen were keen today to dismiss suggestions that Mr Botha's unusual move signifed serious differences among government leaders.

ANC 'wants free, fair poll'

Own Correspondent

JOHANNESBURG. — The ANC PWV region wants a free and fair election without the government's security forces in townships, ANC PWV chairman Mr Tokyo Sexwale said yesterday. CT 11/11/93

Speaking at a news conference after the region's annual conference, he also called for free and fair elections in Bophuthatswana and Ciskei.

He said delegates focused mainly on the ANC's preparation to be the future government after the election.

Freedom Alliance to meet government

ARG 1/11/93 (304A)

☐ Bid to agree on constitution as soon as possible

The Argus Correspondent

JOHANNESBURG. — The Freedom Alliance is to meet the government tomorrow.

An attempt will be made to find out what flexibility there can be in the new proposals submitted to the Negotiating Council on expanded regional powers, given that they have been jointly agreed to by the government and the ANC.

The alliance will hold its own meeting today to discuss the new proposals in detail.

But spokesmen have indicated in advance that they offer the alliance little.

At the weekend President De Klerk signalled his determination to see negotiations wrapped up in the shortest possible time, and to mount a last-ditch effort to get the alliance to be part of talks agreements.

But of immediate concern to the alliance is the existence of what it claims is a strategy by the ANC "to step up military action" against members of the alliance.

The Afrikaner Volksfront's Tienie Groenewald claimed yesterday that the organisation had received intelligence 11 days ago to this effect, and said the alleged plan was called Operation Sunrise.

It was this, he said, which had occasioned a bulletin by the executive committee of the Volksfront to its members, calling on them to prepare for attack. Neither he nor Constand Viljoen had been present when the bulletin was released and they would seek further clarity today.

The Argus's sister newspaper, The Star, put the Operation Sunrise allegation to ANC PWV regional chairman Tokyo Sexwale.

He responded by saying that opinion polls showed that the greater the level of violence, the more this would hurt the ANC at the polls.

Instead, he pointed the finger back at the alliance, saying the kind of violence suggested by Operation Sunrise was more in its interests than the ANC's.

Regarding the new constitutional proposals, Bophuthatswana's chief negotiator, Rowan Cronje said while he had not had an opportunity to study the document at length, he rejected the notion that it represented "a major breakthrough for federalism". "That's simply not true," he said.

In his view, powers of taxation remained essentially in the hands of central government, which would permit state interference in, and "punishment" of, regions. These must have their own taxing powers, he said.

As for the division of powers, functions and duties of regions, these had not been spelt out to the necessary degree.

Mr Cronje also claimed the alliance had gone through the new proposals with the government in detail at a meeting last Thursday — "and they agreed, especially on taxation".

"We will have to ask the government what flexibility there is in this, given that they have made submissions jointly with the ANC. But I do not believe there are major differences which cannot be resolved."

The "thorny issue of self-determination" remained, Mr Cronje said. He believed the alliance's call for a summit had been "misunderstood". He said that if the leaders of the parties could themselves be subjected to the process of negotiations, with "its nuances and interchange", there would be movement.

Acknowledging the pressure of Friday's deadline for the end of constitutional talks, Mr Cronje said: "Things have to move very fast. We have to find a solution.

"But if there is no serious attempt to accommodate us, then there are various alternatives."

DP comes clean on health

Star 11/11/93

THE Democratic Party has released details of its thoughts on health care for South Africans. Everyone should have access to reasonable health services, and political ideologies should be kept out. Health Writer David Robbins reports (30HA)

The Democratic Party believes that all South Africans should have access to reasonable health services and that health care policy should not be allowed to become subservient to any particular brand of political ideology.

The DP recognises that this is what has happened in the past.

"In South Africa," the party's health policy document says, "health services have been undermined by political policies, and a maldistribution of resources, the effect of which has been to deny health care facilities to those most in need, particularly of primary health care."

Some of the DP's main policy proposals are:

■ Both public and private health sectors, and all health workers, have an indispensable role and responsibility to provide quality yet affordable health care.

■ The valuable role of the country's doctors is recognised, but it should be acknowledged that the majority of South Africans cannot afford their services. Any health system needs to take account of the wide gaps in income.

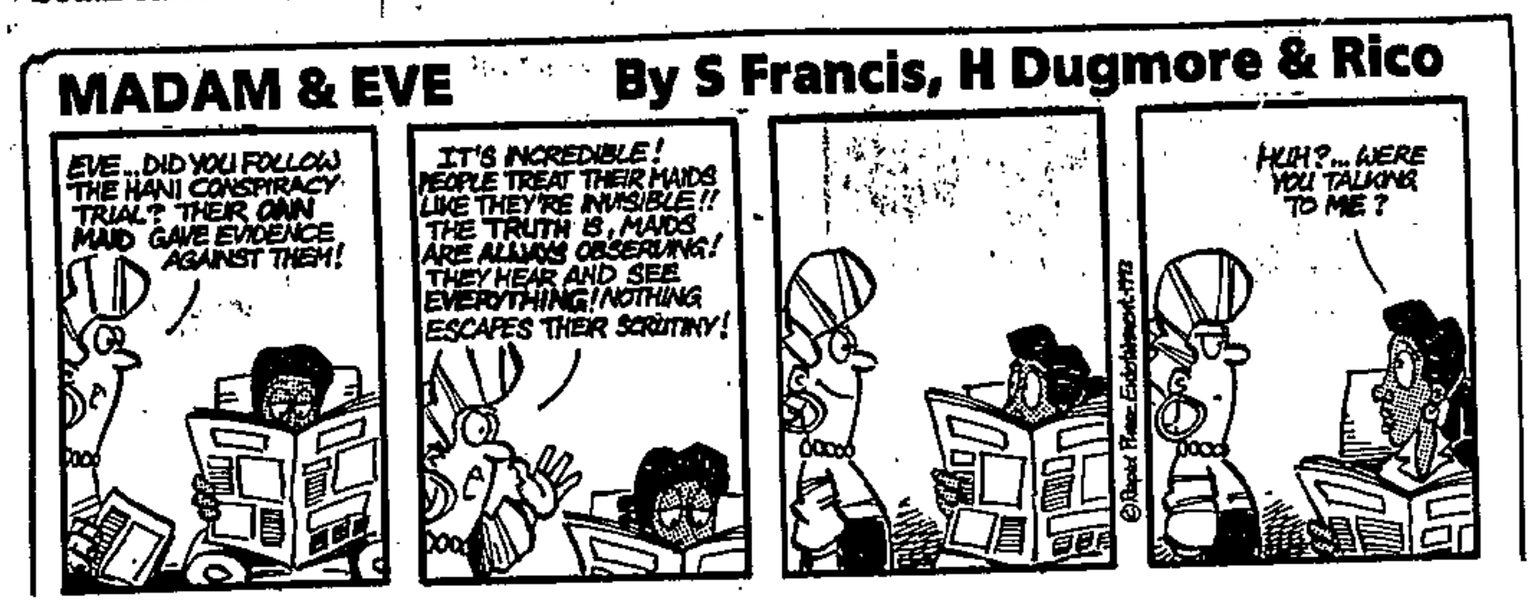
■ There needs to be a shift away from public sector curative health care facilities towards a wide network of primary health care facilities with an emphasis on family planning, maternal and child care, immunisation programmes, health education, and appropriate treatment of common diseases and injuries. Special attention should be given to the training of primary health care personnel.

■ At the same time, secondary and tertiary hospitals should be maintained for curative and rehabilitative functions. No one should be further than two hours drive from one.

■ South Africans should be encouraged to minimise the demands on the health care system, and as many as possible should contribute to medical aid schemes to protect themselves and their families.

■ At the same time, public sector health spending should be increased from the current 3,2 percent of gross national product to 4,5 percent.

■ The best way of reducing disease is by eliminating poverty and the provision of adequate housing, potable water and sanitation.



NEWS Several thousand blacks listen to FW • Attackers claim to be policeman

Theatrical scenes at NP rally

Sowetan 1/11/93

By Glenn McKenzie

■ **FIRST EVENT** Electioneering campaign begins in Wits-Vaal region.

MR Johannes Malatji said there was no big secret why he was at the National Party's first election rally in the Wits Vaal region.

As he stood listening to the National Party Action choir sing jingles played on a high-pitched organ, Malatji said he was just going to have fun.

"People here are enjoying themselves, that's all," said Malatji, a driver who lives in Soweto.

Malatji was just one of several thousand blacks who formed the majority at the National Party's first election rally in the Wits region in Kempton Park on Saturday.

Many were attending their first National Party event. Some seemed unsure why they had come (304A)

"I am not sure I belong here. I came with friends to find out what is going on," said one man nervously. He refused to identify himself and quickly walked away.

On the grand lawn in front of the World Trade Centre, show business was unfolding. Jolly Nat supporters in white NP visors formed queues outside circus-style tents where free juice and meat pies were being distributed.

"These people come cheap," a white NP worker laughed as he passed by members of the Press later. "All you have to do is give them a sausage roll and they will come."

A short distance from the food, a group of supporters crowded around a large grandstand. Black comedian Billy Prince mimicked politicians from De Klerk to Clinton. Pre-recorded laughter filtered from the speakers as a man did backflips in front of the stage.

Inside the centre where so much of the country's future is being mashed out on paper, the scene was just as theatrical.

Rock and roll hits from the '60s sifted through the auditorium as scenes of Zulus as tumbling acrobats, Zulus in traditional garb and Coca-Cola logos flashed on to two gigantic video screens.

By the time State President FW de Klerk walked to the stage at about one o'clock, the crowd was primed for a Hollywood performance with a South African twist.

"Viva National Party Viva!" shouted the audience.

"Long live De Klerk, long live!" they continued.

But in case anyone was confused which rally they were attending, De Klerk ended the ANC-flavour almost as soon as he spoke.

"Something wonderful is happening around the National Party. People who are sick of the violence are realising that the ANC cannot be trusted," De Klerk shouted. The crowd cheered.

"Many are still in doubt. Many do not hear that this is a NEW National Party!" he continued.

At this, an elderly black man who leaned against the Press stage applauded. But when asked why he liked the NP, he nervously deflected the question. "There are many people here. Please ask them," he said.

Indeed, by some estimates the crowd numbered as many as 10 000 people. And perhaps as many as two-thirds of the supporters were black. Signs proclaiming "Lebowa", and "Bophuthatswana" showed how far some had come.

As the rally ended, the words of *Die Stem* in Afrikaans and English popped back on to the video screens. Black and white voices melded together to sing the old anthem.

Nkosi sikelel' IAfrika, soon followed.

TEC will be based in Pretoria

(B04A)

Political Staff

ARG 1/11/93

The Negotiating Council decided today that the Transitional Executive Council (TEC) would be housed in Pretoria.

It was agreed that the TEC would sit in the Saambou Building in Andries Street.

More than 20 buildings in Kempton Park, Germiston, Johannesburg, Sandton, Midrand, Verwoerdburg and Pretoria were considered before a decision was taken.

The planning committee told the council today that a building of at least 9 000 square metres was needed to house the TEC, its sub-councils and administrative staff.

No decision has yet been taken on where the Independent Electoral Commission, Independent Media Commission and Independent Broadcasting Authority will be housed.

The council agreed that a core of TEC staff would be recruited and trained before the first meetings of the TEC and its sub-councils.

Furniture and stationery will also be obtained and stored until the TEC meets.

The planning committee will draft standing rules and working procedures for all the structures of the TEC.

It is not clear yet how big the staff of the TEC will be.

It has started advertising for 26 specific jobs as well as some administrative jobs, but the number has not yet been fixed.

An executive director will earn R155 000 a year and a deputy director R126 500.

Legal officers who will handle the evaluation and drafting of legislation will be paid between R112 000 and R146 000.

Directors of secretarial services and administration will be paid R108 000.

New plan for 5-year interim constitution

BIDay 1/11/93

(304A)

BILLY PADDOCK

THE interim constitution being thrashed out by negotiators this week could remain in force for the full five years of the government of national unity's lifespan, removing pressure on elected representatives to finalise a new constitution within two years.

This is the result of a compromise reached by government and the ANC at their latest round of secret talks on Friday.

The agreement, along with others struck between the two parties last week on a three-person executive and powers and functions of regions, has raised optimism that negotiators will finalise the interim constitution within the next 10 days.

Uncertainty over the status of the constitution had been viewed as a serious obstacle to wrapping up the World Trade Centre deliberations.

The five-year "breathing space" is also seen as going some way towards satisfying the remaining demands of Inkatha and the Freedom Alliance.

The new agreement will be submitted to the multiparty talks' technical committee today for inclusion in its next draft of the constitution.

If the interim constitution can be extended to a full five years, Parliament would have much more time to negotiate the two-thirds majority necessary to pass the final constitution.

Under the previous plan, the elected constitutional assembly would have been forced to reach agreement within two years, with the possibility of a controversial deadlock-breaking mechanism being introduced if it failed. This would have involved a referendum and further elections, with only a simple majority sufficient to endorse the final constitution.

If the new agreement is put into place, a referendum requiring a two-thirds majority will be held if Parliament cannot finalise matters after five years. If this fails, new elections will be held, with a 60% parliamentary majority then necessary to pass the constitution.

The three days of talks between the ANC and government have set out a clear structure for political power-sharing.

The key agreement on the executive effectively establishes a cabinet within a cabinet in that it calls for three members — the president and two vice-presidents — to reach consensus on executive decisions.

Any party with more than 20% of the vote will be eligible for a place on the executive. However, this does not necessarily mean three parties will be represented there. The majority party may still be entitled to have one of its representatives as a vice-president.

It is understood that government and the ANC have opted to call regions "provinces" formally, and have proposed the provinces have exclusive powers over affairs within their boundaries, including education, health, housing, police, trade, development, cultural affairs, language and agriculture. Central government would have "concurrent power" to ensure minimum standards.

Provinces would be allowed to impose their own taxes under the supervision of a financial and fiscal commission, and would be entitled to a guaranteed percentage of revenues collected by central government.

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Constitution

BIDay 1/11/93

☐ From Page 1

A senior government source said the agreement would put in place "a very decentralised federal type of government".

However, a member of the constitutional technical committee said that while this was true, there would be "a lot of mopping up to be done, with a very messy second- and third-tier arrangement".

(304A)

The latest initiatives by government and the ANC are regarded by the parties' leaders as "the final reasonable offer" to the Freedom Alliance, which has been steadfast in its opposition to the course of multiparty negotiations.

It is understood that at Friday's meeting between President F W de Klerk and Freedom Alliance leaders there was no opportunity to discuss the new proposals as the alliance dwelt on its demand for a summit of leaders. De Klerk has rejected such a summit at this stage. He does not believe such a meeting should be a deadlock-breaking mechanism, but rather a way of finalising agreements thrashed out by second-level leaders in negotiations.

He proposed government negotiators meet alliance negotiators this week in a final attempt to include them in the settlement.

Volkstaat demand may go after talks with FA

Star 2/11/93

■ BY CHRIS WHITFIELD and ESTHER WAUGH

Rightwingers in the Freedom Alliance (FA) are poised to drop their demand for an exclusively Afrikaner volkstaat — but much depends on whether they and Government negotiators can reach an accommodation in their bosberaad, which starts tonight.

Signs of flexibility within the FA on the self-determination issue emerged yesterday as negotiators were given a week's breathing space by an extension of the World Trade Centre talks deadline.

Talks will now have to be wrapped up by November 12, and the final plenary session will probably be held on November 15 — still in time for legislation and the Interim Constitution to be processed for the scheduled November 22 sitting of Parliament (304A)

Yesterday the FA executive accepted a Government invi-

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Volkstaat demand may fall away

Star 2/11/93

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tation to hold intensive discussions on the considerable gap between the alliance and parties still in the negotiating process. The talks, at an undisclosed venue, start this evening and end on Thursday.

At least 15 FA negotiators will meet the Government's team, which is expected to include the National Party's provincial leaders.

It is also understood that a session for the FA leaders to meet President de Klerk may be on the cards. (304A)

Last night an FA source said those in the alliance's ranks whose policy sprang from a desire for Afrikaner self-determination were searching for ways of achieving this without disadvantaging other groups.

"Yes, it is being looked at," he confirmed.

Although the source declined to discuss details, his comments indicate that the Afrikaner Volksfront — which includes the Conservative Party — may now believe it can achieve sufficient self-determination by sharing an area with other South Africans.

The recent FA manifesto includes a phrase rejecting racism and discrimination — a commitment that was hailed at the time by Inkatha Freedom Party members as a breakthrough.

Last night the Volksfront's General Tienie Groenewald said it had appeared from FA discussions with the Government that there was a relatively good chance of reaching agreement.

However, he was concerned that the Government-ANC submissions to negotiations on the powers for regions indicated a shift towards the ANC position.

Top Government negotiator Roelf Meyer said last night that the extension of the talks allowed for more flexibility in considering improvements to the Interim Constitution.

He said the Government regarded the bosberaad as being of considerable importance.

Deputy presidents proposed

CT 2/11/93 (3049)

JOHANNESBURG. — The government and the ANC have jointly proposed that South Africa have a president and at least two deputy presidents during the transition period after the April 27 poll.

The deputy presidents will act as president on a rotational basis in the event of the president's absence.

The proposal, hammered out at last week's meeting between the government and the ANC, was submitted at multi-party negotiations at the World Trade Centre at Kempton Park last week.

The proposals can only be adopted after debate in the 21-party negotiating council, but will first be processed by the technical committee on constitutional issues later this week.

The country's president will be elected by the National Assembly, or lower house, by majority vote, the submission states.

The president will vacate his or her seat in Parliament after election.

The deputy presidents may vacate their seats in Parliament, the government/ANC submission adds.

"Every party with 20% or more of the seats in the National Assembly shall be entitled to designate an executive deputy president."

Where no or only one party attains more than 20% of the seats, the party with the largest number of seats will be entitled to designate one and the party with the second largest number of seats, one," it adds.

The deputy presidents will also be members of the cabinet and "the president shall consult the executive deputy presidents about matters of governmental policy and cabinet business".

A party with five percent or more of the seats in the National Assembly will be entitled to a number of cabinet posts in proportion to the number of seats it holds, the proposal adds. — Sapa

Sweden upgrades diplomatic links

CT 2/11/93 By BARRY STREEK
Political Staff

3044A

SWEDEN, one of the first countries to impose sanctions on South Africa, is to upgrade its diplomatic links with Pretoria to ambassadorial level.

This was announced yesterday by Minister of Foreign Affairs Mr Pik Botha.

He said diplomatic notes confirming the status change of the missions in Pretoria and Stockholm were exchanged yesterday.

Although Sweden maintained a diplomatic presence in South Africa throughout the 70s and 80s, these were kept at a ministerial level.

Earlier this yearthe conservative Swedish government stated they would continue giving financial support to the ANC but this would now be done openly.

The Swedish government also said it would continue to support church organisations.

Sweden has also been supporting voter education programmes in South Africa.

Apla accord



HARARE TALKS . . . South Africa's Law and Order Minister Mr Hernus Kriel and the PAC's Mr Gora Ibrahim during a meeting between the SA government and the PAC yesterday. Picture: AP

'Need' to end violence

CT 2/11/93 (3049)

HARARE. — The government and the Pan Africanist Congress and its armed wing, the Azanian People's Liberation Army (Apla), reached broad agreement at a meeting here yesterday on the need for a cessation of violence.

A joint statement said further meetings would have to be held to put a peace pact into operation, but both sides agreed it was "necessary to place a moratorium on violence".

The announcement followed day-long talks here between a government delegation headed by Law and Order Minister Mr Hernus Kriel and a PAC/Apla delegation led by Apla commander Mr Sabelo Phama.

The statement said the PAC would also reconsider its earlier decision not to join the Transitional Executive Council.

Apla and the security forces would also meet for bilateral discussions to improve the understanding between the two forces.

Mr Kriel and his delegation, including the deputy minister of constitutional development, Mr Fanus Schoeman, and the SAP chief of criminal intelligence, Major General Krappies Engelbrecht, left for home immediately after the talks broke up at 5pm, avoiding journalists. The PAC-Apla delegation similarly refused to comment.

However, the joint statement said both groups would return to their superiors to "arrange urgent talks" on peace.

Zimbabwean Minister of Home Affairs Mr Moven Mahachi, who chaired the talks, said further discussions would be held in South Africa "within a few days".

"There was very good discussion in a most amicable man-

PARLIAMENT COULD MOVE

● See Page 2

ner, to my surprise," Mr Mahachi said.

Mr Mahachi said the two negotiating teams had not agreed to the formal "mutual end to hostilities" which the PAC announced in advance it was seeking, but "they have agreed to talks which will end the violence".

He described the talks as "a milestone".

The joint communique said: "Both sides are concerned about South Africans being killed.

"Both sides believe we have a duty to do everything within our power to stop further violence and hostilities in our country."

Before the start of talks Mr Mahachi urged the South African government and the PAC/Apla delegations not to dwell on past grievances.

"It is not a meeting of trying to decide who is right and who is wrong," he warned. "You have come here not as two warring parties but as brothers in one grieving country who want to find an amicable solution to their problems."

President Robert Mugabe's ruling Zanu party has long-standing ties with the PAC and has tried unsuccessfully to forge a united front between the PAC and the African National Congress. — Own Correspondent, Sapa.

Alliance, govt to meet today

Own Correspondent

JOHANNESBURG. — The Freedom Alliance yesterday decided it would meet government negotiators from today [illegible] in a last attempt to reach agreement on its objections to the constitution being finalised.

The meeting starts tonight. It is expected that President Mr F W de Klerk will meet the alliance leaders on the last day if the negotiators have managed to make substantial headway.

But there appears to be little hope that they will reach accommodation, as both sides yesterday prepared the ground for failure.

However, the pressure of the negotiations process was eased after the deadline for wrapping up outstanding matters was extended by a week once negotiators acknowledged they would not meet Friday's deadline.

A senior government source last night said his team would try to show the alliance that there were sufficient checks and balances to prevent a central government "riding roughshod over the regional governments".

He said there was little else the government could do to try to persuade the alliance to accept the settlement.

However, alliance executive chairman Mr Rowan Cronje said he was concerned about entering a negotiating situation in which matters appeared to be predetermined.

He said agreements between government and the ANC negated the possibility of the alliance being able to change matters in its favour.

3044

TEC to occupy Pretoria building

CT 2/11/93

Own Correspondent

PRETORIA — The virtually empty 24-storey Saambou Building on Andries Street here will house the Transitional Executive Council (TEC), it was announced yesterday.

A selection committee of officials from the Public Works and Constitutional Development departments had visited 27 office blocks in Johannesburg, Midrand, Kempton Park, Sandton and Pretoria over three weeks, before recommending the Saambou Building, a member said.

The recommendation was accepted unanimously yesterday by the national negotiating council at the World Trade Centre.

A Public Works department spokesman said the Saambou Building was currently 94% empty and required refurbishment and modification.

It would be "quite a task" for the department to draw up the contract, obtain furniture, make alterations and connect telephone lines in time for the TEC's first meeting, scheduled for December 1, the spokesman said.

Pretoria city council management committee chairman Mr Pieter Smith said the council and city residents were delighted to have the TEC in Pretoria.

Mr Smith said the decision gave weight to Pretoria's claim as the country's capital city.

Alliance to present map of volkstaat?

30/4A

ARG 2/11/93

☐ Government, FA bosberaad begins tonight

Political Staff

PRETORIA. — The demand for an Afrikaner-boerevolk volkstaat is taking concrete and possibly multi-ethnic shape and the government could be presented with the first proposed map at the bosberaad with the Freedom Alliance beginning tonight.

Conservative Party sources said today that the party and the Afrikaner Volksfront had not shifted away from the idea of a volkstaat but that there had been "internal discussion" within the alliance as to how the idea could be accommodated and "made more acceptable".

At the multiparty table, negotiators have given the talks process some breathing space by extending the November 5 deadline for the completion of the constitution — and the possible accommodation of the alliance — by one week.

A CP source hinted that the proposed volkstaat could now include alliance partners Bophuthatswana on the one hand and Kwazulu on the other and that there was, "for the first time", a proposed map.

Mention of Kwazulu and Bophuthatswana could mean that the exclusively white boerevolk demand had been toned down to include "friends" of the white far right from the homeland system.

"We're getting to the nitty gritty and asking how does this animal look," said a CP source. The government had not yet seen the proposed map but it could be presented at the three-day bosberaad between the government and the FA, which begins at a secret venue tonight.

The source said that the far right wing was now characterised by a "growing mood of reality. Realities are forcing certain things on to the agenda," he said, confirming that cautions from the government and ANC that the whole negotiations show could proceed without them was one such "reality".

The alliance appears to be taking this realistic mood to the bosberaad but is equally insistent that the meeting will not be a matter of climbing on to the negotiations train for the sake of it.

"If the view is that we must simply conform (to what has already been agreed between the government and the ANC) that is not sincere negotiation," said alliance chairman Rowan Cronje yesterday.

"We want to come on board," he said but emphasised that the meeting beginning tonight must not just be a public relations exercise.

He said the alliance was not overly impressed by the regional powers offered by the government-ANC proposals.

Pik told to pull out

Sowetan 2/11/93

■ ZACH'S CALL Now President de Klerk has to say what's what:

Sowetan Correspondent

SOUTH AFRICAN FOREIGN Minister Pik Botha should no longer sit in the same Cabinet as Mr George Bartlett and Mr Kobie Coetsee, Democratic Party leader Dr Zach de Beer said yesterday. (304A)

Botha shocked NP colleagues by apologising last week for the awful and miserable way the Apla raid on a house in Umtata, Transkei, and the recent petrol price increase were handled by his colleagues.

He has since gone further and apologised for the Government's handling of the education crisis, the appointment of the board of the SABC, the Walvis Bay issue, the drivers' licences controversy, the amnesty for political prisoners and the Banana Board.

This reflects on four Cabinet colleagues — Home Affairs Minister Mr Danie Schutte, Transport Minister Dr Piet Welgemoed, Agriculture Minister Dr Kraai van Niekerk and himself as Minister responsible for passing Walvis Bay to Namibian control.De Beer said yesterday: "In 45 years of political life, I do not recall that this has happened before. In terms of the doctrine of joint Cabinet responsibility, it does not seem possible for Botha now to continue to sit in a Cabinet with Bartlett and Coetsee.

"Only President de Klerk can now resolve this matter. The nation is waiting to hear from him," De Beer said.

Meanwhile, Bartlett will demonstrate his usefulness to the National Party tonight when he hosts a fund-raising dinner for President FW de Klerk at a Durban beachfront hotel. About 500 people have paid at least R500 a plate to attend.

Parliament revamp for influx of new MPs, officials

(304A) ARG 2/11/93

Political Staff

MAJOR changes are planned in parliament to accommodate the influx of new MPs, senators and officials after the election.

Considerable alterations are envisaged in terms of provisional plans drawn up by parliamentary officials.

All the major parties and political groupings, including the ANC, have been consulted.

A senior government source today dismissed speculation about a move among government and ANC leaders to ditch Cape Town as the legislative capital.

In fact, parliamentary officials have made a detailed assessment of the needs of the new parliament, whose budget is expected to go up from R110 million to about R180 million.

A shortfall in office space for officials and new MPs could be met by using state-owned buildings near the parliamentary complex.

Sources said it did not seem likely that additional buildings would have to be bought, but this is not being ruled out.

Alterations to the parliamentary chambers will also be necessary.

The main chamber — which would probably house the new National Assembly — can seat 357 MPs. It will have to be altered to take 400.

The old Senate chamber, which seats 90, will probably be used for the new Senate, expected at this stage to comprise 10 representatives from each of nine regions.

Shares in issue – 000
Earnings
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security legislation and "of course Bophu- the registration.

Broadcast initiative for voter education

THE country's largest voter education initiative was launched yesterday when the SABC and 51 community-based organisations banded together to create "a culture of democracy". B/Day

The Democratic Education Broadcast Initiative will take the form of a wide variety of innovative education programmes which reflect all the complexities of SA society.

SABC board member Ruth Teer-Tomaselli emphasised the project would be strictly non-partisan and, by ensuring community participation, it would increase its acceptance.

KATHRYN STRACHAN

Speaking at the launch in Johannesburg, Catholic Archbishop Stanley Napier said the project went further than teaching people the mechanics of voting. 2/11/93

"It seeks to create a culture, a mentality of democracy and human rights. (Edit)(304A)

"(The Initiative) stands for new hope in our history, the transfer of power through negotiations," he said.

The programmes will be phased in over a campaign period of 26 weeks ending with the election on April 27.

A post-election campaign, concentrating on the rights of voters and the importance of accepting the outcome of the election, will complete the campaign.

SABC CE Wynand Harmse said airtime amounting to more than R70m had been donated to the project, while SABC board chairman Ivy Matsepe-Cassaburi said the project symbolised the placing of the SABC firmly within the public sphere.

"This must belong to all of us . . . it is making organisations rethink the role of the SABC," she said.

Police 'need training more than matric' B/Day 2/11/93

STEPHANE BOTHMA

PROPER training of policemen and adherence to a code of conduct were more important than entry requirements, the ANC said yesterday.

Commenting on the move by the SAP to lower the minimum education requirements for admission into the permament force from matric to Std 8, ANC spokesman Carl Niehaus said the standard of training — even for those policemen with a matric — was currently inadequate and should be improved. (Edit)

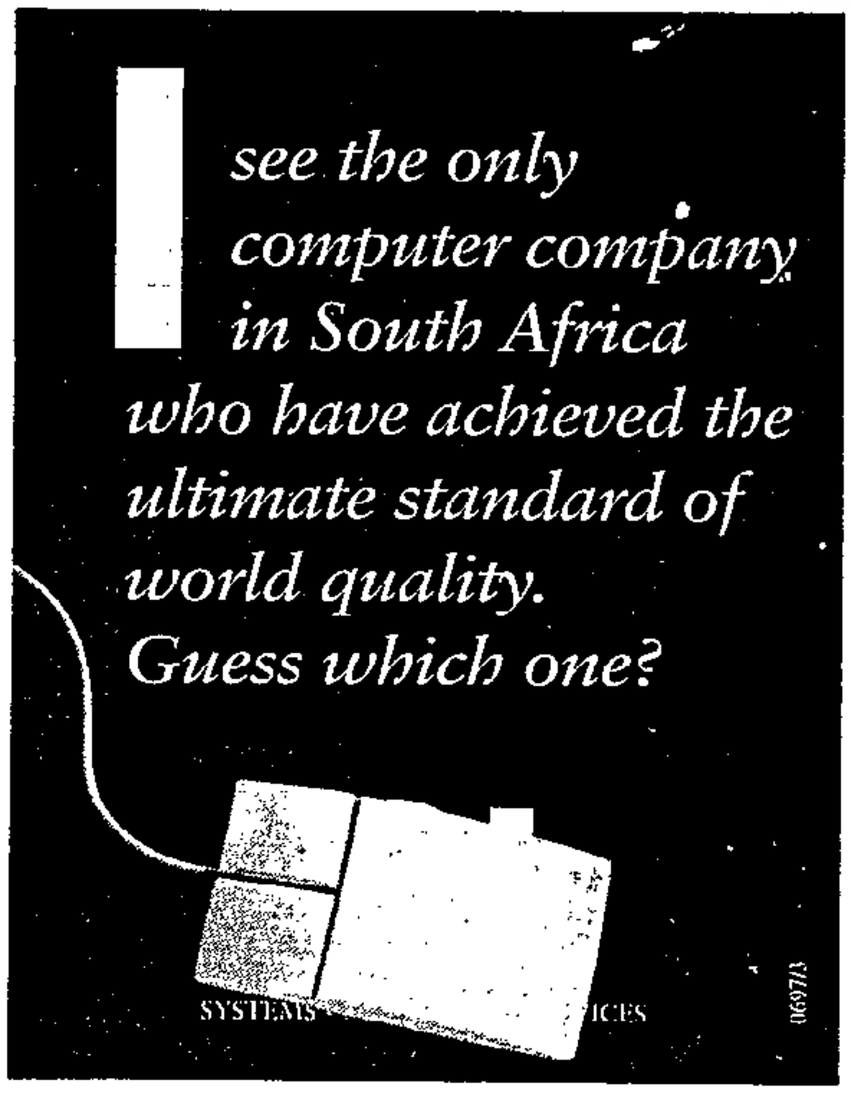
"The issue is not really if a recruit has a matric or Std 8 qualification when he joins the SAP. What does matter is the training he receives after being accepted into the force and the establishment of a code of conduct for policemen," Niehaus said.

The lowering of entry requirements will allow thousands of assistant constables to join the SAP on a permanent basis. The move comes amid growing tension between the SAP and the Police and Prisons Civil Rights Union (Popcru).

However, the SAP denied the lowering of standards was a concession to Popcru demands.

"It has nothing to do with Popcru. We merely decided that we could not throw all these people (assistant constables) out on the street," a police spokesman said.

In September the SAP announced that it intended phasing out the 14 000 assistant constables.



Talks deadline extended

MULTIPARTY talks were given a boost yesterday when the Freedom Alliance agreed to a three-day bosberaad with government negotiators and the deadline for talks was extended by a week.

The meeting with the Freedom Alliance, which starts tonight, is a last attempt to resolve its objections to the constitution.

President F W de Klerk is expected to meet alliance leaders on Thursday if the negotiators make substantial progress. But there appears to be little hope that a settlement will be reached as both sides yesterday prepared the ground for failure.

However, the extension of Friday's deadline for wrapping up matters has eased the pressure on negotiations.

A senior government source said last night his team would try to show the alliance that there were sufficient checks and balances to prevent a central government "riding roughshod over regional governments". It would also demonstrate the federal nature of the draft constitution.

BILLY PADDOCK

He said there was little else government could do to try to persuade the alliance to accept the settlement. B1 Day

Alliance executive chairman Rowan Cronje said he was concerned that they were going into a negotiating situation where matters appeared to have been predetermined. Agreements between government and the ANC negated the possibility that the alliance would be able to change anything. 2/11/93 (30A)

He rejected the "federal type system" as falling far short of the mark, arguing that the power of taxation was still in the hands of central government. That meant central government could force regional governments to comply with its wishes. Regions "must have their own taxing powers".

● See Page 4

No deal yet on 'armed struggle'

Govt, Apla edge toward peace pact

B/Day 2/11/93

HARARE — Government, the PAC and its armed wing the Azanian People's Liberation Army (Apla) yesterday agreed that the violence in SA must end. (304A) ~~(HO)~~

In a joint statement after the day's talks, the parties said further meetings would have to be held to put a peace pact into operation, but both sides agreed it was "necessary to place a moratorium on violence".

"Both sides believe we have a duty to do everything within our power to stop further violence and hostilities." They would return to their superiors to "arrange urgent talks" on peace.

The PAC would also reconsider its decision not to join the Transitional Executive Council (TEC).

Zimbabwean Defence Minister Moven Mahachi, who chaired the talks, said the two negotiating teams, led by Law and Order Minister Hernus Kriel and Apla commander Sabelo Phama, had not agreed on the formal "mutual end to hostilities", which the PAC had said it was seeking, but "they have agreed to talks which will end the violence". These would be held in SA or Zimbabwe "within days".

"There was very good discussion in a most amicable manner, to my surprise," Mahachi said.

The government delegation, which included Deputy Constitutional Development Minister Fanus Schoeman and SAP criminal intelligence chief Maj-Gen Krappies Engelbrecht, and the PAC/Apla delegation refused to comment on whether there was tangible agreement on suspending the armed struggle.

MICHAEL HARTNACK

PAC foreign secretary Gora Ibrahim refused to answer reporters' questions.

The statement said it was clear there were "two areas of responsibility we have to address" — multiparty participation and bilateral discussions on relations between government and the PAC and Apla.

Apla and the security forces would meet in an attempt to "improve the understanding" between them.

The communiqué said these issues required further urgent discussions which "cannot take place in an atmosphere of violence. It is therefore necessary to place a moratorium on violence."

Before the start of yesterday's Harare talks Mahachi urged the SA government, and the PAC and Apla, not to dwell on past grievances. "It is not a meeting of trying to decide who is right and who is wrong. You have come here not as two warring parties but as brothers in one grieving country who want to seed an amicable solution to their problems. It is only proper that when brothers quarrel they should ask their neighbours to come and reconcile them."

Negotiators agree on five-year term for unity govt

Star 3/11/93

■ BY ESTHER WAUGH and CHRIS WHITFIELD

South Africa will get a government of national unity (GNU) — probably lasting five years from the April 27 election — negotiators agreed yesterday.

The agreement on the shape of a new executive was opposed by the PAC, while the Afrikaner Volksunie reserved its position.

It was agreed that the country would have a president and two or three executive deputy-presidents from parties winning more than 20 percent of the vote.

In an important concession by the Government, deputy presidents will not have a veto power over the president.

The proposal agreed to at the Kempton Park talks yesterday demands only that the president shall consult his deputies. (304A)

The president will exercise some powers and functions in agreement with the multiparty Cabinet — in which parties will be represented in proportion to the number of seats they get in Parliament.

The proposals discussed yesterday also included a concession by the ANC that the GNU will exist for a full five years.

Government and ANC sources yesterday stressed that this did not mean the transitional Parliament would have five years to write the new constitution. The existing proposal is that this should be done in two years.

Negotiators said yesterday

▶ To Page 3

Five-year term for GNU

Star 3/11/93

◀ From Page 1

that if the constitution were completed in two years, it could be adopted immediately, excluding those provisions for a new executive. The power-sharing executive will thus remain intact until 1999. (304A)

■ The Freedom Alliance (FA) last night went into its bosberaad with the Government — armed with specific constitutional proposals.

It is understood that the new FA proposals include suggestions for areas in which the FA believes it could attain self-determination.

▶ Future president's powers – Page 17

THE TALKS AND YOU



At the World Trade Centre

DRAFT ELECTORAL BILL: The Negotiating Council is scheduled to discuss the third draft of the Electoral Bill today.

No provision is made for a further debate on the draft Bill before negotiations are wrapped up next Friday. It is therefore expected that the council will finalise the matter today.

Outstanding matters include whether homeland citizens will be allowed to vote on April 27, the identification of voters, and State funding for parties contesting the election.

The council yesterday debated a new draft for the executive that provides for a president and two executive deputy presidents.

ESTHER WAUGH

Andries Beyers rejoins Nats

Star 3/11/93

■ BY KAIZER NYATSUMBA
POLITICAL CORRESPONDENT

Former Afrikaner Volksunie (AVU) founder and leader Andries Beyers, whose victory in a Potchefstroom by-election early last year precipitated the March 17 referendum, has rejoined the National Party.

Beyers, who stood as a Conservative Party candidate in that by-election, announced yesterday that, after careful consideration, he had decided to rejoin the NP — which he deserted 12 years ago — because its policy direction offered "the only hope for a peaceful future with stability and economic recovery".

In a statement issued after a meeting with President de Klerk and Transvaal NP leader Pik Botha, Beyers said he had now come to realise that De Klerk had "the capacity, judgment, tact and insight to negotiate the best possible dispensation" for the voters he (Beyers) represented.

"A considerable time ago I realised that apartheid — which I was party to — was a mistake, and I therefore have a duty to help build a new South Africa which can offer success and stability to all its inhabitants. (30th)

Beyers, who recently resigned from the AVU, said that as former CP chief secretary he had understood the feelings of those who still supported the CP and who would consequently be disappointed with him.

However, he wanted to tell them that the continuation of racial discrimination was "totally impossible", that the reintroduction of apartheid was "unthinkable".

Botha and NP Potchefstroom constituency council chairman Joseph le Grange welcomed his announcement, with Botha saying he believed there was a large number of Afrikaners like Beyers who now wanted to return to the NP.

The president's powers

Star 8/11/93

A list of 11 powers for the president of a future Government of National Unity has been agreed to by negotiators at the Kempton Park talks.

Presented with proposals by the technical committee on constitutional matters, the council yesterday agreed that the president should consult his deputies on six of those powers or functions.

Exclusive functions

After some confusion about the term, the word "consult" was defined by committee spokesman Professor George Devonish as that "the president will go out of his way to obtain consensus . . . but a recalcitrant deputy will not force him to change his decision".

The five powers or functions assigned exclusively to the president include his competency to:

■ "Assent to, sign and promulgate Bills . . .

THE POWERS exercised by the future president in a Government of National Unity have been defined and agreed upon by negotiators at the World Trade Centre

304A

passed by Parliament.

■ "In the event of a procedural shortcoming in the legislative process . . . refer a Bill passed by Parliament back for further consideration by Parliament.

■ "Refer disputes of a constitutional nature between political parties . . . to the constitutional court."

Democratic Party representative Colin Eglin agreed to the last clause, along with the rest of the council, after confirming that a party could go directly to the constitutional court without initially going through the president.

The council agreed that with regard to six of his powers or functions the president should consult his deputies, including:

■ When appointing diplomatic representatives.

Pardoning

■ When appointing commissions of inquiry.

■ When making "such appointments as may be necessary under powers conferred upon him . . . by his constitution or any law".

■ When pardoning offenders.

The council also agreed that the president should consult his deputies when "developing the policies of government" and "in all matters relating to the management of the cabinet and the performance of cabinet business". — Sapa.

Negotiators endorse govt of unity

Political Staff

NEGOTIATORS at the World Trade Centre endorsed the principle of a government of national unity yesterday although agreement has not been reached on how cabinet decisions will be taken in the event of a deadlock.

Only two parties did not agree to a motion put forward proposing the principle of a government of national unity. The PAC preferred unfettered majoritarian government, and the Afrikaner Volksunie abstained.

Negotiators endorsed much of a proposed agreement brokered in recent bilateral talks between the ANC and the government although two critical areas still had to be decided.

The proposals did not suggest percentages by which the cabinet should make decisions and agreement was not reached.

Negotiators also decided to discuss later in the week the proposal that the executive deputy presidents should deputise for the president on a rotational basis.

The proposal that the government of national unity should last until April 1999 was tabled yesterday but it drew strong objections from the PAC delegation, who said they did not see why a new constitution should be put on hold. (304A) CT 3/11/93

The issue will be discussed later this week.

'Parliament must stay!'

304A

CT 3/11/93

Fears of heavy blow to W Cape

By ANTHONY JOHNSON
Political Correspondent

PARLIAMENT must stay!

This was the rallying cry yesterday from business, the mayor and political parties in the Western Cape in response to moves by a powerful Transvaal-based lobby in the government and the ANC to ditch Cape Town as South Africa's legislative capital.

Critics of the suggested move said it would be a severe blow to the Western Cape economy and lead to an unhealthy concentration of political power in the Transvaal.

And architects said that building a new Parliament in Midrand or Pretoria would cost taxpayers "hundreds of millions of rands".

The mayor, (Mrs Patricia Kreiner, said Parliament should keep its traditional home as "the atmosphere in Cape Town is conducive to lawmaking".

Moving the legislative capital away from Cape Town would be a blow to the local economy, the property market, and the tourist, hotel, restaurant and catering industries, said Mr Roland Hudson-Bennet, president of the Cape Town Chamber of Commerce.

ANC Western Cape secretary Mr Tony Yengeni said he felt Parliament should stay in Cape Town "in order to break the tradition of monopoly and domination by the Johannesburg region".

National Party Western Cape chairman Mr Sakkie Pretorius said it would be irresponsible to spend "many millions of rands of taxpayers' money" to start building new premises.

The Democratic Party's deputy leader in the Western Cape, Mr Joe Marks, said: "We believe that the geographic separation of the judicial, administrative and legislative functions of government is essential and will strengthen the power of the federal government."

Andries Beyers back in the Nationalist fold

Own Correspondent

PRETORIA. — Former Afrikaner Volksunie leader and MP for Potchefstroom Mr Andries Beyers yesterday completed a full political circle by rejoining the National Party.

In a statement yesterday Mr Beyers said after careful consideration he had realised the NP policy represented the only hope for a peaceful future with stability and economic recovery.

"A considerable time ago I realised that apartheid, which I was party to, was a mistake and I therefore have a duty to help build a new SA which can offer success and stability to all of its inhabitants. I want to contribute towards the achievement of a genuine reconciliation between all in SA."

In 1981, Mr Beyers, then a former NP Transvaal Provincial Council member, left the party to join the HNP. "I thought the NP was too left," he said.

Foreign minister and Transvaal NP leader Mr Pik Botha said yesterday he believed there were a large number of Afrikaners who, like Mr Beyers, wished to return to the NP.

'Forums part of new SA'

By BARRY STREEK

THE emergence of national, regional and local forums had extended constitutional negotiations and were part of of negotiated political and social change, two University of the Witwatersrand academics have concluded. (304A) CT 3/11/93

The findings of the academics, Mr Khehla Shubane and Mr Mark Shaw, have just been released by the Centre for Policy Studies in a publication, Tomorrow's Foundation Forums as the second level of negotiated transition in South Africa.

Forums were beginning to have a significant impact on policy "because, to govern effectively, the state has to secure the co-operation of some groups which remain outside government," said the publication.

Optimism

C.T 3/11/93 (304A)

Govt and Alliance progress

THERE is growing optimism among government negotiators that progress at this week's two-day "bilateral talks" with the Freedom Alliance will secure a high degree of inclusivity for a negotiated constitutional settlement.

Yesterday afternoon, normally wary government sources described the general feeling as being "cautiously optimistic". Others said there was a "definite improvement" in expectations.

Positive expectations have also been voiced by Alliance spokesmen. General Tienie Groenewald of the AVF described the chances of reaching agreement this week as "relatively good".

Bophuthatswana's Mr Rowan Cronje said the government had given the Alliance assurances that its concerns could be accommodated.

"We're going to find solutions," he said.

The optimistic mood was evident after two rounds of bilateral talks with the ANC last week produced significant new common positions which may now open doors to accommodate the FA.

Leaders' conference

Further refinements were hammered out at yet another government-ANC bilateral talk yesterday morning.

Although a bilateral meeting between President F W de Klerk and Alliance leaders on Friday evening again ended inconclusively, constitutional papers promised and sent to them afterwards appear to have persuaded the Alliance to accept a government invitation to a meeting this week.

Mr De Klerk's promised "papers" covered the latest positions negotiated with the ANC in bilaterals that ended just minutes before he met the Alliance on Friday.

Fifteen Alliance delegates and the government's full negotiating team left Pretoria last night for an unknown destination — probably a private game reserve to discuss the latest constitution draft.

The Freedom Alliance have withdrawn from the multi-party negotiating process and are demanding a leaders' conference to resolve differences about achieving what they regard as a truly federal constitution.

The leaders' conference as an alternative to the World Trade Centre process, has been rejected by the ANC and the NP/government negotiators. Instead, they want the Alliance to put specific constitutional proposals as amendments to the latest draft constitution, the whole to be finally approved by a leaders' plenary of the Multi-Party Negotiation Process. — Sapa



WHITE THUNDER . . In preparation for the Sappi Horse Trials at Vergelegen on Sunday, Jenny Haytread and her daughter Belinda yesterday exercised their mounts at Muizenberg beach. They have both been shortlisted for the Western Province Eventing Team.

Picture: CLIVE SMITH

ANC denies joint patrol agreement

CT 3/11/93

JOHANNESBURG. — The African National Congress has denied that it will participate in joint ANC, Inkatha Freedom Party and police patrols, separate from the proposed peace corps and national peace-keeping force in East Rand townships.

Yesterday Witwatersrand police spokesman Colonel Dave Bruce said paid ANC and IFP members participating in the suggested joint patrols might be allowed to carry arms in the face of continuing violence in the townships.

But last night the ANC squashed the idea outright, denying that it would participate in any such plan.

"The ANC denies that it is part of any such plan with the IFP and the SAP. The idea was proposed at a recent meeting held between the commissioner of police on the Witwatersrand, General Koos Calitz, and the ANC PWV regional chairperson, Mr Tokyo Sexwale," the ANC said in a statement following the police press conference.

The ANC's view on the joint patrols was that Lawyers for Human Rights and Independent monitors should be accorded the opportunity to accompany police on their daily patrols to ensure monitoring of security force actions around the townships.

"The ANC is astonished at the unilateral and unsubstantiated police announcements today and calls for further discussions on the matter through the Wits/Vaal Peace Committee." — Sapa



More talks needed between Apla, govt

HARARE. — The South African government and PAC/Apla delegations have announced a broad agreement on a moratorium on violence but added that further meetings would be required to implement a peace pact.

The announcement came after the two delegations met for talks here on Monday. No formal agreement has been signed.

The Azanian People's Liberation Army military commander Mr Sabelo Phama said delegates to the meeting had also discussed what he described as "bush meetings" between the African National Congress and the government.

"We told them we want a situation where what comes out of discussions is as an outcome of the World Trade Centre (venue of the multi-party negotiations), not as a result of bush meetings," he said.

"We don't want to clinch deals that leave others out," Mr Phama added.

Mr Phama said Apla would come back to South Africa and form part of a democratic security force.

He said his organisation was only involved in the armed struggle and not the violence that was ravaging the country.

Apla has demanded that the government deal with armed right-wing extremists before they (Apla) would think of suspending the armed struggle.

"It is a cause for concern and we had an in-depth discussion on the right-wing issue. We discussed the issue seriously," Mr Phama said yesterday.

Beyers

B'day 3/11/93

From Page 1

the CP's claim that the NP did not represent the majority of whites. This sparked last year's referendum in which whites gave President F W de Klerk a mandate to continue with reforms. (304A)

Beyers then broke away from the CP to form the Afrikaner Volksunie, signing it up as a founding member organisation of the Afrikaner Volksfront. Soon after that he left the Volksunie, then was "expelled" from the Volksfront. At the time Beyers pointed out that he had never been a member of the "racist" Volksfront in his personal capacity and that it was a "relief" for him to no longer be associated with it.

Yesterday he said he understood the feelings of those who still supported the CP. "To them I would like to say that the continuation of racial discrimination is totally impossible; that the reintroduction of apartheid is unthinkable; and that they soon will be forced by realities to recognise that drastic change has become essential. They will then understand why I have rejoined the NP."

Foreign Minister Pik Botha said he believed there was a large number of Afrikaners who, like Beyers, wished to return to the NP. "We also trust that his decision will encourage his fellow Afrikaners to realise that apartheid was a mistake."

Beyers said he had joined the NP as an ordinary member who would work for his party's success in the elections. "No promises were made and no favours asked."

Volksunie founder Beyers rejoins NP

B'DAY 3/11/93

DIRK VAN EEDEN

PRETORIA — Former Afrikaner Volksunie leader and Potchefstroom MP Andries Beyers yesterday completed a full political circle by rejoining the NP.

Beyers said that after careful consideration he had realised the NP's policy represented the only hope for a peaceful future with stability and economic recovery.

"A considerable time ago I realised that apartheid, which I was party to, was a mistake, and I therefore have a duty to help build a new SA which can offer success and stability to all of its inhabitants. I want to contribute towards the achievement of a genuine reconciliation between all in SA." (304A)

In 1981 Beyers left the NP to join the HNP. "I thought the NP was too left."

In 1983 he joined the CP and stood in two elections, losing both. In February last year he won the Potchefstroom by-election for the CP. His victory raised questions about the NP's popularity and bolstered

To Page 2

National unity govt gets nod at talks

B/Day 3/11/93

TIM COHEN and BILLY PADDOCK

NEGOTIATORS at the World Trade Centre yesterday endorsed the principle of a government of national unity although agreement has not been reached on how cabinet decisions will be taken in the event of a deadlock.

Only two parties did not agree — the PAC preferring unfettered majoritarian government and the Afrikaner Volksunie reserving its position (304A)

Negotiators endorsed much of a proposed agreement brokered in recent talks between the ANC and government although two critical areas were still to be decided on. The proposals did not suggest percentages by which cabinet should make decisions but did specify that votes on financial matters and security did not have to be the same.

Negotiators also decided to discuss later in the week the proposal that the executive deputy presidents should deputise for the president on a rotational basis.

The proposal that the government of national unity should last until April 1999 was tabled yesterday but it drew strong objections from the PAC. The issue would be discussed later in the week.

On majorities required for cabinet decisions, government is struggling to secure a "reasonable" deal with the ANC.

Last week government made major concessions to the ANC, guaranteeing effective majority rule in giving up its demand that a vice-president or minority parties be able to veto decisions of the cabinet in a government of national unity.

But behind the scenes government/NP and the ANC were still struggling to set the percentages required for cabinet decisions should consensus not be attainable.

The ANC is pushing for majority decisions to be set at 60% while the NP is holding out for two-thirds in the hope that it could marshal sufficient support from other parties in the unity government to block majority party decisions.

Yesterday it was stated in formal talks that the president would "seriously" have to consult only the two executive deputy presidents who "will not have any veto powers". The NP is relying on an informal and voluntary arrangement that a president will not act on sensitive decisions on matters such as finance and security without the assent of the deputy presidents — one of whom will certainly be a member of the majority party.

Communist Party chairman Joe Slovo said there was no possibility of the deputy presidents having any veto powers.

He said the deal that was struck satisfied the fundamental issues that minorities could not deny the will of the majority; it would not paralyse effective government nor frustrate the popular mandate.



Police spokesman Col Dave Bruce, left, and internal stability unit commander Brig Basie Dames announcing a joint initiative on violence. Picture: ROBERT BOTHA

Move to include tribal leaders

THE ANC is to recommend a council of state — including eminent South Africans and the most senior traditional leaders — to advise the future president and government of national unity, sources at multiparty talks said yesterday. B/Day

"The role of the council of state would be to advise the president or government on matters of national importance," one source said. 3/11/93

The ANC, seeking to break a deadlock on the future role of traditional leaders, would recommend regional houses of traditional leaders to deal with tribal issues. (304A)

The leaders' role in government after elections next year was on the agenda for debate at the negotiating council yesterday, but the debate was postponed.

A task group proposal recommended traditional leaders be nominated to local governing structures only.

Several such leaders objected to the task group's suggestion that they be represented on regional bodies but have no vote.

Most parties at the negotiations believe the leaders should be elected if they want a vote. — Reuter.

State election funding proposed

4/11/93

(304A)

■ BY ESTHER WAUGH
POLITICAL CORRESPONDENT

Agreement is emerging in the Negotiating Council for State funding to be made available for parties contesting the April 27 election.

Proposals for State funding were submitted last night to the council.

The funding will be administered by the Independent Electoral Commission (IEC) — the multiparty body which will monitor the election.

It has been proposed that the funds be made available for specified categories of election expenses such as air fares, office rentals, salaries and telephones. Parties will have to account for expenditures.

The technical committee drafting the Electoral Bill proposed two levels of fundings.

At the first level, all parties registering for regional and national elections would be entitled to the same funding. The committee used R1 million for national elections and R100 000 per regional election as "illustrative numbers".

Funding at this level would be available only against provision of security or against proof of minimum voter support.

The money would be repayable only if a party transgressed the electoral code, if the IEC ordered it, or if it failed to elect one member to the national assembly or regional government.

Funding at the second level would be available on the basis of a loan fund.

Home Affairs Minister Danie Schutte said the Government had an "open mind" on the matter but that the proposals needed refinement.

The funding should be restricted to bona fide parties with reasonable support, he said.

The PAC argued that the funding should be used to ensure equal opportunities for all parties in the election.

THE TALKS AND YOU



At the World Trade Centre

INTERIM CONSTITUTION: The Negotiating Council will today continue discussions on compromise proposals emanating from the series of Government-ANC talks.

Powers for the regions will also be debated today. These proposals have been submitted to the technical committee on constitutional matters, which is drawing up the draft Interim Constitution.

The Government-ANC submissions provide for strong regional governments, with 20 concurrent powers including education, policing and language policies.

The council will also discuss the contentious property clause in the draft Bill of Rights.

ESTHER WAUGH

Star 4/4/93

'I'll join, but which party?'

Colourful former CP MP Koos van der Merwe is not about to follow Andries Beyers into the NP — but doesn't rule out the possibility.

The veteran of 16 years in Parliament, now an independent, said he believed he still had a "modest" role to play.

"What I don't know is to which wagon I should hitch my star," he said yesterday. (304A)

He was "watching" the Freedom Alliance and the NP, which he would like to see unite. — Political Correspondent.

Negotiators approve election funding plan

CT 4/11/93

304A

Own Correspondent

JOHANNESBURG. — Negotiators last night approved a proposal that political parties get state funding worth millions to contest the elections.

The proposal from the technical committee drafting the Electoral Bill proposed two forms of funding for political parties. Negotiators said these needed further refinement but gave the committee the go-ahead to work out the finer details.

No party opposed the proposal in principle but questioned the checks and balances, the amounts of funding and establishing the good standing and support of political parties.

In terms of the proposal now on the table, there are two categories on permissable expenses that need to be specified. These could include electoral deposits, travelling expenses, rentals, salaries, telephones and office costs and advertising.

"Parties should be required to provide proof of expenditures as a precondition to their right to make further drawings," committee member Mr Dennis Davis said, motivating the proposal.

Negotiators pressing on as deadline draws near

ARGT 4/11/93

Political Staff

JOHANNESBURG. — It is bosberaad and bilateral time in South Africa as the country's political leaders shuttle from meeting to meeting in an attempt to stitch together agreements against a pressing deadline.

Today the government and Freedom Alliance are scheduled to finish their bosberaad — a gathering of negotiators at a secluded and secret venue — which spanned three days.

The meeting is particularly important in that it probably provides the last chance for dissenting elements in the alliance to be made part of agreements arising from the multiparty talks, which all FA parties have abandoned.

On Saturday the government's negotiators sit down with the African National Congress to continue discussions started in a three-day bosberaad last week.

The talks led to a wide sweep of agreements in terms of which South Africa will get a government of national unity — or enforced coalition government — for a period expected to last five years after the April 27 election.

These have been the high-profile bilaterals or bosberaads, but a host of others have been taking place, many at the World Trade Centre in Kempton Park.

Meanwhile, the negotiations deadline of November 12 looms.

Probably the most important areas still to be resolved in talks include:

- The constitutional principles which will be part of the interim constitution and the final constitution.
- The composition of the constitutional court, which will rule on whether laws conform to the constitution.
- The mechanism to break a deadlock in the writing of a final constitution by the interim government.

Constitution on schedule, says FW

PRETORIA. — South Africa's constitutional reforms are on schedule, the constitution near completion and elections will be held on April 27, President De Klerk said today.

After the election a government of national unity would stabilise the country through co-operation by all significant parties for five years, he added.

He was addressing two new ambassadors to South Africa — Dr Antonio Amaral de Sampaio from Brazil and well-known composer Ladislav Vlasic of Slovakia — who handed their credentials to him at the presidency in Pretoria.

Referring to the "bosberaad" between the government and rightwingers to break the negotiations impasse, Mr De Klerk said it was too early to come to conclusions.

He said intensive discussions were being held. He had had contact with Constitutional Development Minister Roelf Meyer today for a progress report but could comment only after he had received a full report.

Mr De Klerk told the ambassadors that in the coming weeks the last bridges had to be crossed and last obstacles for sufficient agreement removed so that the country could move forward with maximum support.

"We are confident we will succeed."

The constitution being negotiated at multiparty talks was "very near to completion" and the government believed it contained the cornerstones of a stable democracy which could withstand the stresses and strains of South Africa's complex society.

"We are poised to finally put our troubled past behind us," said Mr De Klerk.

"I'm absolutely confident that the elections will take place on the date set."

Mr De Klerk said he believed a prosperous future lay ahead provided wise economic policies were adhered to. — Sapa.

(3044) ARG 4/11/93

State funds for all parties in SA election

ARG 4/11/93

304A

Political Staff

JOHANNESBURG. — Agreement is emerging in the Negotiating Council for state funding to be made available for parties contesting the April 27 election.

Proposals for state funding were submitted last night to the council.

The funding will be administered by the Independent Electoral Commission — the multiparty body that will monitor the elections.

It has been proposed that the funds be made available for specified categories of election expenses such as airfares, office rentals, salaries, telephones, and publicity.

Parties will have to account for their expenditure.

The technical committee drafting the Electoral Bill proposed two levels of fundings and used R1 million for national elections and R100 000 for a regional election as "illustrative numbers."

● The European Community has granted R20 million to the Independent Forum for Electoral Education (Ifee) for non-partisan voter education programmes.

Taxpayers may fund elections

Sowetan 4/1/93

3044

Sowetan Correspondent

■ TWO LEVELS Government says it has 'open mind' on funding:

AGREEMENT is emerging in the Negotiating Council for State funding to be made available for parties contesting the April 27 elections.

Proposals for State funding were submitted to the council last night.

The funding will be administered by the Independent Electoral Commission — the multiparty body which will monitor the elections.

It has been proposed that the funds be made available for specified categories of election expenses such as airfares, office rentals, salaries, telephones and publicity.

Parties will have to account for expenditures.

The technical committee drafting the Electoral Bill proposed two levels of funding. At the first level, all parties registering for regional and national elections will be entitled to the same basic funding.

The committee used R1 million for national elections and R100 000 per regional election as "illustrative numbers".

Funding at this level will only be available against provision of security or against proof of minimum voter support.

The money will be repayable only if a party transgresses the electoral code, if the IEC orders it or if it fails to elect one member to the national assembly or regional government.

Funding at the second level will be available on the basis of a loan fund.

Home Affairs Minister Danie Schutte said the Government had an "open mind" on the matter but the proposals needed refinement.

The funding should be restricted to bona fide parties with reasonable support, he said.

The Pan Africanist Congress argued that the funding should be used to ensure equal opportunities for all parties in the elections.

Flurry to beat talks deadline

Star 4/11/93

■ POLITICAL CORRESPONDENT

It is bosberaad and bilateral time in South Africa as the country's political leaders shuttle from meeting to meeting in an attempt to stitch together agreements against a pressing deadline.

Today the Government and Freedom Alliance (FA) are scheduled to finish their bosberaad — a gathering of negotiators at a secluded and secret venue — which spanned three days.

The meeting is particularly important as it probably provides the last opportunity for dissenting elements in the alliance to be made part of agreements arising from the multiparty talks — which all FA parties have abandoned.

On Saturday the Government's negotiators sit down with the ANC to continue discussions started in a three-day bosberaad last week and then continued in bilateral meetings last Friday and on Tuesday this week (3044 4113)

Last week's talks between the two led to a wide sweep of agreements in terms of which South Africa will get a government of national unity — or enforced coalition government — for a period expected to last five years from the April 27 election.

Deadline

Meanwhile, the negotiations deadline of November 12 — by which date negotiators have to wrap up their deliberations — looms.

Probably the most important areas still to be resolved in talks include:

■ The "constitutional principles" which will be part of the Interim Constitution and the final constitution.

These include the troublesome issue of how many powers, functions and duties should be devolved to regions.

■ The composition of the constitutional court, which will rule on whether laws conform to the constitution.

■ The mechanism which will be used to break a deadlock in the writing of a final constitution by the Interim Government.

As things exist, this could ultimately be done by a majority — 50 percent plus one vote — in Parliament.

This proposal is unacceptable to many of the minority parties.

focus on elections

Sowetan 4/11/93

The ANC and the NP are walking a tightrope of appeasement in their efforts to establish the new South Africa — but one false step could be disastrous as the radicals to right and left wait in the wings:

"The National Party sees itself as playing a prominent role in the interim government but my own fear is that the Volksfront enjoys a great deal more support among Afrikaners than the NP Government, which is seen as weak-wristed and disorganised"

ANC PRESIDENT Mr Nelson Mandela and President FW de Klerk are walking the same tightrope across the divide to black majority rule in South Africa.

Neither Mandela's ANC nor De Klerk's National Party Government can get off and one false step could be disastrous.

They are both trying to appease blacks demanding the vote while at the same time offering whites their own place in the sun in the new South Africa.

Some analysts think the concessions which conservatives have extracted from them are playing into the hands of black radicals and white extremists.

Tightrope

"The National Party Government has already lost so much support among its traditional power-base that I think it is already falling off the tightrope," political scientist Mr Dion Geldenhuys said in an interview.

"They (the ANC) are very eager to get this show on the road," said Mr Richard Cornwell of the Pretoria-based Africa Institute. "It's very obvious they will make concessions to get an interim government in place."

"But the longer this is delayed, the more their support at grassroots level is going to haemorrhage into groups like the PAC or Apla," he added.



Nelson Mandela — FW de Klerk — Mangosuthu Buthelezi

Talks between the Government, the Pan Africanist Congress and its armed wing, the Azanian People's Liberation Army, which is waging war against whites, ended in a joint call for a moratorium on violence this week, opening the door for them to take part in all-race elections on April 27.

Radical policies

While the PAC does not command the support of most blacks, its radical policies appeal in particular to the "lost generation" of township youths likely to be vociferous in the election campaign.

"The ANC thinks it is going to pick up 60 percent of the vote and will be calling the shots in the interim cabinet but there is no guarantee of that. They want to get to this stage without making concessions that can really hurt them," said Cornwell.

But analysts said concessions by the ANC and the Government to rightwing blacks and whites in the conservative Freedom Alliance were the catalyst for bilateral talks between the Government and alliance which started in Pretoria on Tuesday night.

Without the concessions there would be little hope of drawing the five-group alliance back to constitutional negotiations likely to be wrapped up within the next two weeks.

The alliance is dominated by the pro-apartheid Conservative Party and Chief Mangosuthu Buthelezi's Inkatha Freedom Party, both of which fear an ANC-led interim government would go back on a federal interim constitution. It is demanding virtual autonomy for its members.

So far they have been offered strong regional government, including policing and some taxation.

Mandela has said that while he could never accept demands for ethnic autonomy he would be prepared to consider the aspirations of ethnic minorities for their own regions within a federal South Africa.

It was a major concession from a leader once committed to a strong unitary State.

De Klerk said last week he expected a Federal Republic of South Africa to emerge from current democracy negotiations.

But Cornwell said De Klerk's vision of the new South Africa might prove irrelevant if the National Party lost more support to white extremists.

Prominent role

"The National Party sees itself as playing a prominent role in the interim government but my own fear is that the Volksfront enjoys a great deal more support among Afrikaners than the NP Government, which is seen as weak-wristed and disorganised," said Cornwell.

The Afrikaner Volksfront, which includes the Conservative Party and the neo-Nazi Afrikaner Resistance Movement, is also a part of the Freedom Alliance.

Geldenhuys, from Johannesburg's Rand Afrikaans University, said it was possible the National Party would come third in the April election, trailing the Freedom Alliance.

"There is going to be a government of national disunity if that happens. I have no doubt the ANC will win the election but it could be hamstrung if the alliance emerges as the second largest party," Geldenhuys said. — *Sapa-Reuter.*

State to give millions to electioneering parties

B1Day 4/11/93

BILLY PADDOCK

NEGOTIATORS approved a proposal last night that political parties get millions of rands in state funding to contest the April 27 elections.

The technical committee drafting the Electoral Bill proposed two forms of funding for parties. Negotiators said these needed to be refined, but gave the committee the go-ahead to work out the details.

No party opposed the proposal in principle, but some questioned the checks and balances, the amounts funded, and the mechanics of establishing the good standing and support of parties.

Permissible expenses could include electoral deposits, air fares and travel expenses, office rentals, staff salaries, telephone and office infrastructure costs, publicity and advertising.

"Parties should be required to account for and provide proof of expenditures as a precondition to their right to make further drawings," technical committee member Dennis Davis said. This was essential to prevent parties abusing the funding "to have a party". (304A)

Two categories of state funding are proposed. The first provides that all parties registering for the national or regional elections receive the same basic initial funding. As an example, the proposal suggests R1m be given to each party contesting the national election, and R100 000 to each contesting a regional election.

The second is more substantial, providing for each party contesting elections in the nine regions to qualify for a loan of up to R9,5m: R5m for national elections and R500 000 a region.

The first category of funding would be made available against the provision of collateral security acceptable to the Independent Electoral Commission or against proof of minimum voter support. It would be repayable only if the electoral tribunal

To Page 2

Election

B/Day 4/11/93

From Page 1

imposed a sanction on a party for infringing the electoral code, or if it failed to win at least one seat in the national assembly or regional legislature.

The same collateral and repayment terms would apply to the second category of funding, but proof of voter support would be much higher. (304A)

The committee proposed that both categories of funding be advanced in four equal monthly tranches.

ANC negotiator Popo Molefe said he supported the principle of the first category and the amount could be debated, but he suggested that the second category be an electoral fund that parties could draw on only after the election, with their allocation determined by the number of votes won. Parties could get bank loans on the basis that they would repay them because they were confident they would win sufficient support. The PAC said this was a misconception as not all parties would be able to secure such loans and the proposal aimed to level the playing fields.

Davis supported this argument.

Home Affairs Minister Danie Schutte said government "has an open mind on the issue, but the proposal needs to be refined to prevent politics from becoming a good business". He would be prepared to look at funding parties with proven support.

Long list of regional powers agreed

Talks set for early success

Star 5/11/93

304A

LOOKING good, but it will be a major achievement to get the FA on board before Thursday

■ **BY KAIZER NYATSUMBA CHRIS WHITFIELD and SAPA**

South Africa's negotiated settlement for the transition will be completed on Thursday — a day ahead of schedule — after a day of progress inside and outside the talks forum.

Further progress was achieved last night in the Negotiating Council when agreement was reached on a long list of powers for regions.

And Government and Freedom Alliance (FA) negotiators took a tentative step forward in their bosberaad which ended yesterday.

But the complexity of the issues being discussed suggests that it will be a major achievement to get the FA on board before Thursday.

Making the proposal at the Negotiating Council to wrap up negotiations a day earlier, Constitutional Development Minister Roelf Meyer said the Interim Constitution had to be completed by November 11, as opposed to the November 12 deadline previously agreed upon.

The council approved Meyer's recommendation, but said if bilateral talks were necessary to consolidate agreement on the Interim Constitution, these could be held the following day.

—Negotiators agreed that central government control over regions would be limited to having powers only to legislate on the setting of national standards and norms.

"For that reason one can clearly say that as far as these areas are concerned regional government will have exclusive powers," Government chief negotiator Roelf Meyer said after the debate.

The powers to be assigned to regions under the Interim Constitution — which will underpin the final constitution — include matters concerning agriculture, cultural affairs, education at school level, health services, housing, language policy, local government, nature conservation, police, regional planning and development and welfare.

Regions will also be permitted to collect certain taxes, but this matter is scheduled to be finalised today.

"We can all be very glad tonight to see the Negotiating Council has reached agreement on the contents of how powers and functions of the various levels of government will be divided in future," Meyer said.

After two days of intensive discussions at a secret venue, the Government and FA said in a joint statement that they had "succeeded in narrowing the gaps on a number of issues".

"The delegations also committed themselves to try and finalise those issues still outstanding in the shortest possible time," said the statement, adding that technical groups from the two organisations would formulate definitive proposals for another meeting next week.

After the meeting, the Afrikaner Volksfront — a member of the FA — issued a blunt statement reiterating its demand for full self-determination in an Afrikaner volkstaat.

AVF leaders Dr Ferdi Hartzenberg and General Constand Viljoen said they would not deviate from their demand for Afrikaners to govern in their own homeland.

However, their statement did not address the issue of citizenship in such nation states.

It is reliably understood the organisation is considering changing its policy from a demand for an Afrikaner-only area to one that allows citizens of other races.

Two-day bosberaad narrows the gap

☐ Government, alliance 'committed to settling all issues'

(3614) 5/11/93 ARG

JOHANNESBURG. — The government and the Freedom Alliance have narrowed the negotiations gap between them at their two-day bosberaad.

"A lot of the suspicion which existed between us was removed because of frank and open discussions," an alliance source said after the meeting.

The two sides "made progress in moving closer", a government source confirmed.

The talks were continuing, however, because "certain issues have not yet been finalised", the alliance source said.

"Many of the problems now appear to be solvable, but seeking solutions is part of an ongoing process," he said.

The two negotiating teams will report to their principals before meeting again early next week.

A brief joint statement yesterday after the talks ended at a secret venue said two days of intensive discussions had "succeeded in narrowing the gaps on a number of issues".

"The delegations also committed themselves to try to finalise those issues still outstanding in the shortest possible time.

"Technical groups from the two parties have been appointed to formulate definitive proposals within the next few days on those issues of which the parties still have differing viewpoints."

While progress was reported on the alliance objection to a two-phase transition process and the powers, functions and duties of regions, the two key issues were receiving further attention.

Some progress was reported on the thorny issue of self-determination, but it was also receiving further attention.

Alliance members have to be convinced that the constitutional dispensation, which has been hammered out at the World Trade Centre, provides for a federal South Africa with strong regional government.

The alliance, which is boycotting democracy talks at Kempton Park, comprises the Inkatha Freedom Party, Conservative Party, Afrikaner Volksfront, and the governments of Kwazulu, Bophuthatswana and Ciskei.

The government source expressed optimism that government negotiators appeared to have had success in persuading the alliance that the two-phase process provided enough checks and balances.

In terms of this process, an elected constitution-making body will draw up a final constitution, based on the interim constitution, after the April 27 election.

Government negotiator and Deputy Minister of Constitutional Development Fanus Schoeman said before the bosberaad began on Tuesday there was no point in arguing about the number of phases.

More important was whether the interim constitution provided for strong regional government and proper checks and balances for the drawing up of the final constitution. — Sapa.

NP tries to woo squatter leaders

☐ Secret talks end after 30 minutes

ARGUS 5/11/93 (304m)

VUYO BAVUMA
and DENNIS CRUYWAGEN
Staff Reporters

A NATIONAL PARTY attempt to woo controversial Western Cape squatter leaders ended after 30 minutes when the group walked out of a secret meeting in Parow.

The 15 squatter leaders, including African National Congress office-bearers, left the meeting last night after an Argus reporter turned up.

Crossroads strongman Jeffrey Nongwe said today he and other squatter leaders left the Alex van Breda Centre after telling NP office-bearers they were not interested in their party.

He said: "How can I join the NP when I have my own organisation, the ANC?"

Mr Nongwe said he went to the meeting to listen to what the NP had to say "just as Nelson Mandela would have done".

Guest speaker D Chuanyane MEC had tried to persuade the group to join the NP.

"He talked about their plans to help blacks. He said we should join the NP.

"Our people said: 'No, we came here because we thought you were going to discuss the upgrading of our areas with us. We'll leave if you start telling us about the NP.'"

Mr Nongwe said the squatter leaders were invited by letter. His letter was delivered by Jerry Tutu of Intsika Yesizwe.

Among those present were former Khayelitsha mayor Mali Hoza, former Lingelethu West town councillor David Zono, Alfred Siphika of Millers Camp and L Makwelo of Intsika Yesizwe.

Also invited, but not seen at the meeting, were Wilson Sidina of the Western Cape Civic Assocaition and former Green Point leader Prince Gobingca, who was recently released from a Transkei jail after serving a two-year term for plotting to overthrow Bantu Holomisa's government.

The Argus reporter arrived when the guests were having refreshments in the hall decorated with NP posters, most in Xhosa.

Three surprised NP officals, including Melt Hamman and MP Sakkie Pretorius, conferred then told the reporter the Press was not permitted to attend because it was a "private gathering".

Mr Chuanyane said the purpose of the meeting was to hold "bilateral talks" with the squatter leaders.

Asked to elaborate, he said: "This is part of the electioneering. We are politicians who are trying to win votes.

"Like any other party, the National Party has a right to hold meetings with whoever it wants."

NEWS FEATURE *Five years before a real election is held ● Steps to interim rule*

Parties will share power in new SA

Sowetan 5/11/93

304A



Thrashing things out at the World Trade Centre.

■ AGREEMENT REACHED *How Government of National Unity works:*

By Themba Molefe
Political Correspondent

SOUTH Africa is to have a government of national unity which can remain in office for up to five years before the country holds its first *real* general election.

In terms of an agreement reached by negotiators at the World Trade Centre on Tuesday, the Government of National Unity (GNU), simply means power-sharing. It can also be called a coalition of parties in the current talks.

The country will vote for this power-sharing dispensation on April 27 1994.

The GNU will have a president and between two and four deputy presidents.

It will be installed on April 30 1994 and the power-sharing executive will remain in office until April 30 1999 after which it is expected a general election will be held and a government installed.

Any of the 21 parties which gets more than 20 percent in the April 30 1994 election will be entitled to designate a deputy president.

The president will consult with the deputy presidents on the "development and execution of government policies". The deputy presidents will not have a veto power over the president's decisions.

Provision is made that he should exercise other powers and functions in agreement with the multiparty Cabinet — where parties will be represented proportional to the number of seats they get in the new Parliament.

However, no decision was taken on how many Cabinet Ministers will be appointed or what percentage support would be required in the Cabinet for the President to exercise his powers.

But proposals in terms of the revised draft interim constitution are that the GNU should have a National Assembly and Senate.

The draft interim constitution is expected to be adopted before the multiparty talks end on November 12.

It proposes that:

● The Cabinet comprise the president, deputy presidents and not more than 27 ministers;

● The president be elected at the first sitting of the National Assembly;

● Subsequent presidents be elected by joint sittings of the National Assembly and Senate;

● The president vacate his seat in the National Assembly after his election; and

● The deputy presidents will come from every party which holds at least 80 seats in the National Assembly. But if no party or only one party holds 80 or more seats, the two parties with the most seats will each designate one deputy president.

The GNU is also called a constitutional (or constituent) assembly and would therefore write the final constitution for the country.

The question is whether it will take the coalition government the whole five years two write the constitution.

A yet-to-be approved proposal at the World Trade Centre is that the constitution be written in two years. If this is not achieved deadlock-breaking mechanisms — also still to be finalised — will be applied.

In terms of the proposal a party holding at least 20 seats in the National Assembly will be allocated a number of Cabinet portfolios in proportion to the number of seats held by it in the Assembly.

The president will allocate portfolios after consultation with the deputy presidents and the leaders of the parties represented in the Cabinet.

No time frame set for new SA flag

(304A)
CT 5/11/93

JOHANNESBURG. — The negotiating council has agreed that no time constraints will be placed on the completion of a new flag, and that it will be included in the interim constitution when it is ready.

In their first session yesterday at the World Trade Centre the 21-party council agreed to consider the new designs from four commissioned advertising agencies before deciding on how to take the matter forward.

The latest offerings from four of the country's top advertising agencies — Ogilvy and Mather, Saatchi and Saatchi, Herdbuoys and Hunt Lascaris — comprised various combinations of rising suns, doves with olive branches, and clasping black and white hands.

'Colours'

A number of the designs combined green and gold as the major colours.

DP spokewoman Ms Dene Smuts said it was significant that these colours had remained popular.

It is understood that several design agencies and individuals will also be making an input on the new flag, and the Heraldic Council, which has been shunned until now, will be brought in to help design South Africa's interim coat of arms. — Sapa

New body to prepare for general election

3044
GT 5/11/93

JOHANNESBURG. — The negotiating council yesterday agreed to the principle of a multi-party interim elections sub-committee to help set up the scheduled April 1994 election.

The sub-committee, as proposed by planning committee chairman Mr Pravin Gordhan, would investigate various matters relating to the smooth running of the election and would refer its findings to the Independent Electoral Commission.

Those already on the sub-committee include the ANC, the Democratic Party, the Labour Party, the PAC, the government and three representatives of the Freedom Alliance. — Sapa

Alliance: Election is main hope

3044A

Own Correspondent

JOHANNESBURG. — Chances that the Freedom Alliance would take part in the plenary meeting of leaders to endorse the constitution were fading fast, after the limited progress made in its meeting with government over the past three days.

However, negotiators were holding out hope that the alliance would still take part in the elections and in that way legitimise the constitution.

Half the Inkatha delegation left the talks a day early to join their leader Chief Mangosuthu Buthelezi on a week-long trip abroad, leaving little chance for compromises and new mandates to be secured.

In a brief joint statement yesterday, the parties said the gap between them had been narrowed, with the delegations agreeing to finalise the outstanding issues.

Technical groups had been appointed to meet and thrash out definitive proposals in the next few days before the delegations meet again next week.

However, government sources said yesterday the parties had identified the differences and had not found ways to bridge these. CT 5/11/93

One source said there was a realisation from the Alliance partners that the "train is moving on and they will all have to compromise in some way if they do not want to be left behind".

He said the difference between what was already in the constitution and what the Alliance wanted was not so great, but the different partners were negotiating from different angles, making it difficult to satisfy them all at the same time.

Another source said time was running out for the Alliance to have any effect on changing the constitution and the only hope was that the proposals to the technical committee next week would be acceptable.

The major concern of the Alliance, he said, was that they wanted the boundaries of regions finalised; the powers and functions of these spelt out as a constitutional principle that was inviolate; the functions of central government to be listed and the rest of the functions to be left to the regional government to determine.

FW: Reforms on schedule

PRETORIA. — South Africa's constitutional reforms were on schedule, the constitution was near completion and elections would take place on April 27, President F W de Klerk said yesterday.

After the election, a government of national unity would stabilise the country through co-operation by all significant parties for five years, he said.

He was addressing two new ambassadors to South Africa, Dr Antonio Amaral de Sampaio from Brazil and well-known composer Mr Ladislav Vlasic of Slovakia, who handed their credentials to him at the Presidency here.

Referring to the talks between the government and right-wingers to break the negotiations impasse, Mr De Klerk said it was too early to come to conclusions.

The constitution was very near to completion.

"I'm absolutely confident that the elections will take place on the date set," Mr De Klerk said.

The government's chief negotiator, Mr Roelf Meyer, also said yesterday that talks were on track, adding that a November 12 deadline for an interim constitution could not be extended by right-wing pressure. — Sapa-Reuter

NP asked for public apology

Student disclaims anti-ANC advert

Staff Reporter

A 22-YEAR-OLD UWC student whose photograph appeared in a National Party advertisement slating the ANC as "untrustworthy" plans to take legal action against the NP unless they publicly apologise to her.

The NP advertisement appeared on Sunday in Die Burger. It used the Cape Times photograph of Miss Marian Burgers on Friday, October 27 reclaiming her mother's Delft house, which had been illegally occupied by squatters.

An accompanying Cape Times story on October 28 said the ANC was investigating two men — one an ANC member and another who was recently expelled from the organisation — for their roles in allegedly inciting people to move into the vacant houses.

The story said that both men had been discovered by the ANC to have been NP members until just a few days before.

The NP advertisement made no mention of this fact and contained only the first paragraph and headline to the Cape Times article with Miss Burgers' photograph and the message: "The ANC cannot be trusted".

According to her lawyers' letter to the NP, permission had not been requested from Miss Burgers to re-use the photograph. Her lawyers demanded that the NP place prominent apologies to her in the Cape Times and in Die Burger.

304A CT 5/11/93

Miss Burgers said last night she was in the throes of writing her final exams and had gone to the university in disguise on Monday for fear of being ostracised by fellow students.

She said she had been staying indoors since Sunday when the advertisement was brought to her attention by a relative.

Miss Burgers said she was under "tremendous stress, and suffering from depression". She described the NP's use of her photograph and the headline 'ANC men sold homes' as "a dirty move".

She said she was not only an avid ANC supporter but was also very involved in township community work, and tutored township school children.

The Cape secretary of the National Party, Mr Carel Greyling, said last night the matter had been handed to attorneys for investigation, and the NP would not comment until this was complete.

Power timetable

Sowetan 5/11/93

By Themba Molefe
Political Correspondent

THE timetable to interim rule or power-sharing, South African style, has been drawn up as multiparty negotiators race against time to wind up business.

On November 12 the multiparty negotiations process (MPNP) comes to an end.

Already, agreement has been reached — with the exception of the Pan Africanist Congress — on a government of national unity to run South Africa for at least five years.

This is seen as a feather in the cap of the Kempton Park process, despite reservations that the GNU is enforced coalition.

And as the negotiators round off business, a series of bilateral meetings continue inside and outside the World Trade Centre.

The Government and the Freedom Alliance of black and white rightwingers were yesterday hammering out a compromise in a *bosberaad* trying to beat the deadline.

The FA wants a constitution — which guarantees regional powers — be drafted before next April 27's election and is opposed to the GNU transitional approach.

However, negotiators have to complete discussion and debate on:

- Fundamental rights during the transition. This will be incorporated in the draft interim constitution; (304A)
- Demarcation of regions and regional powers. Current proposal is that the country be divided into nine regions;
- Constitutional principles which will be part of the interim and final constitution; and
- The Electoral Bill which will essentially spell out who is entitled to vote.

Then all eyes will shift to Cape Town where Parliament sits for about four weeks beginning on November 22.

It is believed about 10 days of this session, thought to be the last white parliamentary sitting, will debate the "Kempton Park Package" and pass it into law, thus "legitimising" the process.

Already passed by Parliament in its September special session were the Transitional Executive Council Bill, which makes for power-sharing of some sort until April 27; the Electoral Commission Bill, Independent Media Commission Bill and Independent Broadcasting Authority.

FORUMS Fm 5/11/93

Grey areas

The clash between National Housing Minister Louis Shill and the National Housing Forum *(Current Affairs* October 29) has highlighted government's unease over the role being played by 11 "function-specific" negotiating forums currently operating across a wide spectrum of soci-economic fields. (304A)

Some Cabinet Ministers believe their earlier concern that forums would be used by the ANC and its allies to achieve interim government by stealth are proving correct.

However, President De Klerk is determined to retain full authority until the transitional government takes office next year which explains his support for Shill's tough line and the Cabinet's recent rejection of the National Economic Forum's compromise proposal on the petrol price crisis.

Nevertheless, forums will continue to play an important role in the transition process and probably beyond the election as well. In a recent paper published by the Johannesburg-based Centre for Policy Research, researchers Khehla Shubane and Mark Shaw say that from the point of view of political groups representing the disenfranchised, forums serve to prevent the National Party using public resources to bolster its electoral popularity.

More fundamentally, they are an attempt to stop government taking decisions alone, or unilaterally restructuring institutions and policies so that a new government will be presented with a *fait accompli.*

Government, on the other hand, regards forums as a way of defusing the tension created by the "contradictory realities" of wanting a more inclusive policy-making process, but remaining in power and retaining the right to determine how the inclusion takes place.

The researchers point out that the dilemma facing some forum participants is that, to demonstrate relevance, their decisions must be implemented. But until a new government is elected and there is democratic control of policy implementation, the forums can do little more than hope to influence policy making and decisions about implementation.

The paper argues that while forums have not enhanced delivery, they have imported new structures into government which make delivery possible and which will probably speed up the delivery process under a new government, because key policy issues will already have been debated and, in some cases, agreed on.

The role of forums, if they survive the transition, is vague. Shubane and Shaw say there are differing views on their future. They could become government's advisers. Alternatively, they could formulate policy on issues of interest to their members and then try to persuade government to adopt it. A third view sees an institutionalised role for forums as part of the democratic process.

However, with the duration of both the Transitional Executive Council and the government of national unity still uncertain, the future of forums is unpredictable. In a long period of transition during which no single party will take control and implement its own policies, forums could become a "pragmatic response to a balance of power." ■

Fm 5/11/93 (304A)

PAC, Kriel meet again

PRETORIA — Law and Order Minister Hernus Kriel and Pan Africanist Congress senior official Gora Ebrahim met in Pretoria today after the meeting in Harare on Monday between the government and members of the Azanian People's Liberation Army, armed wing of the PAC.

Today's meeting was confirmed by Law and Order Ministry spokesman Capt Craig Kotze.

Details of the meeting were not released. — Sapa.

Some progress made with Freedom Alliance

BILLY PADDOCK

GOVERNMENT and the Freedom Alliance made limited progress at their three-day bosberaad which ended yesterday, but hopes seemed to be fading that the alliance would take part in a plenary meeting of leaders to endorse the constitution.

However negotiators were still hoping that the alliance would participate in the April elections.

Half of the Inkatha Freedom Party delegation left the talks a day early to join their president, Mangosuthu Buthelezi, on a week-long trip abroad.

In a brief joint statement, the parties said the gap between them had been narrowed with the delegations agreeing to finalise the outstanding issues.

Technical groups were set up to thrash out definitive proposals within the next few days, before the delegations meet again next week.

But government sources said that although the differences had been identified, the parties had not found ways to bridge them.

One source said alliance delegates seemed to have realised that the "train is moving on and they will have to compromise if they did not want to be left behind".

He said the difference between what was in the constitution already and what the alliance wanted was not great, but the different partners in the alliance were not negotiating from the same position, making it difficult to satisfy them all at the same time.

Another source said time was running out for the alliance to have any effect on changing the constitution. The alliance's main concerns were that it wanted regions' boundaries finalised; regions' powers and functions spelt out as an inviolate constitutional principle; and the listing of the central government's competency, leaving the remaining functions to be determined by regional governments.

NEGOTIATIONS

Will they talk or shoot?

The extension this week of the talks deadline is clear evidence of a willingness by both government and the ANC to accommodate the Freedom Alliance.

The extension of the deadline by a week to November 12, and the various constitutional proposals put forward jointly by governnent and the ANC at the multiparty talks over the past few days, indicate how important the two parties regard the Alliance's inclusion in the transitional process.

The Alliance comprises Inkatha, the Afrikaner Volksfront (AVF), CP and the governments of KwaZulu, Bophuthatswana and Ciskei. The extra week provides the Alliance with an opportunity to participate in the final phase of negotiations on the interim constitution.

Additional attractions to draw the Alliance back into the talks include joint proposals this week by government and the ANC that:

☐ The interim government elected in April should rule for five years, and not just until the constituent assembly has finalised a permanent constitution;

☐ That parties winning more than 20% of the vote should be allowed to nominate the two proposed executive vice-presidents;

☐ That provincial governments should be given a considerable degree of autonomy; and

☐ That a fairly conservative approach to local government reform should be adopted.

Alliance spokesman and Bophuthatswana government negotiator Rowan Cronje says the Alliance was initially worried that the two days of talks would simply be a PR exercise, but had been convinced by government that it was possible to accommodate the group's views. He adds that government and the Alliance are not too far apart and he believes agreement is possible if government is committed to finding a solution.

However, senior negotiators in both the ANC and government camps now believe they have given as much as they can and want compromises and suggestions from the Alliance. For example, government chief negotiator Roelf Meyer has insisted that the AVF must table its own proposals at this week's talks.

It is understood that while government is not expecting all Alliance members to return to the talks, it hopes there is sufficient disagreement for the Alliance to split. Those most likely to return to the World Trade Centre are the governments of Ciskei and Bophuthatswana, but the AVF, CP and Inkatha are by far the most important members and will be the most difficult to convince that they should be part of the process.

Government and the ANC believe they have gone far enough to accommodate the federalist aspirations of Inkatha leader Mangosuthu Buthelezi — as long as he is prepared to compromise as well. Proposals for strong provincial governments could also satisfy moderate elements in the AVF and CP. But hardliners in all three groups are unlikely to be satisified.



Buthelezi



Cronje



Meyer

An indication of the group's attitude came from Cronje on the eve of the talks. He said the Alliance did not agree that the latest proposals provided for a federal constitution or exclusive powers for the provinces. "It simply is not true what some people are saying."

The best-case scenario at this week's talks — but also the most unlikely — would be full agreement by all Alliance members to take part in the final week of talks at Kempton Park. The worst case would be the total breakdown of the talks and a hardening of the Alliance's position. The middle road, and the most probable, would be the sufficient softening of the Alliance's position to justify giving it more time to consider its options.

Total rejection of the current negotiation process or a split in the Alliance could set the scene for eventual violent confrontation between rightwing conservatives and hardline Inkatha supporters, on the one hand, and the security forces on the other. Radical elements in the AVF have apparently already started mobilising for armed resistance and urged supporters to prepare for a siege of sorts by stocking up on food, water and other essentials.

The danger of rightwing violence is difficult to fathom. While relatively small, the militant white conservatives are reportedly well armed and fairly well trained for small skirmishes and terrorism. But they are not considered to be a long-term threat because of their logistical inability to sustain concerted armed resistance.

In addition, most whites still enjoy relative peace and security and have a good standard of living. Rightwing morale would probably crack quite quickly under the rigours of a terrorist campaign, particulary if a new government can show that the fears on which their resistance is based are unfounded.

The Right wing may also be hoping in vain for support from within the SADF and SAP. Armed action by conservatives is unlikely to be tolerated by the security establishment. Jakkie Cilliers, co-director of the independent Midrand-based Institute for Defence Policy, believes a showdown between the security forces and the Right wing is inevitable. "The Right wing is continually pushing the limits of the law and can't continue. It's in the interests of the security forces to be seen to act impartially."

He believes the command structures in the SADF in particular will remain loyal to government. The rebellion, if it happens, will be among the rural-based commandos, but even then insurrection is unlikely to be widespread. *(Current Affairs* October 29). ■

THE CABINET

Good old Pik

Public criticism by Foreign Minister Pik Botha of government's performance over the past few months may have ruffled the feathers of a few Cabinet colleagues but his comments undoubtedly won back many disillusioned Nat supporters.

In response to questions at a Nat information meeting in Sandton last week, Botha admitted that government had botched a whole range of recent actions, including the Umtata raid, the petrol price increase, the appointment of the SABC board and the Walvis Bay issue. He apologised for some of the harm done.

The admissions and apologies were widely interpreted as a political blunder. Some commentators even suggested that they were grounds for legal action against government.

But Botha has been in politics far too long to make such basic errors. It is more likely

Star 6/11/93

Media assault for voters

THE R20 million voter education campaign launched this week by the Independent Forum for Electoral Education (IFEE) will see various communication innovations to get the message across to voters.

Aside from the conventional above-the-line campaigns for radio, television, magazines and newspapers, a 40-page comic book, Our Time to Choose (available in nine languages), and a 13-part drama series made for CCV form part of the thrust. (3044)

IFEE spokesman Barry Gilder says outdoor advertising, as well as other forms of below-the-line advertising, will also form part of the campaign.

Matla Trust executive director Billy Modise says that for South Africans to make an informed choice, "we must know what we are doing, what we are choosing and how to do it".

Khululeka, the TV show produced for CCV by Roberta Durrant of Penguin Films, tells the story of ordinary people and the process of understanding democracy and the election.

J Walter Thompson will handle the creative concepts for the voter education campaign — the first of which will be published on Monday — and Eurospace the media placement and planning.

Rightists stockpile weapons

Star 6/11/93

RIGHT-WING hard-liners are preparing for a "Third War of Independence".

They have made it clear they are not ready to throw in the towel over demands for a self-governing Afrikaner state — despite bosberaads and other meetings with the Government.

War preparations are to start with a seven-day period of action set to begin on December 9, culminating with a "people's day of humiliation" at the Voortrekker Monument on the Day of the Vow, December 16.

Rural and urban communities have been asked to hold local prayer meetings and for representatives to gather at the monument on December 15.

The Afrikaner Volksfront (AVF) has urged rightwingers to stockpile for a siege in the event of a government of national unity coming into effect after the April election. The call has been given wide coverage in the CP newspaper, Patriot.

Resentment towards people — including prominent conservative-thinking citizens involved in the Freedom Alliance meetings — has began to surface in many western and northern Transvaal and Free State districts, and is likely to increase as the election draws closer.

The resentment could also be the first outward sign of a split in right-wing ranks — first hinted at by Herstigte Nasionale Party leader Jaap Marais when the AVF was established earlier this year.

SEVEN-DAY war preparations and prayers will begin on December 9, reports NORMAN CHANDLER.

304A

Meanwhile, it has become known that the radical Afrikaner Weerstandsbeweging (AWB) is not happy with the way things are panning out politically and may be contemplating withdrawing from the AVF alliance, which at present holds together just about every key right-wing grouping in the country.

Security

The first shots have already been fired by the AVF — a member of the Freedom Alliance which involves the CP, Bophuthatswana government, IFP and Ciskei government.

The AVF has urged, in a statement, the establishment of regional and local committees to oversee stockpiling and security, but made no mention of the training of soldiers.

The statement, headed "Appeal by the executive council", has since been played down by various Volksfront leaders but the Patriot says the call was to "Afrikaners to fight for freedom".

Claiming that "a war was always regarded as a final option to the bid for self-determination by Afrikaners", the statement says that now that constitutional negotiations are negating the right to self-determination, "the executive council calls on all with an ideal towards self-determination to get ready".

Meanwhile, the extremist Boereweerstandsbeweging (BWB), led by self-styled "commandant-general" Andrew Ford, of Rustenburg, has confirmed it is recruiting youths for military training.

They were being trained for use in a "special force" because the SADF, said the BWB, was turning away men who wanted to undergo military service — a reference to the ending of national service.

Ford's associate, "general" Paul Schalkwyk, of Fochville, said in a fax to Saturday Star that allegations that the BWB was training retarded people were untrue and that this was nothing more than malicious rumour-mongering from "dismissed former BWB members", who he accused of abusing alcohol and owing funds to the BWB.

The "special force" was being trained on "honourable" grounds as the "BWB is a clean and Christian group which believes in the God of the Boerevolk". The special force was known as "Soldiers of Christ".

BWB members have been identified as guarding rightwingers such as Gaye Derby-Lewis and General Constand Viljoen, co-ordinating general of the AVF and former SADF chief.

AVF meets ANC for discussion

PRETORIA. — The ANC and the Afrikaner Volksfront met yesterday, according to a joint statement by ANC national chairman Mr Thabo Mbeki and AVF leader Gen Constand Viljoen.

"A constructive interchange of ideas took place and the process will be continued in the near future," the terse statement said.

The AVF took part in the discussions at an undisclosed venue as a sub-committee of the Freedom Alliance.

Inquiries at AVF headquarters in Pretoria were met by surprise. AVF secretary Mr Jospeh Chiole denied knowledge of the meeting. — Sapa

Final countdown for peace talks

Hope days to bring Right on board

CHRIS WHITFIELD and ESTHER WAUGH

CONSTITUTIONAL talks are set to go down to the wire this week — with only four days left to get the dissenting Freedom Alliance (FA) parties on board a peace settlement. (304A) ~~117~~ ~~113~~

It seems increasingly unlikely that alliance member the Inkatha Freedom Party will be part of an agreement — its president, Chief Mangosuthu Buthelezi, left yesterday for a foreign visit that will apparently see him back in the country only after the talks deadline has passed.

But in a surprise development the Afrikaner Volksfront appeared to break ranks from the FA when it met the ANC for bilateral discussions yesterday — despite an FA agreement that it would negotiate as a bloc.



BUTHELEZI: Shock over foreign visit.

It is understood that strains in the organisation have been heightened in recent days and some in its ranks may be leaning towards accommodation with the multi-party process at the World Trade Centre.

Adding to the pressure on the alliance is a growing determination among talks participants, the ANC in particular, to forge ahead during the coming week and reach an historic settlement.

In a joint statement yesterday the ANC and AVF leader General Constand Viljoen revealed that they had met and said "a constructive interchange of ideas took place".

Surprise

It added that the meeting would be continued "in the near future".

The statement said the AVF took part as a subcommittee of the Freedom Alliance, but other FA members were yesterday surprised to hear of the development.

Buthelezi's absence during the coming weeks has astonished negotiators at the World Trade Centre, who suggested it placed his commitment to seeking a solution in doubt.

P. T. O.

Women out to beat MCPs with own party

LIBBY PEACOCK
Weekend Argus Reporter

ALL South African women — "from prostitutes to presidents" — are being invited to join a fledgling party which will concentrate on women's issues and fight against sexism.

Two Cape Town women are working as facilitators to establish the South Africa Women's Party and they are welcoming any contribution — "cash, brains or sweat" — they told Weekend Argus yesterday.

Michel Muller, a freelance journalist and student, and Estelle Hefer, a trained quantity surveyer who is not working at the moment, have already obtained 130 signatures, some from men, and need 370 more to fulfil the requirements of the Electoral Act before the party can be formally registered.

Said Michel: "We want to get away from labels. When we talk about women, we talk about *all* women — from prostitutes to presidents.

"We want to contest the election. We are on a recruitment drive. We are not even registered as a party yet and are looking for money and signatures.

"The reason why we are starting a political party and not a lobby or support group is that in other parties there has not been an overwhelming honesty about women's issues.



Picture: HANNES THIART, Weekend Argus

☐ **WOMEN'S POWER:** Facilitators Michel Muller, right, and Estelle Hefer are recruiting members for South Africa's first women's party.

"No women's group has ever had any teeth ... a political party will give women teeth."

Estelle said: "This is not about one group taking power from another, but about acknowledging women's equal share in the world. If you want majority appeal, you have to be fairly moderate, because most women in South Africa are conservative, religious and rural."

Michel added: "If women acting independently are seen as radical, then we are."

The idea to form a party started in June 1991 when there was "some horrible massacre".

"We thought if we had to vote tomorrow, who would we vote for? Everything seemed so bloody and helpless.

"We see ourselves only as facilitators, providing passionate driving power. We call on women with the know-how to come forward. Women must realise their vote is very important. They represent the majority of the electorate. They must look at what liberation means to them."

Issues like gender equality, "body politics" which includes rape and incest, ecology and sexism will be addressed, as will health policies affecting women.

Poll shock: Nats face thrashing

ST Times 7 1/11/93

(304A)

By BRIAN POTTINGER and MIKE ROBERTSON

THE first major opinion poll on voter preferences shows the National Party heading for a thrashing on April 27 next year.

Provided the ANC can get its voters to the polls, it can expect to win nearly 60 percent of the vote.

If South Africans were to go to the polls today, the NP would come a distant second with 13 percent. The Freedom Alliance, comprising Inkatha and the Conservative Party, would be close behind with 11,5 percent.

The poll also shows that support for Mr de Klerk's party among black voters has plummeted — less than two percent of black South Africans say they intend voting for the NP.

NP support among whites, meanwhile, is down to 40 percent. A significant proportion of the coloured and Indian communities, regarded as prime targets by the NP, are still unsure about whom they should support.

For ANC leader Nelson Mandela, who yesterday launched the party's election drive in the Eastern Cape, the message is clear: Bring out the black vote in sufficient numbers and an easy victory is at hand.

However, the required two-thirds majority in Parliament which would enable the ANC to rewrite the interim constitution on its own remains out of its grasp.

For President de Klerk and Chief Mangosuthu Buthelezi the signal is sobering. In terms of the constitutional proposals decided on at the multi-party talks they will have footholds in the cabinet and legislature — but as very junior partners.

The Democratic Party (2,4 percent), Pan Africanist Congress (2,2 percent), SA Communist Party (0,6 percent) and Azanian People's Organisation (0,6 percent) all come trailing hopelessly behind.

The poll was carried out during September among 2 200 respondents by Integrated Marketing Research. It was specially weighted to include urban and rural areas, hostel dwellers, shack dwellers and domestic servants. The questionnaire was discussed with political parties before being distributed.

The margin of error is about four percent.

On the basis of the poll, and assuming a voter turnout of 80 percent, the NP and the Freedom Alliance would be able to claim four seats each in the proposed 30-member cabinet of national unity.

The ANC, with 58 percent of popular support, would qualify for 19 cabinet posts. In addition, it would be entitled to appoint a deputy president and, with Nelson Mandela serving as president, it would have 21 members — a two-thirds majority.

The NP, as the second-largest party, would have Mr de Klerk serving as the other deputy president and four cabinet posts. The Freedom Alliance would have four cabinet posts.

The ANC could also claim 234 out of the 400-seat legislative assembly — a healthy majority but still not enough to secure the two-thirds majority needed to rewrite the inter-

□ To Page 2

Rodeo horror as injured horse is shot



...n around the injured horse that had to be shot

...d court interdict

Boks win test in first half

THE Springboks scored four tries in a magnificent first-half performance to lay the foundation for a 29-26 victory in the first rugby Test against Argentina yesterday.

They were able to stave off a strong Argentinian comeback in the second half when the standard of the Bok team failed to match their earlier play.

Meanwhile in Sun City SA champion Corrie Sanders smashed his way into the big league of world heavyweight boxing last night when he pole-axed burly American Levi Billups in the first round of a scheduled 10-rounder.

● Fight report on Page 29
● Rugby report on Page 32

PICK 6

GOSFORTH PARK
Meeting postponed.

SCOTTSVILLE
There were 216 winners with each collecting a payout of R2 054,90. Selections: 1; 2; 7; 10; 6; 7.

KENILWORTH
12 winners received a dividend of R27 314,60 each. Combinations: 3, 7; 4; 7; 5; 7; 10.

...onsulate
...in tins
...their unvarying quality

Poll shock: Nats face thrashing

ST Times 7 1/11/93

(304A)

□ From Page 1

...im constitution on its own.

The figures have to be treated with caution, however, as only 200 of the seats are elected by proportional representation off a national list and the balance weighted to give the provinces more influ...

The low national support for the NP spells disaster for its hopes of cobbling sufficient national support across the colour line to win a significant power-base in the legislature or cabinet. Even in a political alliance with the Democratic Party, it is far behind the ANC.

In fact, the poll shows a radical drop in black support for the NP. Earlier optimistic claims of 22 percent support of the black community have evaporated. Now, says the poll, less than two percent of blacks whites went to the polls and 80 percent of blacks. In that case the ANC would get 59 percent of the total vote, the NP 12 and the IFP would nudge eight percent.

But even if 100 percent of white voters arrived at the polls, the black turnout would have to drop to below 20 percent before the NP came even within striking distance of the ANC.

The best case outcome, from the ANC's point of view, would be one in which only 60 percent of

(304A)

intend voting for Mr de Klerk's party. This compares with the 75 percent of blacks who say they will vote for Mr Mandela's ANC.

The NP's support among whites has also declined considerably. Only 40 percent of whites would vote for the NP on April 27. Ironically, the NP now has greater percentage support among the coloured community (44 percent) and the Indian community of whom two-thirds say they will vote for the NP.

But even this is small comfort for the NP. Another poll released yesterday by the International Republican Institute indicates the undecided vote among coloureds and Indians is the highest of all racial categories. Furthermore, 17 percent of coloureds and Asians said they would not vote in the election. The NP would

De Klerk decides to push ahead without alliance

By EDYTH BULBRING
Political Correspondent

PRESIDENT F W de Klerk and his cabinet have decided South Africa's new constitution will be completed without the Freedom Alliance's consent.

This follows a disappointing three-day bosberaad with homeland leaders and white rightwingers who rejected a "final offer" constitution from the government and the ANC.

Chief negotiator Roelf Meyer and cabinet ministers met in Pretoria yesterday to prepare for the coming week of talks. The constitution is expected to be completed by Friday.

Mr de Klerk has called a special cabinet meeting on Tuesday to discuss the implications of going ahead without the alliance and to prepare strategies to deal with uncooperative homelands and the right wing if they try to disrupt an election.

Government sources said that for the first time since coming to power, Mr de Klerk was having sleepless nights — an indication of just how heavily the decision to press ahead without the alliance has been weighing on him.

Sources at the government/Freedom Alliance bosberaad last week said despite all attempts, sufficient progress was not made to accommodate the alliance's demands for an Afrikaner homeland and a confederal dispensation.

While further talks are planned this week, tired and disappointed government negotiators said: "There is no more time."

The Freedom Alliance was told the constitution would be completed with or without its contribution this week and that the election would go ahead on April 27 as planned.

A plenary session of leaders will be held within two week to endorse the constitution. Then it will go to Parliament for approval. Freedom Alliance member General Tienie Groenewald said this week alliance leaders would not be present at the plenary session. "We are not happy about the destination, so we don't want to be on board."

Government sources said Tuesday's cabinet meeting would deal with four crucial issues: how to legitimise the process given the expected boycott of the Freedom Alliance; how to market the constitution to the public and especially the NP constituency; what the implications of proceeding without the Freedom Alliance would be; and how to encourage the Freedom Alliance parties to take part in the election.

The only hope the alliance has left in getting the interim constitution — which it sees as a handover of power to the ANC — stopped, is a revolt by the NP caucus in Parliament.

But this is unlikely as even those ministers like Mr Tertius Delport, who would be most likely to consider such action, now believe accepting a "bad" constitution would be less harmful than delaying the



DP may pay price of fight for exco

SITimes [C/Metro]

=11/93

THE Democratic Party's bid to take control of local government in the Western Cape has backfired, causing serious harm to the party's image in the run-up to next year's election.

By NAZEEM HOWA

Increasing tensions within both the parliamentary DP and the Cape Town City Council have now burst into the open, with several long-standing members questioning the party's involvement in municipal affairs.

Long-simmering tensions in the city council's DP caucus have already led to seven resignations — but caucus discipline has until now kept a lid on the infighting.

There are fears that the council row and the parliamentary DP's decision to intervene in the rates crisis — and the resultant fallout — could cost the party votes on April 27.

pointing a new exco with non-caucus DP-supporting members (304A)

However, after initial support for Mr Keegan as chairman, non-caucus DP supporters decided to oppose him because he included old exco members in his "cabinet".

This led to Mr Wienburg standing against Mr Keegan in what became a bruising battle.

Although the caucus candidate won at the ballot box, the fight highlighted tensions between the left and right wings of the DP and resulted in caucus membership dropping from 21 to 13.

DP regional chairman Mr Jasper Walsh this week confirmed that there was pressure within the party for disciplinary action against Mr Wienburg.

Election

Behind-the-scenes squabbling could be further exacerbated if the DP gives in to pressure to discipline maverick councillor Arthur Weinberg and other members on the council for opposing the exco ticket put forward by the caucus.

Adding to the DP's woes is public questioning by prominent ratepayers' organisations of the way in which the council's new executive committee was elected.

A major concern is that there was *en bloc* voting by the caucus for former mayor Clive Keegan despite intructions to ward councillors from several ratepayers' organisations to vote for Mr Wienburg.

An indication of the tensions that have now spread to the DP's regional structure is that former caucus members this week openly cited interference by the regional leadership in council matters as a major reason for their resignations.

At issue are moves within the DP to discipline members who "went against the DP caucus in council".

When exco members resigned in September after the rates debacle the DP had hoped to limit further damage by ap-

'We won't pay rates'

THORNHILL residents will continue their rates boycott unless the City Council acts urgently to improve amenities in the area.

This was said by Thornhill Resident's Association spokesman Mr Saleem Mowzer who yesterday announced that the organisation had asked for an urgent meeting with the council's executive committee to discuss the ongoing boycott.

Residents of Thornhill decided on August 28 to stop paying their rates accounts to the council. Instead, the funds are paid into an accountant's trust fund. The funds now total R350 000.

No date has yet been sent for the meeting.

Turnout may be 80 percent

ST Times
7/11/93

A SURVEY of 2 352 eligible voters by the International Republican Institute shows that 80 percent of the population are extremely likely or quite likely to vote in next year's elections.

A total of 88 percent of blacks, 83 percent of whites, 69 percent of coloureds and 63 percent of Asians are extremely likely or quite likely to vote. (SOUTH)

If this is borne out in the election, it will favour the ANC with its high degree of support among blacks, but count against the NP which has a high degree of support among coloureds and Indians. Other findings were:

- 57 percent had already made up their minds about who they would vote for, while nine percent said they would not vote. This means that as much as 33 percent of the electorate is still up for grabs.
- Asked why they would vote in the election, 93 percent said to bring peace to SA; 86 percent said to improve living conditions and 86 percent to bring freedom to all.
- While 92 percent of blacks listed ending apartheid as a reason to vote, only 25 percent of whites mentioned this as a reason.
- 85 percent of those polled said they did not think apartheid had ended.

Govt and ANC agree on formula to give public servants security

B/Day 8/11/93

GOVERNMENT and the ANC have reached agreement on the role the public service will play in a new SA, including a formula that grants public servants a degree of security of tenure without ruling out affirmative action and restructuring.

Government and the ANC would not divulge details yesterday, with one source saying there could be "too many hiccups", especially from Cosatu, if details appeared before negotiators had formally approved the agreement.

The two sides met at the weekend to discuss outstanding constitutional matters.

A government source said they "made good progress so we can finalise the constitution this week".

Another said government and the ANC were holding back from "writing agreements in stone" early in the week to "allow for accommodating changes that could result from discussions with the Freedom Alliance".

Sections of the constitution agreed to by negotiators on Thursday and Friday — the powers and functions of regions, their relationship with central government and fiscal arrangements — would be amended

BILLY PADDOCK

this week. This was because agreements on regional powers and fiscal arrangements clinched in talks between government and the Freedom Alliance last week needed to be cleared with the ANC (304A)

It is understood that the changes include giving regions more say in how taxes are levied and determining the "reasonable percentage" of VAT and individual and company taxes regions will receive.

Government and the Freedom Alliance meet again today in Pretoria. An alliance source said he was optimistic that there was "a possibility that we can find ways of making the constitution more acceptable". He said alliance members also wanted to meet the ANC this week, after their discussions broke down two weeks ago.

Another alliance source was less optimistic. The Inkatha negotiator said, however, that the alliance would approach talks with an "open mind and see what government has to offer".

He reaffirmed that his party would not take part in "the two-phase process", nor would it accept any deadlock-breaking mechanism. It wanted a two-thirds majority entrenched for any changes to the constitution.

Government and the ANC are still fine-tuning proposals on the problem of the final constitution not getting the requisite two-thirds parliamentary support. But it appears that the period to reach agreement has been stretched to five years. If a referendum does not win two-thirds support for the final constitution, new elections will be held at the end of the five years.

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Agreement

B/Day 8/11/93

☐ From Page 1

Government and the ANC also need to finalise the issue of official languages this week, to sharpen up areas of the Bill of Rights, and to work on the role and composition of local government.

Meanwhile, the Cabinet meets tomorrow to consider the constitution and the implications of going ahead with elections without the Freedom Alliance.

It is understood that even if the alliance does not accept the constitution and threatens to boycott elections, negotiating channels will be maintained by government and the ANC in the hope of drawing some members into the process.

Bophuthatswana Acting President Thate Molathwa said at the weekend that Bophuthatswana was "decidedly sceptical" about the outcome of negotiations.

He said almost every important aspect of the process at Kempton Park had been flawed. "In essence, we have a disastrous situation where the process is being pushed dangerously fast, where an unrealistic election date has been set, where the emphasis is being placed on maximum central power, and where the aspirations of minorities are being ignored."

Blacks expect a lot from new govt

Star 8/11/93 (304A)

■ BY KAIZER NYATSUMBA
POLITICAL CORRESPONDENT

The overwhelming majority of black South Africans have very high expectations of the government which will take power next year, and regard the April 27 election as a panacea for most of their problems, according to the findings of a survey of eligible South African voters.

Commissioned by the Washington-based International Republican Institute, the survey found that most blacks (73 percent of those interviewed), coloureds (57 percent) and Indians (49 percent) expected their lives to improve over the next few years. Most whites (47 percent) believed their lives will get worse, a massive 60 percent of them convinced "blacks will make a mess of this country".

■ Whites (42 percent) and blacks (39 percent) said their lives had deteriorated since February 2 1990; most coloureds (40 percent) and Indians (42 percent) said theirs had improved.

■ An overwhelming 85 percent of South Africans — 60 percent whites, 74 percent coloureds, 81 percent Indians and 96 percent blacks — thought apartheid had not yet ended.

■ Most South Africans (51 percent) said they were "extremely likely" to vote in next year's election.

■ Although most whites (67 percent) and blacks (78 percent) thought blacks would control the government next year, most coloureds (32 percent) thought otherwise. They agreed with Indians and whites that blacks would make a mess of the country.

■ Most whites (60 percent) and coloureds (43 percent) wanted the flag and national anthem to stay. The majority of blacks (71 percent) and Indians (49 percent) wanted new symbols.

A total of 2 352 people were interviewed.

PERISCOPE

Star 8/11/93

Setting a course for April elections

(304A)

■ BY JO-ANNE COLLINGE

A group of determined Katlehong residents, less than fresh after a night which was especially unsettled by the crackle of gunfire, yesterday completed a short course which will equip them to carry out voter education.

Their commitment to forge a path to free and fair elections in this bloodiest of East Rand townships is reflected in the comments of Katlehong Civic Association chairman Rheeva Mabote: "People will get the benefit of what we are doing here.

"Regardless of the thick and thin of the road ahead, this is what we've embarked on," he said. "We are going to make sure that the election of April 27 becomes successful."

Many of those in the group of 16 men and women are civic association members.And they span a good age range.

Lungile Mazwai, who spends a lot of his "leisure" hours training voter education trainers on behalf of the Independent Mediation Service of South Africa (Imssa), believes that education can make an impact even where the daily

▶ To Page 3



Debate . . . Katlehong residents discuss their newly acquired knowledge. PICTURE: SEAN WOODS

Setting a course for elections

Star 8/11/93

◀ From Page 1

body-count is devastating. "The most important thing is to try to relieve people's anxiety about voting on the day."

The Katlehong contingent has been trained in a method which centres on a range of posters and pictures, with lots of question-provoking detail.

The granny who seems to be playing video games inside the voting station is revealed to be having her hands screened to check they are not stained from voting earlier. (304A)

And the voter in a wheelchair gets a real debate going.

"Is that person going to be assisted into the voting station? . . . Maybe someone can assist him into the booth and also assist him to change his mind?"

The fact that life is so uncertain in Katlehong does not negate voter education — it makes it all the more necessary, argues Mandla Peete. "And this course has really proved that we people in Katlehong are out to do good things," he adds.

Last ditch talks

CT 8/11/93 (30yr)

Govt to meet alliance

Own Correspondent

JOHANNESBURG. — The government and the Freedom Alliance meet again today in Pretoria in a last ditch bid to break the impasse between them — and the cabinet meets for a special session tomorrow to consider the implications of going ahead in the elections without the alliance.

The cabinet also meets on Wednesday for its normal meeting.

It is understood that even if the alliance does not accept the constitution and threatens to boycott the elections, negotiation channels will be maintained by both government and the ANC in the hope of pulling some members into the preparations for the elections and participation in the elections at a later stage after the leaders have met.

An alliance source said yesterday he was hopeful that there was "a possibility that we can find ways of making the consitution more acceptable". He said the alliance would be looking at three or four ways of breaking the deadlock.

He said they were also trying to meet the ANC this week following a breakdown in talks two weeks ago.

Holding up talks

But divisions within the alliance are apparent. An Inkatha negotiator yesterday was not as positive but said his organisation would approach the talks with an "open mind and see what the government has to offer".

The alliance impasse is also holding up the talks process — the government and the ANC are both holding back from "writing agreements in stone" early this week to "allow for accommodating changes that can result from discussions with the Freedom Alliance", a government spokesman said.

As a result of government/alliance talks last week the sections of the constitution that were agreed to by negotiators on Thursday and Friday — the powers and functions of regions and fiscal arrangements — are to be amended this week.

The parties meet again today.



BEACH BEAUTIES . . . Thousands flocked to beaches all around the Peninsula to cool off in true summer style yesterday as t temperature reached 39°. Taking advantage of the sun were Ms Glyndwr Kaplan, 25, of Sea Point (front), and Ms Meryl la Trobe, 2 of Green Point.

Picture: ANNE LA

Two die as beaches packed

Staff Reporter

THE first summer weekend since the Easter saw Capetonians flocking to beaches yesterday — but two people drowned and a young boy suffered serious injury when he dived off a rock.

The temperature, which soared to a high of 39° in the centre of the city yesterday, had crowds stuck in bumper-to-bumper traffic as they struggled to get to beaches throughout the Peninsula.

Ambulance control reported that two people drowned at a Mnandi fishing spot, past Sunrise Beach, late yesterday afternoon. No further details were available.

Law enforcement officers reported that a young boy who dived off rocks on Clifton's First Beach suffered a spinal injury, and is in a serious condition in Conradie Hospital.

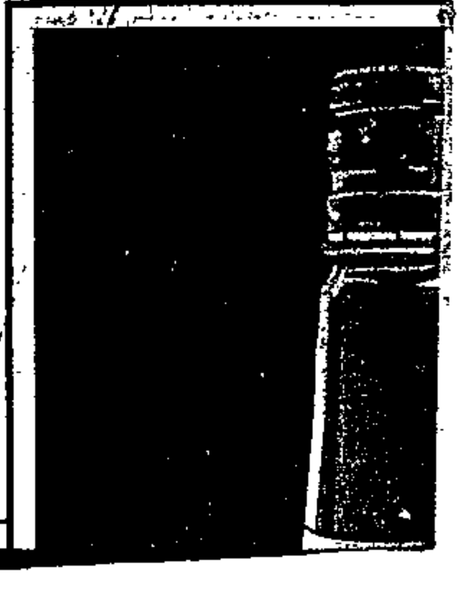
According to the officials, 3 000 people crowded onto beaches between Muizenburg and Sunrise Beach.

There were 11 500 people at beaches and the pavilion in the Strandfontein area, and 21 000 people along the coast between Sea Point and Maiden's Cove.

Some 4 000 people were at Sea Point Pavilion.

In the Bloubergstrand/Melkbosstrand area, 10 000 people were at the beaches, and about 3 000 at Monwabisi.

Although partly cloudy weather is expected today, the temperature is expected to reach a maximum of 27°, with a 10-knot southerly wind forecast.



Heat is on Freedom Alliance

304A

ARG 8/11/93

☐ But objections remain over strength of powers held by the centre

Political Staff

PRETORIA. — Enormous pressures will fall on the Freedom Alliance in the final week of negotiations at Kempton Park.

But there have been no public signals that parties within the umbrella body intend accepting the interim constitution.

Alliance executive chairman Rowan Cronje said today that the regional powers offered in the draft constitution amounted to less than the powers presently enjoyed by the independent states and self-governing territories.

The alliance objects to the provision in the draft interim constitution that regions will have no exclusive powers but that all powers will be held concurrently with the centre.

In Bophuthatswana, acting-President Thate Molathwa said yesterday that the powers allocated to the regions at Kempton Park were totally inadequate.

"What they are offering, when it is stripped of fancy rhetoric and window dressing, is in fact less power than some central command systems have allocated to their regions."

He warned: "If the African National Congress and its allies insisted on sticking to the "suicidal deadline they, and they alone, must be held responsible for the consequences of their actions".

This position appears to allow little room for the ANC and the government to convince the alliance in time for the Thursday multiparty talks deadline that there is room for them in the future dispensation.

But there are members in the alliance who are uncomfortable with the fact that their unwillingness to come on board has been linked to talk of civil war.

Sources in the Conservative Party and the Afrikaner Volksfront speak of "moderates" versus the more trigger-happy members in their ranks. If nothing else, there appears profound concern on the far right about what the consequences of refusing to board the fast-moving negotiations train could mean.

But, to judge by both public positions and off-the-record discussions, there appears little meeting place for alliance thinking in the mainstream of negotiations.

The Afrikaner Volksfront and the Conservative Party are still sticking vehemently to their demand for a Volkstaat with a form of differentiated citizenship which would be totally unacceptable to the ANC because of the discrimination that it would imply.

That said, however, the ANC and AVF had a "constructive" bilateral meeting on Friday and have promised more talks.

But there is no decision yet about when the ANC will meet the alliance itself again in fully-fledged bilateral talks following the collapse of their dialogue more than a week ago.

Mr Cronje said that decision would be made after "one or two problems" had been ironed out with the government, with whom the alliance negotiators meet again today.

The crux of the issue now is whether the alliance will contest the scheduled elections in April or try to disrupt them — which could only increase the temperature of violence in South Africa.

There was confusion over a communique issued by the Preferential Trade Area summit in Uganda, in which it applauded a decision by Inkatha Freedom Party president Mangosuthu Buthelezi to take part in the elections.

But a copy of Chief Buthelezi's address to the summit in Kampala on Saturday made no reference to this.

'Blacks think election will solve problems'

304A

ARG 8/11/93

☐ Whites pessimistic — survey

Political Staff

JOHANNESBURG. — The overwhelming majority of black South Africans have very high expectations of the government that will take power next year, and regard the watershed April 27 election as a panacea for most of their problems, according to the findings of a survey of eligible South African voters.

The unprecedented survey, commissioned by the Washington-based International Republican Institute, found divergently different concerns among blacks and whites ahead of the election, and gave important indicators about coloured and Indian voters' thinking.

Although most blacks (73 percent of those interviewed), coloureds (57 percent) and Indians (49 percent) expected their lives to improve over the next few years, most whites (47 percent) believed their lives would get worse, with 60 percent of them convinced "blacks will make a mess of this country".

In a serious indictment of political developments and violence since 1990, most respondents across the racial divide (an aggregate 60 percent) said things in the country were generally "off on the wrong track".

The survey also found that:

● Most whites (42 percent) and blacks (39 percent) said their own lives had become worse since February 2, 1990, while most coloureds (40 percent) and Indians (42 percent) said theirs had improved.

● Although most whites (51 percent) were in favour of local and regional decision-making, blacks (58 percent), coloureds (40 percent) and Indians (49 percent) wanted national leaders to be the ones taking such decisions.

● Most whites (60 percent) and coloureds (43 percent) wanted the flag and national anthem to stay the same after the election, while the majority of blacks (71 percent) and Indians (49 percent) wanted them to change.

A total of 2 352 people were interviewed in their own languages throughout the country from August 19 to September 26.

The institute said: "These results clearly point to a black constituency that hopes for dramatic change across every issue and facet of life in the country, and a white constituency that is expecting little progress to be made in solving the nation's problems following the 1994 election."

NP dismisses poll predicting election rout

3daft

ARLT 8/11/93

TOS WENTZEL, Political Staff

THE National Party today dismissed an opinion poll showing it faced an election thrashing as premature conjecture in a campaign that had not yet started properly.

The party's Cape leader, Dawie de Villiers, tried to cast doubt on the poll and the way it was carried out.

The poll showed that, provided the ANC could get its voters to the polls, it could expect to win nearly 60 percent of the vote.

It found that if an election were held now the NP would come second with 13 percent.

Other groups trailing behind were the Inkatha Freedom Party (13 percent), the Freedom Alliance (11,5 percent), the Democratic Party (2,4 percent) and the Pan Africanist Congress (2,2 percent).

Dr De Villiers said the election campaign had not yet started in earnest and the opinion poll had deficiencies.

It was done by telephone and the huge number of less-sophisticated rural voters had not been surveyed. There were also indications of intimidation, which made some voters say they would support a particular party to play safe.

But political analyst Lawrence Schlemmer said the poll was in line with results obtained in three other surveys.

The real issue now was whether the National Party would win back the support it had lost.

Indications were that the perception among people in many townships was that there was only one party and that it was more or less expected of them to welcome the ANC in by voting for it.

White election jitters highlighted

JOHANNESBURG. — Blacks believe their lives will improve once they have a voice in national politics, but whites are fearful of the changes ahead, according to a survey released at the weekend.

The survey stated that 73% of blacks believe their lives will improve after the April 27 elections. Only 8% of whites believe their lives will get better and 45% predict conditions will worsen.

The survey also showed that 82% of whites say they are worried about the elections. Blacks were more likely to say they were happy or hopeful about the vote.

"We wanted the focus of this survey to be issues and attitudes," said US polling expert Mr Neil Newhouse, who collaborated with a South African firm on the survey.

Between August 29 and September 26, 2 352 South Africans were interviewed. The overall margin of error was two percentage points.

The International Republican Institute, the National Democratic Institute for International Affairs and the non-partisan Joint Centre for Political and Economic Studies collaborated on the project with the South African-based Decision Surveys International. — Sapa-AP

DP doubts validity as survey sees ANC win

CT 8/11/93

SERIOUS doubts were raised yesterday about the validity of opinion surveys which put the ANC as the runaway victors in next year's elections and the National Party a poor second. (304A)

The Democratic Party said yesterday more than 40% of the voters have not made up their minds — and few of the samples in the polls come from the rural areas and squatter camps, where the majority of voters live.

"They don't have telephones in the squatter camps — and there are few in the rural areas," DP polling expert Mr Peter Soal said yesterday.

One of the polls found that 33% of voters had not yet made up their minds.

He added the DP's canvassing showed that it would do far better than the polls showed — between 2,1% and 4%. The opinion poll on voter preferences published in the Sunday Times yesterday showed the NP was heading for a thrashing on April 27.

If South Africans were to vote today, the ANC could expect about 60% of the votes, the survey conducted by Integrated Marketing Research showed.

The NP would be second with 13% and the Freedom Alliance would get 11,5%. NP support among whites had dropped to 40% while many coloureds and Indians were still undecided.

The poll also showed 2,4% support for the DP, 2,2% for the PAC, 0,6% for the SA Communist Party and 0,6% for the Azanian People's Organisation.

The poll was carried out during September among 2 200 respondents.

The ANC, with 58% of support, would qualify for 19 cabinet posts. In addition, it would be entitled to appoint a deputy president and, with Mr Nelson Mandela serving as president, it would have 21 members — a two-thirds majority.

Eyes on Freedom Alliance as talks deadline looms

Star 8/11/93

(304A)

■ BY CHRIS WHITFIELD and ESTHER WAUGH

South Africans face a nail-biting week as the country waits to see whether a negotiated settlement will be endorsed by the Freedom Alliance (FA) — or what its reaction will be if talks are concluded without it.

It appears increasingly unlikely that FA members will come on board before Thursday evening's talks deadline — which could be extended by a day or two.

Suicidal

Acting Bophuthatswana President Thate Molathwa warned yesterday that if the ANC and its allies insisted on sticking to the "suicidal deadline, then they and they alone must be held responsible for the consequences of their actions".

But there was confusion over a communique issued by the Preferential Trade Area summit in Uganda, in which it applauded a decision by IFP president Mangosuthu Buthelezi to take part in the election.

A copy of Buthelezi's address to the Kampala summit on Saturday — faxed to The Star — makes no reference to this.

IFP sources said yesterday that they knew of no such decision.

Buthelezi, who met Egypt's President Hosni Mubarak in Cairo yesterday, said a free election could not be held while violence continued, Sapa-AFP reports.

Buthelezi said he had discussed with Mubarak the reasons why the IFP was opposed to negotiations.

As the talks deadline approaches, the Government meets FA members today in a last-ditch effort to convince them that the draft Interim Constitution accommodates their aspirations.

The Government and the ANC are understood to have taken a decision to press ahead with or without the FA, but a senior Government negotiator said yesterday: "We are still going to try our utmost . . ."

Wisdom

ANC president Nelson Mandela said at the weekend that the election would go ahead with or without the right wing, and that the ANC would not make any more concessions to federalism.

He hoped that "wise men in the Freedom Alliance" would realise the wisdom of rejoining multiparty negotations.

The ANC's executive will meet tomorrow and the Cabinet will gather in Pretoria.

These meetings are likely to consider the next steps if the FA does not become part of an agreement.

THE TALKS AND YOU



At the World Trade Centre

DRAFT INTERIM CONSTITUTION: With three days left to wrap up South Africa's negotiated settlement, the Negotiating Council will today discuss the draft Electoral Bill and the role of traditional leaders in the new South Africa.

Tomorrow will be spent on internal consultations by the 21 parties.

On Wednesday, negotiators will continue to identify discriminatory legislation which is to be repealed and discuss fundamental human rights during the transition.

The council is scheduled to finalise the draft Electoral Bill and draft Interim Constitution on Thursday. Negotiators have been asked to be available on Friday and Saturday, if necessary, to finalise the transition package.

A plenary session at which the leaders will be present is scheduled for next week.

ESTHER WAUGH

NEWS ANC PWV region commits itself to peace

Kempton countdown

Sowetan 8/11/93

By Themba Molefe
Political Correspondent

SOUTH Africa enters a fateful week today with four days left before multiparty negotiations end.

The highlight of the eight months of constitutional deliberations by 26 political parties will be a meeting of leaders expected to be held on Friday to ratify agreements reached.

Agreement has been reached — with the exception of the Pan Africanist Congress — on the government of national unity to run South Africa for at least five years.

And as the negotiators round off business, a series of bilateral meetings continue inside and outside the World Trade Centre venue.

On Friday the Government and the Freedom Alliance of black and white rightwingers emerged from a *bosberaad* with optimism, saying agreement had been reached on major issues. The parties meet again today with the hope that the FA could be back in the process by Friday. (3044)

The FA wants a constitution — which guarantees regional powers — to be drafted before next April 27's election and is opposed to the GNU transitional approach. On Thursday discussion continued on the contentious issue of the demarcation of regions and regional powers. Current proposal is that the country be divided into nine regions. Finalisation is expected on Thursday.

Negotiators have to complete discussion and debate on fundamental rights during the transition, constitutional principles which will be part of the interim and final constitution and the Electoral Bill which will essentially spell out who is entitled to vote.

If indeed the process is completed by Friday, a plenary of leaders of the 21 — perhaps 26 if the FA returns — is expected to approve the package of agreements reached.

Then all eyes will shift to Cape Town, where Parliament sits for about four weeks beginning on November 22.

Poll shows 60% support for ANC

B/Day 8/11/93

STEPHANE BOTHMA

THE NP was heading for a thrashing on April 27 next year, an opinion poll on voter preferences published in the Sunday Times yesterday found.

If South Africans were to vote today, the ANC could expect about 60% of the votes, a survey conducted by Integrated Marketing Research found. (304A)

The NP would be second with 13% and the Freedom Alliance would get 11,5%.

NP support among whites had dropped to 40% while many coloured and Indian voters were still undecided.

The poll also showed 2,4% support for the Democratic Party, 2,2% for the PAC, 0,6% for the SA Communist Party and 0,6% for the Azanian People's Organisation.

The poll was carried out in September among 2 200 respondents. The margin of error was about 4%.

Assuming a voter turnout of 80%, the NP and Freedom Alliance would be able to claim four seats each in the proposed 30-member cabinet of national unity.

The ANC, with 58% of support, would qualify for 19 cabinet posts. In addition, it would be entitled to appoint a deputy president and, with Nelson Mandela serving as president, it would have 21 members — a two-thirds majority.

Sapa-AP reports that a different survey found that blacks believed their lives would improve after the elections, but whites were fearful of the changes ahead.

According to the survey, run by Decision Surveys International in collaboration with three US organisations, 73% of blacks believe their lives will improve after the election, while 45% of whites predict conditions will worsen.

FA says solution 'still possible'

Govt on spot as deadline nears

Star 9/11/93

BY CHRIS WHITFIELD
POLITICAL CORRESPONDENT

President F W de Klerk and his Cabinet went into an extraordinary meeting this morning faced with a tough decision on the Freedom Alliance (FA), now increasingly unlikely to become part of talks agreements.

More than six hours of meetings between the Government and the FA again ended inconclusively yesterday.

With the deadlines for talks agreements to be nailed down only one day away, the Government must today decide whether to go on without the FA.

Given the long process and apparent unwillingness of some FA members to compromise, it seems certain the Government will join the ANC in saying the country must now move ahead.

FA negotiator Roland Cronje, speaking after last night's meeting with the Government which ended at 10 pm, said:

"I think we understand each other. We know the bottom lines". (304A)

Ghastly

He added that the implications of a negotiations outcome that was not all-inclusive were also known to all.

Asked to elaborate, he said: "We are just saying they are too ghastly to contemplate."

He thought a solution was possible, "if people are committed to a solution".

He acknowledged that this was unlikely this week, saying: "People have to ask if time is more important than a solution".

He said the talks were "difficult because people have been drawn into certain things" — apparently a reference to agreements between the Government and the ANC.

No statement was issued after last night's meeting and Government sources declined to comment.

The Government and the FA will meet again this week, probably tomorrow.

Bill's info clause challenged

Star 9/11/93

BY CHRIS WHITFIELD
POLITICAL CORRESPONDENT

A wide array of media organisations have made a last-minute appeal to World Trade Centre negotiators to change clauses in the draft Bill of Rights on access to information and freedom of expression.

An emergency meeting of the organisations was held in Johannesburg last night to thrash out a response to the latest draft of the Bill of Rights, circulated at the weekend and due to be finalised by negotiators tomorrow.

In a memorandum to talks participants they expressed particular concern at the Bill's clause on access to information, charging that it is drawn "far too narrowly" and did not give a general right of such access.

They urged that the clause should be stripped of qualifications and simply read: "Every person shall have any right of access to all information held by the State or any of its organs at any level of government."

In the memorandum they said sensitive information — such as that "which might jeopardise personal privacy, commercial confidentiality, law enforcement or national security" — should be protected by exemptions in the Bill's "limitation clause" and spelt out in a Freedom of Information Act. (304A)

"We urge that work begin now in developing such an Act," said the memorandum.

The organisations also expressed concern that powers granted to pass laws that might restrict free speech were "too generous".

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Govt in crucial cabinet meeting

CT 9/11/93 (304A)

By ANTHONY JOHNSON
Political Correspondent

THE government goes into an extraordinary cabinet meeting today facing a major crisis — how to manage a peaceful transition towards a new order without the Freedom Alliance on board.

The meeting takes place after a flurry of bilateral sessions with the alliance and other parties yesterday as politicians put in a late burst of effort to complete a transitional package as negotiations enter the final stage.

The cabinet meeting, which follows a last-ditch attempt that continued late into the night to get the alliance back to multi-party talks, will also be used to formulate the government's position on key constitutional issues ahead of Friday's negotiations deadline.

Government sources said that among the issues that will be dealt with are to bridge outstanding differences with the ANC on a Bill of Rights, a deadlock-breaking mechanism for writing the final constitution, and the tightening up of certain constitutional principles to ensure that the currently negotiated federal structure of government will be retained by future governments.

But clearly the most taxing issue facing the cabinet is what to do if the alliance continues to reject the interim constitution, refuses to participate in the Transitional Executive Council and boycotts the election.

The importance being placed on today's meeting is reflected in President F W de Klerk's unusual step of briefing the media this afternoon on government plans to tackle transition in the critical days ahead.

Despondent government sources said yesterday that the most that could be hoped for was that the alliance could be drawn into the election.

There was an element of bitterness in the government camp that Inkatha, having been part of the alliance plea that the talk's deadline be extended by a week to this Friday, had allowed its key negotiators to go on a foreign tour in the midst of the crisis.

The ANC says it has made all the concessions it is prepared to in the direction of a federal form of government and the Alliance must now show greater flexibility.

However, the alliance — which supports autonomous regions within a federation or confederation — was adamant yesterday that it would not be satisfied with regions only being granted powers that are concurrent with those of central government.

The temperature was raised further yesterday by ongoing war-talk from the white right when the Conservative Party dismissed ANC president Mr Nelson Mandela's weekend threat that the ANC would crush the right-wing if they tried to prevent next year's election.

CP spokesman Mr Pikkie Coetsee said the ANC leader was making "a big mistake" if he underestimated the Afrikaner people's determination to fight for self-rule.

All systems go for transition, but without the Alliance

ARG 9/11/93

304A

TOS WENTZEL, Political Staff

TRANSITION is now certain to go ahead without the Freedom Alliance, but the government still hopes it will take part in the April election — even if it rejects the interim constitution.

One of the reasons is that it will be difficult for the alliance, which includes the Conservative Party and the Inkatha Freedom Party, to prevent its supporters voting.

A top government source said talks with the alliance and efforts to draw it in would continue, but little, if any, progress had been made and eventually the process would have to move ahead without it.

The cabinet and the national executive of the African National Congress are meeting to make internal evaluations amid indications that the alliance will not be drawn in.

Agreement must be reached by the end of the week to allow time to prepare the Electoral Bill and legislation providing for an interim constitution before the session of parliament which begins on November 22.

The alliance is being accused of changing its tune and raising new objections constantly, first about the way a constitution would be drawn up and now about aspects of federalism.

It appears as if the governmment and the ANC have gone as far as they can in offering the conservatives compromises which will embrace their federalist aspirations and preserve the integrity of the new South Africa.

ANC leader Nelson Mandela has warned the right that it will be crushed if it tries to wreck the constitution-making process.

The CP replied that Mr Mandela was making a big mistake if he underestimated the Afrikaners' resolve to fight for self-determination.

A number of last-minute agreements have been reached at the multiparty talks:

- **A multiparty government of national unity has been enshrined in a list of 41 constitutional principles to form the guideline for the final constitution.**
- **The proposed nine local regions will be able to collect their own revenue.**

A joint submission provides for restructuring the public service and guarantees pensions of serving public servants. It also mentions the possibility of pensions for members of liberation movements.

- **A number of nuts-and-bolts clauses in the Electoral Bill, including provision for temporary voter cards, have been agreed upon.**
- **Substantial progress has been made on the issue of the composition of a future police and defence force.**

Electoral bill delayed

SOWA CT 9/11/93

NEGOTIATORS were deadlocked on five crucial areas of the draft electoral bill last night.

It was unclear when they would next meet to discuss their differences.

The issues on which they are deadlocked are whether prisoners would be entitled to vote, whether residents who were not citizens could vote, the number of ballot papers and their format and whether all 400 national assembly seats should be on one or two lists.

Technical committee members yesterday expressed frustration at delaying tactics in resolving these matters, saying they could not finalise the bill, which is to govern the April 27 elections, until these matters were resolved.

A technically refined list of 31 constitutional principles was presented to the negotiators in Kempton Park yesterday.

However, the list includes one new principle which is expected to be hotly debated. It is based on the agreement for a five-year government of national unity.

Negotiators agreed last week to the principle of a government of national unity, but not on its lifespan. — Own Correspondent, Sapa

NEWS Songbird speaks out over 'unpaid debts'



SELLING TO WIN ... Sowetan **marketing manager Mr Ali Mokoena hands over a cheque for R1 000 to Pretoria newspaper vendor team leader Alpheus Mahlangu for being the top-selling team during September and October.** PIC: PAT SEBOKO

Now GNU takes shape in constitutional principles

Sowetan 9/11/93

Sowetan Correspondent

A GOVERNMENT of national unity that will rule South Africa until April 30 1999 has been enshrined in a refined list of constitutional principles.

The 41 principles will form the guideline for the final constitution to be drafted by the elected constitution-making body.

These principles were not discussed in the negotiating council yesterday but most of them had been agreed to in earlier debates.

With the government of national unity being constitutionally entrenched, it means that after the final constitution had been adopted within the prescribed two years, it can then be implemented. (304A)

However, the final constitution will include a clause which states that the composition of the executive will stay the same.

The African National Congress yesterday served notice that it would hand in a new constitutional principle to cater for personal family legal systems of Muslims, Hindus and other minorities.

Muslim and Hindu marriages will be legally recognised in terms of such a principle.

ARG 9/11/93 (561) 2044

EC to send observers for April election

BRUSSELS. — European Community foreign ministers have decided to send a dozen observers to South Africa's election in April.

The observers will be drawn from EC staff and representatives of the 12 community member states.

The ministers, meeting here last night, also said remaining EC sanctions would be lifted once the transitional executive council was functioning. The sanctions concern nuclear supplies and "sensitive" police equipment.

The decisions were taken within the framework of the new joint foreign and security policy operative since the EC formally became the European Union on November 1. — Sapa-AFP.

Election nomination meetings to start

B1Day 9/11/93

WILSON ZWANE

THE ANC PWV region will this week advise its constituencies to convene meetings to nominate candidates for regional and national government.

These will be attended by ANC alliance partners Cosatu and the SACP, and other mass democratic movement organisations, such as the SA National Civic Organisation.

ANC PWV secretary-general Paul Mashatile said yesterday the process of nominating candidates for government positions was expected to be completed by the end of the month.

He said the nominations would be discussed at the regional elections lists conference, to be held from December 1 to 14. (204A)

This conference would make the final nominations, which would be submitted for discussion at the ANC's national conference, to be held on December 17 and 18.

Mashatile said his organisation's way of nominating candidates for government positions, that of allowing people on the ground to choose their leaders, was unique and had established the ANC as a "pace-setter for democratic government".

He said the nomination of candidates would be done according to guidelines outlined in a document the ANC had sent out to branches.

Neither Mashatile nor the organisation's Shell House headquarters would say what the contents of that document were.

The ANC's election commission said the document would be launched tomorrow morning.

It is understood, however, that the document spells out the process and criteria in nominating candidates, including taking into account the non-racial character of the ANC.

It is also understood that the document urges members to nominate principled individuals with leadership qualities who do not have "non-political" criminal records.

POLITICAL CORRESPONDENT

304B

President de Klerk said last night there had been a moving together between the Government and the Freedom Alliance (FA) which could result in "fairly important developments within four or five days". STAR 10/11/93

De Klerk said the progress in bilateral discussions between negotiators was now being put before FA party leaders and "we are anxiously waiting for their reaction".

He also envisaged another meeting between himself and the FA leadership soon.

De Klerk said the Government was in the process of refining certain proposals which he thought could be put on the table and, if accepted by the FA, "ensure that we make further progress".

The President was speaking at a Pretoria press conference after a nine-hour special Cabinet meeting that concentrated chiefly on a thorough review of negotiations.

De Klerk's comments come amid growing scepticism in political circles over the likelihood of reaching rapid — if any — agreement with the FA, and his comments may have been directed partly at those who attack the Government for not taking the FA into account.

Earlier yesterday FA member and Afrikaner Volksfront leader General Constand Viljoen called for the November 22 session of Parliament — due to pass the Interim Constitution — to be postponed until the beginning of January.

"This gives us at least six weeks to finish off the process, and still end in time for the April 27 elections to take place," Viljoen said.

→TO PAGE 3

groups within the Freedom Alliance cannot be ignored, says president

(304A)

He told a Foreign Correspondents' Association gathering in Pretoria that the FA realised the election date was "coupled with the expectations of millions of people".

But De Klerk told the briefing that the parliamentary session would go ahead on November 22, saying other legislation had to be dealt with.

Government sources have indicated that it was unlikely anyway that the Interim Constitution would go before the session during its opening week.

De Klerk added that the FA negotiators were "sorely missed" in negotiations.

"Together they represent a significant percentage of South Africa's population.

"They have in their midst parties that can be regarded as significant parties and it therefore remains our goal to include them in agreements somehow or other."

This could be achieved in "many other ways" besides getting them back to the World Trade Centre.

Asked whether the FA parties could become "the Savimbis of South Africa", he said they had "the capacity to become an important security risk. But the Savimbis of South Africa? I don't think so".

Turning to the Government's position on the draft Interim Constitution, he said: "We still

Star 10/11/93

Govt, FA closer to an accommodation

(304A)

◀ From Page 1

have a mile to walk in the negotiations process before we will be satisfied."

However, he was confident that the broader time frame would be met, that Parliament would sit this month, and that elections would be held on April 27.

But De Klerk warned that "time is running out and every hour around the clock must be used to ensure that we (have time for) a proper election campaign".

He was now convinced "more than ever" that the draft Interim Constitution made provision for a federal system in South Africa. Independent experts had suggested the document was stronger on its devolution of powers to provinces than the system in Germany.

Responding to recent surveys indicating dwindling National Party support, he said he was confident these reflected a temporary situation.

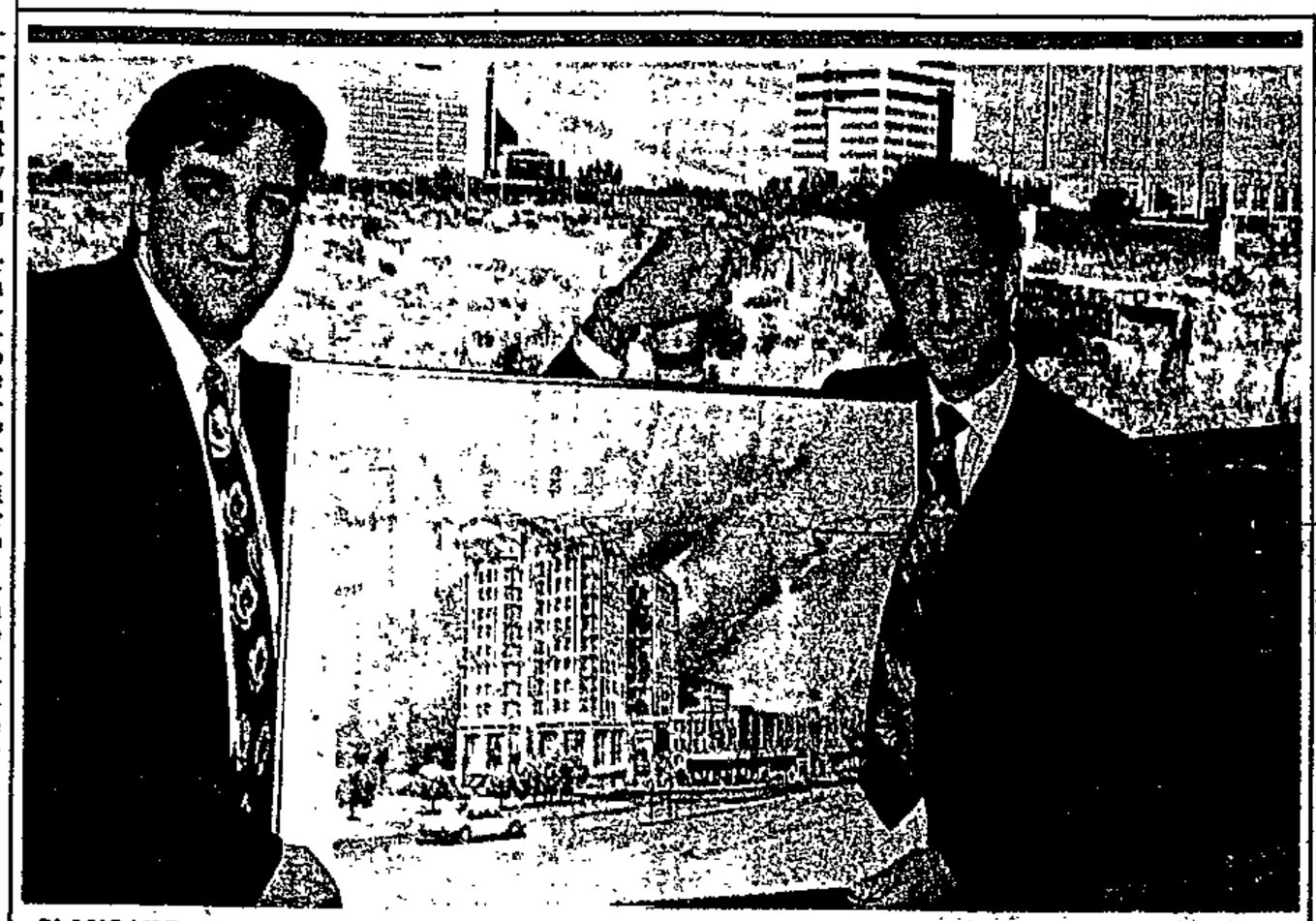
He added that the NP was in fact aiming to become the party with the biggest support of all.

■ Negotiators have less than 48 hours to wrap up agreements — but it is appearing increasingly likely that the deadline may be shifted to Friday or even the weekend.

The Negotiating Council faces a massive workload and will have its work cut out to finish before tomorrow night's scheduled ending. Some negotiators believe that it can be done, but only if considerable progress is made today and tonight.

MAOG
NEGOTIATIONS
ARCHIVE

Elections on track — FW



PLANS UNVEILED . . . Mr Neill Bernstein, left, of Devland Consortium, and New York developer Mr Ian Bruce Eichner stand near the Imperial Cold Storage site with an artist's impression of the R70-million office block they hope to build.

Picture: BENNY GOOL

R70m plan for Foreshore

By MAGGIE ROWLEY
Property Editor

DEVLAND Consortium has unveiled plans for a R70 million office block on the Imperial Cold Storage site adjoining the City Council's power station site on the Foreshore.

At the launch yesterday, managing director Mr Neill Bernstein said 4 000m² or 30% of the space in the building, which constitutes phase two of Devland's development, had been let to a leading Manhattan real estate developer, Mr Ian Bruce Eichner, who forms part of the consortium.

Mr Eichner, president of Eichner Enterprises, said while he was not putting equity into the development, the five-year lease constituted a commitment of R1,5m a year.

He said he was pursuing further joint ventures with Devland and the amount of space he and his staff would occupy would depend on the rapidity of these getting off the ground.

It was possible that some of the space would be sublet to other American companies and multinationals looking to South Africa, and Cape Town in particular, for a gateway to operations in sub-Saharan Africa.

Mr Eichner said he anticipated significant US business interest in South Africa following next year's election.

He said he had had extensive experience in luxury and middle-income housing developments and office blocks.

Mr Bernstein said construction of Devland's new office block, designed by Louis Karol Architects and to be called Number One North Wharf, is expected to start early next year once final plans had been lodged and passed by the council. Conceptual plans for the development have already been approved by the council, he said.

The first crane has arrived on the site which is now being cleared and a construction contract has been signed with Ovcon.

Mr Bernstein said the council, which owns the adjacent site had indicated that it intends to sell it by public tender.

"We have decided to go ahead with the first phase of our development in keeping with the overall urban plan for the area."

'Real process can now begin'

THE April 27 elections will go ahead, President F W de Klerk announced last night after a flurry of meetings with the cabinet, the ANC's national executive and the Freedom Alliance.

Although Afrikaner Volksfront leader General Constand Viljoen desperately tried to avert an immediate decision on an election and proposed that the November 22 session of Parliament be delayed, the cabinet decided after an eight-hour meeting in Pretoria to stick to the original schedules.

The cabinet decision strongly suggests it has decided the elections will take place even if the Inkatha Freedom Party and the Conservative Party decide to boycott them.

He said the alliance represented a significant percentage of South Africa's population and it therefore remained the government's goal to include it in agreements.

Earlier, General Viljoen said at a Foreign Correspondents' Association dinner: "Don't press on regardless . . . If we are pressed, there is no way this situation can bring peace and an acceptable and free and fair election."

If the session of Parliament was postponed until the beginning of January this would provide a six-week space and still leave time for the April 27 elections to take place, he said. — Political Staff, Own Correspondent

BOP THREATENS TO BOYCOTT ELECTIONS

See PAGE 2

Mr De Klerk said at a press conference in Pretoria last night that the timetable leading to elections next year would not be changed.

While the talks between the Freedom Alliance and the government had brought them "closer together", the short parliamentary session planned for later this month and the elections were still on.

"All these problems don't mean the overall time-scale is threatened in any way," he said.

Time was running out however for agreements to be made and for the implementation of enabling legislation.

There was still some flexibility over next week's negotiating council plenary session — a few days delay was likely — but "the negotiating process must finalise agreements now so the real democratic process can begin".



EC to send 12 for SA election

BRUSSELS. — European Community foreign ministers have decided to send a dozen observers to next April's election in South Africa.

The ministers, meeting here late on Monday, also said remaining EC sanctions against Pretoria — concerning nuclear supplies and "sensitive" police equipment — would be lifted once the Transitional Executive Council was functioning. Sapa

304A

GT 10/11/93

Bop threatens to boycott April election

CT 10/11/93

3044

Political Staff

BOPHUTHATSWANA decided yesterday it would not take part in next year's election if it was not party to the interim constitution.

Freedom Alliance executive chairman Mr Rowan Cronje said this was his government's position and that the Alliance was not even considering the elections at this stage.

"We are still trying to find a constitution before we even look at coming to an election stage," he said yesterday.

Meanwhile, Afrikaner Volksfront leader General Constand Viljoen has appealed for more time to allow the alliance to become a part of the process.

"Don't press on regardless. If we are pressed there is no way this situation can bring peace and an acceptable and free and fair election," he told a luncheon of the Foreign Correspondents' Association in Pretoria.

Must be party to constitution

He asked for political organisations taking part in talks to postpone until the beginning of January the special session of Parliament scheduled to begin on November 22.

"This gives us at least six weeks to finish off the process and still end in time for the April 27 elections to take place," he said.

The alliance would meet today "to take a final decision on whether we will continue trying to negotiate or terminate all contact" with negotiating parties, an alliance source said yesterday.

This follows an unsuccessful extended meeting between the government and the alliance on Monday.

The alliance's principal objection to the constitution is that it does not sufficiently entrench a federal system. It claims its proposals could easily be accommodated.

However, a government negotiating source said the door would remain open for the alliance even after the new constitution had been finalised by the end of the week.

Mr Cronje accused the government and the ANC of wanting to dominate the negotiations process and decide terms on which the alliance could be party to a settlement.

He denied government speculation that the alliance was unable to present a common front and that some members might break ranks.

The government and the alliance are expected to meet again this week.

DP, ANC delegates meet

Political Correspondent

THE Democratic Party plans to discuss the ANC's "double standards" regarding the disruption of political meetings when delegations from the two parties meet in Johannesburg today.

The meeting, between the Southern Transvaal branches of the two parties, will also discuss violence and intimidation in the run-up to the election.

The DP said yesterday it "unreservedly condemned" the disruption of the ANC's meeting in Middelburg by AWB supporters at the weekend, but it also criticised the ANC for applying "double standards".

The DP's alternate spokesman on law and order, Mr Lester Fuchs, said: "We agree with (ANC spokesman) Mr Ronnie Mamoepa that such action can never be justified and that democracy itself is under threat.

"But what amazes us is that the self-same Mr Mamoepa justified the disruption of DP meetings by the ANC."

The DP delegation to today's meeting will be led by the party's regional leader, Mr Tony Leon.

murdering husband

Alliance may return to talks soon -- De Klerk

By Themba Molefe
Political Correspondent

THE Freedom Alliance might return to the multiparty negotiations process as early as next week, President FW de Klerk said last night. SOWETAN

Speaking at a media briefing in Pretoria, De Klerk said the alliance's return could either be by continuing with constitutional negotiations bilaterally with the Government or by joining the multiparty talks at the World Trade Centre in Kempton Park. (304A)

De Klerk said FA representatives had intimated that they were waiting for the "green light" from their principals and would inform the Government of their decisions in about five days. 10/11/93

He was speaking after a nine-hour special Cabinet meeting on the state of negotiations.

He said another bilateral meeting with the FA would lead to a meeting between Government officials and FA leaders.

Speaking from the National Party headquarters, De Klerk said he was confident the NP would "do very well" in next year's April 27 elections in spite of opinion polls which suggested the NP would be thrashed.

Asked whether he was succumbing to the demand by the Inkatha Freedom Party for a "summit of leaders", De Klerk replied: "We are prepared to hold a summit of leaders if it is meaningful. The Freedom Alliance has the capacity to become an important security risk."

The Government, even the African National Congress, wanted agreements reached in negotiations to have wide support, De Klerk said.

He said even if the FA and the Pan Africanist Congress could be drawn into the Kempton Park agreement, radicals from both the left and the right would have to be controlled.

De Klerk said he was optimistic the FA and the Government had moved closer to each other on fundamental constitutional issues agreed upon at Kempton Park.

The main issue of the meetings with the FA was to convince them that most of their demands had been met.

The Government remained committed to the election date in spite of the NP's "unhappiness" with some proposals at the talks.

ANC, government clash on Afrikaans

☐ Hopes for settlement on constitution fade

Political Staff

JOHANNESBURG. — The chances of meeting this week's deadline for reaching a settlement on constitutional negotiations at the World Trade Centre faded today as the African National Congress and government clashed over the status of Afrikaans in a new dispensation.

The Negotiating Council today began tackling a mammoth agenda to settle outstanding issues which were due to have been completed tomorrow night. At the same time, ANC and government negotiators were locked in a crucial meeting to try to resolve the language row.

"We will not compromise on this," said a government negotiator.

The government is holding out for English and Afrikaans to be the official national languages, while the ANC has proposed that up to 11 languages should be used in such institutions as parliament.

Both agree that there could be regional differentiation.

The government negotiator, emerging soon after 10am from a meeting with the ANC which began at 6am at the World Trade Centre, said little progress had been made in seeking a compromise.

An ANC source said that it had become clear that the government intended making a stand over Afrikaans.

If neither side budges in this and other bilateral meetings — scheduled to continue throughout today — the chances of reaching a settlement in talks this week would appear to be almost zero.

Already negotiators are talking about having to sit on Monday.

Other ANC/government meetings today were focusing on the future of the police, a new defence force, the Electoral Bill, local government and the mechanism that will be used to break deadlocks while parliament is writing a final constitution.

While negotiators lock horns at the World Trade Centre, President De Klerk has indicated that progress is being made in talks between the government and the parties which have excluded themselves from the Trade Centre negotiations.

Mr De Klerk said last night there had been a moving together between the government and the Freedom Alliance which could result in "fairly important developments within four or five days".

The alliance consists of rightwing parties, the Inkatha Freedom Party and other homeland leaders opposed to the trade centre talks.

The president was speaking at a Pretoria press conference after a nine-hour special cabinet meeting.

In spite of Mr De Klerk's upbeat remarks, however, there is growing scepticism in political circles over the likelihood of reaching rapid — if any — agreement with the alliance, and his comments may have been directed partly at those who attack the government for not taking the alliance into account.

Asked whether the alliance parties could become "the Savimbis of South Africa", he said they had "the capacity to become an important security risk. But the Savimbis of South Africa? I don't think so".

Earlier yesterday, at a Foreign Correspondents' Association gathering in Pretoria, alliance member and Afrikaner Volksfront leader Constand Viljoen called for the November 22 session of parliament — due to pass the interim constitution — to be postponed until the beginning of January.

But Mr De Klerk told the briefing that the parliamentary session would go ahead on November 22, saying other legislation had to be dealt with.

FW pledges to maintain poll timetable

B/Day 10/11/93

PRETORIA — The timetable leading to elections next year would not be changed, President F W de Klerk said yesterday. (304A)

Following an eight-hour special Cabinet meeting, De Klerk said that while talks between the Freedom Alliance and government had brought them "closer together", this month's short parliamentary session and the April 27 elections were still on track. "The overall time scale is not threatened in any way."

However, time was running out for agreements to be made and for enabling legislation to be implemented. "In rugby-speak, we are into the last 10 minutes."

While there was still some flexibility over next week's negotiating council plenary session — a few days delay was likely — "the negotiating process must finalise agreements now so the real democratic process can begin".

Government was anxiously waiting for news from the principals of the Freedom Alliance, including the Inkatha Freedom Party and the CP, over the results of the latest round of bilateral talks.

The indications were that the alliance and government had moved closer together on "certain fundamental viewpoints".

"If there is a green light from the principals of the alliance, it can form the basis of real progress," De Klerk said.

The alliance represented a significant percentage of SA's population and it therefore remained government's goal to include it in agreements. But its involvement did not necessarily have to take the form of participation at Kempton Park.

ADRIAN HADLAND

After further discussions between the alliance and government, scheduled to take place by Friday, the leaders of both sides would meet to discuss progress.

Yesterday's special Cabinet session, which reviewed the negotiations process, focused on outstanding issues including local government, education, deadlock-breaking mechanisms of the interim government and languages. De Klerk indicated that although there had been lively debate on constitutional proposals there had been no serious disagreements.

However, in these matters, there was still "a mile to walk". But he was optimistic that these issues could be resolved and the overall time scale of negotiations would not be threatened.

On the issue of security of tenure for public servants, De Klerk said he was not "totally satisfied", as there were still several outstanding items. Cabinet would consider the issue again this morning, and agreement was likely to be reached relatively easily.

BILLY PADDOCK reports that the Freedom Alliance decided yesterday it would not take part in the elections if it was not party to the interim constitution.

Alliance executive chairman Rowan Cronje, of Bophuthatswana, said this was his government's position and the alliance was not even considering the election at this stage. "We are still trying to find a constitution before we even look at coming to an election stage."

To Page 2

The alliance is to meet today "for a critically important meeting to take a final decision on whether to continue trying to negotiate or terminate all contact" with negotiating parties, one alliance source said. This follows Monday's unsuccessful meeting between government and the alliance. (304A)

The alliance's principal objection to the constitution is that it does not sufficiently entrench a federal system. It claims its proposals could be accommodated easily.

However, a government source said the door would remain open for the alliance, even after negotiators had agreed to the new constitution by the end of the week. A constitutional agreement could form the basis for further discussions.

But Cronje accused government and the ANC of wanting to dominate the negotiations process and decide terms on which the alliance could be party to a settlement.

He denied government speculation that the alliance was unable to present a common front and that some members might break ranks. "If we are not part of the agreement on a new constitution we will not take part in the elections based on that constitution."

The government source said the alliance had become "reasonable at last" during Monday's meeting, but it was not treating the time scale seriously enough.

Meanwhile, Sapa-AFP reports that Afrikaner Volksfront leader Gen Constand Viljoen appealed for more time to allow the alliance to become part of the process.

"Don't press on regardless. If we are pressed there is no way this situation can bring peace and an acceptable and free and fair election," he told a Foreign Correspondents' Association lunch in Pretoria.

Viljoen called for this month's parliamentary session to be postponed to January. "This gives us at least six weeks to finish off the process, and still end in time for the April 27 election to take place.

"In this way, we can gain time without affecting the date, because we realise it is coupled with the expectations of millions of people.'

But a government source said there was no possibility of delaying the process that long and all the stops were being pulled out to finish this week.

● See Page 8

De Klerk

B/Day 10/11/93

From Page 1

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(30(4A)

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● See Page 8

Coloured area gets AVF forms

Jacquie Golding

THE Afrikaner Volksfront (AVF) appears to have done an ideological back-flip by recruiting among col-oured people in Johannesburg's Eldorado Park township.

Forms inviting recipients to become members of various interest groups — ranging from health and welfare to women and trade unions — have been distributed in Eldorado with instructions to post responses to "Volksregister, PO Box 7934 Pretoria" or hand them to "your local authorised Afrikaner Volksfront representative".

The forms also ask recipients to confirm that they will promote Afrikaner/Boer unity and that they believe the Afrikaner's "right to self-determination is non-negotiable, and that the Afrikaner/Boer nation and fellow patriots shall at no time be governed or co-governed by any other nation".

The AVF has been non-committal on whether it regards coloured people as Afrikaners. An AVF spokesman denied the organisation had distributed the handouts.

According to residents, white men claiming to be AVF members have been pushing pamphlets into letter boxes and under doors and handing them out on the street.

National Liberation Front chairman Malcolm Lupton claimed the mobilisation drive was an "onslaught by the AVF", designed to undermine his party in its coloured constituency. "Since we refused to join the Freedom Alliance and decided to participate in next year's elections as an independent party, the AVF have started poaching in our area," he said.

Cosatu likely to call off strike

Promising progress at talks

Star 11/11/93

3048 HF

DRAMATIC breakthrough follows intense behind-the-scenes discussions at Kempton Park

■ BY CHRIS WHITFIELD and ESTHER WAUGH

South Africa should take a large step towards a political settlement today after considerable progress in a series of bilateral meetings yesterday — including a deal early this morning that could see Cosatu's general strike, planned for Monday, called off.

However, the marathon and exhausting schedule of ANC/Government discussions, a Negotiating Council sitting that ended at midnight and other meetings could not prevent today's talks deadline being moved back to Monday.

Main focus of the day at the World Trade Centre was on the Government-ANC meetings, some of which began at 6 am. Others were continuing as late as 1 am today.

Today, both organisations aim to finish deliberations on matters still to be resolved for inclusion in the interim constitution. Sources indicate that talks on a future police force are close to deadlock, but there was progress on various matters, including:

■ The controversial lockout clause in the draft Bill of Rights, which gave rise to Cosatu's strike threat. Today the ANC, Cosatu and SACP emerged from an early-morning meeting with an announcement that they would be tabling a proposal for discussion at the Negotiating Council and were "confident that the multiparty negotiations will endorse our proposal within the next 48 hours, thus averting the need for recourse to action". ANC sources said the proposal was along the lines of that agreed to with the Government late last night.

▶ More reports — Pages 3 and 11

■ South Africa's official languages. It is understood it was agreed there will be 11 official languages, enjoying equal status. Although details are not known this appears to be along the lines of the ANC's position.

■ The vital issue of the composition of the constitutional court. Details are not known.

■ The number of regions — nine. However, there is understood to be flexibility on this issue in that referendums can be held in contentious areas.

■ The mechanism that will be used to break deadlocks in the writing of a final constitution by the interim government. This issue has not been resolved but it is understood there has been progress.

■ Outstanding clauses of the Electoral Act. It is understood certain categories of prisoners would be allowed to vote.

■ The shape of a future SADF, as defined by the interim constitution. On-off talks between the SADF and Umkhonto we Sizwe were on again yesterday and reportedly gaining ground. However, the two sides are understood to be a considerable distance from settlement on an agreement on the integration of all armed formations.

These agreements are still subject to approval by the leaders. Most significant among disagreements is the structure of future policing. The dispute centres on the powers to go to regional police forces — the ANC is strongly opposed to autonomous forces

▶ To Page 3

Star 11/11/93

Major talks progress

◀ From Page 1

which, it fears, could amount to a new variety of private armies.

There is also some distance to go on a new education dispensation, with the ANC opposing quasi-private schools getting State funding but nevertheless having independent decision-making capacities.

While the feverish bilateral activity was proceeding in rooms throughout the World Trade Centre, the Negotiating Council met yesterday from 11 am to midnight. During the marathon session many constitutional principles were agreed on and a compromise agreement on the future of the civil service approved. 3048 HF

But there was little progress during debate on outstanding clauses in the draft Bill of Rights, which was scheduled to have been finished last night.

These include the so-called "property clause" — to secure right to own property and appropriate compensation in the case of expropriation — and how customary law should be applied. This debate resumes tomorrow.

Deputy Constitutional Development Minister Fanus Schoeman said outstanding issues were being resolved one by one, and none appeared likely to deadlock the process.

Deadline delayed

CT 11/11/93

B04A

By ANTHONY JOHNSON
Political Correspondent

THE multi-party negotiators will not meet today's deadline for finalising a constitutional package despite a frantic flurry of meetings yesterday which started at 5am and continued into the early hours of this morning.

But both the government and the ANC were hopeful that the failure of parties at the World Trade Centre to reach agreement on a number of outstanding constitutional issues will buy time for efforts to reach an accommodation with the Freedom Alliance which is still boycotting multi-party talks.

As a result of the inability of the government and the ANC to iron out several vital disagreements during marathon horse-trading sessions yesterday, negotiators said last night that multi-party negotiations might only be concluded early next week.

A plenary meeting of leaders is still scheduled for Tuesday and Wednesday next week — providing sufficient breathing space for the principals of the alliance to consider what a top government source described last night as "new options or concessions on federalism" designed to draw them back into the process.

The alliance leadership is scheduled to meet to consider the fresh proposals tonight.

Agreement on new government

Negotiators agreed on a government of national unity last night for up to five years after the April 27 election.

It was one of a long list of constitutional principles agreed to at the World Trade Centre at Kempton Park.

See PAGE 2

President F W de Klerk, who hopes to hold a special meeting with the alliance leadership this weekend, said earlier that he believed that there could be "fairly important developments" in the next few days as a result of progress made in bilateral talks between the government and the alliance.

Top government sources were unfazed yesterday by the Freedom Alliance's sharply worded rejection of Mr De Klerk's defence of the current draft constitution.

In yet another 11th-hour bid to get the far-right back on board at the negotiations, Communist Party chairman Mr Joe Slovo yesterday implored the Afrikaner Volksfront (AVF), in an open letter to AVF leader General Constand Viljoen, to become part of the democratisation process instead of aiming for their own homeland.

But right-wing veteran and leader of the Herstigte Nationale Party, Mr Jaap Marais, yesterday implored the Freedom Alliance to terminate its bilateral discussions with the National Party and ANC and instead intensify the struggle outside the negotiations forum. His call was echoed by the leader of the Boerestaat Party, Mr Robert van Tonder.

The pressure-cooker atmosphere at the World Trade Centre is set to continue today as the 21 parties grapple with yet another mammoth agenda.

The lengthy shopping list of differences that still have to be resolved include: Official languages during the transition, particularly the status of Afrikaans; the deadlock-breaking mechanism Parliament will use while writing a final constitution; special majorities required for cabinet decisions; the independent judiciary; constitutional court; financial matters in the interim constitution, and the draft Electoral Bill to manage the run-up to elections.

17. **Street Address:** [illegible]

Location: [illegible]

Reference to map:

): 74162

'No concessions', ANC tells alliance

JOHANNESBURG. — ANC president Mr Nelson Mandela said last night that he was not prepared to grant any more concessions to the Freedom Alliance.

Mr Mandela was reacting to President F W de Klerk's statement on Tuesday that the government and the alliance had moved closer together which could result in "fairly important developments within days".

Mr Mandela said that if the alliance planned to return to the multi-party forum and demand that issues which had led to its initial withdrawal be addressed, "then it means nothing to us, we have addressed all their demands and we are not prepared to make any further concessions".

Nevertheless, he said he welcomed closer co-operation between the government and the alliance "if that means the alliance is going to come back to the multi-party forum where it belongs".

The ANC president said his organisation regretted the alliance's decision to pull out of the negotiations as they were the only way to solve problems.

"If they want to press further demands, that we welcome, but the channel for that is the multi-party forum," he said.

● Mr Mandela also met Palestinian ambassador to Zimbabwe Mr Ali Halimeh yesterday, and said that recent Middle East peace talks were "identical with moves we have taken in South Africa". — Sapa

h at home):

Tswana	-05
North Sotho	-06
South Sotho	-07
Venda	-08
Shangaan/Tsonga	-09
Swazi	-10
Ndebele	-11
Other (Specify)	-12

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An electoral wonderland where politicians are silent

(3044A) WMS-11/11/93

The draft Electoral Bill lays down stringent conditions for next year's election. Chris Louw looks at some of its peculiar facets



Silent knights ... We'll miss Pik Botha and Tokyo Sexwale's dulcet tones

A STRANGE silence will descend on South Africa on April 25 and 26 next year. Pik Botha's sonorous voice will die down, Tokyo Sexwale will stop charming the ladies from Sandton, Mangosuthu Buthelezi will disappear into the labyrinths of Ulundi, his *Guinness Book of Records* speech just a distant memory.

In fact, not a single political speech will be heard in the two days before the country's first democratic elections.

That, in any event, is what the latest draft of the Electoral Bill expects of South Africa's politicians.

The Bill solicited emotional debate at negotiations this week, before being sent back for redrafting.

Under the heading "Prohibition on political activities during 48 hours prior to voting day", the current draft of the Bill stipulates that "no person shall ... engage in political activity".

Exactly what "political activity" entails is not specified. How the electoral commission will ensure that the ruling is enforced is also not known.

What is specified is the penalties that may be meted out in cases where stipulations of the Bill are not adhered to. These range from a formal written warning to the "cancellation of the registration of a party to participate in the election, and the forfeiture of its right to contest the election".

Apart from the gentlemanly silence that will mark South Africa's entrance to the world of democracy, the country's leaders will also not tell any lies.

Paragraph 2.12 of the Electoral Code of Conduct stipulates that parties will ensure that no false allegations will knowingly or negligently be propagated or used at political meetings, or in any campaign literature, or otherwise.

If the notoriously male chauvinist Afrikaner Weerstandsbeweging does decide to accept the non-racial character of the elections, it will find that there is another, unforeseen hurdle to overcome: "the full participation of women in political meetings, party structures and electoral activities" must be facilitated, by decree of the electoral commission.

Orange Farm and Ventersdorp will be forgotten in the distant past when the competing parties find themselves bound to promote democratic values, "including the right to express divergent political opinions; to debate and contest the policies and programmes of other parties, to canvass freely for membership and support from voters; ... to attend meetings convened by other parties..."

In this electoral Wonderland, the AWB and the Pan Africanist Congress will both adhere to the facilitation of the right of all political parties, their candidates, officials and members to have full and unrestricted access to potential voters for the purpose of canvassing membership and support. They will not prevent, or attempt to prevent, the conduct of legitimate electoral meetings, rallies or marches.

And, equally important, they will not plagiarise, disfigure or destroy the political or campaign materials of other parties.

How this will affect the National Party's annexation of the symbols and policies of the Democratic Party is not yet known.

What is known is that if the electoral legislation is applied literally, newspapers may find themselves lost in a quagmire of vagueness, with the word "advertisement" replacing the infamous little scissors and the blank spaces of the State of Emergency of the Eighties.

Paragraph 54 (3) of the Electoral Bill reads: "The proprietor and publisher of every newspaper shall cause the word 'advertisement' to be printed as a headline to each article or paragraph in his or her newspaper, which originated from a registered party or its agents or supporters, the insertion of which is, or is to be, paid for, or for which any reward or compensation, or promise of reward or compensation is to be made."

If this is not enough to make life difficult for party hacks, the next paragraph stipulates that the word "advertisement" must be printed as a headline above all text "as may prima facie appear to be intended or calculated to affect the result of an election".

Cartoons which "on the face of it" are intended to affect the result of an election "shall bear at the foot thereof the full name and address" of the person responsible.

Candidates who die before the elections will have their names struck off their party's list and shall "cease to be eligible as a candidate for the election".

And politicians who want to ensure they are elected by having their names appear on more than one party's election list may find that it is not such a clever idea. The chief (electoral) director "shall delete the name of the candidate from all the lists on which such candidate's name appears", states paragraph 23 (5) (a) of the Bill.

Liberation movements may also find it difficult to ride the elections on the wave crest of their military successes. The electoral commission may disallow a proposed name, abbreviated name, distinguishing mark, symbols and even colours of a party if they contain "a portrayal of arms, ammunition, uniform or other object normally used in or associated with military operations, whether in times of war or peace".

No chance for the NP to capitalise on the Umtatata raid, unfortunately.

Alliance's boycott talk condemned

MABOPANE. — Opposition political structures in Bophuthatswana and residents yesterday condemned the Freedom Alliance's threat to boycott the April 27 election.

This was in response to alliance chairman and Bophuthatswana negotiator Mr Rowan Cronje saying the alliance would not participate in the election if it did not agree on a new constitution.

In a statement yesterday, ANC official in Bophuthatswana's Odi region, Mr Sello Modiga, dismissed as "nonsense" Mr Cronje's suggestion that the ANC and the government were telling the alliance not only which train to catch, but which seat to occupy.

Mr Cronje forgot that "he tells us (Bophuthatswana residents) which train to catch, which seat to occupy, and where to alight", said Mr Modiga. — Sapa

Accord on govt of national unity

CT 11/11/93 (304A)

JOHANNESBURG. — Negotiators agreed last night on a government of national unity for up to five years after the April 27 election.

It was one of a long list of constitutional principles agreed to at the World Trade Centre at Kempton Park.

The constitutional principles will be included in the interim constitution and will underpin the final constitution.

The issue has been the subject of heated debate, particularly between negotiators and the Freedom Alliance which is boycotting the negotiations.

Only two of the 31 proposed principles were not debated.

These were a labour clause which is at the centre of a row between Cosatu, the government and employers, and a clause on the future of the public service which is the subject of bilateral discussions.

"The constitution of South Africa shall provide for the establishment of one sovereign state, a common South African citizenship and a democratic system of government committed to achieving equality between men and women and people of all races," states the first principle.

Some of the other principles are:

● Everyone shall enjoy all universally accepted fundamental rights, freedoms and civil liberties which shall be provided for and protected by entrenched and justiciable provisions in the constitution.

● The constitution shall be the supreme law of the land.

● It shall prohibit racial, gender and all other forms of discrimination and promote racial and gender equality and national unity.

● The legal system shall ensure the equality of all before the law.

● There shall be representative government embracing multi-party democracy, regular elections, universal adult suffrage, a common voters' roll, and in general, proportional representation.

● Provision shall be made for freedom of information so that there can be open and accountable administration at all levels of government;

● Collective rights of self-determination in forming, joining and maintaining organs of civil society, including linguistic, cultural and religious associations shall, on the basis of non-discrimination and free association, be recognised and protected.

● The diversity of language and culture shall be acknowledged and protected. — Sapa.

Constitution war of words

304A
CT 1/11/93

By ANTHONY JOHNSON
Political Correspondent

THE government and the Freedom Alliance yesterday continued their war of words over whether the proposed interim constitution provided for federalism or not.

The alliance said after a meeting of its executive committee that it "totally rejected" President F W de Klerk's earlier claim that the new constitution provided for a federal dispensation.

The Freedom Alliance also locked horns with the State President over his contention that some of the regional powers envisaged by the current draft constitution provided more powers to the regions than was the case with the federal states in Germany.

Inkatha, a key member of the five-party alliance, has often held up the German model as a brand of federalism South Africans should strive for.

An alliance statement listed 10 reasons why the government was allegedly wrong to say the interim constitution compared favourably with the German federal system and pooh-poohed Mr De Klerk's claim that "an independent constitution expert" had informed the cabinet this week that the draft interim constitution complied with all the principles of federalism.

Alliance disputes extent of federalism

The Freedom Alliance said that "more than one constitutional expert" — including the executive director of the SA Institute of Race Relations Mr John Kane-Berman — had rejected the contention that the current draft conformed with that of a federal state.

However, Sapa reports that the government hit back and provided what it said was "documentary proof" that it was in fact the alliance which had its wires crossed in the great debate on federalism.

Government negotiator and deputy Constitutional Development Minister Mr Fanus Schoeman accused the alliance of "taking bits and pieces out of the draft interim constitution", and said it should rather study the entire content of the new constitution.

An independent study conducted for the government concluded that the draft constitution constituted a stronger federation than Germany's. An example of this was that in Germany the legislative authority tended to be concentrated in central government, with regions having only executive authority. In the South African draft, both the legislative and the executive authority in specified areas rested with the regions.

As part of its disagreement the alliance argued that the German constitution guaranteed the right of regions to draw up their own constitutions, unlike the draft constition. Mr Schoeman said this had not yet been finalised.

Candidate scramble begins

CT 11/11/93 304A

By BARRY STREEK
Political Staff

THE scramble for candidates on national and regional party lists started formally yesterday when the ANC announced it was looking for 1 050 aspirant politicians for the new South Africa, one third of whom will be women.

The Democratic Party said it had already completed procedures and intended finalising its regional lists at the end of January and the national lists in mid-February.

The executive of the National Party in the Cape is meeting in Pretoria this morning to finalise its nomination procedures.

The ANC's regional executive committee in the Western Cape is also meeting today to discuss procedures which will then go to an elections political committee, which includes its alliance partners, on Monday.

Some NP leaders have announced where they want to be active. The Minister of Law and Order, Mr Hernus Kriel, wants the top position in the Western Cape state/province/region (SPR), the Minister of Agriculture, Dr Kraai van Niekerk, wants a similar position in the Northern Cape and the Minister of Local Government, Dr Tertius Delport, in the Eastern Cape.

DP and Sanco in bitter election squabble

BDay 11/11/93

A HEATED meeting between members of the ANC alliance and the DP yesterday failed to reach an understanding on the principle of free and fair electioneering in the townships (304A) (DP)

ANC PWV secretary-general Paul Mashatile said that, following angry exchanges between the DP and SA National Civic Organisation (Sanco) representatives, it had been decided that the two parties should hold further talks.

The DP requested the meeting after its efforts to conduct election campaigns in

WILSON ZWANE

PWV townships were disrupted and Sanco voiced opposition to DP activities.

DP delegation leader Tony Leon said the talks had been characterised by bitter exchanges with Sanco. Mashatile said the DP and Sanco had to resolve their problems before the alliance could contribute to discussions on political tolerance.

DP southern Transvaal spokesman Mike Moriarty said his party would not hold

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Squabble

BDay 11/11/93

☐ From Page 1

public meetings in the townships until the differences with Sanco had been resolved.

The DP suspended public meetings in black areas in August after its meeting in the Vaal Triangle township of Orange Farm was disrupted by ANC supporters.

Sanco southern Transvaal general secretary Dan Mofokeng stressed that Sanco was not orchestrating the disruption of DP meetings. Sanco should not be held responsible for actions which the DP precipitated by "inflammatory utterances" (304A)

The DP should not expect either the ANC or Sanco to "go out of their way" to help it get township votes, he said. (DP)

The Sanco-DP meetings would focus on the legal action that the DP had instituted against Sanco leaders for alleged inflammatory utterances, Mofokeng said.

ANC PWV deputy secretary-general Obed Bapela has said that the ANC, which took strong exception to the DP's election tactics, such as the ridiculing of ANC leaders, was not setting parameters for electioneering in the townships. But SA was not ready for US-style campaigns.

Mofokeng said it was possible that once the playing field had been levelled — through the establishment of the Transitional Executive Council — Sanco would assist parties such as the DP to campaign freely in the townships.

Talks used as 'rubber stamp'

B/Day 11/11/93

BILLY PADDOCK

THE negotiating council's constitutional technical committee yesterday accused government and the ANC of abusing their positions as major players by treating the multiparty talks as "a rubber stamp" and the committee as a "lackey".

The committee refused to carry out instructions to draft the public servants' chapter of the constitution on the basis of the agreements reached by the two parties.

It said it took instructions only from the council and the government-ANC deals were to be treated merely as submissions.

As a result, the rough draft agreement of the deal, without the technical and legal refinements, was tabled in the council to allow negotiators to comment on it and issue instructions to the committee.

Committee members initially took a hostile approach to the document, asking questions that highlighted its shortcomings. But after an adjournment and discussions between government, the ANC and the committee members, the rest of the discussion went more smoothly.

Other negotiators said they were irritated by the delays caused by the private discussions between government and the ANC, and accused the parties of treating them like an endorsement mechanism.

"At the 11th hour they will make compromises and fudge the differences and then they will expect us all to just calmly adopt their positions. If we do not, they will bulldoze us," one negotiator said.

The DP, Transkei and a negotiator from the patriotic front said the ANC and government "should tell us to pack up and go home and then sort out their differences".

To Page 2

Talks B/Day 11/11/93

From Page 1

Said one negotiator: "Once they have their agreement, then they can summon us to rubber stamp it. At least that will be more transparent than this guise."

It is now expected that the constitution will be finalised only on Monday, as several disagreements between the ANC and government are holding up the process. The leaders' plenary meeting is still scheduled for Tuesday and Wednesday.

Among the differences are the independent judiciary, particularly the constitutional court; the deadlock-breaking mechanism for reaching agreement on the final constitution; the special majorities required for Cabinet decisions; whether regions should have executive functions over regional police; whether English and Afrikaans will continue to be the official languages during the transition period; and the local government provisions.

Government and ANC negotiators were yesterday shuttling between meetings in an attempt to resolve the differences.

● See Page 4
● Comment: Page 8

employers in bargaining

Step up struggle — Jaap

PRETORIA — The Freedom Alliance should terminate talks with the NP and ANC and intensify the struggle outside the negotiations forum, HNP leader Jaap Marais said yesterday.

He urged the alliance to reject the constitutional proposals put forward at multiparty talks.

His call followed President F W de Klerk's statement on Tuesday that a "bosberaad" and other talks between government and the Freedom Alliance might have laid the basis for an agreement.

"Mr De Klerk has realised that the NP is rejected by Afrikaners and other whites, therefore he is anxious to include his white opponents in the final phase of his and the ANC/SA Communist Party's constitutional schemes, which will lead to a transfer of power to the ANC/SACP," Marais said.

De Klerk also wanted to involve Bophuthatswana, Ciskei and Zululand so they, with whites, could be subjected to ANC/SACP rule.

Marais said whites should unite and demand a white election to thrash the De Klerk administration and pull SA away from the precipice. — Sapa.

Buthelezi says ANC seeks one-party state

NEW YORK — Inkatha Freedom Party president Mangosuthu Buthelezi alleged on Tuesday that the ANC, with the acquiescence of the country's government, was seeking to establish a one-party state.

"The SA government and the ANC envisage the formation of a transitionary government structure which will usurp the functions of the present government for the benefit of the ANC," he said.

Appearing as a petitioner before the General Assembly's special political and decolonisation committee, Buthelezi said the NP was "looking for political survival under a possible ANC/SACP majority through establishment of a short-lived government of national unity."

But such an arrangement would prove ineffective. Not only would the NP suffer from its own lack of foresight, he said, "but the future security of every citizen of this country would be placed at unnecessary risk", he said.

"The ANC/SACP alliance is fighting for the full takeover of the central apartheid structure, merely changing NP policy for a policy of its own.

"SA would then once again be victim to the dictates of an all-powerful, one-party state," he said.

Buthelezi said the SA government had "bargained away the certainty of constitutional structures capable of protecting freedom, democracy and pluralism for all citizens of SA." This was a costly price to pay for a few more years of government control during the period of transition.

Earlier the ANC's Trevor Manuel called on the SA government to end the current violence.

All key political players should become partners in the effort to mould a new SA. — Sapa-Reuter.

● Comment: Page 8

ES LIMITED

EPTEMBER 1993

Nats chat up squatter leaders

South 12/11 – 16/11/93

By Quentin Wilson & Christelle Terreblanche

DETERMINED to catch votes in Western Cape squatter camps, the National Party has planned a second "exploratory" meeting between party organisers and 24 squatter leaders for Thursday. (304 A)

This follows last week's information session in Parow.

The squatter leaders, including embattled Crossroads baron Mr Jeffrey Nongwe, insist they have no interest in joining the NP, but say they are prepared to continue with these meetings "to see what the NP has to offer".

Squatter leaders who spoke to SOUTH at last week's secret meeting refused to go on record for fear of reprisals back home.

"We want to hear more about what they have to say for themselves," said one squatter after the meeting.

Arrangements for the second meeting were confirmed by Mr Melton Hamman, NP MP for Ceres.

"It is still early days to comment on how successful these meetings are," says Hamman. "At last week's meeting, the people present were fairly critical of the NP and its past — which I suppose is expected under the circumstances.

"But luckily the product that we are selling to them now is completely different."

Meanwhile, several political organisations have expressed their surprise with the NP's wooing of squatters.

Mr Willie Hofmeyr, ANC Western Cape deputy secretary, says that the NP is obviously entitled to call meetings in whatever constituency it wishes.

"But they must be a little desperate if they call on people who are long-standing ANC members," Hofmeyr added.

Mr Michael Siyolo, Western Cape organiser of the Pan-Africanist Congress (PAC), says he would expect the negotiators at the World Trade Centre to investigate the source of the money which he alleges the NP is dangling in front of the squatters by saying they will do anything for them.

"This could well be taxpayers' money, and this is no way to level the playing fields," Siyolo says. "The NP has been known for winning elections not by good policies but by using other people's money. If this is how they are going to behave, we will not be able to regard the elections as fair.

"Even if these squatter leaders grab the carrot, the residents of the squatter townships will not fall for the trick. Why after all are these people squatter leaders?

Both the squatter leaders and the NP organisers were adamant, however, that no money was offered to the squatters in exchange for NP membership.

Mr Malcolm Bagley, the Inkatha Freedom Party's Western Cape organiser, says it is an obvious move for the NP to try to get the big guys in the squatter areas in their fold.

"But the squatters are the very people hurt by apartheid," he says. "So this wooing is in itself a travesty of justice."

No detention without trial

Notorious laws for scrapheap

Star 12/11/93

NEGOTIATORS agree that homeland statute books will also be purged of a large number of controversial laws

■ BY ESTHER WAUGH
POLITICAL CORRESPONDENT

The Negotiating Council yesterday agreed to the repeal of a plethora of controversial legislation, including the notorious section 29 of the Internal Security Act.

In terms of the agreement, the statute books of the homelands and self-governing territories will also be purged of legislation defined as discriminatory or likely to impede free political activity.

The repeal of this legislation will take place in the session of Parliament beginning on November 22.

Section 29 of the Internal Security Act provides for detention without trial, and the task group handling the issue recommended that it should be amended. However, the ANC, SACP and PAC all called for it to be scrapped entirely and this was agreed by the Negotiating Council.

Police will also no longer be able to arrest people without a warrant.

The Prohibition of Foreign Financing of Political Parties and Affected Organisations Act is also to be repealed.

Repressive legislation in the homelands is to be repealed, including sections of Bophuthatswana and Ciskei's Internal Security Acts.

It was agreed that repressive legislation in the self-governing territories dealing with detention without trial, prohibition of organisations and the restriction of people be repealed. (s1) (30(4)A)

▶ More reports – Page 3

Negotiators agreed that there should be no restrictions on organising political events. Provisions have further been agreed to for the political participation of civil servants.

The council agreed that at least 20 laws in KwaZulu are to be repealed or amended.

These include provisions allowing for:

■ Chiefs and headmen to prohibit meetings and to use force to disperse gatherings.

■ It to be an offence to spread "false reports" about the KwaZulu government.

■ Forced removals and banishment orders.

■ Inquiry into political affiliations of any person.

■ Residents giving traditional leaders "loyalty, respect and obedience", which may be construed as political support.

■ The KwaZulu Police to enter into agreements to conduct cross-border operations into South Africa.

■ Declarations of written loyalty to the KwaZulu government.

■ The dismissal of women teachers who fall pregnant out of wedlock.

Yesterday was a special day for the Natal Indian Congress's Pravin Gordhan.

After having spent about a year in prison in terms of section 29 of the Internal Security Act, the veteran activist yesterday presided over the session of the Negotiating Council that ordered the abolition of the legislation.

"For me it was a unique occasion to chair the session in which this happened," said Gordhan, who became a victim of section 29 for periods during 1981, 1985 and 1990.

ANC rejects NP support claim

CLAIMS that the National Party (NP) has up to 70 percent support among coloureds in the Eastern Cape have been dismissed as "a fallacy" by the ANC. SOUTH

A report in "Die Burger" quoted NP Eastern Cape/Border regional secretary Mr Johan Muller as saying that NP fieldwork showed up to 70 percent of coloureds supported the NP. 12/11 – 16/11/93

Muller also said it was the NP's experience that between five and 10 percent of coloured residents supported the ANC and about eight percent the Democratic Party.

Reacting to Muller's claims, Eastern Cape ANC media officer Phila Nkayi said a more accurate figure for NP support would be between 45 and 50 percent, and that this was being steadily eroded. (49)

"The ANC 's support is far more that 10 percent (of coloured voters). It is between 35 and 40 percent," said Nkayi. (3049)

"The NP is playing on figures to confuse voters and to try to boost confidence amongst its own supporters. It wants to create the impression that it is doing well.

"Contrary to this 70 percent claim, they are doing badly and losing support among the coloured people," said Nkayi. — **Ecna.**

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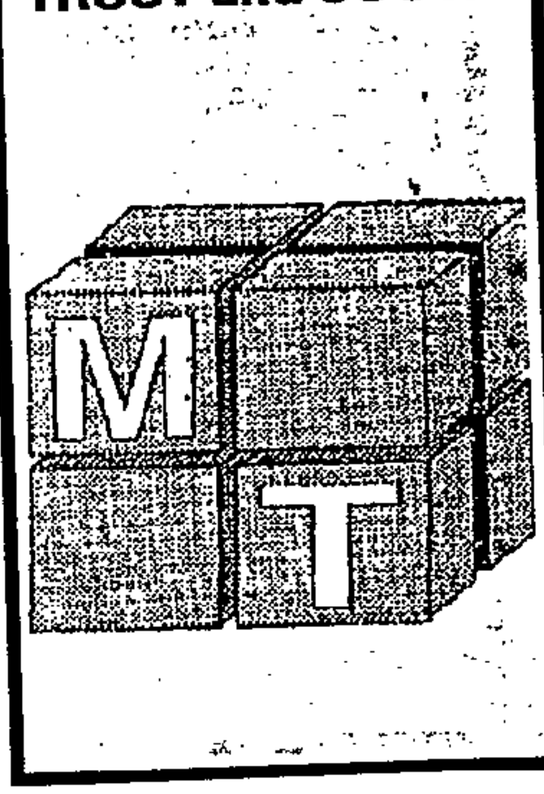


'New govt' next week

Key decisions taken at talks

By BARRY STREEK
Political Staff

THE multi-party Transitional Executive Council (TEC) could be installed next week.

Once the TEC is in place, the campaign and structures for April 27 elections, which will decide who controls the five-year government of unity, will be formally launched.

The 21 parties in the intense negotiations at the World Trade Centre at Kempton Park agreed yesterday to hold a plenary session on Wednesday next week to discuss the proposed interim constitution.

Delayed

Once they have approved the new constitution the TEC can be installed and it in turn can activate the Independent Electoral Commission and the Independent Broadcasting Authority. The negotiating council decided yesterday to complete its deliberations on the interim constitution by Monday.

Parliament has already approved the laws for the three new bodies that will oversee the process for South Africa's first democratic elections, on April 27.

It was agreed that the implementation of these laws would be delayed until a plenary session of the negotiating parties had approved a draft interim constitution. Although Parliament, which meets again on November 22, still has to approve the constitutional changes, Wednesday's plenary session will result in the installation of the TEC, unless there are last-minute setbacks.

The Freedom Alliance is not party to these agreements and refuses to return to the World Trade Centre negotiations. Last night Inkatha Freedom Party leader Chief Mangosuthu Buthelezi repeated, after his return to South Africa, that the IFP would not take part in the elections unless its conditions on a new constitution were met (See report below).

A number of key decisions and some important agreements emerged from a whirlwind session of the negotiating council yesterday. These included:

- Agreement without any opposition that Section 29 of the Internal Security Act, the most widely used detention-without-trial law, be scrapped (See Page 2).
- A compromise agreement on the proposed borders of the nine regions (See Page 2).
- A reported agreement in principle, between the ANC and the government on a future police force and defence force. (See Page 2)
- The ANC and the government have reportedly agreed in principle on a constitutional court, but about 10 "technical issues" on this question remain unresolved. The matter will be debated by a technical committee today.
- A decision that security force members should be prohibited from belonging to political organisations but could join "any bona fide trade union". The council decided that members of the police, the defence force, Correctional Services and National Intelligence were required to be impartial and should therefore "not be seen to be associated with any political organisation (but) should be allowed to be members of trade unions or similar organisations".

Traditional

- The scrapping of a wide range of repressive laws in the non-independent homelands, including KwaZulu.
- Agreement that traditional leaders would play a role at local, regional and national levels under the new dispensation: Traditional authorities would continue to exist, hereditary traditional leaders would be ex-officio members of the local government, a House of Traditional Leaders in provinces with existing traditional authorities and a council of not more than 20 traditional leaders at national level, which would have the power to delay legislation by 30 days.



ISLAND RACE ... Cape Town's World Hobie 16 champion, Shaun Ferry, will be among a fleet of 60 catamarans racing from the Waterfront to Robben Island and back next weekend to raise money for the National Sea Rescue Institute and a school on the island. Wishing Ferry a safe passage are Tanya Jansen van Rensburg, 20, (left) and Corne Steenkamp, 20.

Picture: ALAN TAYLOR

'No' to cooling-off clause

CT 12/11/93

JOHANNESBURG. — A sufficient consensus ruling in the negotiating council last night has overridden government support for a 48-hour cooling off period before the April election next year.

The ruling came after a technical committee proposal to this effect was put to the council.

The ANC led a charge for the clause, which proposes prohibition of political activity in the 48 hours before the election, to be left to the discretion of the Independent Election Commission.

ANC negotiator Mr Popo Molefe said many people voting in the election would be doing so for the first time.

"There is no way you can contain the excitement. If you are going to enforce a law which is unenforceable there will be confrontation." 3049

The IEC would be able to judge the mood and the clause should therefore be referred to it, he said. — Sapa

Democracy rules — must chaos reign?

South 12/11- 16/11/93

ONE of the consequences of democracy is visible and open debate, with differences of opinion and affiliation. This is not bad — rather it means democratic freedoms genuinely do exist and are not just promises on paper. People do enjoy freedom of speech and expression.

Because they have access to independent and unrestricted sources of information, they might hold a variety of beliefs and opinions. They can belong to the political party of their choice and move around, meet and associate freely.

Democracy does not create dissent and conflict. It simply does not try to hide the fact that people hold different points of view.

It is only if differences are emphasised to the extent of becoming destructive, that the state would intervene, usually on the grounds of existing legislation designed to prevent such an eventuality.

Democracy is actually about behaving in a way which is responsible, honest, principled and gives fair consideration to all points of view. Were all citizens to behave in this way, it would mean that government would hardly ever have to intervene directly in the affairs of civil society. Unfortunately, because not all citizens behave like this, a government needs to safeguard the human rights of all its citizens.

Under apartheid, it was illegal to differ politically with the government, to join certain political organisations, attend their political gatherings or actively work for them.

There were so many restrictions on free movement that a national administrative structure had to be created to make sure that no one was 'trespassing'. These are only a few of the massive restrictions that were all violations of democracy.

All authoritarian governments can remain in power only by suppressing freedom of information and choice among citizens. They survive best in an atmosphere of ignorance, apathy and fear.

To maintain people's right to differ, the citizens have to practise political tolerance and respect for the law. They must protest and demonstrate in ways that are allowed by the law. Above all, they must recognise the right of others to hold differing views. Respect for the law will be in a democracy, where the people themselves have chosen those who formulate the law.

304A

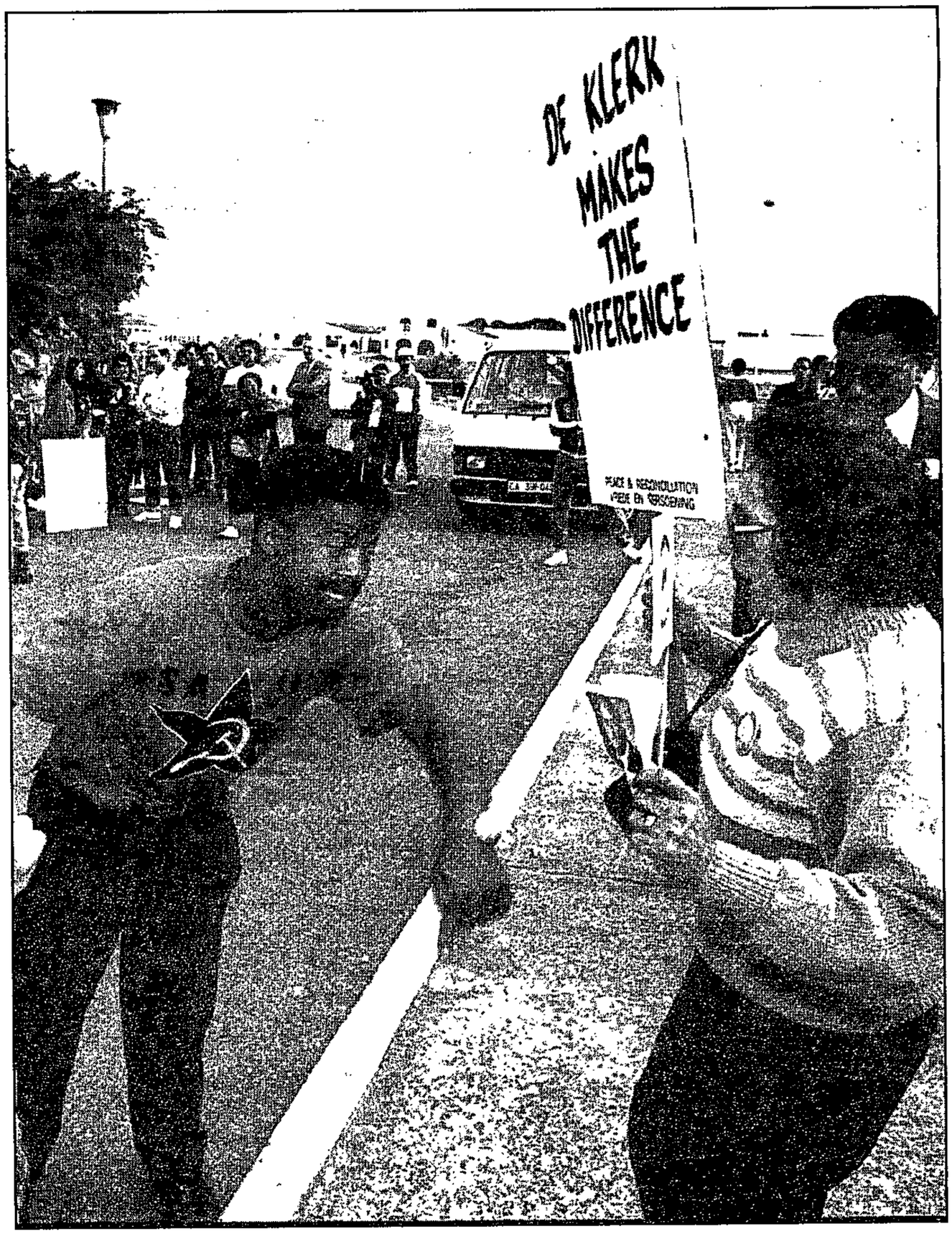
Democracy does not create dissent and conflict. It simply does not try to hide the fact that people hold different points of view

In these circumstances, conflict is not threatening to the fabric of society. Instead it enriches debate, stimulates new ideas and can lead to positive changes in society.

This is only possible if the members of society are prepared to compromise in order to achieve those solutions considered most workable, if not by all, at least by the majority.

The healthy functioning of a democratic society depends on mutual effort by both the government and the citizens of the country. The government has to exercise the restraint necessary to allow its citizens to explore all options open to them within the limits of the law.

The citizens have to demonstrate a sufficient level of social awareness to recognise that not everyone wants or feels the same things as themselves. They must recognise the right of others to feel differently without that in any way diminishing their equal right to everything the society has to offer.



NO EASY SOLUTIONS: Dissent and conflict will always exist, even in a democracy

Govt and ANC close to deal on police, army

Star 12/11/93

■ BY CHRIS WHITFIELD and ESTHER WAUGH

The Government and ANC are close to agreement on two of the most contentious issues in negotiations — the shape and composition of the future police and defence forces.

Details revealed to The Star last night indicate that the country could essentially get a single police force with some federal characteristics and a defence force eventually embracing all armed forces.

However, both Government and ANC sources last night warned that although there had been a considerable coming together on these issues the deals were not sealed and could falter.

On Wednesday next week President de Klerk, Nelson Mandela and other leaders will attend the final plenary session of multiparty talks.

However, the talks deadline was moved from next Monday to Tuesday yesterday.

Most remarkable progress was achieved in discussions on the shape of a future police force.

It is reliably understood that the Government and ANC are close to agreement on a single national police force with a differentiation of powers between the national and regional commissioners of police. The regional commissioners will be appointed by regional premiers, but only after consultation with the State President.

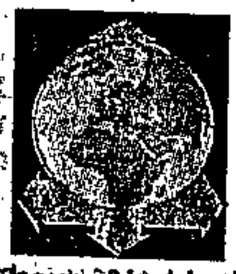
The regional commissioners will be accountable to the relevant Minister in the regions.

A solution to the long-standing differences between the Government and ANC over the future defence force is also on the cards.

The national defence force after the April elections will comprise all armed formations.

Among other important issues still outstanding are: the mechanism that will be used to resolve deadlocks in the writing of a final constitution, the percentage support required in the new Cabinet for for decision-making, the shape of future local government, and the powers, duties and functions of regions.

THE TALKS AND YOU



At the World Trade Centre

TRANSITION PACKAGE: Now it's agreement by exhaustion. For the second day running, negotiators worked into the wee hours inside the Negotiating Council and in bilateral meetings – in an attempt to nail down a settlement.

Despite bleary eyes and many cups of coffee, there was also some progress as negotiators agreed to the repeal of a plethora of discriminatory legislation; a deal was struck in terms of which Cosatu would call off its national strike; and the ANC-Government bilateral meetings nudged closer to resolution on key issues.

Chief among these was a coming together on the shape of a new police force.

Today the council is scheduled to debate the final draft of the Interim Constitution and finalise a Bill of Rights.

ESTHER WAUGH

NEGOTIATIONS

Fm 12/11/93

The caravan moves on

(304A)

The failure of government and the ANC to draw the Freedom Alliance into the mad dash towards this week's deadline for finalising the interim constitution may be far less serious than it seems. Analysts believe the alliance took a strategic decision some time ago not to return to the talks, except in the highly unlikely event of its demands being met.

This view is supported by the early withdrawal of Inkatha negotiators Frank Mdlalose and Ben Ngubane from important bilateral talks with government last week, so that they could accompany leader Mangosuthu Buthelezi on a foreign visit. Inkatha is a senior partner in the alliance.

Buthelezi's action in leaving SA at such a crucial time in the bilateral negotiation process was interpreted as an indication that he had no intention of returning to the World Trade Centre before today's deadline.

A similar stance appears to have been taken by other alliance partners who, it is understood, made little effort to soften hardline positions during last-ditch talks with government this week.

Freedom Alliance leaders apparently decided that their input in the final stage of negotiations would have virtually no impact on the interim constitution. Participation could in fact have backfired by bolstering the credibility of government and the ANC, while undermining alliance support if — as was likely — it was unable to force acceptance of its main demands.

By not endorsing the interim constitution the alliance's future options are open. It can either participate in April's general election or campaign for a boycott. A boycott would have been hypocritical had the alliance been part of the process.

The more pressing problem facing government and the ANC this week was lack of time to finalise niggling details of the interim constitution and related measures, such as the electoral law and rights concerning strikes and lock outs. Discussions in the National Manpower Commission over the right of employers to lock out strikers deadlocked this week. The issue — the only outstanding matter over which Cosatu has threatened a national strike — has been referred to the negotiators at Kempton Park.

Negotiators took a break from public discussion on Tuesday to give parties a chance to brief their leaders on final decisions that needed to be made this week. As the *FM* went to press the Cabinet was meeting in a special session in Pretoria, after which President F W de Klerk was due to address a press conference on government's latest view of recent developments.

The Freedom Alliance chairman, Bophuthatswana's Rowan Cronje, says that if the alliance is not part of the agreement on the interim constitution it will not take part in the elections.

Earlier this week negotiators believed the interim constitution would be ready for endorsement on Thursday, but were preparing to push the deadline to Saturday if necessary to finalise "outstanding matters."

A plenary session of the negotiating parties, including their leaders, is scheduled for Tuesday, at which the package of agreements on the Transitional Executive Council and interim constitution is to be given the go-ahead.



De Wett Schutte, a political research specialist with the Human Sciences Research Council, has little doubt that the interim constitution will be "forced through" within the next few days, leading to an important new phase in the transitional process. He believes the Freedom Alliance's absence from the World Trade Centre is not particularly important. "Nothing the alliance could have said or done would have changed the pace or direction of the process." Participation might also have exerted considerable pressure on the alliance, whose constituent parties have widely divergent views on key issues.

Schutte believes political dynamics may change significantly following the adoption of the interim constitution. Possibilities include a narrowing of the ideological gap between the NP and the alliance, and even a formal coalition to oppose the ANC in the election and in the constituent assembly. He does not foresee the alliance boycotting the election because boycotts are generally unsuccessful strategies.

The possibility of an anti-ANC coalition was given more weight at the weekend when the results of an opinion poll suggested that the ANC would win 57% of the vote next year, compared to 15% for the NP, 9% for the IFP, 4% each for the CP and DP, 5% for the PAC and 3% for regional parties.

Peter Vale, co-director of the University of the Western Cape's Centre for Southern African Studies, says the alliance's absence from the negotiations tends to be viewed either as a precursor to an horrific civil conflict, or as being largely irrelevant because of the alliance's general lack of support. He backs the latter view.

Buthelezi's international allies appear to be abandoning him and the white Right is being restrained by Afrikaner Volksfront leader Constand Viljoen.

Vale says, while conspiracies between government and the alliance can't be ruled out, the latter appears to be an extremely divisive force within the NP, with some senior Ministers wanting nothing to do with the alliance.

Meanwhile, in a tough speech at the weekend, ANC leader Nelson Mandela warned rightwingers "and their black surrogates" that they would be crushed if they tried to prevent the election taking place. He told a rally in Transkei that people who believed they could prevent next year's election were "living in a fool's paradise." ■

REGIONS

Cape solidarity

Fm

The political minefield facing an interim government over boundaries for new provinces has again been highlighted. There is growing opposition to a proposal to hack off a slice of the west coast from the greater western Cape and include it in a northern Cape region to be governed from Kimberley. 12/11/93

The proposal is part of a nine-region package presented to negotiators at the World Trade Centre in Kempton Park last month by the Commission on Delimitation/Demarcation of Regions. Final decisions were sidestepped and effectively left to the constituent assembly and interim government to be elected next year.

West coast communities have rejected the suggestion that all areas north of Piketberg, about 100 km from Cape Town, should be included in a massive northern Cape province. The 230 000-strong population of the region, which stretches 300 km up the west coast to Vanrhynsdorp on the Namaqualand border, identifies strongly with the greater

P.T.O.

Traditional leaders will play major role in dispensation

BDay 12/11/93

BILLY PADDOCK

TRADITIONAL leaders have failed to secure for themselves guaranteed seats in Parliament, but have won significant concessions to play a role at national, regional and local level.

Negotiators passed a resolution yesterday entrenching in the constitution the role traditional leaders should play in a new dispensation.

This followed intense behind the scenes arguments and lengthy disputes in the council.

At a local level, traditional leaders would become ex officio members of the elected local authority and could even be elected as its chairman.

At the regional level, a house of traditional leaders would be established in the provinces and its members would be elected by an electoral college. (30A)

The number of elected members would be determined by legislation passed by the provincial legislature in consultation with traditional leaders within six months of the legislature being established.

All legislation that had a bearing on indigenous law and custom would be referred to the house of traditional leaders for consideration and comment to see if it approved the laws.

The house would be given 30 days to comment. If the house of traditional leaders opposed the legislation but the provincial legislature passed it, its enactment would be delayed for 30 days.

At national level, a council of 20 elected traditional leaders would be established to meet on a part-time basis to consider legislation pertaining to indigenous law and custom. If the council opposed the legislation, there would be a 30-day delay before it was finally approved.

Today negotiators will face another lengthy discussion with traditional leaders who are objecting to one of the constitutional principles adopted unanimously on Wednesday.

Freedom Alliance showing signs of strain

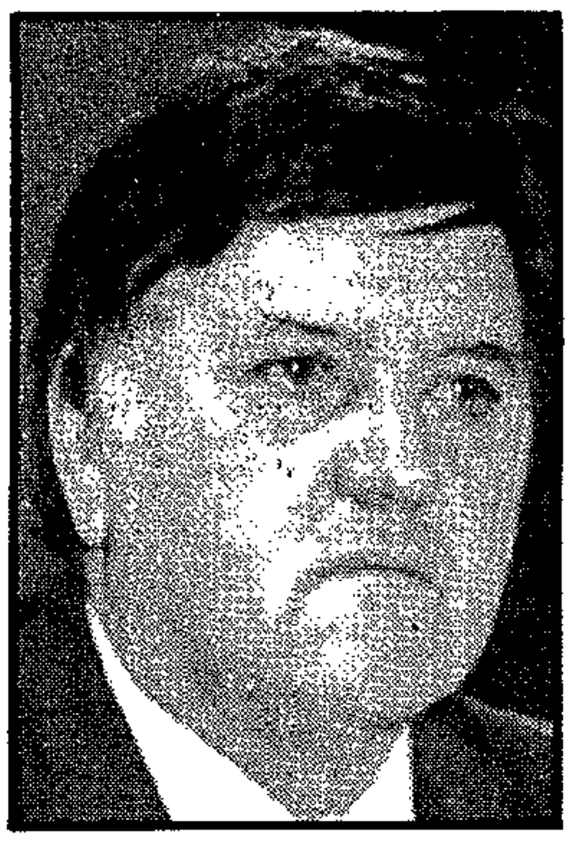
BIDay 12/11/93 3044

ESIDENT F W de Klerk and the IC's commitment to forging ahead th elections on April 27, regardless the Freedom Alliance's stance, is erious attempt to bring stability d growth to a country they believe not continue on its present course ich longer.

It is also a gamble which may put essure on the alliance and result in its members participating in the ction.

NP negotiators have been under ense pressure from some fellow icus members, facing criticism t they have yielded too much to ANC and alienated their more ural allies — the Inkatha Free- n Party and others in the alliance. However, a point not been lost on top echelons of the NP is the ential for the party to pull in a at many more votes in the elec- n if the alliance does decide to cott. Faced with an election in ich they are not able to vote for party of their choice, many sup- ters of the CP, Afrikaner Volks- nt and even Inkatha are likely to ow their lot in with the NP.

De Klerk's extended Cabinet eting on Wednesday consolidated and the negotiators' position by



☐ CRONJE

getting hardliners such as Danie Schutte, Tertius Delport, Kobie Coetsee and Hernus Kriel to back the constitution being negotiated, even though it is not exactly what they want. Rumours have been rife that they, and especially Delport, have

BILLY PADDOCK

been considering voting against it in Parliament.

The Freedom Alliance has been exploiting these NP divisions in the secret meetings with the party. But after the Cabinet meeting and De Klerk's public statement, the alliance has realised that this strategy will fail.

With negotiating time being so short, the strains in the alliance are starting to show. The meetings are endless. Its negotiators are exhausted. The formation does not have the efficient back-up staff that government has, which enables its negotiators to negotiate for 16 hours and then get a good night's sleep while the experts work out new proposals.

All these factors have aided government negotiators in taking a fairly tough line with the alliance in recent talks. De Klerk's claim that differences have narrowed is primarily an attempt to ensure that the alliance appears intransigent should talks deadlock again.

But government's strategy has a double purpose. It uses the Freedom Alliance demands, which are not dissimilar to its own, to force further concessions from the ANC. This has been a major factor in the flurry of NP-alliance meetings this week.

The alliance, in its attempts to delay the process and stick to its original demands, will now be forced to shift quickly with the realisation that its boycott will not stop the election from going ahead.

Government negotiators are convinced that Bophuthatswana and Ciskei will rejoin the process of preparing for elections, even if they do not formally endorse the constitution next week at the plenary meeting of leaders. But the door is being left open for adoption of it at any stage in the run-up to elections.

The writing is on the wall for these two homelands. Facing a now-hostile government, on which they rely for more than 70% of their revenue, secession is out of the question. Despite Bophuthatswana's chief negotiator Rowan Cronje stating that it would not participate in the election if it did not agree to the constitution, he said this decision was one of principle only and not a decision on the constitution at this point. The door is open. Ciskei is in a worse position, with leader Brig Oupa Gqozo facing murder charges.

Cronje also believes the differences between the alliance's position and that of government and the ANC are not unbridgeable, requiring guarantees and clarification to be entrenched in the constitution rather than much substantial reworking of the document.

Inkatha's election machinery is working flat out in Natal preparing for elections. The party's alternative — boycotting the political process — means becoming marginalised. Inkatha will most likely criticise the constitution and in the end register to contest the elections, arguing that while it rejects the constitution it cannot allow the ANC to take the province by default.

The CP and the Volksfront are also likely to join in at the last stages, with MPs already getting edgy about their jobs.

Government negotiators expect the most hardline right-wingers to part from the CP when it decides to contest the election but they believe the threat is containable. The election will then serve to legitimise the interim constitution.

LETTERS

Star 13/11/93

SA will say it in 11 languages

CHRIS WHITFIELD
Political
Correspondent

SAY IT in Afrikaans, English, Ndebele, Pedi, Sotho, Siswati, Tsonga, Tswana, Venda, Xhosa and Zulu: all 11 are set to enjoy official-language status in the new South Africa — and all could be used in the new parliament. (304A)

In terms of a proposal from Government-ANC talks this week, a provincial body could, by a two-thirds majority, determine any of the 11 to be official languages for their region, or part of it.

MPs will be able to deliver speeches in parliament in the language of their choice. Existing language rights and statuses will not be diminished — a sop to Afrikaner fears, and which means other languages will be elevated to the level of Afrikaans and English.

Fierce battle over constitutional court

Peace talks falter on the final lap

Star 13/11/93

CHRIS WHITFIELD and ESTHER WAUGH

WITH only two working days to deadline, the negotiations yesterday slowed sharply amid some disquiet over last-minute proposals being thrashed out in Government/ANC discussions.

Foremost among these is the composition of the powerful Constitutional Court, which yesterday gave rise to sharp exchanges between the ANC and Democratic Party.

With the workload piling up, it now seems possible that Wednesday's proposed plenary session of leaders — to ratify agreements — will be delayed until later in the week. It is understood that a decision on this will be made by the talks planning committee on Monday. (304A)

However, Constitutional Development Minister Roelf Meyer was last night confident that the transition package could be finalised by Monday evening or on Tuesday.

Sluggish progress

Yesterday, progress in the negotiating council was sluggish and Government/ANC talks on the future the police stalled. The Government and the ANC finally unveiled their joint proposal on the composition of the Constitutional Court — which will have the critical tasks of ensuring that legislation is constitutional and arbitrating in disputes between the central government and other levels of government.

In effect, it will act as democracy's policeman and, through its rulings, shape the operation of the constitution. But the proposals were immediately and fiercely attacked by the Democratic Party's justice spokesman Tony Leon, who described them as "potentialy extremely dangerous and could result in the most important court ever created in South Africa being politicised, centralised and hand-picked by a new government". He said the proposals called into question "the future of federalism, the independence of the judiciary and the concept of separation of powers in the new South Africa".

The ANC's Mac Maharaj hit back, saying: "Under the banner of

● TO PAGE 2.

Talks

● FROM PAGE 1.

championing democracy, Tony Leon is trying to whip up political fears among those who distrust the capacity of this process to bring about democracy.' Star

He pointed out that in the past, white presidents or prime ministers had appointed chief justices, while ministers of justice were responsible for the appointment of judges — "and all the while this was accepted by the DP as not politicising this process".

In terms of the proposal, four of the 10 Constitutional Court judges will be appointed by the State President in consultation with the Chief Justice and the Cabinet. The remaining six will be appointed by the State President "after consultation with the president of the Constitutional Court and in consultation with the Cabinet". (304A)

The document also cites the meaning of the expression "in consultation with the Cabinet" as being among "outstanding matters still to be agreed upon" (304A)

Leon argued that the "bottom line" of the proposals was that the new State President would effectively be able to veto the nomination of any person for a seat on the Constitutional Court.

He added that although the Cabinet would be constituted by proportional representation, "it is clear that it will be controlled either by the ANC alone or by the ANC plus one other party. Plainly the NP is calculating that it will be that other party".

It was "profoundly wrong that membership of so immensely powerful a judicial body as the Constitutional Court should be vested entirely in the hands of the government".

The DP proposed the appointment of the Chief Justice and president of the Constitutional Court "strictly on the recommendation of a judicial service commission (JSC)" and of the other Constitutional Court judges "on the recommendation of the JSC, subject to confirmation of 75 percent of the Senate". 13/11/93

Discussions between Umkhonto we Sizwe and the SADF ended last night with a draft agreement after serious differences had emerged during the day. The dispute apparently arose after the SADF insisted that it form the core of the future force, while the ANC argued that all armed formations should have equal status.

The draft agreement is to be discussed by the leaders this weekend. The ANC has also rejected a draft agreement on a new police force.

Yesterday in the negotiating council progress was sluggish and included a stormy falling out over the boundaries of the country's new provinces.

There was, however, agreement in ANC/Government bilateral meetings on a future education dispensation. Departmental, community-managed or state-aided primary or secondary schools will effectively stay as they are unless changes are agreed in negotiations.



sagging skin.
● Photograph: ROBERT DAVICE

wrinkles

ıkes a difference too. Research
t if you're under 20, you're more
developing non-melanoma skin
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rally, because the same research
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ma skin cancer by 70 percent".
ısk until you look like a lobster.



Alliance 'could poll more than NP'

By BARRY STREEK
Political Staff

THE National Party could end up with less support than the Freedom Alliance and the ANC could win more than two-thirds of the vote in next year's election, a new survey has found.

The survey, Platform for Investment 11, said an NP with less than 15% of the vote would not be able to function as a "bridge" for the ANC to control the state. Nor would it be able to exert legitimate authority over right-wing and regional interests.

Platform for Investment 11 is a comprehensive research project undertaken jointly by Sanlam, the Human Sciences Research Council (HSRC), Frankel Max Pollak and Vinderine and Ernst & Young.

"The loss of support for the NP can be ascribed to perceived differences between the NP's mandate and what white voters fear the outcome of the negotiations will be.

"Furthermore, the NP has lost its former image of determination and strength among coloureds, Indians and blacks.

"However, without the constraint of a strong NP, the ANC will feel less antagonistic to the interests of the existing establishment and be more balanced and generous in its own policy formulation. It will, in fact, become the new 'centre'."

A presentation on the survey will be given in Cape Town on November 26. The speakers will be Mr Mike Brown of Frankel Max Pollak Vinderine and Professor Lawrie Schlemmer of the HSRC.

Alliance has new proposals

JOHANNESBURG. — The Freedom Alliance left its meeting in Pretoria with the government yesterday with new proposals aimed at resolving outstanding constitutional issues.

The alliance is expected to consult over the weekend on the proposals and reply on Monday, a government source said. (304A)

President F W de Klerk said yesterday he hoped to meet alliance leaders before Wednesday. CT 13/11/93

He said it was his impression that the IFP was working very hard for a party that did not intend to participate in the election. — Sapa

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Report 1 - Population and Housin

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3 - Water supply and Con

4 - Operating and Mainten

5 - "White" Municipalities consumption

6 - "White" Municipalities Budget and Tariff

7 - KwaNdebele Population and Water Schemes

8 - Bophuthatswana Population

Germans link SA aid to democracy

BOB TILLEY
Weekend Argus Bureau

MUNICH. — Germany has given South Africa a clear signal that if it achieves a democratic and peaceful transition to majority rule next year it can expect generous political and financial support from Europe, according to German Foreign Office officials.

Analysing a Bundestag debate on Africa, the officials drew attention to an appeal by Foreign Minister Klaus Kinkel for a co-ordinated European Community policy on Africa.

Mr Kinkel said Africa was of "great importance" for Europe and the world at large, and democratic progress there had to be supported with every means possible.

The Bundestag agreed to urge the German government to link aid for African countries more closely to durable democratic progress. Three countries were singled out for critical examination — Zaire, Togo and Cameroon, the latter two being former German colonies.

Mr Kinkel assured the Bundestag the government was paying more attention than ever to the observance of human rights and democratic practices in the countries Germany was helping. South Africa was among them, he said.

EDYTH BULBRING explains the constitution that will shape the lives of all South Africans for the next five years

ANC president Nelson Mandela's promise last week that his organisation would honour all agreements entered into in negotiations was not made in isolation.

It was the result of a meeting with British Prime Minister John Major, who urged Mr Mandela to employ his moral authority to reassure those who suspect an ANC government would tear up agreements once it came to power.

Having given his assurance that this will not happen, Mr Mandela's honour is now on the line.

But the real protection for ordinary South Africans lies not in the integrity of politicians — although the symbolic importance of Mr Mandela having given his word is not to be scoffed at — but in the constitution itself.

The document being finalised at the World Trade Centre this week, unlike the existing constitution, will be the supreme law of the land.

This means that, whereas Parliament now has the final say when it comes to making laws, the authority will from April 27 next year reside with the courts. If they decide a law passed by Parliament is not in keeping with the constitution, it will be ruled invalid.

In addition, the constitution is replete with safeguards which, while not as extensive as many would have hoped, will make it impossible for Mr Mandela, even if he wanted, to go back on his word.

It sets out in 13 chapters how a government of national unity will be elected, how the three tiers of government will operate and how a final constitution will be written.

And for citizens, who sometimes have cause to regret the governments they elect, it also guarantees rights and freedoms against an abusive state.

The following is, in essence, what has been agreed to at the talks:

VOTING

ON April 27 eligible South African citizens will vote for a national government based on a system of proportional representation.

The present system in the white, coloured and Asian houses, where the person who receives the most votes in a constituency is elected to Parliament, has been discarded.

Instead citizens will cast their vote for a party.

Before April 27, parties will submit a list of candidates for national elections and a list for each province in which it intends contesting the election.

A total of 400 people will be elected from these lists to be members of the National Assembly. Each ballot will be counted twice.

First, all votes cast in the election will be counted together to decide the election of 200 members of the National Assembly off parties' national lists. Then the votes in each province will be counted separately to decide the election of 200 members of the Assembly off provincial party lists.

This means that, if the ANC gets 50 percent of the vote nationally, Mr Mandela and the 99 people whose names follow his on the organisation's national list will be elected.

The number of seats allocated to each province will depend on the number of people who vote in the region. That can only be determined after the election.

But if every registered voter in the country casts a ballot, the Western Cape region will, for example, be allocated 20 seats in the national assembly.

If the ANC gets half the votes cast in the region then Dr Allan Boesak, whose name is likely to appear on the top of its Western Cape list, and the next nine people on the list will be elected.

Votes cast in each province will also determine the number of seats a party gets in the provincial legislature. Depending on the number of people in a region, these bodies could have between 30 and 100 seats.

Taking the example of the Western Cape, which is highly populated and could have an 80-seat legislature, the ANC, if it got half the vote in the province, would get 40 seats.

Members of the provincial legislatures will, in turn, elect the 90 members (10 for each province) of the Senate — the upper house in Parliament.

If the ANC got half the votes in the Western Cape, five of its members would be elected to represent the province in the Senate.

THE CABINET

THE most powerful body in the country, the cabinet, will run the country and determine national policy.

All parties having at least five percent — or 20 seats in the national assembly — will qualify for seats on the cabinet. The president will be elected by a simple majority in the national assembly and each party having 20 percent — or 80 seats — in the assembly will be allowed to appoint a deputy president.

If no party has 20 percent, the largest and second largest party will be allowed to appoint a deputy president from among their ranks.

The cabinet of not more than 27 ministers will be appointed by the president after consulting his deputies and other leaders. His deputies do not have veto rights.

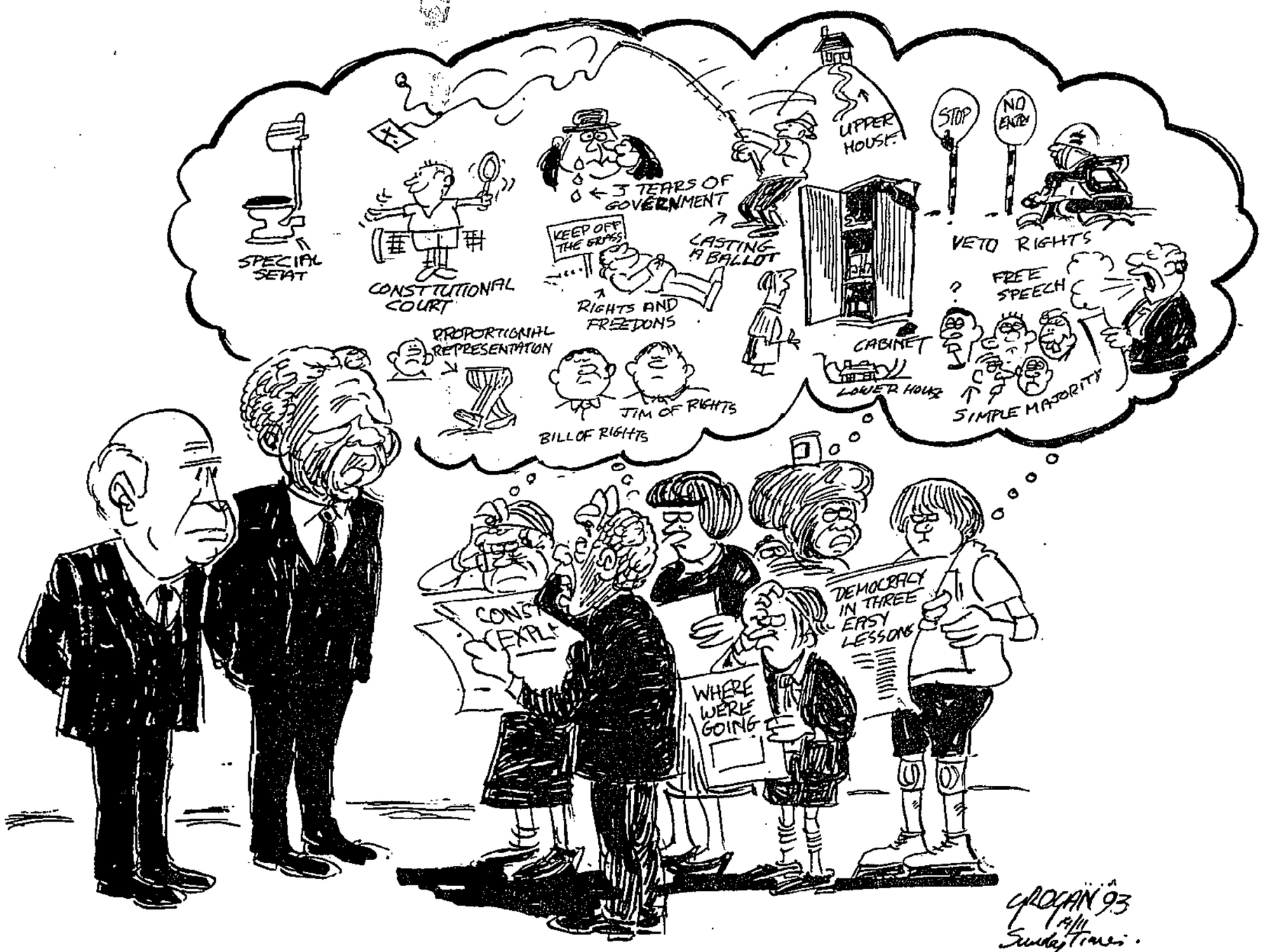
The cabinet will try to reach decisions by consensus. But, should this not be possible, decisions will be taken by a certain majority of ministers present.

PARLIAMENT

THE laws of the country will be made by the 400-person National Assembly and the 90-

A beginner's guide to the constitution

ST Times 14/11/93



(304A)

member Senate which will be known as the Parliament.

All ordinary laws will be passed by a simple majority in each house and, if one house turns down the bill, it will be passed by a majority of the total number of members of both houses.

Extraordinary legislation — the budget and tax laws — can be introduced only by the National Assembly and, if the senate fails to approve it, the president has the final say.

PROVINCES

THE nine provinces of South Africa will be: the Eastern Cape; the Eastern Transvaal; Kwazulu/Natal; Northern Cape; Northern Transvaal; the Northwest; the Orange Free State; Pretoria-Witwatersrand-Vereeniging; and the Western Cape.

Each will have a provincial legislature, elected by proportional representation off provincial party lists. The number of seats will be determined by dividing the total votes cast in the province by 50 000 but no legislature will have fewer than 30 or more than 100 seats. It will pass bills by a simple majority.

Like the executive of the national government, the provincial executive will consist of a premier, who will appoint 10 executive members to administer provincial departments and determine policy.

A party will need to get at least 10 percent of the seats in the provincial legislature to qualify for an executive portfolio.

Like the national executive, the provincial executive will try to reach decisions by consensus and by a special majority if there is dissent.

The legislature will have the power to make concurrent laws with the national government on issues like agriculture, housing, public transport and welfare.

Disputes with the national government will be decided by the constitutional court (see below). However the constitution is weighted in such a way that the courts are likely to favour the centre.

A province shall be entitled to an equitable share of revenue collected nationally to enable it to function.

It can raise other revenue and secure loans only with the permission of national government.

CONSTITUTIONAL ASSEMBLY

BESIDES governing the country and making laws, the national Parliament also has another function. When the Senate and the National Assembly sit in joint session they will be called the constitutional assembly.

Its role is to draft a final constitution. In doing so it will be bound by constitutional principles which guarantee, among others, that a new constitution will provide for a multi-party democracy, three tiers of government with certain powers and the recognition of civil liberties.

The final constitution will be adopted by two-thirds of the members of the constitutional assembly within two years of its first sitting. If this is not possible, deadlock-breaking mechanisms will come into play. The final constitution will be implemented after being approved by the necessary majority but power-sharing at cabinet level will last until April 27 1999.

CONSTITUTIONAL COURT

BESIDES the inviolable constitutional principles, and special majorities needed to write a new constitution, the constituent assembly is governed by another safeguard to ensure that a government does not abuse the present or any future constitution. This is the constitutional court.

It will have the final say on matters relating to interpretation, protection and enforcement of all provisions of the constitution at any level of government.

Apart from mediating in disputes between different levels of government, it has the power to certify that any change to the constitution complies with constitutional principles.

A decision by the constitutional court is final and binding and no other court will have the power to interfere with its decision.

BILL OF RIGHTS

IN addition to safeguarding the constitution, the constitutional court has a second function. This is to protect the rights and freedoms of the citizens.

Contained in the constitution is a "bill of rights" which extends and protects the democratic rights and freedoms of all citizens against possible abuse by the state. These include fundamental liberties such as the right to free speech and equality before the law as well as property rights. The "bill of rights" binds the legislative, executive and, where appropriate, the judicial branches of government at all levels.

If any person or juristic person (companies etc) feels his or her rights have been violated, they can apply to the constitutional court for adjudication and relief.

These rights can only be suspended under a state of emergency and then only under strict provisons.

LOCAL GOVERNMENT

THE constitution finally makes provision for a third tier of government — local government. Power-sharing models that apply to national and regional government will also operate at this level. This tier of government will have the same powers as city councils now hold.

SA's top judges will be 'political lackeys'

By CARMEL RICKARD

PRESIDENT F W de Klerk and ANC president Nelson Mandela have been drawn into the growing row over joint ANC/government proposals giving politicians virtually exclusive powers to select members of the new constitutional court. ST Times 14/11/93

Behind-the-scenes meetings are continuing over the weekend, with the DP meeting top officials of both parties to prevent possible walk-outs and boycotts if the forum is asked to rubber-stamp the proposals.

However, Justice Minister Kobie Coetsee defended the proposals, saying they continued the "until now proven" system of the present government under which the state president makes judicial appointments in consultation with the cabinet. (S52) (204A) (HB)

The proposals were released on Friday after bilateral discussions between the government and the ANC. The technical committee is considering them this weekend, and a new draft that could endorse them will be put to negotiators tomorrow.

In response, Democratic Party leader Zach de Beer met Mr Mandela on Friday evening, and had separate talks with a cabinet minister representing Mr de Klerk.

Earlier he indicated to both leaders that the DP found the proposals "quite unacceptable" and would do everything in its power to ensure they were not passed.

The report contains a number of controversial proposals, but the most contentious would make all 11 members of the new court "political" appointments. They will be chosen by the state president in consultation with the cabinet, and after consultation with the chief justice or president of the constitutional court.

By contrast, judges of the Supreme Court will be chosen by a Judicial Services Commission, consisting of representatives of the judiciary and other branches of the legal profession, as well as politicians.

Chairman of the General Council of the Bar, Mr Wim Trengove, said the best-case scenario under the proposed system would be a court of judges seen by the public as political lackeys. "In the worst-case scenario, they would in fact be political lackeys," he said.

Judiciary is given a guarantee

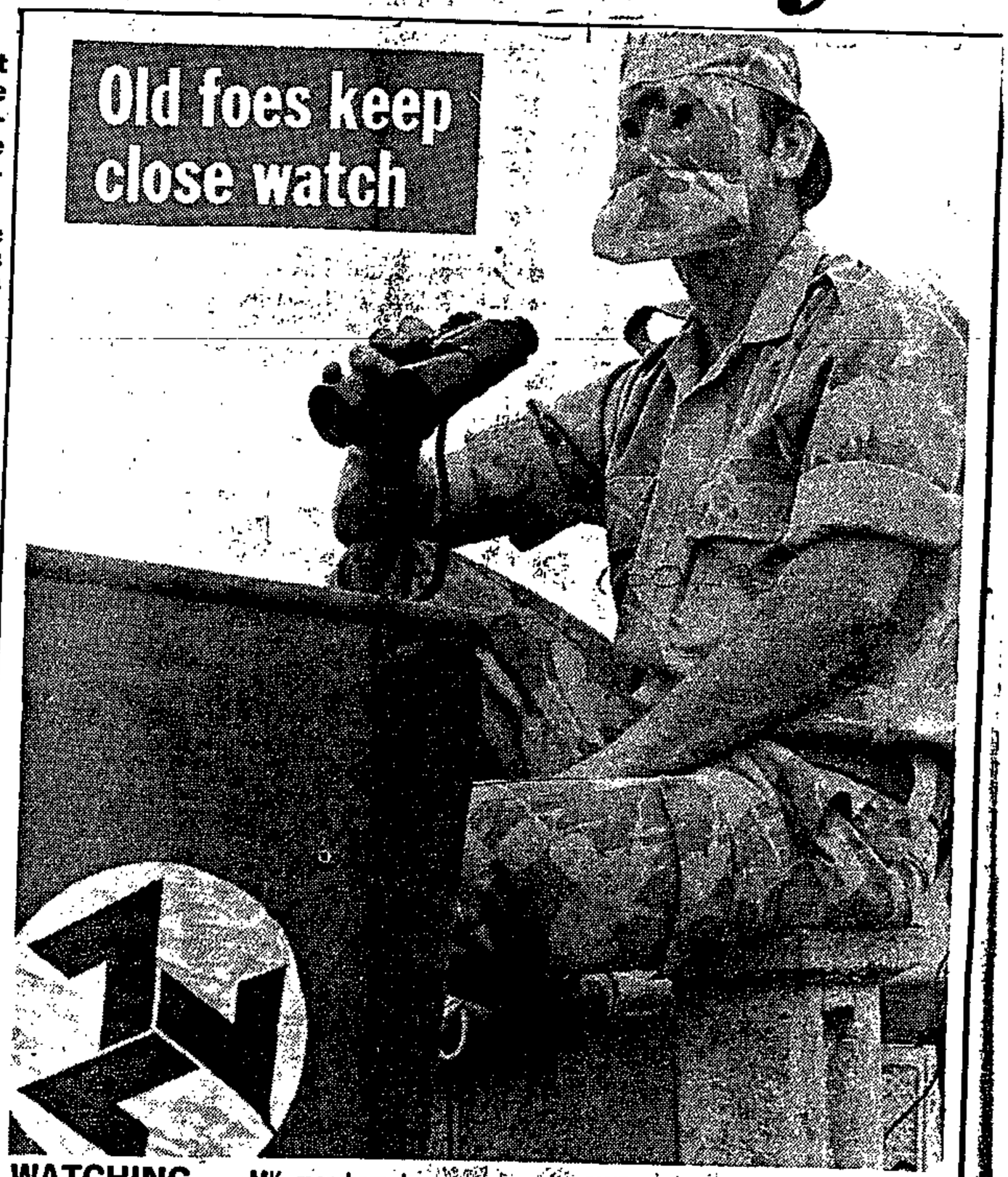
ST Times 14-11-93

JUDGES will keep their jobs when the new constitution comes into operation, in terms of an agreement understood to have been reached between the government and the ANC.

The government proposed the judiciary would be regarded as though appointed under the new constitution and as having taken the oath of office. It also proposed other officials such as attorneys-general would continue in office as though appointed under the new constitution. (S52)

It proposed all court cases pending at the time of change-over would continue as though started under the new constitution. The ANC yesterday agreed to these proposals, which were intended to help ensure an orderly transition.

Old foes keep close watch



WATCHING . . MK members keep an eye on AWB members patrolling outside Rustenburg's Olympia Stadium yesterday, while a masked AWB man eyeballs ANC supporters, attending a rally, from a perch across the road **Pictures: JUHAN KUUS**



Crowd boos 'kill' slogan

ST Times 14/11/93

By JAMES BRITTAIN

OPINION SURVEY SHOWS THAT BLACK AND WHITE SOUTH AFRICANS ARE

ST Times 14/11/93

POLLS APART

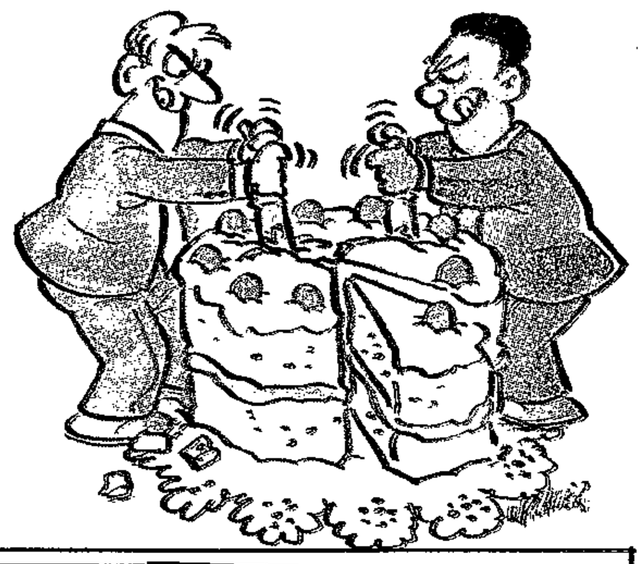
(304A)

WHAT is the greatest threat facing the country? Communists, the police, white racists? No: it is Satan. At least, that is what 75 percent of South Africans of all races believe in a new poll.

Beyond that, however, there is little that white and black South Africans agree upon.

Seventy percent of whites think blacks want total power. Seventy percent of blacks think whites do. Most blacks think whites want apartheid to continue. The majority of whites are convinced blacks will oppress them once they are in power.

Three-quarters of blacks believe a new government will make South Africa more prosperous and half said it would solve their personal financial problems. Three-quarters of whites believe the reverse.



Eighty percent of blacks think South Africa is rich enough to give its people everything they want — indeed they think it is the third richest country after the US and Japan. Whites think South Africa is comparatively poor.

This South African mosaic is captured in a recently released poll by Integrated Marketing Research which shows, yet again, South Africa's two worlds of wealth and poverty — and the great capacity for misunderstanding between them.

A total of 2 200 South Africans were questioned in September by Integrated Marketing Research. They were city slickers and rural peasants, shackdwellers and hostel inmates, male and female, all races, all ages. They were asked 100 or more questions about themselves, their politics, religion, customs and beliefs, and the results were within a four percent margin of error.

One of the few things South Africans do agree upon is that they are confused, frightened and have the sense that they are being swept along by events. Thuggery and lack of employment prey heavily on their minds.

A third of blacks and 27 percent of whites put violence at the top of their list of problems confronting the country. Lack of housing, educational problems, white intolerance, the police, drought and racism all fade into nothing compared with the concern about violence. The result is a cry for tougher law and order, with whites leading the charge.

Three-quarters of whites think the police should shoot violent criminals on the spot and 70 percent believe it right to shoot an intruder. Only 23 percent of blacks agree to the first proposal and 35 percent to the second. Eighty-five percent of whites think murderers should be sentenced to death. Seventy percent of blacks agree, which is not much comfort for the abolitionists.

While many whites blame the ANC for causing all the country's problems, the majority of blacks blame the government. Gone forever are the old white shibboleths — US intervention, sanctions, political priests.

But if the communities are divided on the causes for the current woes, they have no doubt about who should sort it all out: President F W de Klerk.

Good news is that nearly everybody wants peace. Bad news is that not too many believe it will happen soon. Most blacks think it will get better in the future, but whites think it will get worse. Blacks tend to think it will get better quickly, while whites are the Jeremiahs. Most think it will take up to a decade to improve. Whites and blacks are roughly level pegging — 12 percent — in considering emigration as a solution to all problems.

Most South Africans think negotiations, Codesa and multi-party talks are good ideas. They also like the notion of "democracy" and "peace". But the majority are flummoxed over the actual discussions at the World Trade Centre. Talk of federalism, regionalism, decentralisation and bills of rights leave nearly half stunned into a reluctant "don't know" when asked their opinion.

There also seems to be a lot of confusion about a future economic order. Whites mostly like capitalism. Blacks generally hate it — or at least the image. "Free enterprise", somewhat contradictorily, gets the biggest vote from all communities, although blacks also overwhelmingly (80 percent and upwards) support a ban on retrenchment of work and laws to stop pr rises.

Half the black comm ity also supports nation sation of industries. Cc munism trails far behin popular support (in fact third of black South A cans count it as a ma threat).

It is clear that the n government will have shoulder an awful burd

Eighty percent of bla think the governme should give free housing, percent believe in free ei cation and welfare for unemployed.

In fact, most bla show themselves to be traordinarily genero More than half think th if one has two houses, should give one to the p (less than a tenth of whi agree) and more than h want to give aid to nei bouring African countri

The question of w should pay gets tric Only a quarter of bla felt taxation was a "go or "very good" idea.

Sixty percent of bla felt only the rich sho pay taxes and the sa number felt that poor p ple's taxes support the ri More than half felt the n government should ta from the rich and give the poor. Three-quart felt jobs should go to disa vantaged people.

The sense of entitlem is perhaps not surprisi The IMR survey shows society on two sides of river — the one side r and the other poor.

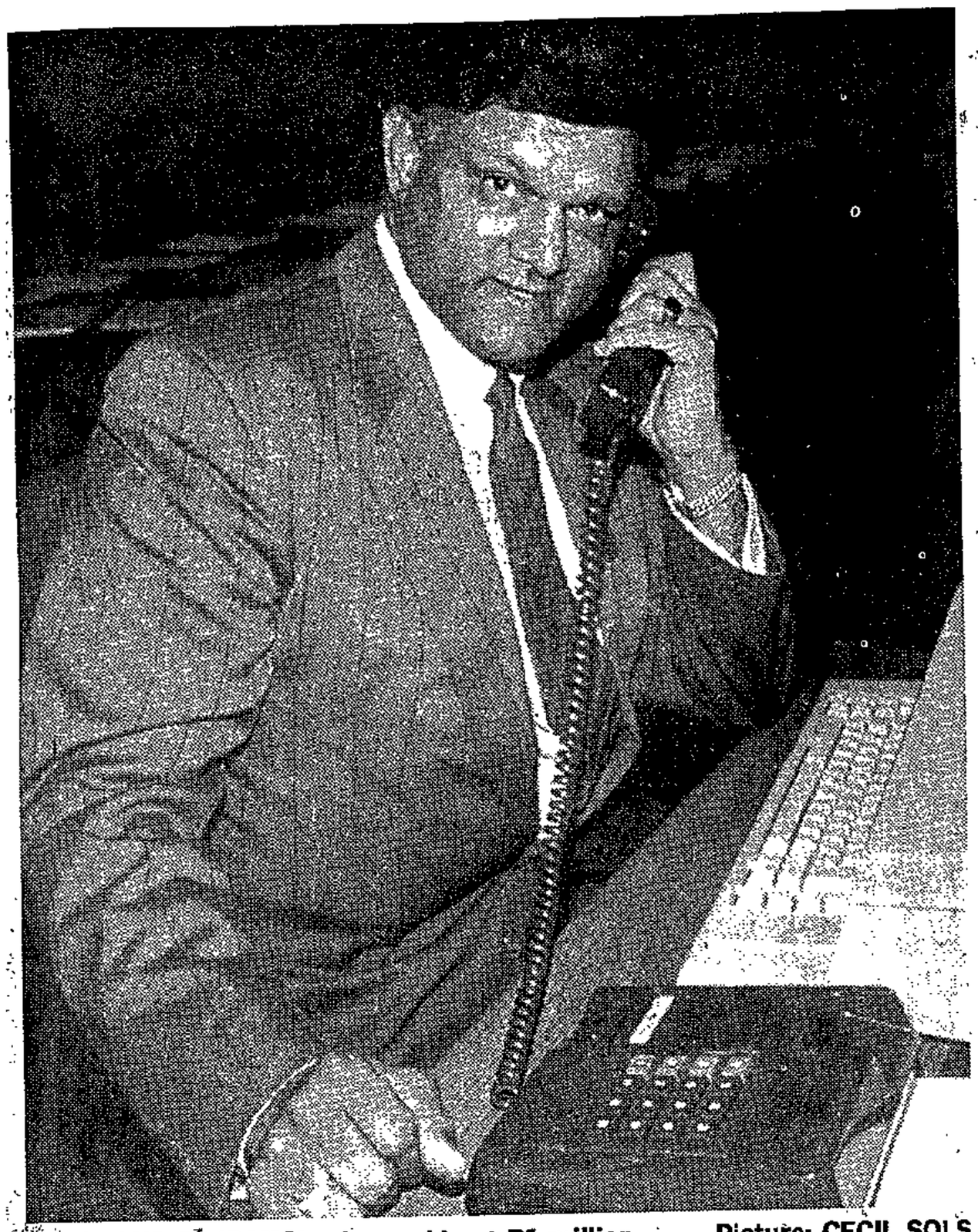
And those divisions cc relate closely to rac Blacks travel by bus a taxi, whites by car. Near all whites have runni water, electricity, hot w ter, a telephone and fridge. Only 40 percent blacks have running wate 15 percent hot water, ha electricity, a fifth a tel phone and 40 percent fridge.

In fact, apart from a fe of Satan and a love of T there is not much in co mon that brings them gether.

- **40% whites think a white homeland is a 'good' or 'very good' idea**
- **75% whites think the police should shoot violent criminals on the spot**
- **72% blacks believe newspapers should be independent. Only 54% whites agree**
- **21% whites have been burgled or robbed compared with only 10,7% blacks**
- **21% blacks have experienced fighting or unrest in their residential areas compared with only 10% whites**



REPORT BY BRIAN POTTINGER



AMICHAND RAJBANSI, who could get R1-million Picture: CECIL SOLS

Now tiny parties can fight election with R1m payout

SI Times 14/11/93

AMICHAND RAJBANSI and leaders of other tiny political parties could receive up to R1-million of taxpayers' money if proposals to get the state to fund election war chests are approved by negotiators tomorrow.

By EDYTH BULBRING
Political Correspondent

Mr Rajbansi, whose National People's Party holds only one seat in Parliament and doesn't even register a blip in opinion polls, will, in terms of the proposals, be given R250 000 by the state if he can prove he has 5 000 supporters.

If he is able to prove he has the backing of 20 000 voters, Mr Rajbansi — described by the James commission as a mean-minded bully who should not in future be employed in any official or semi-official post which calls for integrity — will be given R1-million.

The principle behind the contentious proposals is that some parties have been disadvantaged by apartheid and need financial assistance to participate in democratic elections.

While others have described the proposals as an abuse of taxpayers' money, Mr Rajbansi heartily endorses them.

He said this week that every party needed a "kick start into the new South Africa". He would be fighting the election as part of a "Minority Front" — a movement Mr Rajbansi was vague about, but which will be launched in December.

Another politician who is pleased about the prospect of taxpayers meeting his election costs is Solidarity's Dhev Rajah. Like Mr Rajbansi, he, too, faced the prospect of being annihilated by the bigger and more prosperous parties in the election.

He had considered joining an alliance but, given the funds, Solidarity could now fight the election on its own, he said. (304A)

In terms of a proposal that will be finalised during talks tomorrow, a State Electoral Fund, consisting of state funds and donations would be established to grease the campaign trail.

All political parties would be treated on the same basis. So both Mr Rajbansi and President F W de Klerk would be given the same funding if they satisfied the conditions.

The amount of money a party gets depends on the number of signatures it presents to the electoral commission that manages the fund.

The parties would have to prove that they spent the money on things like office costs, printing, publicity and media promotion.

And, if a party qualified for the R1-million grant, it would have to provide proof of first-quarter expenditure before it received any further funding.

The council has not decided whether there should be different amounts for parties contesting regional or national elections.

Apart from the initial grant, a party would be able to apply for a further grant of up to a maximum of between R5-million to R10-million based on its fund-raising success.

This would mean that for every R1 a party raised, the fund would give it R1 up to the maximum.

The parties would have to prove they did not spend this money on overseas holidays and parties.

A third provision allows a party to apply for a special loan of not more than R25-million or R50-million, against provision of acceptable security covering repayment.

Nats cave in to the ANC in race to beat clock

THE National Party, having secured cabinet posts for its top members and job and pension security for the civil service, police and military, has capitulated to the ANC on key checks and balances in the constitution. ST Times

By EDYTH BULBRING
Political Correspondent

As government and ANC negotiators this week hurried to beat the clock to wrap up a deal before the November 22 parliamentary sitting, one government negotiator said the NP was bargaining from such a weakened position that it could achieve no more. 14/11/93

Another said the mandate of government negotiators was to "sell off the family silver gracefully".

Tensions surfaced in the ranks of the government negotiators as they were forced to make one compromise after another.

Deputy Justice Minister Sheila Camerer disclaimed responsibility for the deal on the constitutional court and Justice Minister Kobie Coetsee blamed chief negotiator Roelf Meyer for having failed to secure adequate constitutional principles (30(4)(a)(iii))

Local Government Minister Tertius Delport absented himself from local government negotiations because he could not bring himself to be party to the concessions that had to be made. Regional and Land Affairs Minister Andre Fourie was overheard demanding of a colleague that he show how he could have produced a better deal on the demarcation of provincial borders.

One negotiator defended the numerous compromises made by the NP by saying its leverage with the security forces and the civil services would make it an indispensable partner in the government of national unity.

Although a grey and hollow-eyed President F W de Klerk said this week that the government had secured federalism and achieved all its goals, closer reading of the constitution makes it clear the NP has caved in to the ANC on several critical issues.

- The powers and functions of the provinces during the interim constitution can be overridden by the centre. It is far from federalism;
- The agreement on a government of national unity amounts more to co-option of the NP than power-sharing. The new president, likely to be ANC leader Nelson Mandela, will be able to override opposition from his deputies, one of whom is likely to be Mr de Klerk;
- The constitutional principles that will bind the constitutional assembly in the writing of a final constitution do not provide for federalism. They are suitably vague to be open to interpretation by the constitutional court.

That is why the Democratic Party was outraged by another government cave-in — on the composition of the constitutional court.

In terms of an agreement reached between the government and the ANC on this issue, Mr Mandela, as the likely next president, will have the authority to appoint the majority of constitutional court judges in

□ To Page 2

Nat negotiators cave in after posting gains

□ From Page 1

consultation with his cabinet.

DP justice spokesman Tony Leon said "the citizens' most important constitutional safeguard will be left to the whims of a politically packed court".

In return for caving in on these constitutional issues, the government has secured (30(4)) enjoy the same status;

- Non-interference in the command structures and job security in the security forces (30(4)(a)(ii))
- Official language status for Afrikaans — although 10 other languages
- Jobs for some of its ministers at executive level at all tiers of government provided it can get five percent of the vote nationally and 10 percent in each of the nine provinces.
- Pensions and job se-

Row over Constitutional Court snowballs

Nailbiting climax to negotiations

Star 16/11/93

GOVERNMENT and ANC negotiators gather for what they hope will be their final bilateral to iron out differences

■ POLITICAL STAFF

The Government and the ANC have ironed out most of their differences on the vexed issue of how future local government will look — but the row over the proposed composition of the Constitutional Court has snowballed.

Last night Government and ANC negotiators gathered for what they hoped would be their last set of bilateral meetings to finalise outstanding negotiations issues.

Foremost among these are the shape of the new police service, how deadlocks will be broken in the writing of a final constitution by the interim government, and how the Cabinet will take decisions. Sources said these issues were all close to agreement (3049) (HP)

Nevertheless, the simultaneous progress on local government and the setback on the Constitutional Court mean a nailbiting finish for the talks process — which has only two days to run.

Developments today and tomorrow will determine whether the World Trade Centre plenary session — at which leaders are to ratify agreements — can go ahead as planned on Wednesday.

Sources indicated that a deal had been struck on the highly contentious local government issue and that an ANC/Government proposal had been forwarded to the relevant talks technical committee.

It is understood that parallel efforts are being made to win the right-wing Transvaal Municipal Association over to the draft Local Government Transition Bill.

Concessions

It is believed that the ANC is prepared, during the first phase of transition known as the "pre-interim", to allow for a gradual merging of racially defined local authorities on the platteland.

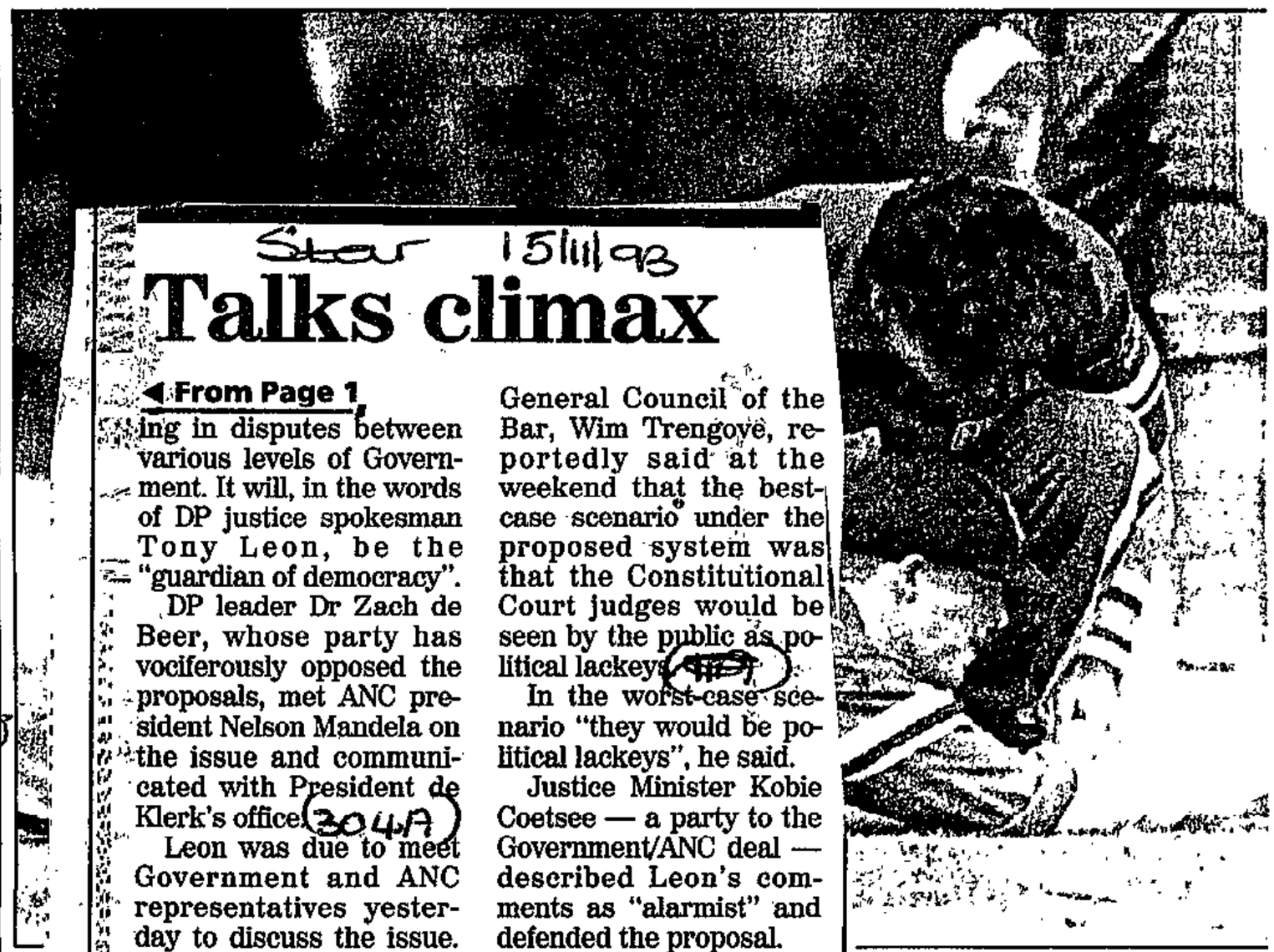
The Government is believed to have made certain concessions relating to the second or interim phase of local government reform, due to come into operation within 24 months.

Its proposals that wards be delimited on the basis of property and that "juristic persons" enjoy a vote in local government elections are not likely to feature in the draft Bill which goes before the Negotiating Council today.

Meanwhile, the row over the Government/ANC deal on how judges should be appointed to the Constitutional Court gained momentum at the weekend.

The court will have the critical task of ensuring that legislation passed by Parliament is constitutional, and of arbitrat-

▶ To Page 3



Star 15/11/93

Talks climax

◀ From Page 1

ing in disputes between various levels of Government. It will, in the words of DP justice spokesman Tony Leon, be the "guardian of democracy".

DP leader Dr Zach de Beer, whose party has vociferously opposed the proposals, met ANC president Nelson Mandela on the issue and communicated with President de Klerk's office. (3049)

Leon was due to meet Government and ANC representatives yesterday to discuss the issue. He has charged that the proposals could lead to a court that is hand-picked by the new president and is therefore highly politicised.

The chairman of the General Council of the Bar, Wim Trengove, reportedly said at the weekend that the best-case scenario under the proposed system was that the Constitutional Court judges would be seen by the public as political lackeys. (HP)

In the worst-case scenario "they would be political lackeys", he said.

Justice Minister Kobie Coetsee — a party to the Government/ANC deal — described Leon's comments as "alarmist" and defended the proposal.

It is understood that some Government members are concerned about the deal, and hope it will be revisited in the Negotiating Council when it is debated today.

g a diving catch off West Indies bats Indian wickets for 139 runs.

■ BY IQBAL KHAN

Bombay — He did it in Australia with a scrum-half style dive to run out the batsman, and Jonty Rhodes had arrived as a spectacular, world-class fielder whom fans love to watch as much as any great batsman or bowler.

Now he has thrilled India with his outstanding ability in cutting runs and holding catches.

Jonty Rhodes, the 24-year-old Natal captain who is on tour in India for the Cricket Association of Bengal's Diamond Jubilee tournament, has become a cult figure after his magnificent performances in the game against the West Indies at Bombay's Brabourne Stadium yesterday.

He took five breathtaking catches and single-handedly set up South Africa's 41-run win over the West Indies. How does he do it, again and again?

"In one-day cricket, if the ball sticks, it sticks. I was lucky that the ball came my way so many times today.

"It's just that I concentrate very deeply at all times," a modest Rhodes said.

Was it his best fielding performances yet?

He said with a smile: "I would imagine so. I've never taken this many catches in any game. I think I took three for Natal some time ago, but this must rate as the best I've performed in top-class cricket."

Rhodes, always obliging to his fans, was inundated with congratulatory calls from all over India last night, as well as from South Africa.

The many hundreds from the 37 000 spectators who watched the game live — their first glimpse of the South African star — remained outside the main gates of the Brabourne Stadium to catch a last peek at their new hero.

Said Rhodes: "Playing in India is something else. The crowd is behind you all the time. I just could not believe it when they began chanting my name as the game progressed.

"Every time I went to field the ball and every time I took a catch, they applauded me.

"They certainly love and understand the game well and I appreciate their support, not only of me but of the team.

"I am so grateful to the game of cricket as it has brought me to understand different types of people around the world."

In his five-catch haul yesterday, Rhodes rated the last one — the dismissal of Desmond Haynes — as the most difficult of the lot.

"The other catches I took were hard, but one is expected to take those catches. The one of Haynes went high into the sky and you've got to concentrate more with it than the ones that come around body height to you."

▶ See Page 20

HIGHLIGHTS

SABC-TV is hopeful a highlights package of SA's 41-run win over the West Indies in the Hero Cup yesterday will arrive via Hong Kong in time to be screened tonight.

A 30-minute package was put together by Trans World International and SABC staff. The American-based TV network's equipment was seized by Indian customs officials, thus scuppering live coverage of the tournament.



'Thin blue line' to police poll

60 000 will be deployed to curb political violence on election day

MICHAEL MORRIS
Political Correspondent

KRUGERSDORP. — More than half the police force — about 60 000 men and women — will be deployed to protect polling booths and ballot boxes in a huge operation to curb political violence on election day.

Minister of Law and Order Hernus Kriel disclosed details today of a three-phase election strategy for the police.

He said all leave would be cancelled on April 27 and police would be expected to work longer hours than normal — possibly even 18-hour shifts.

Police would also employ 4 000 civilians, call up 6 000 members of the reserve and take into service about 1 000 new recruits for the campaign.

He expected demands on police to increase dramatically during the campaign, which amounted to the biggest challenge the force had faced in its 80-year history.

Mr Kriel warned: "Our policemen and women represent a thin blue line which is in constant danger of snapping unless the community as a whole supports them and helps address underlying threats and dangers to the democratic process.

"Without the police ensuring a relatively violence-free election period, the elections could be perceived to be not free and fair, with serious consequences such as so-called 'Savimbi options' and possible non-recognition of the results by at least some parties."

It was vital that the moral authority of the police to maintain law and order should be maintained and strengthened, Mr Kriel said.

The birth of true democracy on April 27 depended to a large extent on the ability of the police to maintain law and order.

He welcomed the imminent introduction of the Transitional Executive Council and the prospect of participating parties accepting co-responsibility for law and order.

● See page 4.

Four leaders unite in condemnation

Mandela attack on FW raises NP ire

Star 15/11/93

The National Party criticised ANC leader Nelson Mandela yesterday for his attack on President de Klerk including his charges that the president was indifferent to the deaths of blacks in the townships.

In a speech at a rally in Natal on Saturday, the ANC president alleged that De Klerk did not care for black lives. "If this is so, we don't want him to be in government at all," he said.

The four provincial leaders of the NP said in a statement Mandela's remarks were disturbing. "Another element which disturbs us about Mandela's recent remarks is the untold damage which they can do to the delicate constitutional process and the cause of national reconciliation."

"Although hard-hitting attacks are part of the rough and tumble of any election campaign, political leaders in our volatile society have a special responsibility to ensure that their rhetoric does not encourage violence or undermine our common goal of national reconciliation."

THE NP's provincial leaders accuse the ANC president of racism and being indifferent to the deaths of blacks

The statement was signed by acting NP Transvaal leader Roelf Meyer, Cape Province leader Dr Dawie de Villiers, Natal leader George Bartlett and Free State leader Kobie Coetsee.

"We ... believe that Mandela crossed the line of acceptable political comment with the remarks which he made. Remarks such as these raise serious doubts about Mandela's judgment and his ability to play a constructive leadership role in the new South Africa," they said.

The NP leaders also charged that Mandela's statements were increasingly racist.

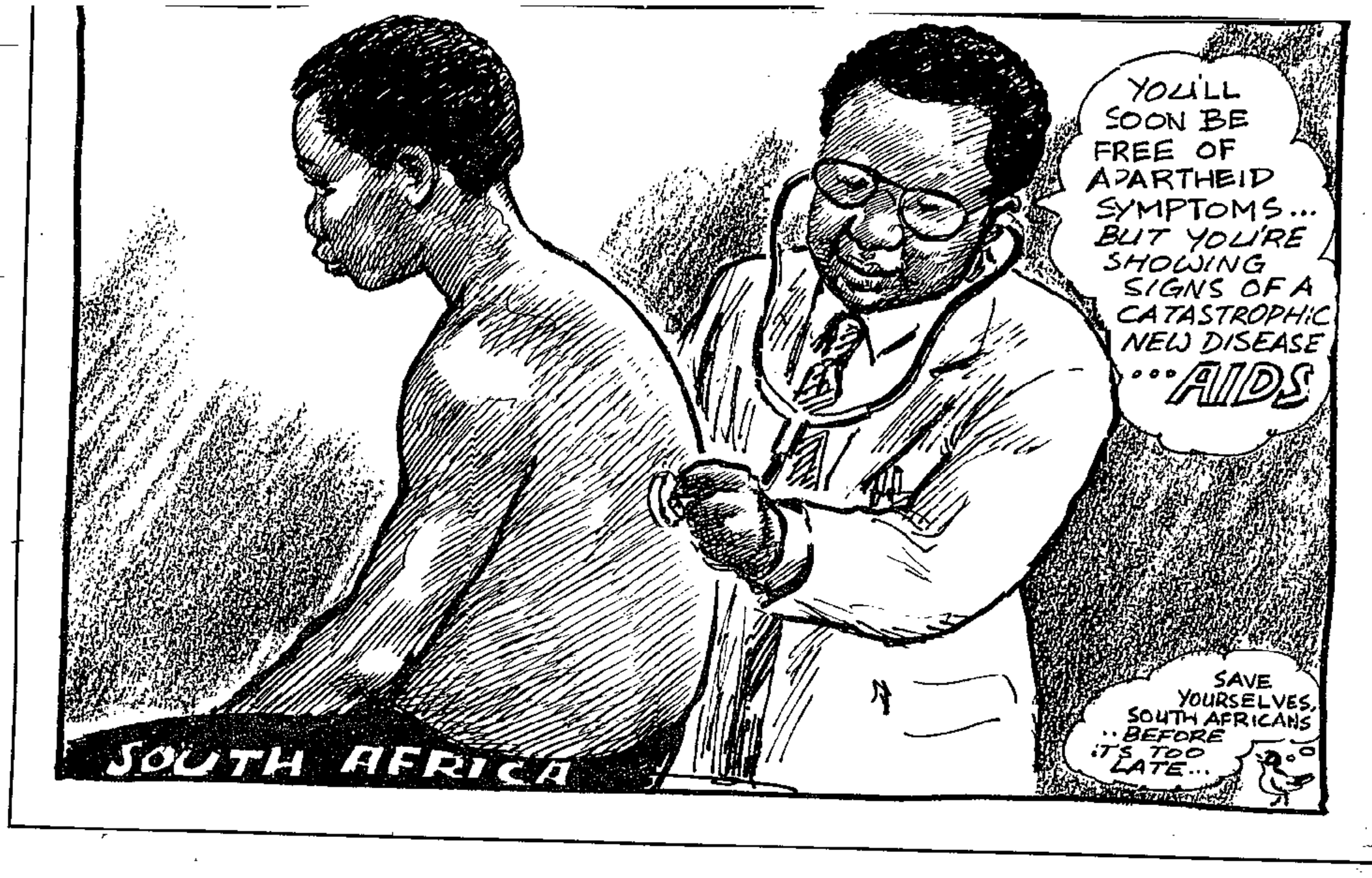
"He repeatedly sets blacks against whites and accentuates black/white divisions — despite the lip service which he pays elsewhere to non-racialism."

The statement said Mandela had rejected the participation of the NP in the proposed government of national unity.

"By so doing he was not just making a political point. He was, in fact, ignoring the total rationale for such a government, as well as the cause of national reconciliation which it is meant to promote," the statement said.

The leaders charged that it was Mandela who was indifferent to the deaths of blacks.

They urged him to make further attempts to bring about peace between his organisation and the IFP, impose strict controls on Self-Defence Units "which are at the heart of the violence", curb inflammatory talk by militants and adhere to provisions of the National Peace Accord. — Sapa.



focus on talks

Sowetan 15/11/93

A plenary session of leaders of the 21 negotiating parties at Kempton Park is likely to sit on Wednesday if outstanding business can be completed in the next 48 hours:



By Themba Molefe
Political Correspondent

NEGOTIATORS have to complete the following business which has to be taken to Parliament and effectively legislate transition:

- Draft interim constitution;
- Electoral law (Electoral Bill); and
- The draft Local Government Bill.

To ensure that these are completed, the following issues still have to be discussed and finalised between today and tomorrow:

lThe Bill of Fundamental Rights, which will be enshrined in the interim constitution; and

lThe demarcation of regions and boundaries.

Proposals still to be ratified by the negotiating council include the question of the national anthem, symbols and transitional flag.

The negotiating council will also look at:

- Deadlock-breaking: A joint proposal of the Government and African National Congress is that there should be a constitutional court which will have the task of ensuring that legislation is constitutional. It would arbitrate in disputes between the central government and other levels of governmental.
- Demarcation of regions and boundaries: South Africa could end up with 10 regions for the April 27 elections. Current proposal is for nine regions.

According to a proposal to be discussed today, the Eastern Cape could be divided in two — Eastern Cape and Border-Kei — and the entire Northern Cape be merged into a larger Northwest and Western Cape after referendums held within a year of the election.

A 60 percent majority decision in favour of division in either of the blocs will be decisive.

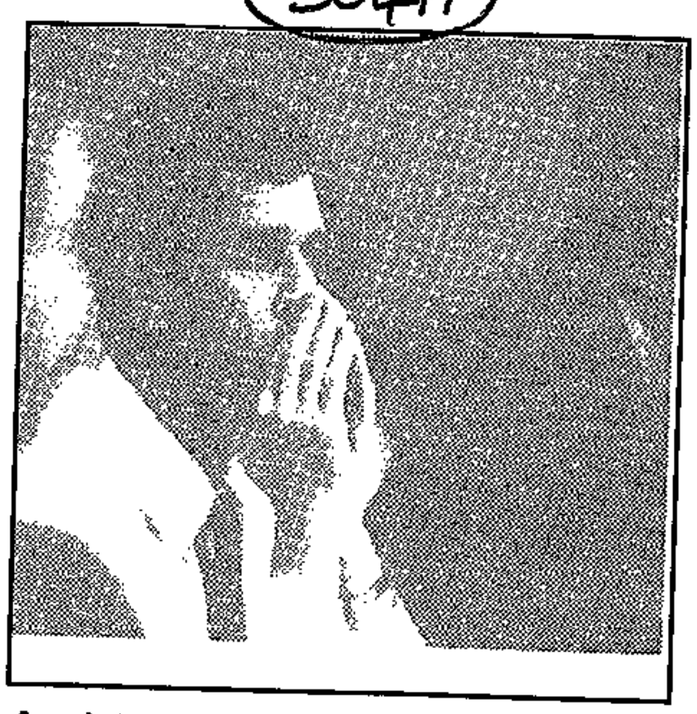
However, the division could also be decided by majority agreement between the elected parties of the particular bloc.

In terms of another proposal, Pretoria could end up as part of the Eastern Transvaal.

The committee also recommended several adjustments to boundaries for the purpose of the election, including: the inclusion of Sasolburg into the Orange Free State; KwaNdebele into the Eastern Transvaal; Mount Currie into Natal-KwaZulu; Clanwilliam, Vredendal and Van Rhynsdorp in the Western Cape; Kuruman, Postmasburg and Hartswater in the Northern Cape, and Brits and parts of Bophuthatswana into the North West.

lPercentage for decisions in Cabinet: This will be handled in debate together with the deadlock-breaking mechanism for the constitutional court.

304A



A quiet moment for Roelf Meyer.

Language: A proposal is that there be a Pan South African Language Board to be created in law for the promotion and development of all South African languages.

Eleven official languages with the important proviso that national and provincial legislatures could make laws for the use of official languages "taking into account questions of practicality and expense" have been suggested.

After the plenary session has ratified all these issues, the package will go to Parliament.

Together with four other crucial Kempton Park Bills already passed by Parliament, all the agreements will be turned into law, thus ensuring that elections are held next April 27.

The four Bills already passed are The Transitional Executive Council and its sub-councils; the Independent Media Commission, Independent Elections Commission and the Independent Broadcasting Authority.

The Government, however, seems to be the only optimist among the parties that Wednesday's proposed plenary session of leaders will take place as planned

Constitutional Development Minister Roelf Meyer was last Friday confident that the transition package could be finalised by this evening or tomorrow.

"Proposals still to be ratified by the negotiating council include the national anthem, symbols and transitional flag"

He was against a postponement of the plenary session with the reminder that it was his responsibility to get the transitional constitution to Parliament in time for preparatory work in advance of the session scheduled for November 22.

- Discussions between Umkhonto weSizwe and the SADF ended on Friday night with a draft agreement being compiled after serious differences emerged during the day. The dispute apparently arose after the SADF insisted that it form the core of the future force while the ANC argued that all armed formations should have equal status.

Meanwhile, the ANC has rejected a draft agreement on a new police force and discussions continued over the weekend on the political and operational command lines for the new force.

- There was, however, agreement in ANC-Government bilateral meetings on a future education dispensation where it seems that the status quo will be maintained. Departmental, community-managed or state-aided primary or secondary schools will effectively stay as they are unless changes are agreed in *bona fide* negotiations.

Universities and Technikons will retain their autonomy, also subject to negotiations.

Seven hurt in stadium violence at the weekend



Mrs Paulina Njilo, a relative of Miss Sesi Njilo, who was seriously wounded in a shooting incident yesterday by his jealous lover who later turned the gun on himself and died instantly. Another man was injured in the shooting.
PIC: MBUZENI ZULU

Talks: angry row is on cards today

Sowetan 15/11/93

■ LEGAL TANGLE Constitutional Court sets cats among the pigeons:

By Themba Molefe
Political Correspondent

A BITTER ROW IS EXPECTED in the negotiating council today over a proposal for a constitutional court.

Hard-pressed for time, negotiators would now have to face another hurdle following Friday's joint proposal by the Government and the African National Congress for a "politicised" constitutional court.

The Democratic Party gave notice on Friday it would walk out of the multiparty talks if the proposal was adopted at the World Trade Centre.

In a statement yesterday Minister of Justice Mr Kobie Coetsee described the DP's reaction and statement on the issue as "alarmist".

Coetsee said: " The Democratic Party's (spokesman on justice) Mr Tony Leon has once again issued a most alarmist statement on an issue that rather deserves a level and cool-headed approach.

"The DP supports an objective, independent judiciary at all levels, including the Constitutional Court. So does the Government.

Actively opposes

"The DP says it does not support a politicised Bench or constitutional court. The Government does not only say that but actively opposes it," the statement said.

Tony Leon on Friday told Sapa: "If this thing is adopted the Democratic Party will walk out of the negotiations and will have nothing further to do with this constitution."

Individual members of the South African Bar Association approached senior multiparty negotiators at the weekend to discuss the issue before it is debated today.

The proposal was released at the World Trade Centre earlier in the day.

Opposition to the proposal is again pointing to growing, although belated, resistance by negotiators at Kempton Park to ANC-Government bilateral deals and who feel they are being "used as rubber-stamps".

Negotiators still have to reach finality on the Electoral Bill, demarcation of regions and boundaries as well as the Bill of Rights to be enshrined in the interim constitution by today's deadline.

This voter education page is a joint project of umAfrika and Matla Trust on behalf of the Independent Forum for Electoral Education

Opposition is healthy

Sowetan 15/11/93

304A

Elections are not a fight for survival, but competition to serve.

All democracies hold elections, but not all elections are democratic.

Right-wing dictatorships and single-party governments also stage elections to give their rule the aura of legitimacy.

In such elections, there may be only one candidate or a list of candidates from the same party with no alternative choices.

Such electioins may offer several, candidates for each office, but ensure through intimidation and rigging that only the government-approved candidate is chosen.

These are not democratic elections.

'In a real democracy several parties contest elections'

Political competitors don't necessarily have to like each other, but they must tolerate one another and acknowledge that each has a legitimate and important role to play.

No matter who wins, all parties must agree to work together in solving the problems of society.

The opposition can continue to participate in public life.

The opposition parties are loyal not to specific policies of the government, but to the fundamental legitimacy of the state, and the democratic process itself.

'Opposition can be aimed at the total transformation of society'

As the next elections come around, the opposition parties will again have the opportunity to compete for power.

The nature of opposition and the role it plays in a society, depends on the political culture and the kind of political system of the society.

Opposition can be aimed at achieving specific political changes within the existing constitutional set-up or can be aimed at the total transformation of the political system.

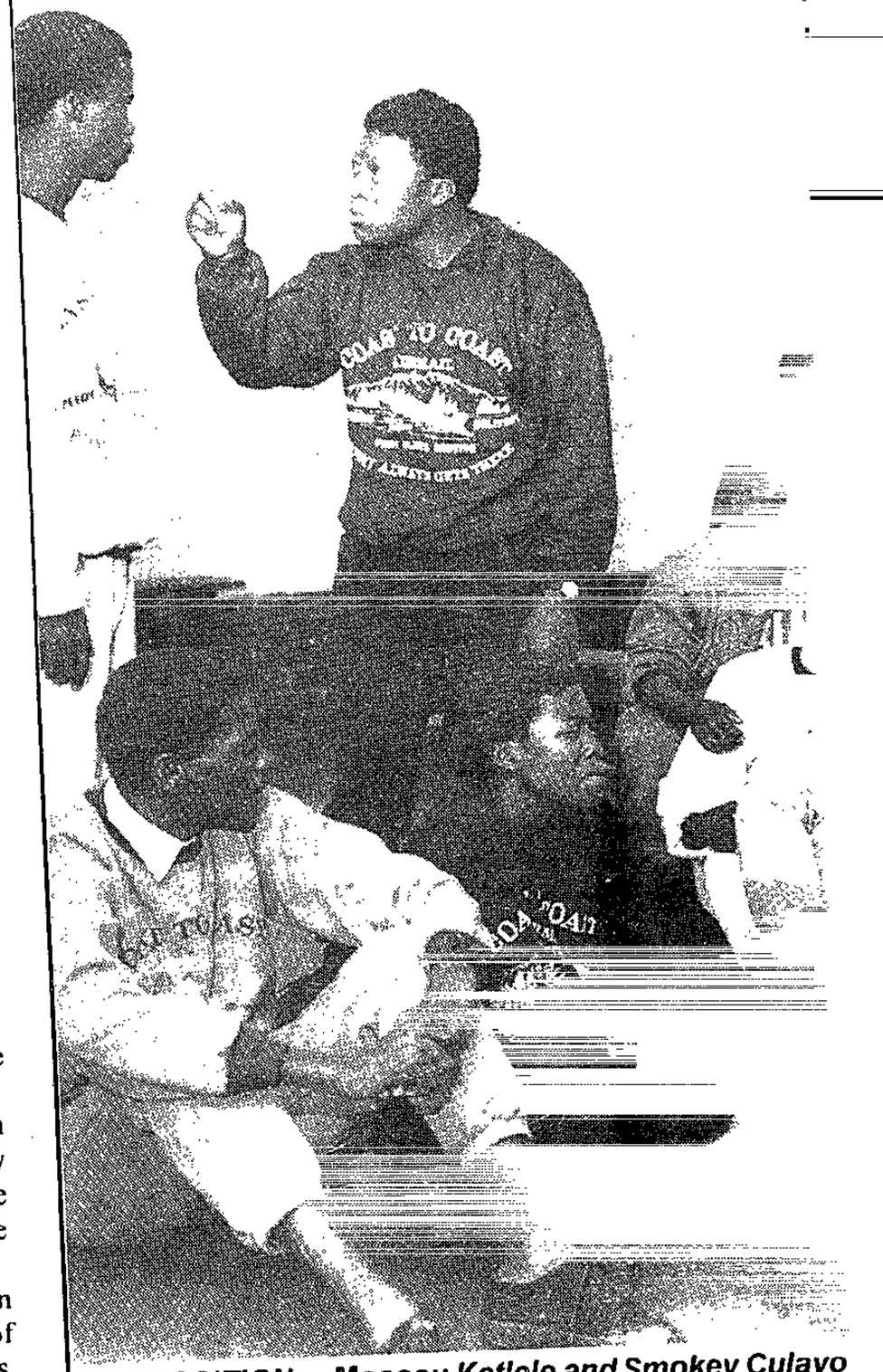
In genuine democracies, where freedom of speech, political affiliation and choice truly apply, opposition can be a dynamo for positive innovation and change.

In authoritarian systems opposition is seen as illegitimate and a threat to the status quo.

Parliamentary opposition is often regarded as a shadow government waiting in the wings to take over from the ruling party.

This kind of opposition can have the positive effect of keeping government on its toes.

'All parties must together solve the country's problems'



OPPOSITION ... Mosoeu Ketlele and Smokey Culayo in a scene from "Moments", a voter education play. One of the important things stressed in the play is political tolerance and the right to share an opposing view without being violent.

The play can be booked from any of the Matla offices around the country or through Tshidi Mokoatleng at (011) 836-8031 or from 3rd Floor Munich Re Building, 54 Sauer Street, Johannesburg

Govt, ANC tackle final constitutional issues in bid to beat deadline

BIDay 15/11/93

BILLY PADDOCK

OVERNMENT and the ANC held intenve discussions yesterday in a last minute ttempt to resolve three major outstandg constitutional issues.

The discussions will continue today in a d to finalise the constitution by tomorw. Subcommittees have been meeting nce Friday and reported back to the full gotiating delegations yesterday.

"If we do not reach finalisation by Wedsday we will be facing severe problems trying to get the constitution through for e special session," a senior government gotiator said yesterday.

He acknowledged the pressure was intense and both sides were making compromises. But he said most issues had been tied up and the framework of the constitution was "in place and a good document".

He said the three issues outstanding were: the mechanism to be brought into play to resolve any impasse should the final constitution not get the required two-thirds support of Parliament; the decision-making majority in the Cabinet should consensus not be achievable; and the final workings of local government.

Other issues needed "fine-tuning".

Government and the ANC had agreed that if two-thirds of Parliament did not accept the constitution, it would go to a referendum requiring a 60% majority. (30+A)

"But we cannot accept that one then holds an election and the new Parliament then needs to pass the constitution by only a simple majority." He said the ideal would be that Cabinet reached decisions by consensus, but there was a realisation that small parties with one or two members in Cabinet could prevent decisions.

The 60% the ANC was proposing was not completely acceptable to government, which wanted a two-thirds majority.

This week will also see DP negotiators strongly opposing the section on the judiciary and the establishment of the constitutional court.

Judges and the DP argue that its construction allows for it to be a political appointment. They want the court set up by the Judicial Services Commission.

One DP negotiator said if the proposal went through there was a possibility the DP would vote against the constitution in the special session of Parliament.

Meanwhile, the Freedom Alliance met yesterday in preparation for its talks with government today. The alliance is to respond to the proposals government put to it on Friday as a way of bringing it back into the process.

A government source said he did not hold out much hope of the parties reaching agreement. However, should the alliance proposals be acceptable to government there was still a possibility of including these in the constitution.

● Comment: Page 10

Constitutional Court dispute

Star 16/11/93

BY CHRIS WHITFIELD
POLITICAL CORRESPONDENT

The Government and ANC are facing a growing wave of criticism over yesterday's acceptance by the Negotiating Council of their controversial proposal for appointments to the powerful Constitutional Court.

Political opponents slammed the agreement — thrashed out in recent Government-ANC discussions — while it was greeted with widespread dismay in legal circles.

The decision was taken by sufficient consensus in the Negotiating Council in the teeth of vociferous opposition from the Democratic Party and the Afrikaner Volksunie (AVU) in an extended and sometimes heated debate at the World Trade Centre.

DP leader Dr Zach de Beer is to hold a meeting with senior advisers this morning on the party's reaction and it appears a walkout from the talks could be on the cards — a move that could undermine the credibility of the process.

Hopes of a breakthrough in talks with the boycotting Freedom Alliance also appear to have been dashed by the agreement. (304A)

A last-minute appeal by 16 university law faculty deans for negotiators to reject this "ill-considered proposal" failed to divert the council.

After the debate and repeated bilateral negotiations in the corridors surrounding the negotiating chamber, an amendment was accepted in terms of which the Judicial Service Commission — the body which will make recommendations on the appointment of Supreme Court judges and will be consulted on the choice of a Chief Justice — would also be able to make recommendations on Constitutional Court appointments.

This was dismissed by DP

▶ To Page 3

Row over Constitutional Court

◀ From Page 1

justice spokesman and negotiator Tony Leon as a "fig-leaf"; while the AVU's Corlia Kruger described it as "window dressing". Star

In terms of the clauses which will now become part of the Interim Constitution, four of the Constitutional Court judges would be appointed from the ranks of Supreme Court judges "by the President in consultation with the Chief Justice and the Cabinet".

The other six — who would include two experts on constitutional law — would be appointed by the President after consultation with the president of the Constitutional Court and in consultation with the Cabinet. 16/11/93

Critics have argued that the proposal gives too much power to the President to appoint judges to the court, which could become politically loaded.

The Constitutional Court will effectively act as the constitution's policeman. (304B)



DP's Tony Leon.

It will have the critical task of ensuring that legislation passed by Parliament is constitutional and of arbitrating in disputes between various levels of government.

University of the Witwatersrand law professor Etienne Mureinik pointed out that the Interim Constitution left "all the questions of great public importance to the new Constitutional Court, including federalism, detention without trial, abortion, press censorship and racial quotas".

He said the Negotiating Council had given "effective control over the composition of the Constitutional Court to the (new) government".

The law faculty deans said in their letter of protest to the council: "The only guarantee of independent judges is a selection procedure designed to choose independent judges."

Leon had been the subject of some barbed comments during the debate, mainly from ANC negotiator Dullah Omar who accused the DP of "hysterical outbursts".

Omar said the agreement had the potential to change the white and male-dominated judiciary.

"I wonder whether the hysteria which occasions this (DP resistance) does not arise from the fact that for the first-time-in the history of the country we are going to have a black president," said Omar.

▶ Comment — Page 10

Huge plan for security at the polls

KRUGERSDORP. — All police leave would be cancelled and a force of 60 000 deployed for the April 27 elections, Minister of Law and Order, Mr. Hernus Kriel, said here yesterday.

An additional 11 000 members would join the force, and about 20 000 SA Defence Force members would be placed on standby to assist the police if necesary, he said. (3049)

Violence could increase because of the rivalry between political groups and right-wing attempts to stop the election, according to Mr Kriel. (274)

He said he was attempting to halt the politicisation of the police force by Popcru because of possible internal and right-wing reaction. — Political Correspondent, Sapa CT 16/11/93

Last-minute alliance move

304A
CT 16/11/93

Own Correspondent

THE Freedom Alliance, facing pressures that could exclude it from a final constitutional settlement, appears to have made last-minute compromises which could facilitate a breakthrough in efforts to achieve an inclusive settlement.

The move came as 21 parties attending the negotiations at the World Trade Centre went into a headlong rush yesterday to finalise a comprehensive constitutional package in time for ratification at tomorrow's plenary session.

The negotiating parties also disposed of a number of outstanding questions on the Electoral Act, settled the vexed issue of regional boundaries and came close to finalising a new deal for local government.

Behind the scenes, the flurry of bilaterals continued as the government and the ANC battled to resolve outstanding differences on a range of constitutional matters.

A planned bilateral yesterday between the government and the PAC/Apla had to be postponed to later in the week as negotiators ran out of time.

In a statement yesterday, the Freedom Alliance appeared to have dropped its fundamental opposition to the "two-phase" nature of the negotiations.

The statement made no reference to the CP's long-standing demand for a white Afrikaner homeland.

It raised questions on the clarification and entrenchment of regional powers, the right of regions to levy taxes, regional constitutions and the composition of the Constitutional Court.

A government negotiator said that if these were "acceptable" they could be accommodated in the final stages of drafting the constitution.

It was understood the government and the ANC, in their meeting yesterday, examined the alliance's new stance.

Freedom Alliance chairman Mr Rowan Cronje said it accepted that negotiations were "moving towards the final crossroads and that responses ... from the government and the ANC/SACP/Cosatu alliance will determine whether the Freedom Alliance remains part of the process".

Clanwilliam in W Cape

Political Staff

THE Negotiating Council yesterday confirmed that the magisterial districts of Clanwilliam, Vredendal and Vanrhynsdorp would be in the Western Cape region — and that Namaqualand could decide by referendum which region it wanted to be in.

The council agreed on borders for nine regions during the transitional period, but based their approval on a series of post-election referendums for areas still in dispute.

This included acceptance, for the April 27 election, of the maps proposed by the demarcation special committee, coupled with separate counting of ballots in controversial areas, to facilitate these referendums.

The agreement was reached after a package deal was presented to the council sitting at the World Trade Centre at Kempton Park.

Peace: a good reason to vote

South 12/11 - 16/11/93

By Quentin Wilson

MORE than nine out of every 10 South Africans who plan to vote in next year's election say they will cast their ballot "to bring peace to South Africa".

According to a nation-wide poll released on Saturday by the South African Election Support Project (SAESP), 92 percent of respondents put this down as a "very good description" of why they are likely to vote.

At least 90 percent of blacks offer the following five reasons for voting in the election:

- To bring peace to South Africa;
- To end apartheid;
- To have democracy in South Africa;
- To bring freedom to all people; and
- To improve living conditions.

With 83 percent of whites agreeing that their vote in the election would be "to bring peace to South Africa", this reason far outstripped other considerations.

Just 25 percent of whites felt that "to end apartheid" was a very good description of why they would vote (their lowest ranked reason). In contrast at least 68 percent of the other three race groups cited this as a good description of why they would vote.

A total 2 352 interviews of eligible voters were conducted during August and September. There were 1 250 interviews with Africans, 301 with whites, 450 with coloureds and 351 with Asians.

Overall, the poll found South Africans were optimistic, with 61 percent saying they expected their lives to get better. 18 percent said they expected their lives to worsen while 17 percent said they expected their lives to stay the same. (304A)

Differences of opinion between race groups were stark throughout the survey.

In measuring people's optimism, 73 percent of Africans saw their lives improving while 10 percent of Africans thought their lives would deteriorate.

In contrast, only 29 percent of whites expected a better life while 47 percent thought their lives would get worse.

Coloureds shared the optimism of Africans with 57 percent expecting a better life. Sixteen percent expected their lives to get worse and 23 percent said there would be no change.

The discrepancy in expectations between racial groups is consistent throughout the survey, and nowhere more apparent than in the section where people were asked whether a series of problems facing the country would improve or worsen after the election.

The problems included:

- Quality of education;
- Wage/salary levels;
- Unemployment;
- Cost of living;
- Political violence;
- Land reform; and
- Access to health care.

Of the 13 issues tested, a majority of Africans and whites agreed only that "relations with foreign countries will get better after the election".

On every other issue, the percentage difference between Africans and whites saying the problem will get better ranges from 39 points (providing land to those who do not currently own it) to 74 points (the quality of education and wage levels).

The results indicate a black constituency that hopes for dramatic change across every issue and facet of life in the country and a white constituency expecting little progress to be made in solving the country's problems.

On eight of the 13 problems a majority of Africans said they expected each to "get better" in the few years following the election. Whites saw 12 of the 13 issues getting worse.

While coloureds expressed more optimism than Africans, a majority of both groups believed any of the 13 issues tested would "get a lot better" after the election.

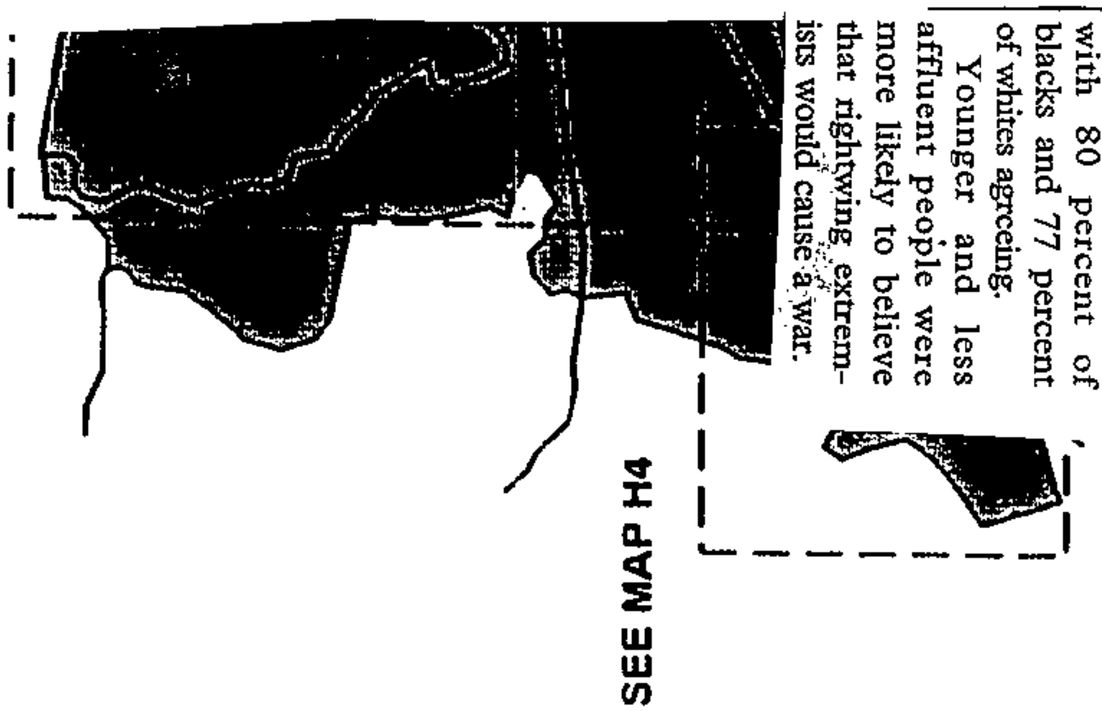
All race groups largely agreed political violence was a major problem facing the country.

More than 80 percent of respondents in each category viewed political violence with "extreme concern".

Asked whether a number of negative things might happen following the next election, the one considered "most likely to occur" was that rightwing extremists would cause a war in the country.

Overall, 75 percent of those interviewed believed this either "very" likely or "somewhat" likely to happen, with 80 percent of blacks and 77 percent of whites agreeing.

Younger and less affluent people were more likely to believe that rightwing extremists would cause a war.



Map H1 Development

FA may be reconsidering

Mandela, FW walk final mile

Star 16/11/93

THE two leaders will attempt to cut a final deal on crucial issues which have so far defeated their negotiating teams

■ BY SHAUN JOHNSON
CHRIS WHITFIELD
and ESTHER WAUGH

Nelson Mandela and President de Klerk will hold an 11th-hour face-to-face meeting today to try to nail down final agreements before tomorrow's crucial plenary session of negotiations.

The meeting between Mandela and De Klerk in Pretoria will also be attended by African National Congress secretary-general Cyril Ramaphosa and Constitutional Development Minister Roelf Meyer.

Substantial progress was made last night in Government-ANC talks on a future police force.

It is understood that a national police force was agreed to, but negotiations were in a "sensitive stage".

In SA Defence Force-Umkhonto we Sizwe talks, it was agreed that a national defence force will comprise all armed formations on an equal basis instead of the SADF forming the core of a new defence force.

The Government and ANC have not yet resolved their differences on future local government structures, and have not yet discussed what percentages would be required by a Cabinet to take decisions.

The planned Mandela-De Klerk meeting comes after a bitter exchange between the two parties, following reported remarks by the ANC leader suggesting that De Klerk "would not be heard of again" after the April election.

The meeting will deal with, among other things, deadlock-breaking mechanisms and other constitutional issues.

Sources say only the top leaders have the authority to cut a final deal on these questions, which have vexed the ANC and Government negotiating teams for months. The time has come for them to exercise that authority.

They say the last-minute summit is essential to ensure that the Kempton Park plenary session gets under way in a good spirit, and to achieve finality on the crucial sticking points that negotiating teams have failed to resolve.

De Klerk, Mandela and other leaders of negotiating parties will attend the meeting tomorrow afternoon to ratify agreements.

On the issue of executive decision-making, the ANC is still proposing an ordinary majority of members of the multiparty Cabinet, while the National Party is asking for a two-thirds threshold.

The drama of the scramble to complete the talks in time to send a package of transitional legislation to Parliament later this month was heightened yesterday by indications that the Freedom Alliance — in spite of its boycott of negotiations — has requested that it be allowed to nominate three members to the interim elections committee.

The overtures by the FA to a process it has publicly rejected have fuelled speculation that the alliance might, after all, contest the elections.

The Star learnt yesterday of the FA's behind-the-scenes approach to the negotiators.

The overtures began on November 2, and the request for representation on the election committee was received only yesterday.

The multiparty interim elections committee was agreed to in the council several weeks ago to facilitate logistical planning for the election, prior to the establishment of the Independent Electoral Commission.

The request from the FA was forwarded to the World Trade Centre by Home Affairs Minister Danie Schutte.

The FA said it had agreed to nominate three members, but warned: "This is not an endorsement of the (Electoral) Act or the elections."

Negotiators went into overdrive yesterday in the race to be ready for the plenary session, now scheduled for 2.30 pm tomorrow and the Government side was confident the deadline would be met.

Some convicts denied ...

JOHANNESBURG. — People imprisoned for violent crimes will be among the convicts not allowed to vote in the South Africa's first democratic election, multi-party negotiators at the World Trade Centre have agreed. ARG 16/11/93

Murderers, rapists, kidnappers and people imprisoned for robbery, fraud or bribery were among those ruled unworthy of the franchise.

The technical committee on the Electoral Bill also said the name of the first party on the ballot list in the election would be drawn out of a hat, to be followed in alphabetical order by the rest of the parties. This was agreed in spite of earlier African National Congress opposition.

The council is due to debate the bill again today. — Sapa.

Red carpets, horseshoes and consensus by exhaustion at Kempton Park

(304A) 16/11/93 ARG

MICHAEL MORRIS
Political Correspondent

UNDER a blaze of lights in the early ours of today, workmen were laying ietres of red carpet at the World Trade Centre and assembling a vast orseshoe of seats and tables in its avernous atrium to meet the histor- constitutional deadline.

Up the stairs and along the corri- or, in a smaller room, also glaringly lit but stuffier, the constitution-mak- ers nudged the process toward settle- ment, testing the nerve-fraying lim- its of sufficient consensus, clause by clause.

Tomorrow the final plenary meet- ing of the multiparty forum will rank with Van Riebeeck's arrival as a signal of inestimable change in South Africa's history.

As the vast horseshoe took shape and the minutes ticked beyond mid- night, there was none of the oratory that could be expected from the leaders tomorrow, but considered ar- gument, sometimes nitpicking, and plain old politicking.

The painstaking business of pro- gress by consensus alone clearly strained the patience of the contend- ing delegations as the debate drifted in and out of whirlpools of dispute.

When one frustrated negotiator — visibly irritated at the failure of her peers to win over the traditional leaders on a gender equality clause — snapped on her microphone and insisted the issue be put to the vote or remain forever unresolved, chair- man Pravin Gordhan responded:

"I'm afraid there is no such thing in this process."

It is not surprising that the con- cept of "consensus by exhaustion" has entered the lexicon of South Afri- can political terminology.

Outside the negotiating room po- licemen, with holstered pistols tug- ging on their belts, stood about, won- dering when the talking would end.

Exhausted journalists and officials also wearily appreciated how appo- site the phrase was at this 11th hour.

But there were also moments of levity.

A technical committee chairman — kept waiting for more than an hour by last night's tortuous argu- ment — sat down and cheerily greet- ed the weary Negotiating Council with an unexpected: "Good morning."

Technically, he was right ... but the negotiators hadn't yet slept.

summit

tomorrow's historic meeting

B04A ARG 16/11/93

Mandela, De Klerk to nail down final agreements before multi-party talks

□ FW, Mandela ... Political Staff

JOHANNESBURG. — Nelson Mandela and President De Klerk plan an 11th-hour face-to-face meeting to try to nail down final agreements before tomorrow afternoon's crucial plenary session of negotiations.

Mr De Klerk's office confirmed this today. A spokesman said the president would also try to provide for a meeting with the Freedom Alliance should that become necessary.

It is understood from ANC sources that Mr Mandela had cleared his diary for today and tomorrow.

Meanwhile, the Democratic Party is meeting urgently today to decide on a course of action after being defeated on the issue of a constitutional court at the mutiparty talks.

DP national chairman and chief negotiator Colin Eglin said this was not a party political issue, but one which could endanger future democracy under a new constitution.

The De Klerk-Mandela meeting will deal with, among other matters, what percentage will be required for decisions taken in a new multiparty cabinet and deadlock-breaking mechanisms.

Sources said only the top leaders had authority to cut a final deal on these questions which had vexed the ANC and government negotiating teams for months. The time had come for them to exercise that authority.

The planned meeting comes after a bitter exchange between the two parties, following reported remarks by the ANC leader suggesting that President De Klerk "would not be heard of again" after the April elections.

Sources say the last-minute summit is essential to ensure that the Kempton Park session gets under way in a good spirit and to achieve finality on the crucial sticking points that negotiating teams had failed to resolve.

On the issue of executive decision-making, the ANC was still proposing an ordinary majority of members of the multiparty cabinet, while the National Party was asking for a two-thirds threshold.

The drama of the scramble to complete the talks in time to send a package of transitional legislation to parliament later this month was heightened yesterday by indications that the Freedom Alliance — in spite of its boycott of negotiations — had requested it be allowed to nominate three members to the interim elections committee.

The overtures by the F A to a process it had publicly rejected had fuelled speculation that the Alliance might, after all, contest the elections.

The F A had made behind-the-scenes approaches to negotiators since November 2. The request for representation was received only yesterday.

The multiparty interim elections committee was agreed to in the council several weeks ago to ease logistical planning for elections, prior to the establishment of the Independent Electoral Commission.

The request from the F A was forwarded to the World Trade Centre by Home Affairs Minister Danie Schutte.

In its representation, the F A said it had agreed to nominate three members, but warned that "this is not an endorsement of the (Electoral) Act or the elections".

Negotiators went into overdrive at Kempton Park yesterday in the race to be ready for the plenary session, now scheduled for 2.30pm tomorrow.

● See page 4

NEWS Government tackles housing c

Mandela, FW in crucial talks

Sowetan 16/11/93

Sowetan Correspondent

PRESIDENT FW de Klerk and African National Congress president Mr Nelson Mandela plan to hold a face-to-face meeting to try to nail down final agreements before tomorrow's crucial plenary session.

It is understood Mandela has cleared his diary for today and tomorrow in preparation for the meeting. He returns to Johannesburg today from an election campaign trail in Natal.

It is hoped the meeting, if it comes off, will deal with the charged issues of what percentage will be required for decisions taken in a new multiparty Cabinet, and deadlock-breaking mechanisms.

Sources say only the top leaders have the authority to cut a final deal on these questions.

The meeting comes after a bitter exchange between the two parties, following reported remarks by the ANC leader suggesting that De Klerk "would not be heard of again" after the April elections.

Sources say the last-minute summit is essential to ensure that the Kempton Park session gets underway in a good spirit.

The drama of the scramble to complete the talks in time to send a package of transitional legislation to Parliament later this month was heightened yesterday by indications that the Freedom Alliance, in spite of its boycott of negotiations, has requested that it be allowed to nominate three members to the interim elections committee.

The overtures by the FA to a process it has publicly rejected have fuelled speculation that the alliance might, after all, contest the elections.

The FA's behind-the-scenes approach to the negotiators became known yesterday. The overtures began on November 2 and the request for representation on the election committee was received only yesterday.

More join NP — claim

Soweto

By Bongani Mavuso

THE Soweto branch of the National Party has made "enough" strides in its membership drive and was receiving an overwhelming response, according to NP national executive member Mr David Chuenyane. 16/11/93

He claimed that the NP enjoyed support of between 12 and 13 percent in Soweto and that most of the party members were "underground" because of intimidation from political organisations which did not know "voting rights and democratic principles".

The NP leader was speaking at a ceremony in Crown Mines, Johannesburg, last Friday when 65 members of the party received certificates after attending a week-long marshal training organised by the Wits-Vaal Regional Peace Secretariat. (304A)

Chuenyane invited political parties to a conference where "rules of campaigning" for next year's elections and political tolerance would be discussed.

Freedom Alliance softens stance

Breakthrough in talks seems imminent

BIDay 16/11/93

(304A)

BILLY PADDOCK

THE Freedom Alliance, facing pressures which could exclude it from a final constitutional settlement, appears to have made last minute compromises which could facilitate a breakthrough in efforts to achieve an inclusive settlement.

After a weekend meeting in Bophuthatswana the alliance, for the first time, addressed the specifics of the draft negotiated at the World Trade Centre.

In a statement yesterday, the alliance appeared to have dropped its fundamental opposition to the "two-phase" nature of negotiations. The statement, which referred to aspects of the draft with which the alliance was dissatisfied, made no reference to the CP's long-standing demand for a white Afrikaner homeland.

It raised questions regarding the clarification and entrenchment of regional powers, the right of regions to levy taxes, regional constitutions and the composition of the constitutional court.

The alliance is scheduled to meet government today to present its "bottom-line" positions. A government negotiator said if these were "acceptable" they could be accommodated in the final stages of drafting the constitution.

It was understood that government and the ANC, in their meeting yesterday, examined the alliance's new stance. Initial reaction was guarded pending receipt of detail.

One source said if the alliance was merely using a "softening up" approach to try to secure the "same old demands" it would not work. There had to be substance to the apparent compromises.

Freedom Alliance chairman Rowan Cronje said it accepted that negotiations were "moving towards the final crossroads and that responses ... from government and the ANC/SACP/Cosatu alliance will determine whether the Freedom Alliance remains part of the process or is forced to consider alternative strategies".

The "bottom line" proposals to be presented to government today were unanimous positions on critical core issues.

The alliance wants the exclusive powers granted to regions to be spelt out and enshrined in the draft constitution and be "tamper proof".

Where central government had concurrent powers, there should be criteria to distinguish clearly between national and regional state responsibilities, Cronje said. There should also be provision for each region to have its own constitution.

The alliance conceded that some regions would need to evolve and mature before they were able assume all the powers to which they would be entitled. However, those with the expertise should be entitled to assume these powers immediately.

The alliance also demanded that regions be granted the power to levy taxes and to raise additional funds autonomously.

Cronje said it should be possible for regional constitutions to be different. Regional legislatures should be entitled to adopt an amend their own constitutions "as long as it is consistent with the Bill of Rights and the main provisions of the national constitution".

☐ To Page 2

Talks

BIDay 16/11/93

☐ From Page 1

He argued for a strong, independent constitutional court, free from political taint, which would make the alliance "more confident about making possible compromises, knowing that we would have recourse to an impartial court to protect us".

The alliance believed the concept of the constitutional court was the most important mechanism to emerge from the negotiations. It therefore rejected yesterday's agreement by negotiators. (304A)

The statement was silent on the elected constitutional assembly, totally rejected by Inkatha leader Mangosuthu Buthelezi; the deadlock-breaking mechanism; and self-determination — three issues that have held high priority in all its previous discussions with government and the ANC.

Attempts to clarify whether these demands had been dropped or whether there were other mechanisms that could balance them were unsuccessful.

● Comment: Page 14

DP loses its battle for non-political appointments to constitutional court

BIDay 16/11/93 (304A)

BILLY PADDOCK

THE DP yesterday lost its battle for a procedure to ensure that appointments to the constitutional court would be free of party political bias.

—DP negotiator Tony Leon, after a spirited but lonely performance in which his only support came from the Afrikaner Volksunie, said the ANC would control the executive, Parliament and also the courts.

In terms of the arrangement agreed to by the ANC and NP, and accepted by negotiators yesterday, the President will appoint the Chief Justice after consulting the judicial services commission and the Cabinet. The constitutional court's president will also be appointed by the President after consultation with the Chief Justice and with the agreement of the Cabinet.

Depending on the size of majority required for Cabinet decisions, a matter not yet finalised, the majority party could in effect determine the two key judicial appointments, Leon said.

The President would appoint four constitutional court judges from among the Supreme Court judges, with the agreement of the Cabinet and Chief Justice. Six further judges would be appointed by the President after he had "seriously canvassed" the opinion of the court president and obtained the Cabinet's agreement.

Leon said this meant that nine of the appointees would be directly or indirectly political. The DP believed the appointments should be made on the recommendation of a judicial services commission.

He said the DP's proposal was exactly the same as that outlined in the ANC's 1991 constitutional proposals, and also mirrored the legislation government had been going to bring earlier this year but had not.

The way the constitutional court was separated from the rest of the judiciary and the way the appointments were made "creates a very powerful court with political override and no independence", he said.

Leon quoted a statement issued by seven deans of SA law faculties opposing the ANC/NP proposal.

ANC negotiator Dullah Omar said the DP merely wanted to perpetuate the status quo and "make the constitutional court a creature of the law barons of SA". The judiciary in SA had no credibility and it was necessary to create a court at the pinnacle of the system that could enjoy the confidence of all.

SACP chairman Joe Slovo, responding to a statement that minorities' fears would be intensified by the arrangements, said: "I am losing patience with those parties that believe all we are here for is to protect the interests of minorities. Of course that is part of what we are doing, but we are primarily here for the interests of the majority which has been deprived until now."

□ To Page 2

Court

BIDay 16/11/93

□ From Page 1

"The judiciary has been a pillar of oppression . . . over the years."

Meanwhile, government and the ANC spent much of yesterday locked in secret talks trying to resolve outstanding matters. The question of a mechanism to break deadlock, should the final constitution not get the required two-thirds majority in Parliament, is still not resolved. Nor is the percentage majority necessary for Cabinet decisions. It is understood these will be finalised late today. (304A)

The parties are also trying to finalise a section of the constitution dealing with the division of powers and functions of the police between regions and central government. Another issue holding up finalisation of the constitution is the way local government will be constituted.

It is understood that government and the ANC have agreed on a formula which favours minorities, especially in the rural areas. According to the plan, 40% of council seats will be determined by proportional representation and 60% through ward representation. The ward representation is to be split equally between traditional black local authorities and traditional white authorities. Government's insistence on juristic persons (businesses) and those paying rates to be given a special weighting has been discarded.

Negotiators will discuss the final draft of the Electoral Bill today.

● See Page 4

'Don't close talks door'

Star 17/11/93

■ BY KAIZER NYATSUMBA
POLITICAL CORRESPONDENT

As negotiators yesterday put the finishing touches to agreements ahead of today's plenary session of leaders, the Freedom Alliance (FA) warned ominously against delegates at today's meeting making final and binding decisions which would "effectively close the negotiation door".

All-inclusive

In a statement issued after its meeting with a Government delegation in Pretoria yesterday, FA chairman and Bophuthatswana chief negotiator Rowan Cronje said long-lasting solutions would have to be all-inclusive and take into account the views and aspirations of the alliance.

That, he said, would determine whether South Africans would enter the future constructively or do so on the basis of division, enmity and tension. The FA wanted no part in the disaster which could follow later.

He said an all-inclusive solution was still possible if there were a willingness "to walk the extra and final mile". The FA had already gone a long way towards reconciling its original positions with those from the Negotiating Council.

Cronje insisted that the Interim Constitution that the plenary will be asked to ratify today was still seriously flawed, with major issues still to be resolved (3044)

"If at (today's) plenary the doors are finally slammed, those who do so must accept the consequences of their actions," Cronje said.

He said the FA was willing to be part of the democratic transformation of southern Africa, including the holding of elections and the empowerment of a new government, provided the process was shaped by an acceptable constitutional dispensation.

He said party leaders and delegates attending today's plenary session owed it to the people of southern Africa to deeply examine their consciences in the knowledge that whatever decisions they made could fundamentally affect the lives of every person in the region for generations to come.

Proposals

Although Cronje did not comment directly on the FA's meeting with the Government yesterday, sources close to both sides said that not all had gone well.

All Cronje would say was that the Government had undertaken to respond in writing to the alliance's wide-ranging proposals, presented by the Bophuthatswana Minister of State this week as the FA's "bottom lines" in the talks.

Leaders due to ratify historic pact today to take SA into a nonracial future

End of the beginning

STAR 17/11/93

Today — one year, 10 months and 28 days after formal talks began — South Africa's political leaders are due to ratify a historic compromise pact, mapping out a path to a nonracial future.

Nelson Mandela, F W de Klerk and leaders of other negotiating parties gather this afternoon at Kempton Park's World Trade Centre for a talks plenary session to endorse agreements thrashed out by their delegates in the months of haggling since Codesa 1 began on December 20 1991.

This follows clear indications late last night that a last-minute summit in Pretoria between De Klerk and Mandela had achieved basic agreement on remaining sticking points which the parties' negotiators had failed to resolve.

But it is reliably understood that the crunch question of what percentage will be required for decisions in the new multiparty cabinet was the subject of dispute. Mandela was holding out for a simple majority — 50 percent approval plus one member — while De Klerk argued in favour of 60 percent approval.

It now seems likely that a compromise will be found in terms of which 55 percent approval will be required for most decisions but security and finance-related issues will have to be approved by 60 percent of the Cabinet.

The crucial four-hour face-to-face encounter in the Union Buildings ended on a good note, according to negotiators who returned to the World Trade Centre at 10 pm.

Constitutional Development Minister Roelf Meyer, who attended the summit along with ANC secretary general Cyril Ramaphosa said: "We are moving forward in tandem on all the issues." He added that they were not finalised and "more refinements" were required.

Asked whether outstanding issues of principle had still to be resolved, the ANC's Carl Niehaus said: "I wouldn't say so." He added that the Negotiating Council would have to discuss and agree to proposals emanating from the Union Buildings meeting, and ANC-Government bilaterals.

A CELEBRATORY mood prevails at the World Trade Centre as negotiators finalise the rules for SA's transition

It was clear, however, that today's plenary session would go ahead as planned (304A)

It is believed that at least three key issues were at stake at the summit: the way decisions will be taken in the new, multiparty Cabinet; the mechanism that will be used to break deadlocks in the writing of a "final" Constitution by the interim parliament; and when provinces will be able to draft their interim constitutions.

Reports from the World Trade Centre by CHRIS WHITFIELD ESTHER WAUGH SHAUN JOHNSON

▶ More reports – Pages 3 and 8

It is understood that the recent sharp exchange between De Klerk and Mandela — including a heated telephone conversation on Saturday night — prompted by remarks made in Natal by the ANC leader, was not even raised in the "businesslike" meeting. Sources said it ended "with smiles all round".

Given a successful outcome at today's plenary meeting, the transitional executive council (TEC) could be up and running within about two weeks — signalling the first real loosening of the National Party's 45-year grip on power. And on April 27 — a date also due to be ratified today — the country will go to its first nonracial elections to usher in a government of national unity for five years.

Earlier yesterday, De Klerk made a surprise visit to the negotiating chamber. After his brief appearance he said: "There are one, two or three important matters where we are going to put dots on the i's and crosses on the t's."

ANC sources interpreted De Klerk's appearance as a public signal that he was behind the deal his negotiators had brokered, in spite of reported unhappiness among some hardline NP Cabinet Ministers.

Late last night the Negotiating Council was still in session and finalising clauses to go into the Interim Constitution. These included an agreement of high symbolic significance — the clause that will extend the franchise to all South Africans irrespective of colour.

During the day, agreement was reached in ANC-Government bilateral meetings on the vexed issue of what a new police force would look like, and on the shape of a new SADF.

However, there was a shadow over the generally celebratory mood in the 21-member Negotiating Council — the continued absence of the boycotting Freedom Alliance (FA).

Yesterday, KwaZulu Chief Minister Mangosuthu Buthelezi, an FA leader, bluntly turned down an invitation to attend the plenary session. In an angry letter to negotiations administrators, obtained by The Star, he said he was "amazed" that such an invitation should even have been sent to Ulundi.

"In fact the whole exercise of inviting us ... savours of old racist baasskap ... We cannot ex post facto rubber stamp decisions signed between President de Klerk and Mandela."

However, De Klerk indicatedthat today's session would

▶ To Page 3

End of the beginning

◀ From Page 1

not mean that the door was closed on the FA. Speaking to journalists after addressing the Negotiating Council, he pointed out that changes could be made to the Interim Constituion before it was passed by Parliament during its special sitting starting on Monday Star

These changes would obviously also have to be accepted by the multiparty forum — which will continue its work on other, largely technical, matters in weeks to come. 17/11/93

De Klerk said that once the Interim Constitution was adopted by Paliament the prospect of it being changed before the April 27 election — a date that will also be ratified today — became "more theoretical".

The President revealed that he would be meeting the FA leaders next week and "hopefully we will move closer to a solution" (304A)

It is understood that some members of the FA are still keen to find a compromise formula that would bring them back into the transition — even at this late stage. The plenary session may also instruct negotiators to continue their interaction with the FA in the hope of bringing them into the process.

The FA issue was raised at the De Klerk-Mandela meeting, and Niehaus said the plenary session would press ahead with or without them — but he also added that "doors stand open for them".

After talks with Government negotiators yesterday, the FA indicated that it hoped the plenary session would not signal the end of attempts to seek a compromise.

Dark day in SA's history – lawmen

Star 17/11/93

■ BY NORMAN CHANDLER
PRETORIA BUREAU

Decisions reached at Kempton Park over the proposed Constitutional Court were last night slammed as "appalling".

The Association of Law Societies (ALS) called them "a dark day in South Africa's history".

The DP said it was "bitterly disappointed".

The DP had campaigned — supported by the Afrikaner Volksunie — for non-political appointments to the court.

In terms of an arrangement reached on Monday between the NP and the ANC, the country's president will appoint the Constitutional Court's president. He will also appoint the Chief Justice.

Dismayed (304A)

In addition, the country's president will have the right to appoint four Constitutional Court judges while six others would be appointed by him with the sanction of the Cabinet.

The ALS said it was deeply dismayed about proposals for the appointment of judges to the Constitutional Court.

David Asherson, president of the ALS, which represents about 11 000 attorneys, said it "was appalling that a decision had been taken which ignored the views of the entire legal profession".

Unacceptable

He said it was a "dark day in South Africa's legal history" as the court ought to herald a new era for the preservation of fundamental rights.

Asherson added: "What we now have is a court which will not be seen to be independent of the (government) executive and this creates the possibility of an unacceptable situation".

'ISU should stay away'

Massive help for poll urged

Star 17/11/93

FREE and fair elections possible only with world's assistance, say jurists (304A)

■ BY BRONWYN WILKINSON

The influential International Commission of Jurists (ICJ) has called for "massive" international help for South Africa during next year's election — including a peacekeeping force and police advisers.

The ICJ also recommended that the SAP's controversial Internal Stability Unit (ISU) and the KwaZulu and other homeland police should have nothing to do with policing the election.

In a 26-page report called Voting for Peace, released yesterday, the ICJ said South Africa's first all-in election should be held on April 27.

The report concluded: "It will only be possible to hold free and fair elections on April 27 1994 if the international community gives massive help".

This help should be coordinated by the UN, and UN secretary-general Boutros Boutros-Ghali should send a representative to South Africa.

According to the report, the international community should:

■ Provide at least one monitor at all times at all polling stations.

■ Provide police advisers to support the SAP at every police station involved in policing the election.

■ Offer to provide a reserve peacekeeping force of five battalions.

■ Elections must take place in the homelands and the "independent states" as well as in South Africa.

■ There should be a polling station within walking distance for everyone.

■ Local investigations units should be set up to probe complaints against the police.

Ministry of Law and Order spokesman Craig Kotze yesterday rejected outright the possibility of police advisers and international peacekeepers.

"South Africans must police South Africans. Besides, the UN peacekeepers couldn't even handle Somalia; how can they expect to cope in South Africa? We do not need foreign troops."

He was adamant that the ISU, as a part of the SAP, would not be withdrawn from its task, which would include election policing. Law and Order Minister Hernus Kriel announced this week that a force of 60 000 would be deployed to police the election.

The ANC welcomed the ICJ recommendations but the IFP did not.

Freedom Alliance softens position

(304)

CT 17/11/93

By ANTHONY JOHNSON
Political Correspondent

THE Freedom Alliance said after a meeting with the government yesterday: "An all-inclusive solution can still be found if there is a willingness to walk the extra and final mile."

In a sharp warning to the multi-party negotiators not to finalise a deal without them, the alliance said: "It will be most unfortunate if, at the plenary session, the delegates make final and binding decisions which would effectively close the door."

President F W de Klerk yesterday held out the hope that the alliance might still be accommodated before Parliament gives its final stamp of approval to the interim constitution next month.

Much hinges on a planned meeting on Friday between Mr De Klerk and the entire alliance leadership.

A set of "bottom line" proposals presented to the government last night reflect a marked softening in the long-held position of the alliance on the powers and functions of regions and alliance objections to a constituent assembly to write a final constitution.

But these latest proposals still demand an unconsolidated Afrikaner homeland and far-reaching powers for regions, which go significantly beyond what either the ANC or the government are prepared to concede.

30 percent of councillors to be guaranteed

Goodwill gesture to minority groups

Star 17/11/93

CONSTITUTIONAL guarantee emerges from ongoing bilateral talks between Government and ANC

■ BY JO-ANNE COLLINGE

In a clear concession to the absent Conservative Party, negotiators at the World Trade Centre have guaranteed residents of existing white, coloured and Indian areas at least 30 percent of councillors in the first elected nonracial local authorities.

This constitutional guarantee for minority interests emerged from ongoing bilateral talks between the Government and the ANC. It was vigorously defended by the ANC and approved by the Negotiating Council last night.

The ANC's Thozamile Botha said local government was one of the most fearlessly contested areas and the ANC had made "a gesture of goodwill" to "help stabilise communities at local level during transition".

The constitution now provides that the elections for the first nonracial councils will take place as follows:

■ Sixty percent of councillors will be elected as ward representatives and the rest on the basis of proportional representation.

■ Half of ward councillors — or 30 percent of the total council — will come from areas where white, coloured and Indian local authorities currently exist. The other half will come from black townships and any other areas within the new broader local authority boundaries.

Botha pointed out that in the western Cape, where black people frequently form a minority, the position would operate to their advantage. "Although it sounds undemocratic, it is indeed nonracial," he said.

The effect of the provision is to give a minority virtual veto powers over the budget, which requires a two-thirds majority.

The guaranteed representation of minorities carries through into the management structure of the council. In line with Local Government Minister Tertius Delport's notion, the composition of the council will be reflected in the composition of its executive committee.

These provisions for the first nonracial municipal elections replace an earlier Government proposal that property form the basis of demarcating electoral wards.

Far more controversial was a clause providing for local authorities to delegate specific functions to sub-municipal structures to facilitate administration and the delivery of services. Delegates said this measure smacked of "apartheid through the back door" and reminded them of a racist system of management committees.

The PAC, Labour Party, the Natal/Transvaal Indian Congresses and the National People's Party registered their objections and did not take part in the decision on this clause.

Deal struck for new SA

CT 17/11/93 (304)

Key issues are settled

By ANTHONY JOHNSON
Political Correspondent

JOHANNESBURG. — It's a deal. The new South Africa is to be launched formally at a plenary session at the World Trade Centre today following a successful eleventh-hour summit between President F W de Klerk and ANC president Mr Nelson Mandela in Pretoria last night.

The two sides announced that agreement had been reached on key issues standing in the way of a constitutional settlement, but said details would have to be worked out before the stamp of approval was given to South Africa's first democratic constitution this afternoon.

A tired but elated chief government negotiator Mr Roelf Meyer said that during the four-hour summit the two major parties had "moved forward in tandem on all remaining outstanding constitutional issues"

Although a number of specifics remained to be finalised before this afternoon's deadline there was no reason why the plenary session should be postponed, he said.

Mr Cyril Ramaphosa, the ANC's secretary general and chief negotiator — whose birthday is today — said the remaining issues would be finalised today.

"The ANC remains confident that a settlement will be reached and that a plenary session of the multi-party negotiations will be held as planned."

Outstanding details apparently will be cleared up by the multi-party negotiating council and no follow-up meeting between Mr Mandela and Mr De Klerk is planned.

FREEDOM ALLIANCE SOFTENS POSITION

— PAGE 2

The two sides also discussed the position of the Freedom Alliance and apparently reaffirmed "that if (it) is not prepared to accept the negotiations the process will have to proceed without them".

Earlier, during a visit to the World Trade Centre, Mr De Klerk said the constitution contained "all the necessary elements to ensure a long-term and true democracy in South Africa". (See Page 2).

Government and ANC negotiators said last night's leaders' summit had been called to find a compromise on several vital issues, among them:

- The percentage needed for cabinet decisions in a multi-party government of national unity. The government wants 66% while the ANC wants 55%, with 60% for "vital" decisions.
- The percentages for breaking deadlocks in the writing of the final constitution by the new Parliament after the election. The government wants 66% and the ANC 60%.



AWARD . . . Sanlam managing director Mr Desmond Smith (above, left) accepts the Cape Times Businessman of the Year award on behalf of Sanlam chairman Mr Pierre Steyn (below, left) from Mr Gordon Kling, executive editor of the Cape Times. Picture: CLIVE SMITH



'Don't let SA become a banana republic'

By AUDREY D'ANGELO
Business Editor CT 17/11/93

BUSINESS people should invest money here — rather than send it overseas — to save South Africa from becoming a banana republic, Mr Tokyo Sexwale, chairman of the ANC in the PWV area, said at the Cape Times Businessman of the Year lunch in Camps Bay yesterday.

He praised the Minister of Finance Mr Derek Keys for his courage in "jumping into the sinking boat" of the economy after 40 years of NP rule.

● Full report — Page 10

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UN 'should help police election'

DURBAN. — The International Committee of Jurists says the SAP will need help in policing next year's election, and they suggest that the United Nations should provide about 1 000 police advisers to assist them.

The ICJ also says, in an assessment released yesterday on the prospects for fair and free elections, that the internal stability unit, the KwaZulu Police and other homeland police forces should play no part in policing the election.

Impartial community policing and legislation to ban dangerous weapons in public should be implemented urgently to ensure free and fair elections, says the chief of the UN observer mission in South Africa, Ms Angela King.

Writing in the journal of Cape Town's Centre for Intergroup Studies, she says political violence is the greatest obstacle to free and fair elections. — Own Correspondent, Sapa

DECISION DAY

Jaded but joyful!

'This is the day the people of South Africa have been waiting and hoping for'

ARGT 17/11/93 BOWA

Political Staff

HISTORIC days are supposed to be pregnant with moments of symbolism, pathos, emotion. Yesterday's final hours of talks at the World Trade Centre lived up to this standard.

There was President De Klerk making a surprise guest appearance in the Negotiating Council, slipping into a seat at 4.10pm — precisely the moment at which it was agreed to extend the franchise to all South African citizens.

It was pure chance. The talks agenda is so elastic and the final spurt so frenzied that he could not have planned the coincidence of his entrance.

But there he sat, smiling at the multi-hued, multi-party delegates around the horseshoe talks table, as the three-year-old logic of his revolutionary reform initiative was turned into practical fact.

On the other side of the room ANC secretary-general Cyril Ramaphosa rubbed his eyes theatrically in surprise at the NP boss-man's appearance, and looked across familiarly at his negotiating partner Roelf Meyer.

Outside the chamber, more pathos. The erstwhile egghead of the National Party, Dr Gerrit Viljoen, had come to look on as the child he had helped to father came of age.



Joe Slovo: "Beginning of the real Great Trek".



Mac Maharaj: "The end of apartheid rule."



Colin Eglin: "Major step away from apartheid."



Gerritt Viljoen: "It's a small miracle".



Pravin Gordhan: "Negotiations can and do work."

He smiled avuncularly as he praised his former protege, Roelf Meyer. President De Klerk had them sit to his left and right as the cameras clicked.

Dr Viljoen, the old campaigner whom the process wore out, pronounced the imminent completion of talks "a small miracle".

In the council President De Klerk told the negotiators he "shared their joy" at the achievement, and there was indeed a lot of joy in the corridors of the World Trade Centre.

It is true that all eyes were heavy-lidded from sleep deprivation and extraordinary caffeine intakes, and it is true that there remained concern and disappointment about the will-they-won't-they stance of the stayaway Freedom Alliance.

Everyone knew too that the document which will emerge today will not be precisely what they wanted, and that it will still gestate between now and South Africa's real political catharsis, election day. But they felt more strongly the frisson of excitement that comes with reaching ends and facing new beginnings.

Mr Ramaphosa had the energy to grin broadly and execute a satisfied skip as he rushed from last-minute bilateral to deadline-dogged debate. He felt mighty good about being alive today, he said.

Transkei's chief negotiator Zam Titus was a happy man too. "This is the day the people of South Africa have been waiting and hoping for," he enthused. "It marks the beginning of an interesting era in our history ... the time has arrived for us to build from the ruins."

"It's not the finalisation of the democratic process," said Democratic Party negotiator Colin Eglin, "but we're taking a major step away from apartheid."

Said Pravin Gordhan of the Natal Indian Congress: "Negotiations can, and do, work." Mac Maharaj of the ANC went further: "It's a moment that marks the end of apartheid rule."

Joe Slovo of the SA Communist Party drew a historical parallel. "It marks the beginning of the real Great Trek - towards liberation and freedom."

The PAC's Patricia De Lille was circumspect, but also conceded the momentousness of the day's proceedings: "It is not total freedom yet, but we have moved the struggle to another level.

Downstairs, in the superbowl-like auditorium, construction workers scurried about preparing things for today's plenary session. Fresh paint was slapped on, platforms dragged into place. Their deadline was every bit as urgent as that of the talkers in the council. Tuesday marked a small fin de siècle at the World Trade Centre.

Quick march into new SA

The negotiators have agreed to a complete overhaul of the police and defence force. Argus Correspondent ESTHER WAUGH reports.

THE negotiating council agreed today to a complete overhaul of the police and defence force.

But the PAC walked out of the chamber shortly after 1.30am labelling it a "farce".

Although it was prepared to debate "proper legislation", the PAC said, the proposals on the table for discussion amounted to agreements between the ANC and government.

PAC negotiators added that the document was tabled at 1.10am and no time had been given to consult on the proposals and the security forces were a subject of dispute between the organisation and the government.

In terms of the agreement, a post-apartheid South Africa will have a single national police force and defence force.

However, a clear role on policing has been agreed for provincial governments on appointments, administration and promotion.

The agreement on a future police force states that the State President will appoint a national police commissioner. Although the national commissioner will appoint regional commissioners, provincial governments will have a veto power over the appointments.

The chapter — to be included in the draft Interim Constitution — also provides for a single national defence force comprising all armed formations with no special status given to the SADF.

On a national level the powers of the South African Police Services include internal security; the investigation of organised crime; international police liaison; intelligence; training and recruitment; and the establishment of a national public order policing unit.

Provincial police commissioners will investigate and prevent crime; develop a community-policing service; maintain public order; provide visible policing services; and establish police stations and crime reaction units.

A board of commissioners comprising the national and provincial commissioners will be established to promote co-operation.

An independent complaints mechanism under civilian control will be created to investigate complaints against policemen.

In terms of the agreement on a national defence force, the State President will appoint the chief of the defence force, which will comprise a permanent force and a part-time component.

PAC negotiators said today the organisation would not endorse the agreement when the plenary session of the multiparty negotiating process meets this afternoon.

Before the PAC's Patricia de Lille and Barney Desai left the chamber, she said the proposals were "a total farce not because of the lateness of the hour but because of the seriousness of the issue ... The PAC will not be part of this".

SA's day of drama

Historic pact on non-racial future — homelands set to go

Political Staff

THE independent and self-governing homelands could legally cease to exist within weeks in terms of a dramatic proposal considered by multiparty negotiators in the early hours of today.

The historic recommendation — which would effectively signal the end of the Verwoerdian dream — was tabled in the Negotiating Council at 3am as negotiators stitched together outstanding provisions of the interim constitution.

The proposed clause — to be included in the interim constitution and to be passed in the special session of parliament beginning on Monday — provides for the repeal of the legislation which recognises the independence of Transkei, Bophuthatswana, Ciskei and Venda (TBVC states).

It would also repeal the Self-Governing Territories Constitution Act — effectively ending the existence of national states such as Kwazulu as separate constitutional entities.

Negotiators this morning succumbed to weariness soon after the proposal was tabled and will meet today to reach a decision in time for this afternoon's plenary session of talks at which leaders will formally endorse agreements.

If passed by parliament the interim constitution as a whole will come into effect on election day, April 27, but different provisions can come into operation at an earlier date. This would require a proclamation by President De Klerk in the Government Gazette.

In terms of the proposal put to talks early today laws that would be repealed include the Status of Bophuthatswana Act and the Status of Ciskei Act.

If these laws are repealed the two homelands will, in terms of South African and international law, cease to exist.

A constitutional expert last night confirmed that the agreement would effectively mean the reincorporation of the TBVC states into South Africa with or without their consent.

A deal already struck in negotiations will make citizens of these states South Africans, and South African laws will be applicable to them.

Should the homeland governments resist they could technically be charged in South African law with treason.

An appeal in terms of international law would be meaningless because these states were not recognised by any foreign power, the constitutional expert said.

For this reason they would not have recourse to formal international forums such as the United Nations.

An observer pointed out that the only survival mechanism remaining would be a military deterrent — such as exercised by Taiwan in spite of its international pariah status.

But he believed that the homelands did not have the military capacity for this option.

When the issue was raised in talks last night weary negotiators initially agreed to the key clause in the interim constitution that would strip the home-



COMIC RELIEF: President FW de Klerk responds to a comment, creating a light moment at the World Trade Centre in Kempton Park. Government negotiator at the talks Leon Wessels looks on.

Picture: Argus Group Picture Service

Boers preparing for war, says TerreBlanche

(304A) ARG 17/11/93

MICHAEL MORRIS, Political Correspondent and Political Staff

International jurists' report: Elections must not be put off

KEMPTON PARK. — One year, 10 months and 28 days after formal talks began, South Africa's leaders today ratify an historic compromise pact, mapping a path to a non-racial future.

Nelson Mandela, President de Klerk and leaders of other negotiating parties gather at the World Trade Centre here this afternoon for the final plenary session of the Negotiating Council to endorse agreements thrashed out by their delegates in the months of haggling since Codesa 1 began on December 20, 1991.

But exhausted negotiators, who adjourned at 3.35am and were back around the table at 9.30am, are in a desperate race against time to complete crucial outstanding issues before the lunchtime start of the session.

The 21-person council began a marathon session soon after midday yesterday, hoping they would resolve all remaining issues before adjourning for the night.

While significant progress was made on various issues, the council overshot its deadline and will have to resolve last differences before lunch today.

These include the way decisions will be taken in the new cabinet, the mechanism to be used to break deadlocks in drawing up the final constitution by the interim parliament and the timetable for drafting provincial interim constitutions.

Among the progress made by negotiators in their 11th-hour night of drama was agreement on the new two-tier Police Service, the new National Defence Force which will be formed after the election — and comprising only defence or armed forces attached to or associated with political organisations which take part in the election.

Indications are that a last-minute summit in Pretoria between President De Klerk and ANC leader Mr Mandela achieved basic agreement on remaining obstacles.

But it is reliably understood that the crunch question of what percentage will be required for decisions in the cabinet was the subject of dispute.

Mr Mandela was holding out for a simple majority — 50 percent approval plus one member — while Mr De Klerk argued for 60 percent approval.

It seems likely a compromise will be found in terms of which 55 percent will be required for most decisions but security and finance-related issues will have to be approved

International jurists' report: Elections must not be put off

The Argus Foreign Service

LONDON. — South Africa's crucial general election must not be postponed. It should take place on the agreed date — April 27 next year, says the International Commission of Jurists (ICJ).

In a wide-ranging report released simultaneously here, in Geneva and Johannesburg yesterday, the ICJ's recent special mission to the Republic produced a 10-point prescription for giving peace a chance in the new South Africa.

It also urged that the Internal Stability Unit, the Kwazulu Police and other homeland police forces should play no part in policing the election.

The five-man mission from Zimbabwe, Senegal, the United Kingdom, Sweden and Ghana also recommended that there should be a polling station within walking distance of everyone's home, that the controversial township hostels be replaced and that local investigation units should be set up to probe criminal allegations against the police.

JADED BUT HAPPY: All the details of a tough job well done — see page 17

Live on TV

THE plenary session of the Negotiating Council at the World Trade Centre will be televised live on TSS from 4pm today. The sport broadcast from 6pm to 7pm may be disrupted.

Argus **tonight**

Mr Bean gets locals jumping



It's the last week of Square Deal!

DAILY cash prizes of R2 000 are up for grabs — plus grand Sun International getaways, just-in-time for Christmas shopping or plant vouchers and delicious dinners for two. Check your card for the winning combinations. Don't forget to complete the Stick-a-Pic on the back of the card for your chance to win the Atkinson's Toyota Venture.

NORTHERN Argus

● In today's Northern Argus — seven pages of Festive Motoring!

A new dimension of lightness

African laws will be applicable to them.

Should the homeland governments resist they could technically be charged in South African law with treason.

An appeal in terms of international law would be meaningless because these states were not recognised by any foreign power, the constitutional expert said.

For this reason they would not have recourse to normal international forums such as the United Nations.

An observer pointed out that the only survival mechanism remaining would be a military deterrent — such as exercised by Taiwan in spite of its international pariah status.

But he believed that the homelands did not have the military capacity for this option.

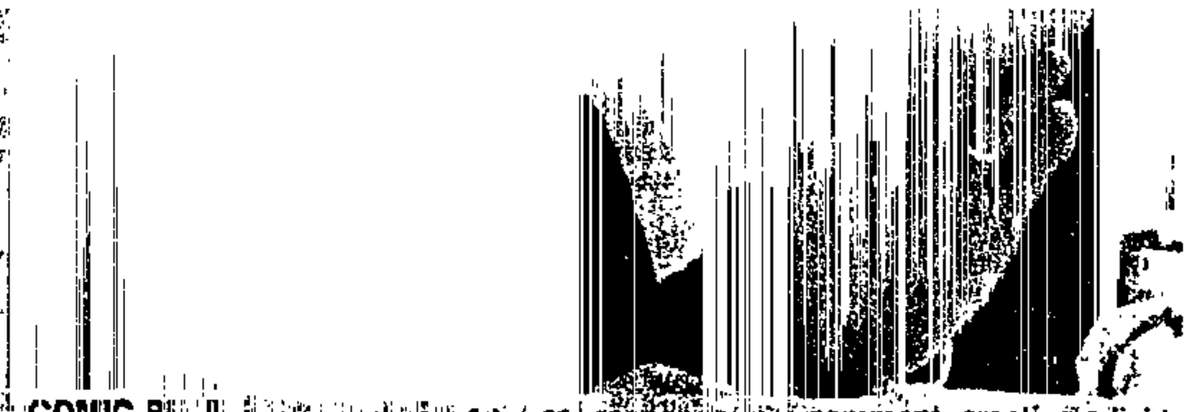
When the issue was raised in talks last night weary negotiators initially agreed to the key clause in the interim constitution that would strip the homelands and the self-governing territories of their powers.

However, as the debate dragged on it was decided that the issue should stand over to later this morning.

Negotiators were confident that these highly significant clauses would be finalised in time for the plenary session this afternoon.

The proposal has huge implications for the Freedom Alliance, which counts Kwazulu, Bophuthatswana and Ciskei among its members.

It means that — should the clause be adopted by parliament — the homelands and Kwazulu would be forced to make a choice — either embrace the multiparty agreements or cease to exist legally. Should they adopt the latter they would almost certainly have to resort to military resistance to maintain a role.



COMIC RELIEF ... FW de Klerk responds to a comment, creating a light moment at the World Trade Centre in Kempton Park. Government negotiator at the talks Leon Wessels looks on.

Picture: Argus Group Picture Service

Boers preparing for war, says TerreBlanche

ARG 17/11/93

The Argus Correspondent

PRETORIA — Eugene TerreBlanche said here today the boers were preparing for war.

The Afrikaner Weerstandsbeweging leader was speaking outside the Magistrate's Court after a case in which he is involved was postponed to January 4.

Mr TerreBlanche said that decisions being reached at the negotiating council at the World Trade Centre today handed over the government to communists.

"The National Party is handing over the country to the African National Congress. They (the ANC) will find that they cannot rule without the Afrikaner and the Zulu nation.

"They are in for a hell of a surprise.

"No man can govern without boer loyalty. We are preparing for war because they are not solving the problem but creating war."

He said that the world over, small nations such as the Afrikaner nation were demanding sovereignty and independence (but) "now my country is being handed over to communist rule.

He appeared in court today after refusing to testify before the Goldstone Commission into the right-wing break-in into the negotiating council building in June.

No evidence was led and the matter was postponed until January 4.

The Argus

CRACKER JACK

STICK-A-PIC

Get festive with our Crackerjack game!

GET set for a Crackerjack Christmas with The Argus.

The ever-popular Stick-a-Pic is back — and this time it's gone "crackers" bringing readers sparkling good prizes just in time for the festive season.

The big Crackerjack prize is an Atkinson's Toyota 130 4-speed Corolla sedan worth R43 000. Wouldn't that put a smile on your face this Christmas?

There are loads of other Christmas cheer prizes too — all of them designed to make it an especially merry Christmas.

Look out for the loose-leaf entry form inserted in every copy of The Argus on Friday, and then collect the numbered picture clues daily in The Argus and Weekend Argus SATURDAY to fill your crackers with festive spirit.

The first clue wil be in the Weekend Argus SATURDAY, and the second clue in The Argus on Monday and every publishing day, except Sundays, until December 10.

West Indies players pelted in match uproar

AHMEDABAD (India) — West Indies cricketers were forced to seek refuge in the centre of the pitch for 40 minutes as Indian spectators pelted them with missiles during a one-day international.

Crowds fired crackers and threw stones and empty plastic bottles yesterday at West Indian players in the outfield when their bowlers began ripping through the Indian innings.

Trouble began in the 17th over when India had lost six wickets for a paltry 55 runs in reply to the West Indies score of 202 for seven from their 50 overs.

Play resumed after 22 minutes but had to be stopped again for 19 minutes after just two deliveries.

Court dress disturbs defence

TAMPA (Florida) — When Tampa attorney Robert Fraser told his client to show up for court in conservative dress, his client took him at his word.

Timothy Goetzke, charged with hitting his mother and an intervening police officer, showed up wearing a white blouse, a skirt and low heels.

The Tampa Tribune quoted Mr Fraser as saying he was "a little surprised" — and worried the jury might find Mr Goetzke's dress "distracting".

Mr Goetzke said he had been wearing women's clothes for several months on the advice of his doctors.

"I'm a pre-operative transexual," he said. "I've been taking female hormones to prepare myself for gender reassignment. According to my physicians I have to live life as a woman 24 hours a day.

"The police called me a homosexual and a transvestite. Those things are real, but that's not what I am. My mother has been very upset by all of this," he added.

The trial was still going on, so there was no indication what the jurors thought of Goetzke's attire. — Sapa-Reuter.



Cricketer Mark Bredell on trial: What happened in the barley field? — page 5.

associated with political organ sations which take part in the election.

Indications are that a last-minute summit in Pretoria between President De Klerk and ANC leader Mr Mandela achieved basic agreement on remaining obstacles.

But it is reliably understood that the crunch question of what percentage will be required for decisions in the cabinet was the subject of dispute.

Mr Mandela was holding out for a simple majority — 50 percent approval plus one member — while Mr De Klerk argued for 60 percent approval.

It seems likely a compromise will be found in terms of which 55 percent will be required for most decisions but security and finance-related issues will have to be approved by 60 percent of the cabinet.

The four-hour encounter in the Union Buildings ended on a good note, according to negotiators who returned to the World Trade Centre at 10pm.

Government and ANC chief negotiators Roelf Meyer and Cyril Ramaphosa said: "We are moving forward in tandem on all the issues".

Mr De Klerk made a surprise appearance at the World Trade Centre late yesterday and earned applause from the Negotiating Council with an upbeat assessment of the prospects for full agreement on the constitution which he believed was a recipe "for a long lasting and true democracy".

Mr De Klerk was confident that the negotiating parties would be ready to approve the deal by this afternoon.

One of the key items on the agenda was the stiff criticism from within and outside the negotiating chamber of the controversial appointment of judges to the powerful Constitutional Court.

Democratic Party leader Zac de Beer took his party's angry opposition to Mr Mandela and Mr De Klerk during the course of yesterday and a compromise is expected.

This is one of the items that the Negotiating Council will have to sort out today.

Parties in the negotiations were cautioned last night not to use the plenary to re-open substantive debate on the contents of the final deal. They would be given limited time to convey their positions.

In a move reminiscent of the launch of Codesa in 1991, negotiators yesterday decided to ask Mr Justice Mohamed and Mr Justice Schabort to chair today's historic meeting.

The high point of the gathering will be the signing of a declaration of commitment.

Live on TV

THE plenary session of the Negotiating Council at the World Trade Centre will be televised live on TSS from 4pm today. The sport broadcast from 6pm to 7pm may be disrupted.



WEATHER P3 LETTERS P16 BUSINESS P18, P19, P20 MOTORING P20, P21 SPORT P22, P23, P24

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Plenary session live on TSS

CT 17/11/93 (3041)

Staff Reporter

SOUTH AFRICANS will be able to watch the Negotiating Council's plenary session live on television this afternoon.

According to a TSS publicity statement, the session and broadcast are scheduled to begin at 4pm and may continue for two or three hours.

The bonus sport broadcast between 6pm and 7pm may be disrupted, TSS warns.

NP 'sows confusion' among coloured people

(304A) ARG 17/11/93

ANC is ready to govern, Sexwale tells Retreat rally

DENNIS CRUYWAGEN
and JOHN VILJOEN
Staff Reporters

TOKYO SEXWALE, one of the African National Congress's most popular leaders, has accused the National Party of trying to sow confusion among coloured people.

Joining the movement's Western Cape election drive yesterday, the ANC's PWV chairman told about 2 000 people in the Retreat Civic Centre that the NP was trying to divide blacks and coloureds — "the same kleurling (coloured) who they have tricked for years and whose vote they have misused to misgovern the country".

Referring to Erica Adams, former fiancée of President De Klerk's son Willem, he said she should have married him but was rejected by Marike de Klerk "so that they could have a blonde".

Mr Sexwale said the last mile of the race to freedom had begun. This mile was five-and-a-half months long and was the most difficult part of the race.

The ANC would fight to win the election decisively with "everything we have", especially in the Western Cape — a region where, it was said, the movement was not assured of victory.

An ANC-led government would make mistakes, just as the movement had made mistakes in the past.

"We'll admit this. But we are ready to govern. We are ready to declare De Klerk unemployed on April 27."

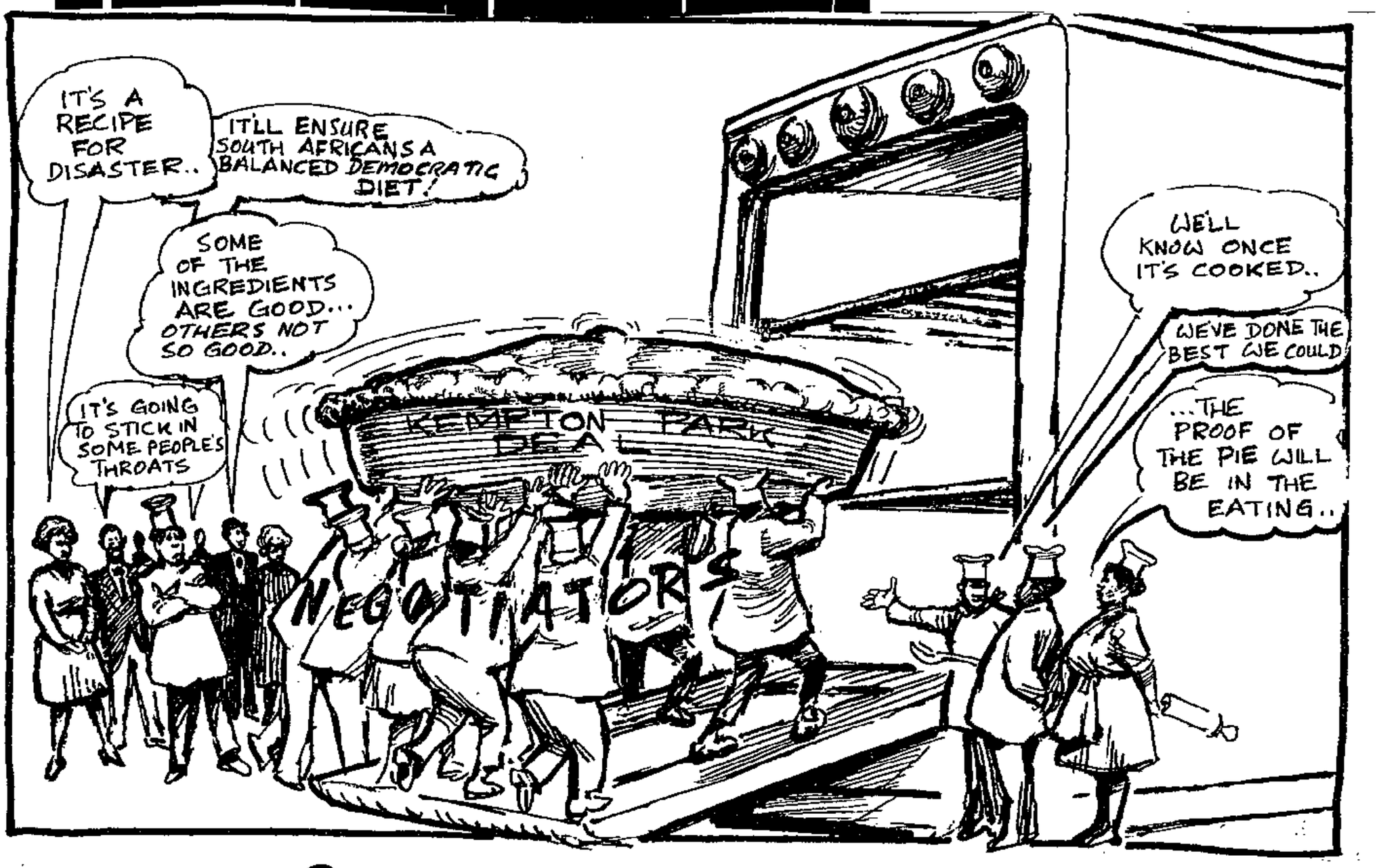
There had been calls for the first all-race elections to be postponed, but there would be no retreat.

Election day was about "removing our noses from the dirt in which they have been rubbed for years".

Freedom Alliance leaders had to realise they could not stop the election.

Earlier Mr Sexwale told a gathering of Cape Town professionals that professional people who left South Africa in the build-up to the election would suffer the guilt of having left the country which had provided them with skills.

No country had bled forever, he said.



focus on talks

Sowetan 17/11/93

Drawing up the transitional constitution has been a long haul. As the negotiations race to the finish line, a few matters remain to be agreed. Political correspondent **Themba Molefe** gives an overview:



LEADERS OF THE 21 parties in multiparty negotiations meet at the World Trade Centre today to put the final seal of approval on a new transitional constitution for South Africa.

In spite of what earlier seemed irreconcilable obstacles, especially as the talks reached a crescendo this week, major agreements were reached on Monday and yesterday — both inside and outside the World Trade Centre.

Significantly, leaders of the likes of Mr Nelson Mandela and State President FW de Klerk will today ratify a package of transitional legislation to be sent to Parliament which sits next Monday.

Specific agreement has been reached on the Electoral Bill, demarcation of regions, constitutional courts, traditional leaders and land ownership.

Outstanding issues apparently concluded between the African National Congress and the Government on Monday included: a deadlock-breaking mechanism for drawing up a final constitution; specified percentages for Cabinet decisions; regional constitutions; the police; and the draft Electoral Bill.

● Electoral Bill: A multiparty interim elections committee has been agreed upon to facilitate logistical planning for the elections, prior to the establishment of the Independent Electoral Commission. The Freedom Alliance — in spite of its boycott of negotiations — has asked that it be allowed to nominate three members to the interim elections committee.

In its representation, the FA said it had "agreed" to nominate three members, but warned that "this is not an endorsement of the (Electoral) Act or the elections".

The FA made several other inputs on details pertaining to elections, including the number of voting days, and voters' cards.

Another matter on the draft Electoral Bill, concerning the way in which the list of parties will be presented on ballot papers, was agreed to by the council.

One matter concerning the Electoral Bill which the council still has to consider is whether voters should be required to record one vote for the regional party of their choice and one for the national assembly.

The technical committee on the Electoral Bill explained this meant the first name on the list would be drawn out of a hat, to be followed in alphabetical order by the rest of the parties.

People imprisoned for violent crimes will be among the convicts not allowed to vote in South Africa's first democratic election, it was agreed.

Murderers, rapists, kidnappers and people imprisoned for robbery, fraud or bribery were among those ruled unworthy of franchise.

● Regions: The negotiating council on Monday agreed to the regional borders for South Africa's transition period, but based their approval on a series of post-election referendums for those areas still in dispute.

The agreement entailed acceptance, for the purposes of the scheduled April election, of the nine-region map already proposed by the demarcation special committee, coupled with separate counting of ballots in controversial areas, to facilitate these referendums.

The nine regions as demarcated on the present map are Eastern Cape, Northern Cape, Western Cape, Northwest, PWV, Eastern Transvaal, Orange Free State, Northern Transvaal and KwaZulu-Natal.

Central to the committee's proposal was an apparent trade-off between the Government and the ANC on the Eastern and Northern Cape regions.

The proposal on these regions called for votes in the Eastern Cape, which on the provisional map incorporates Transkei and Ciskei and the old Eastern Province, to be counted in two blocs.

A 60 percent majority would be able to decide by referendum if the people of this region wanted to split into two regions as favoured by the Government.

Generally, the sensitive issue of TBVC residents and their part in the scheduled election is also still outstanding. The council debated the Bill again yesterday.

Mandela and De Klerk yesterday met to finalise agreements before the plenary session. This meeting dealt with, among other things, the issues of what percentage will be required for decisions taken in a new multiparty cabinet, and deadlock-breaking mechanisms.

On the issue of executive decision-making, the ANC is still proposing an ordinary majority of members of the multiparty Cabinet, while the National Party is asking for a two-thirds majority.

● Police. Agreement is understood to provide for a national and nine provincial police forces.

Each provincial police force will reportedly have its own commissioner of police, who will be responsible to a regional police minister.

● On Constitutional Courts the Democratic Party was still to decide yesterday on taking action after objecting to political appointments to the courts as agreed by consensus in the talks. The court has to uphold South Africa's new constitution, including the Bill of Rights.

It was also agreed that those who lost their land which was taken from them since 1913 would be compensated.



Nelson Mandela and FW de Klerk ... signing today.

"The Freedom Alliance — in spite of its boycott of negotiations — has asked that it be allowed to nominate three members to the interim elections committee"

Political Staff (3044) ARG. 17/11/93

THE independent and self-governing homelands could legally cease to exist within weeks in terms of a dramatic proposal considered by multiparty negotiators in the early hours of today.

The historic recommendation — which would effectively signal the end of the Verwoerdian dream — was tabled in the Negotiating Council at 3am as negotiators stitched together outstanding provisions of the interim constitution.

The proposed clause — to be included in the interim constitution and to be passed in the special session of parliament beginning on Monday — provides for the repeal of the legislation which recognises the independence of Transkei, Bophuthatswana, Ciskei and Venda (TBVC states).

It would also repeal the Self-Governing Territories Constitution Act — effectively ending the existence of national states such as Kwazulu as separate constitutional entities.

Negotiators this morning succumbed to weariness soon after the proposal was tabled and will meet today to reach a decision in time for this afternoon's plenary session of talks at which leaders will formally endorse agreements.

If passed by parliament the interim constitution as a whole will come into effect on election day, April 27, but different provisions can come into operation at an earlier date. This would require a proclamation by President De Klerk in the Government Gazette.

In terms of the proposal put to talks early today laws that would be repealed include the Status of Bophuthatswana Act and the Status of Ciskei Act.

If these laws are repealed the two homelands will, in terms of South African and international law, cease to exist.

A constitutional expert last night confirmed that the agreement would effectively mean the reincorporation of the TBVC states into South Africa with or without their consent.

A deal already struck in negotiations will make citizens of these states South Africans, and South African laws will be applicable to them.

Should the nomeland governments resist they could technically be charged in South African law with treason.

An appeal in terms of international law would be meaningless because these states were not recognised by any foreign power, the constitutional expert said.

For this reason they would not have recourse to normal international forums such as the United Nations.

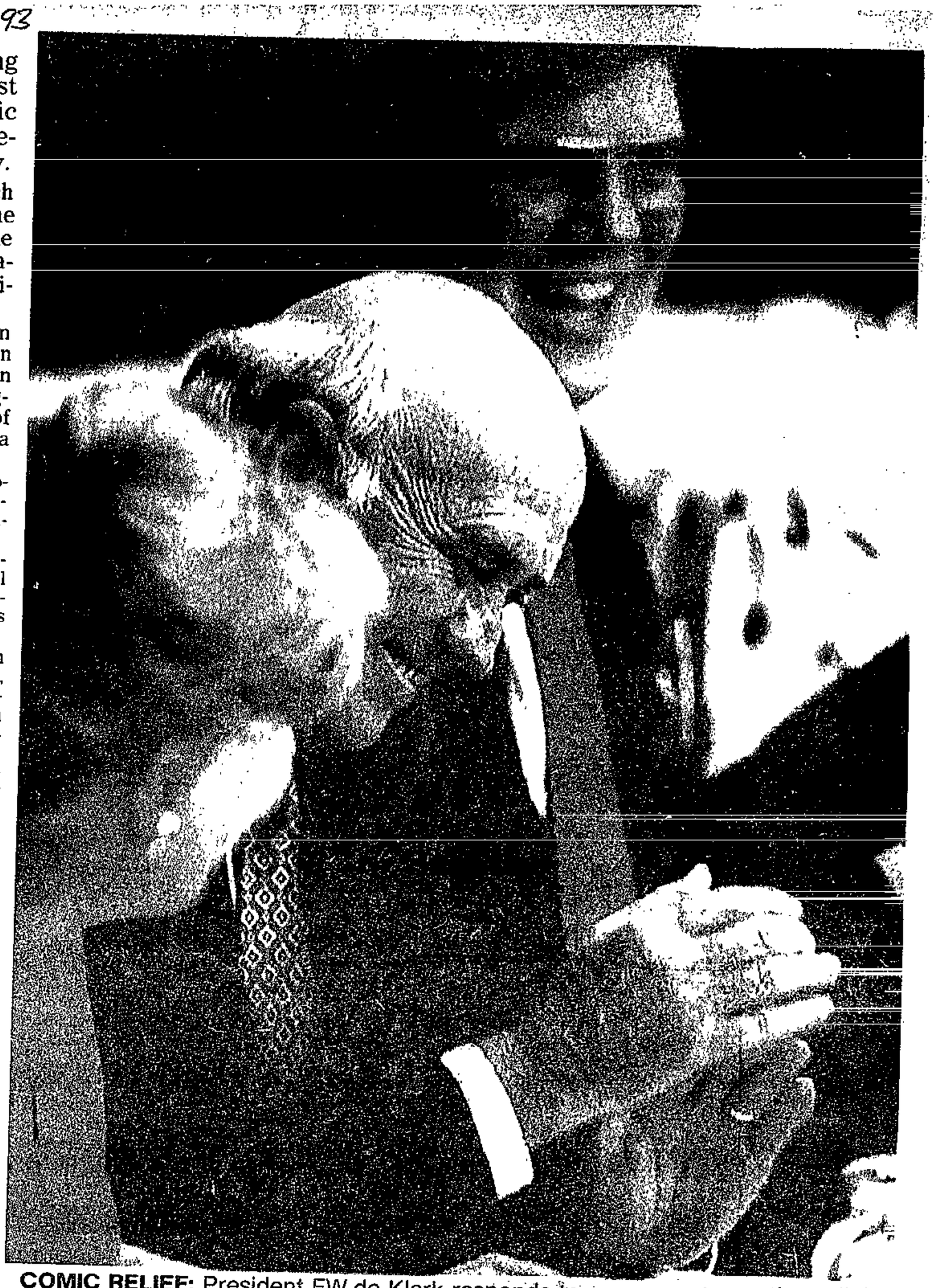
An observer pointed out that the only survival mechanism remaining would be a military deterrent — such as exercised by Taiwan in spite of its international pariah status.

But he believed that the homelands did not have the military capacity for this option.

When the issue was raised in talks last night weary negotiators initially agreed to the key clause in the interim constitution that would strip the homelands and the self-governing territories of their powers.

However, as the debate dragged on it was decided that the issue should stand over to later this morning.

Negotiators were confident that these highly significant clauses would be finalised in time for the plenary session this afternoon.



COMIC RELIEF: President FW de Klerk responds to a comment, creating a light moment at the World Trade Centre in Kempton Park. Government negotiator at the talks Leon Wessels looks on.

Picture: Argus Group Picture Service

The proposal has huge implications for the Freedom Alliance, which counts Kwazulu, Bophuthatswana and Ciskei among its members.

It means that — should the clause be adopted by parliament — the homelands and Kwazulu would be forced to make a choice — either embrace the multiparty agreements or cease to exist legally. Should they adopt the latter they would almost certainly have to resort to military resistance to maintain a role.

drama

homelands set to go

(3044) ARGUS 17/11/92

Historic pact on non-racial future — today's the day

MICHAEL MORRIS, Political Correspondent and Political Staff

KEMPTON PARK. — One year, 10 months and 28 days after formal talks began, South Africa's leaders today ratify an historic compromise pact, mapping a path to a non-racial future.

Nelson Mandela, President de Klerk and leaders of other negotiating parties gather at the World Trade Centre here this afternoon for the final plenary session of the Negotiating Council to endorse agreements thrashed out by their delegates in the months of haggling since Codesa 1 began on December 20, 1991.

But exhausted negotiators, who adjourned at 3.35am and were back around the table at 9.30am, are in a desperate race against time to complete crucial outstanding issues before the lunchtime start of the session.

The 21-person council began a marathon session soon after midday yesterday, hoping they would resolve all remaining issues before adjourning for the night.

While significant progress was made on various issues, the council overshot its deadline and will have to resolve last differences before lunch today.

These include the way decisions will be taken in the new cabinet, the mechanism to be used to break deadlocks in drawing up the final constitution by the interim parliament and the timetable for drafting provincial interim constitutions.

Among the progress made by negotiators in their 11th-hour night of drama was agreement on the new two-tier Police Service, the new National Defence Force which will be formed after the election — and comprising only defence or armed forces attached to or associated with political organisations which take part in the election.

Indications are that a last-minute summit in Pretoria between President De Klerk and ANC leader Mr Mandela achieved basic agreement on remaining obstacles.

But it is reliably understood that the crunch question of what percentage will be required for decisions in the cabinet was the subject of dispute.

Mr Mandela was holding out for a simple majority — 50 percent approval plus one member — while Mr De Klerk argued for 60 percent approval.

It seems likely a compromise will be found in terms of which 55 percent will be required for most decisions but security and finance-related issues will have to be approved by 60 percent of the cabinet.

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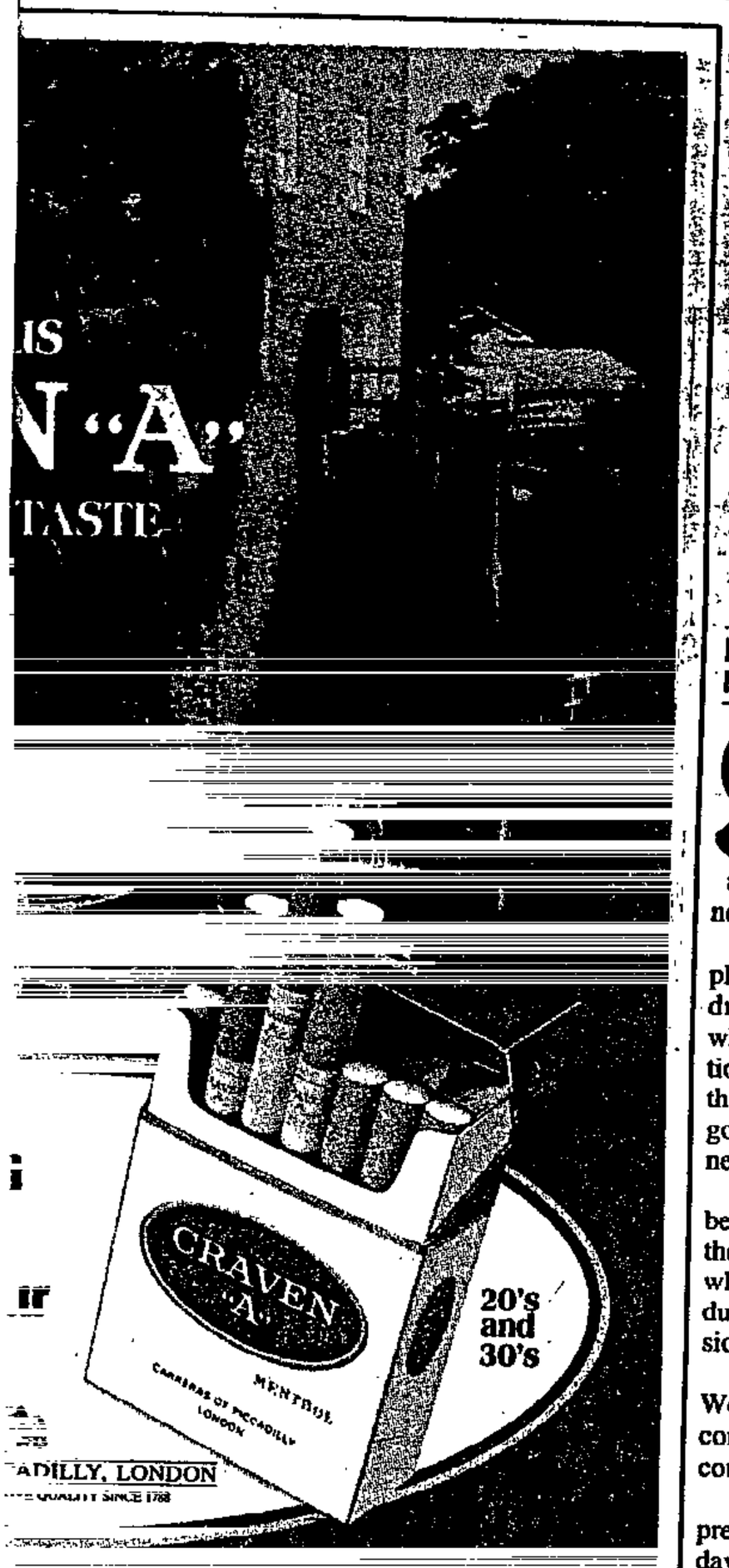
The high point of the gathering will be the signing of a declaration of commitment.

New era dawns for SA

Sowetan 17/11/93

304A



■ PLENARY SESSION Leaders meet today to ratify 'Kempton Park Package'

By Themba Molefe
Political Correspondent

SOUTH AFRICA ENTERS a new era today when Nelson Mandela, FW de Klerk, Clarence Makwetu and 18 other political leaders put their seal of approval on a constitutional package agreed to after eight months of multiparty negotiations.

Negotiators were yesterday expected to complete discussions and adopt a draft interim constitution which would usher in a Transitional Executive Council to run the country until elections for a government of national unity next April 27.

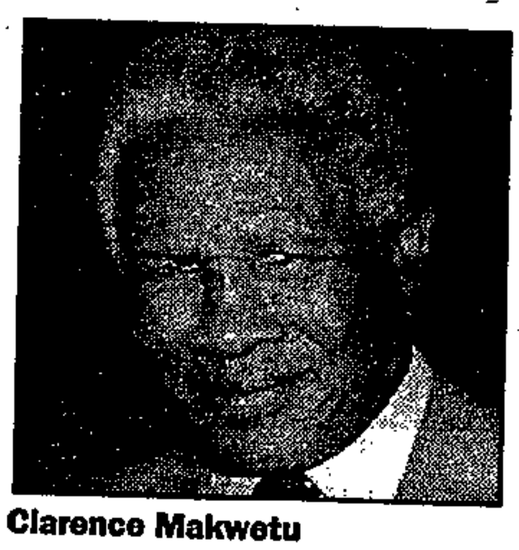
A plenary session of leaders begins at 2.30pm today to ratify the "Kempton Park Package" which would be made into law during the Parliamentary session which starts on Monday.

In a surprise visit to the World Trade Centre, De Klerk congratulated the negotiating council for its hard work.

He was to meet African National Congress president Nelson Mandela in Pretoria late yesterday to, as he put it, "cross the T's and dot the I's".A beaming De Klerk told journalists the completion of negotiations was a victory for the Government which had fully carried out the mandate of the 1991 referendum on negotiations.

"We have achieved our goals. The finalisation of the constitution is of historical importance to all people of South Africa," De Klerk said.

He also met Freedom Alliance leaders yesterday and said he was confident a solution to bridge their differences would be found in further meetings. The FA yesterday indicated optimism following the meeting, although the Afrikaner Volksfront maintained that its demand for a *volkstaat* had not been abandoned. The Government and ANC said the FA's demands had been met but would not give in to the alliance's demand to have a final constitution written before elections. The negotiating council finished most of the business on constitutional issues and will sit this morning again in an attempt to wrap up and finally adopt the draft constitution. A Bill of Fundamental Rights, and official languages were approved, with technical committees being charged with the task of completing documentation ahead of the Parliamentary sitting.


Clarence Makwetu

● See page 2

Constitution 'ensures democracy'

Door still open to Alliance, says De Klerk

BILLY PADDOCK

PRESIDENT F W de Klerk yesterday left the door open for the Freedom Alliance to be part of the constitutional settlement even though "leaders will be putting their stamp of approval on a good constitution" today.

Meanwhile, the alliance warned against negotiators and their leaders making "final and binding decisions which would effectively close the negotiation door" by ratifying the constitution.

De Klerk said that it would be possible to accommodate the Freedom Alliance right up until the elections, if it co-operated.

De Klerk will meet Freedom Alliance leaders on Friday when the latest series of proposals will be discussed in an effort to reach accommodation. Negotiating teams from both sides will also meet on Friday to discuss government's response to the alliance's "bottom-line" proposals.

De Klerk and ANC leader Nelson Mandela, accompanied by their chief negotiators Roelf Meyer and Cyril Ramaphosa, met last night in an attempt to resolve two critically important issues in the constitution before it could be adopted today — the deadlock-breaking mechanism and the requirements for multiparty Cabinet decisions. Negotiators have been unable to sort out these problems.

Earlier, De Klerk entered the negotiating chamber and took Meyer's chair to address negotiators in a surprise visit to the World Trade Centre for the first time since he signed the record of understanding with Mandela in September last year.

He thanked negotiators for their hard work and devotion in finalising agreements that were "of historic importance to all in SA".

"I am convinced that the constitution leaders will put their stamp of approval on tomorrow contains all the elements and principles and framework and foundation that will ensure true democracy," he said.

He said the parliamentary procedure made it possible to make changes to the negotiated constitution until it was finally approved. It would be possible to recall Parliament right up to April 27 to make changes and accommodate other parties not part of the process.

Referring to the Freedom Alliance, he said: "It is theoretically possible to accommodate them if they adopt a co-operative stance." But it is understood that government is insisting that any changes after today will have to be renegotiated in another plenary session of leaders or in multilateral discussions.

Freedom Alliance chairman Rowan Cronje said his group had reached agreement with government that it would not release its "bottom-line" proposals before

To Page 2

De Klerk

From Page 1

government responded in writing in the next two days. The alliance handed over its proposals to government late yesterday. The document titled "Freedom Alliance: Proposals to the SA Government November 16 1993" shows a detailed exposition of its criticism of the negotiated constitution and alliance demands.

It depicts a marked movement from intractable positions formerly held. In a foreword drafted on Monday night, alliance leaders say: "It must be recognised that the Freedom Alliance has gone a long way in reconciling its original positions with the documentation emerging from the World Trade Centre."

But there were still fundamental objections that showed accommodation of the alliance at this stage, if it stuck to its "bottom-line" proposals, would be difficult, if not unlikely.

On the issue of the separation of powers and functions of regions and the central government, alliance leaders said: "Under no circumstances is the Freedom Alliance in a position to compromise further ... and no further concessions can be made in this respect."

Its bottom line is that regions be given exclusive legislative, judicial and executive authority in a range of areas including finances, taxation and budgets; state police; labour law; correctional services; criminal law; commercial law and the public service. It still insists that in the concurrent areas it should be up to the regions to determine which powers it is unable to assume and hand over these to central government.

It demands that regions have original taxing powers where the regions' legislatures have the power to raise taxes and surcharges, and also that they be competent to enact legislation authorising the imposition of levies and user charges. Regions should also have the right to raise loans for current expenditure.

Both these areas have been consistently rejected by government and the ANC who say they will not be prepared to move further on them.

The alliance is also still demanding that an Afrikaner homeland be established through negotiations. It shows two ways of accommodating a volkstaat: adjusting regional boundaries to make room for subregions that can be joined to form a region; or approving the principle of a volkstaat with at least "one undivided core with Pretoria as nodal point and link".

However, one of the alliance's key objections — that the constituent assembly draft a final constitution — has been discarded on the basis that certain criteria be met and followed in changing the negotiated constitution.

Picture: Page 3

Flurry of agreements as curtain closes on the negotiating council

BIDay 17/11/93

TIM COHEN

AS THE curtain began closing on constitutional negotiations at the World Trade Centre yesterday, negotiators rushed to finalise agreements and bring an end to two years of negotiations.

Although some major issues will be discussed this morning ahead of this afternoon's plenary session, dozens of draft reports will have resulted in a complete interim constitution and an Electoral Act.

The transitional constitution will include an interm Bill of Rights, finalised yesterday, and constitutional principles in terms of which the final constitution will be decided by the new government.

The negotiations have resulted in the proposed constitution being discussed in minute detail, and the final version is likely to result in a document of at least 250 sections in 13 chapters.

Much of yesterday's debate involved making minor adjustments to clauses already tabled, although two major additions to the constitution concerning the regulation of military formations and the police were scheduled for discussion late last night.

The agreement on police is understood to concern the establishment of regional police forces and regulation of the appointments of the powerful regional commissioners. (304A)

The agreement on military formations is understood to grant constitutional equality to all armed formations, but also to guarantee the job security of SADF members and regulate the formation of a new national defence force.

Negotiators finalised sections of the transitional constitution which would establish a "public protector" or ombudsman and a a human rights commission.

The public protector would be nominated by a joint standing committee of Parliament and approved by at least 75% of the members of a joint sitting of the two Houses of Parliament. The public protector would be entitled to investigate maladministration at any level of government.

Provision is also made for the establishment of provincial public protectors.

Other subjects finalised by negotiators concerned the role of the auditor-general, the independence of the Reserve Bank, the financial and fiscal commission and the public service commission.

The negotiating council debated the role of customary law and finally scrapped a suggestion that it be entrenched in the constitution. This followed objections that it would detract from clauses protecting the equality of women.

The council also accepted additions to clauses protecting language rights which would promote "respect and development" for Greek, Gujarati, Hindi, Portuguese, Tamil, Telegu, Arabic and Hebrew.

● See Page 4

DP to continue judiciary battle

BDay 17/11/93

DIRK VAN EEDEN

PRETORIA — The DP would continue to fight for an independent judiciary and stronger regional government in the constitutional assembly, DP leader Zach de Beer said yesterday.

De Beer told a news conference the DP was satisfied at present that the constitutional package, to be presented to multiparty negotiators today, was a huge improvement on the "monstrous tricameral system".

The DP would today continue to object to the constitutional court being appointed by politicians, but would "not tear up the constitution".

It was of extreme importance to make SA a country where law and order was more important than the whims of politicians.

"It would be tempting fate to have judges appointed by politicians."

But negotiations would continue until the final constitution had been written by the constitutional assembly. The DP would now concentrate on the election of this body and ensure people knew the DP stood for an independent judiciary and strong federalist principles.

Sapa reports that earlier De Beer said the DP's bid to persuade the ANC and government to modify their decision on the constitutional court was a "last-ditch effort". The DP would also try to convince the two parties to uphold the principle that each clause of the final constitution drawn up by the interim parliament would require two-thirds approval.

In spite of vigorous opposition from DP law and order spokesman Tony Leon and support from the Afrikaner Volksunie, the council approved the ANC-government proposals — proposals which Leon rejected as "politicised" and a recipe for continuing the problems which had bedevilled the judiciary in apartheid SA.

De Beer said "two-thirds majorities to pass the final constitution is a matter of principle to us because we believe a constitution should receive the broadest possible support".

The party was faced with the same dilemma created by the 1983 tricameral constitution and he believed the DP had made the right decision to stay in the process.

De Beer said the constitution negotiated so far was flawed and probably compared poorly with the final constitution envisaged, "but it is, after all, a hell of a lot better than the one we've been living under these past 10 years".

Launching the DP's northern Transvaal campaign, De Beer said every vote would count in this election. "Because of proportional representation, a DP vote in Pietersburg would count as much as a vote in safe DP constituencies like Houghton."

Meanwhile Association of Law Societies president David Asherson expressed "deep dismay" at the negotiating council's decision to ignore the entire legal profession's views and endorse a proposal that government would appoint most of the judges of the constitutional court.

Asherson, who heads the umbrella body of more than 11 000 practising and candidate attorneys, said the council's decision had flown in the face of all representations submitted by various legal bodies.

The decision "marked a dark day in SA's legal history". (304A)

He hoped the constitutional court's purpose would not be frustrated by its composition.

However, the National Association of Democratic Lawyers said the existing judiciary lacked credibility among the majority of South Africans and could not be allowed to appoint judges to the proposed constitutional court.

Constitutional committee convenor Essa Mossa said his association accepted the mechanism proposed at multiparty negotiations for the appointment of constitutional court judges as being fair, equitable and just and urged all South Africans to support it.

The court would suffer a credibility crisis if it was appointed by the current judiciary because the judiciary and organisations within the legal profession were unrepresentative and dominated by white men.

New proposals ensure minority representation

GAVIN DU VENAGE

GOVERNMENT and the ANC last night tabled proposals amending the interim constitution's chapter 10 on local government that effectively weighed in favour of minority groups within nonracial local government structures.

The proposals called for 40% of councillors within a municipal area to be elected according to a system of proportional representation. BDay 17/11/93

The remaining 60% would be elected on the basis of the councillor with the most votes in a particular ward holding that seat (304A)

The proposal also stipulated black, white and Indian areas be allocated no less than half the wards.

Under these proposals local authorities would be given the right to set up local bodies or submunicipal entities.

These bodies could range from administration offices where residents paid for services or even ward-councils.

ANC head of local government Thozamile Botha said the ANC had made the concessions as a gesture of "goodwill". Calculations had shown that in many local authorities, for example in the Northern Transvaal and the platteland, whites constituted such a minority that they would not have even one councillor.

He said the proposals would ensure whites would have representation even where they formed a substantial minority. Botha said the proposals were formulated to ensure minority representation.

In the western Cape, for example, the system would work in the opposite way. Towns where blacks made up a small minority would also have councils with black representatives.

UNIVERSITY OF PRETORIA
YESAPU URQUAD

NEWS Two leaders remove negotia

Now it's all systems go for indaba

Sowetan 17/11/93

■ **NEW PACKAGE** Mandela, FW

pave the way for plenary session:

TODAY's meeting of political leaders to adopt a constitutional package will go ahead as planned, the Government and the African National Congress said late last night after a meeting between President FW de Klerk and Mr Nelson Mandela.

The two leaders met for four hours in Pretoria to finalise outstanding issues between their parties.

Government chief negotiator Mr Roelf Meyer and ANC top negotiator Mr Cyril Ramaphosa joined De Klerk and Mandela at their meeting.

Meyer said on his return to the World Trade Centre in Kempton Park that there was no need for the negotiations timetable to be altered.

"Nothing in principle is outstanding," ANC spokesman Mr Carl Niehaus told journalists.

He said ANC and Government negotiators, together with the 19 other parties at Kempton Park, would finalise all outstanding issues by this morning.

The leaders of the 21 parties at the multiparty talks are due to meet at 2.30pm today to adopt the transitional constitution (304A) (1117)

Negotiators were still locked in talks late last night and were not expected to adjourn or to complete their work before 3am or 4am today.

Meanwhile, the Freedom Alliance has warned negotiators not to close the door on an all-inclusive political settlement.

In a statement issued after a bilateral meeting with the Government in Pretoria yesterday, the alliance said it stood by its principles regarding the form of a state and the constitutional process it wanted to see hammered out.

"It would be most unfortunate if, at tomorrow's (Wednesday's) plenary session, the delegates make final and binding decisions which would effectively close the negotiation door," Bophuthatswana's Mr Rowan Cronje said on behalf of the alliance.

"If at tomorrow's (Wednesday's) plenary, doors are finally slammed, those who do so must accept the consequences of their actions."

Cronje said the alliance was willing to be part of South Africa's democratic transformation. — *Sapa.*

Way paved for Transitional Executive Council

Last-minute deal saves constitution

BDay 18/11/93

(304A)

BILLY PADDOCK and TIM COHEN

GOVERNMENT and the ANC yesterday pushed through a last-minute deal which favoured the ANC so that leaders could adopt the new constitution by yesterday's deadline.

The deal, brokered by President F W de Klerk and ANC president Nelson Mandela, launched SA on the road to democracy and the first stage of a multiparty interim government.

In terms of the package, government gave way to the ANC on decision-making in Cabinet, effectively allowing decisions to be made by a simple majority.

The clause specifies that "Cabinet shall function in a manner which gives consideration to the consensus-seeking spirit underlying the concept of a government of national unity as well as the need for effective government".

The constitution adopted was not complete and the negotiating council was authorised to continue finalising the outstanding matters over the next few weeks. These matters were described as mainly "technical".

Sapa reports that parties reached an agreement on the Constitutional Court which allowed for all 10 judges to be appointed by the President from a list of nominations to be supplied by the Judicial Services Commission.

ANC chief negotiator Cyril Ramaphosa labelled the package a "six-pack deal", referring to the six critical issues that had threatened to delay the finalisation of the constitution.

The ANC also won a crucial concession which would result in voters casting a single ballot which would be counted twice — once for the national government and once for provincial legislatures.

In return, government won a five-year term for the negotiated constitution — a substantial increase on what the ANC originally proposed — and an increased majority to be attained in Parliament should the final constitution not gain the required two-thirds majority.

In an olive branch to the Freedom Alliance, the ANC and government agreed that the adoption or amendment of the boundaries, power and functions of provinces would require the approval by a two-thirds majority of the upper House, which will consist of regional representatives.

● Page 2: Further reports on the negotiating council's decisions and reactions to them.
● Comment: Page 10

The ANC also conceded to regions being allowed to develop their own constitutions within the limitations of the negotiated constitutional principles. They also had to be consistent with the final constitution.

The adoption of the constitution would allow for the immediate establishment of the Transitional Executive Council and three bodies designed to ensure free political activity and fair elections: the Independent Electoral Commission; the Independent Media Commission; and the Independent Broadcasting Authority.

In another concession to the ANC, it was decided that in the President's absence, he would not necessarily appoint one of the acting executive deputy presidents on a rotational basis. Instead, he would appoint one "taking into account the exigencies of government and the spirit underlying a government of national unity".

Government also conceded that party leaders would not control the appointment of its members to Cabinet portfolios. The president would have the final say on which members of that party would be appointed after he had taken cognisance of the relevant party leaders' recommendations "in the spirit underlying a government of national unity".

The overall agreement resulted in a constitution which clearly entitled the majority party to rule unfettered, although it would have to take the views of other parties into account to a limited extent.

All the checks and balances promised by the NP government — a veto in the executive, a rotating presidency/deputy presidency, unfettered federalism and a separate, independent and impartial constitutional court — have been diluted in favour of majority rule.

The agreement between government and the ANC included regulations for conducting the elections. Parties participating in the regional elections but not in national elections can nominate where their "national" votes will go.

Parties contesting the election for the national assembly but not provincial elections may declare support for another party which would gain its "regional" votes.

The regulations set the stage for substantial horse trading between parties.

Country on brink of war – AVF

The acceptance of the interim constitution would mark the beginning of a violent take-over by the "communist-inspired" ANC, Afrikaner Volksfront leader General Constand Viljoen said yesterday. Star

Addressing a meeting in Pretoria, Viljoen said constitutions meant nothing and power everything, therefore his supporters had to undergo military training.

He repeated the AVF's call for a summit of leaders as South Africa was on "the brink of war". 18/11/93

Viljoen criticised the "flawed" negotiations process.

"We are in a disastrous situation tonight," he told a packed hall. (3044)

Minorities, consisting of the Afrikaners, Zulus, and Tswanas, which constituted 30 to 40 percent of the population, had been ignored in the negotiation process, he added.

The Freedom Alliance and the AVF's justifiable and reasonable demands were the key to stability, he said. — Sapa.

Star 18/11/93

Boere preparing for war, says ET

■ PRETORIA BUREAU

AWB leader Eugene TerreBlanche warned yesterday that the "Boere were preparing for war".

Speaking outside the Pretoria Magistrate's Court after his case was postponed to January 4, TerreBlanche said decisions being reached at the World Trade Centre yesterday handed over the government to communists.

"The National Party is handing over the country to the ANC, who will find that they cannot rule without the Afrikaner and the Zulu nation."

TerreBlanche appeared in connection with refusing to testify before the Goldstone Commission of Inquiry into the right-wing break-in at the World Trade Centre in June. (304A)

Reports by
SHAUN JOHNSON
KAIZER NYATSUMBA
ESTHER WAUGH and
CHRIS WHITFIELD

DP wins fight over judges

The Democratic Party last night won its battle over the appointment of judges to the new Constitutional Court.

A deal — struck in meetings between the DP, ANC and Government throughout yesterday — gave the Judicial Services Commission (JSC) an influential role in the appointment of the judges.

DP negotiator Tony Leon described the compromise as a "fundamental breakthrough".

He and his party colleagues had argued that the original proposal gave the president too much of a say in the appointment of the 10 judges and could result in a politically loaded court.

In terms of the new clause accepted by the Negotiating Council last night, the JSC — the body which will also recommend judges for appointment to the Supreme Court — will nominate 10 names for six of the court's judge posts.

These could be rejected by the new president and Cabinet, but the judges would have to be appointed from a second list of appointments.

Justice Minister Kobie Coetsee pointed out that, in terms of the agreement, the JSC would "have regard for the need to constitute a court which is independent, competent and representative in respect of race and gender".

The ANC's Dullah Omar, who had defended the original provision, said the new deal gave "great satisfaction".

The Constitutional Court will, in essence, ensure that legislation is constitutional and arbitrate in disputes between levels of government.

Draft Constitution still subject to revision

The 164 pages that will guide the next 5 years

Star 18/11/93

South Africa's new 164-page constitution came off the photocopier in Kempton Park at 3.50 yesterday afternoon.

As with many minor elements of the transition process, this major one was a last-minute job, subject to revision.

The Draft Constitution of the Republic of South Africa 1993, to give it its full title, is the linchpin of the transition.

It is expected that the bulk of this interim document will survive and eventually be elevated to the status of "final" constitution.

Its temporary elements will provide the framework for multiparty rule in the next five years.

The constitution unveiled yesterday — the fourth draft — is not final in that several crucial issues have not yet been decided and others will be fine-tuned.

But in its shape, content and range, it is the scaffolding for the transition, the rulebook for life in South Africa at least until the end of the century.

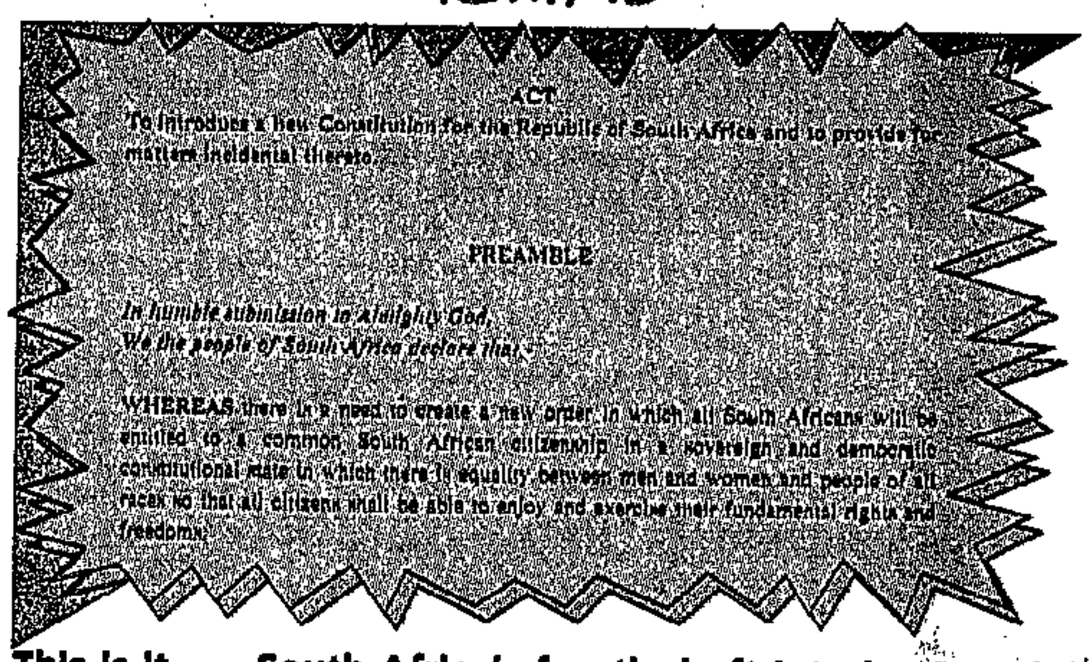
The document begins with a preamble declaring the need "to create a new order".

It "is necessary for such purposes that provision should be made for the promotion of national unity and restructuring and continued governance of South Africa while an elected Constituent Assembly draws up a final constitution" — in other words, it is necessary to have an Interim Constitution.

In its current form the Interim Constitution is made up of 14 chapters. They deal with matters including Citizenship and the Franchise, Fundamental Rights, Parliament, The Executive Power, The Judicial Power, Provincial Government, Local Government, Finance, and Police and Defence. (30 LA)

The draft Interim Constitution ends with these words:

Nkosi sikelel' iAfrika
God seën Suid-Afrika
Morena boloka sechaba saheso
May God bless our country
Mudzimu fhatutshedza Afrika
Hosi katekisa Afrika.



ACT

To introduce a new Constitution for the Republic of South Africa and to provide for matters incidental thereto.

PREAMBLE

In humble submission to Almighty God,
We the people of South Africa declare that:

WHEREAS there is a need to create a new order in which all South Africans will be entitled to a common South African citizenship in a sovereign and democratic constitutional state in which there is equality between men and women and people of all races so that all citizens shall be able to enjoy and exercise their fundamental rights and freedoms;

This is it . . . South Africa's fourth draft Interim Constitution, the document which will lead the country into the future.

New era

Settlement ends three centuries of white rule

(304A) CT 18/11/93

From ANTHONY JOHNSON
Political Correspondent

JOHANNESBURG. — The era of democracy has finally dawned for South Africa.

Following a day of high drama and furious last-minute horse-trading, the plenary session of leaders endorsed — at 13 minutes after midnight — an interim constitution that would guide the country through the next five years.

Almost two years of constitutional negotiations came to fruition when the leaders of 21 parties endorsed a 158-page founding document of democracy at the World Trade Centre.

Only the Pan-Africanist Congress, which objected to "power-sharing", and the Afrikaner Volksunie, which complained that the document did not ensure "self-determination", opposed the adoption of the interim constitution.

In the speeches that followed, President F W de Klerk and ANC president Mr Nelson Mandela made impassioned pleas for reconciliation and national unity.

Speaking first, Mr Mandela told the plenary: "We are firmly on the road to a non-racial non-sexist democracy."

In a conciliatory address in English, Afrikaans and Xhosa, he went out of his way to accommodate the fears and concerns of South Africans still outside the negotiation process.

Speaking last, Mr De Klerk said: "South Africa will never be the same again.

"This is the day that we laid the foundation for a new South African nation."

Absent from the plenary was the five-party Freedom Alliance. It is to hold a leaders' summit with Mr De Klerk tomorrow.

The settlement ending more than three centuries of white rule was clinched with an elaborate "package deal" that included:

● Greater guarantees for an independently selected Constitutional Court (see Page 2).

● The repeal of legislation that recognises the independence of Transkei, Bophuthatswana, Ciskei and Venda as well as the Self-Governing Territories Constitution Act, effectively ending the existence of national states such as KwaZulu.

● Agreement that national elections would not be held under a new constitution until 1999 — unless the multi-party cabinet lost the confidence of Parliament.

● Cabinet decision-making by a simple majority.

● A deadlock-breaking mechanism for the writing of the final constitution.

● The use of a single ballot paper for both national and regional elections (see Page 2).

● Agreement that boundaries, powers and functions of the regions could not be changed in the final constitution without the support of two-thirds of regionally elected representatives in the senate.

Many of the "deals" were seen by negotiators as a major victory for the ANC and a caving in by National Party/government negotiators.

One elated ANC negotiator commented "we gave a few crumbs and they (the government) accepted the package".

Chief government negotiator Mr Roelf Meyer said he was "very satisfied" with the outcome but another government negotiator shrugged: "I wonder what South Africans are going to do when the realise that we do not have power-sharing and that the new constitution will rely significantly on the goodwill of the ANC."

Negotiators who did not want to be named said the government had "rolled over" in the final stages of negotiations because of concerns about divisions within their negotiating teams.

However, top Nationalists last night dismissed rumours of a split in the cabinet.



LOOKING IT OVER . . . Justice Minister Mr Kobie Coetsee (right) studies a document held by an unidentified official yesterday as negotiators finished work on an interim constitution and bill of rights at the World Trade Centre. On the left is chief government negotiator Mr Roelf Meyer. Picture: AP

LATEST

CONSTITUTIONAL COURT: DP WINS BATTLE

The Democratic Party has scored a major victory in bringing about major changes to the way in which members of the Constitutional Court are to be appointed.

The changes were presented to the Negotiating Council at 9pm yesterday.

— PAGE 2

PLENARY SESSION IS A SIGNAL FOR WAR — RIGHT-WING

The right-wing has responded to the plenary session by reiterating its threats to fight the new political order.

Boerestaat Party leader Mr Robert van Tonder warned that the Boers would overthrow the new order while AWB leader Mr Eugene Terre'Blanche said the plenary session marked the beginning of war.

— PAGE 2

Negotiators and their leaders — at each other throats for much of the transition to democracy — smiled and embraced on the plenary floor, an acknowledgement that a dramatic moment in South African history.

Bophuthatswana has rejected the decision to revoke the legislation that gave it birth.

The caucus of the KwaZulu Legislative Assembly issued a statement saying developments at the multi-party talks were threatening the survival of the Zulu people.

Things will never be the same again, says FW

Firmly on the road to full democracy

(304A)

ARGT 18/11/93

tical Staff

HANNESBURG. — South ica will never be the ie again, were the words sident De Klerk chose to er in this new day — on ch the country holds a v draft constitution to e it into a nonracial, nocratic future.

We are at the beginning of a era," echoed ANC leader son Mandela as it was ed that the work of negoti- s had been succesful and the election would indeed place on April 27.

he meeting of 21 party lers at the culmination of a g and bedevilled negotia- s process, brings to a close search for compromise and ommodation.

ome of these agreements e so last-minute that they ered the draft transitional stitution only yesterday the final ANC-government l reached in bilateral talks ed just hours before.

ong weeks of speculation ed late yesterday about the ANC and the govern- nt would resolve the dead- k-breaking mechanism for final constitution to be written after the election and how the two parties would settle the percentages by which the cabinet of the new government would make decisions.

To the suprise of some and the allegation by others that the government had sold out and capitulated, there was no provision for percentage decisions in cabinet.

"The cabinet will function in a manner which gives consideration to the consensus seeking spirit underlying the concept of a government of national unity as well as the need for effective government," read their joint proposal, which was accepted.

Yes, the constitution was a "product of compromise", said Mr De Klerk.

"But it satisfies all of us sufficiently to meet our most pressing concerns and hopes. In so doing, it provides the basis for a new national consensus."

With similar endorsement for national unity, Mr Mandela said: "Our agreements have put that (apartheid) era behind us. This shameful past dictates the crucial need for a government of national unity. We are firmly on the road to a nonracial, nonsexist democracy."

"It seems we've indeed crossed the Rubicon irrevocably now," said Mr Pravin Gordhan, who chaired the session during which the total "package" — including the election date — was approved by sufficient consensus with only the Afrikaner Volksunie in opposition and the PAC having some reservations about clauses in the constitution.

That "package" includes the four Acts of parliament for the Transitional Executive Council, the Independent Elections Commission, the Independent Broadcasting Authority and the Independent Media Commission.

This is now joined by the transitional constitution and the electoral Bill, both of which still require minor technical amendements.

The importance of the plenary, beyond the symbolic importance of the gathering of 21 leaders after a long multiparty negotiating process, is that the adoption of the total package now allows the implementation of the crucial TEC and the IEC, which have to pave the way to the April 27 election.

The TEC has to ensure that there is free and fair political play in the election campaign and in preparation for the voting which lies ahead.

It will keep a close eye on the activities of government and the security forces during this period.

The IEC is the body which must make the elections happen and its task is perhaps the most pressing.

Ironically the loudest voice at the plenary yesterday was that of the small Afrikaner Volksunie which has lost all its senior politicians in the past few months.

The AVU objected to almost everything on the grounds that the self-determination of the Afrikaner people had not been provided for.

When the party was accused of racism, it sprung to its own defence on a point of order and was sharply silenced by chairman Mr Justice Mohamed: "One of the tests of democracy is to listen to what you don't agree with".

These words might have served too to sum up the entire negotiations process, because all parties here have heard what they have not liked and have even accepted what they have not liked.



THE ONLY WAY IS UP: ANC Secretary General Cyril Ramaphosa chats with Nelson Mandela at the plenary session.

Major element in transition process also a last-minute job

ARG 18/11/93 (3014)

Political Staff

JOHANNESBURG. — South Africa's new constitution came off the photocopier at 3.50pm in Kempton Park yesterday.

Its 164 pages, still warm from the machine, were bound together with glue that had yet to set.

As with many minor elements of the transition process, this major one was a last-minute job, subject to revision.

The Draft Constitution of Republic of South Africa 1993, to give its full title, is the lynchpin of the transition. It is expected that most of this interim document will survive and eventually be elevated to the status of "final" constitution.

Its temporary elements will provide the framework for multiparty rule in the next five years. In other words, it could not be a more important pile of paper.

The constitution unveiled yesterday — the fourth draft — is not final in that several crucial issues have not yet been decided and others will be fine-tuned. But in its shape, content and range, it is the scaffolding for the transition, the rule-book for life in South Africa at least until the end of the century.

The document begins with a preamble declaring the need "to create a new order".

It "is necessary for such purposes that provision should be made for the promotion of national unity and restructuring and continued governance of South Africa while an elected Constituent Assembly draws up a final constitution" — in other words, it is necessary to have an interim constitution.

That constitution, in its current form, is made up of 14 chapters.

At a glance, these are the elements of the political structures this interim constitution will give rise to in this country for at least five years:

- A president;
- Deputy presidents from parties with more than 20 percent support;
- A multiparty cabinet consisting of parties with at least five percent support;
- A 400-member national assembly consisting of 200 representatives from a national list and 200 from provincial lists;
- A senate with 10 representatives from each province;
- A constitution-making body consisting of the assembly and senate to draft the final constitution;
- Nine regions;
- Eleven official languages;
- Universal franchise for all South Africans;
- A bill of rights;
- A constitutional court;
- An independent judiciary;
- A three-tier system of representation for traditional leaders;
- A single national police force and defence force.

The draft interim constitution ends with these words: Nkosi sikelel' iAfrika, God seën Suid-Afrika, Morena boloka sechaba sa heso, May God bless our country, Mudzimu fhatutshedza Afrika Hosi katekisa Afrika.

Protest over ballot paper plan

From ANTHONY JOHNSON
Political Correspondent

JOHANNESBURG. — A last-minute joint ANC/-government proposal that only one ballot paper be used for national and regional elections unleashed a storm of protest in the negotiating council yesterday.

The proposal will effectively force voters to support the same party at national and regional levels, thereby seriously harming the electoral prospects of smaller parties.

The PAC's Ms Patricia de Lille said the "shabby deal" between the ANC and the government amounted to "fraud" and the suppression of smaller parties.

The DP's Ms Dene Smuts said the proposal attacked "voter choice which is at the very heart of democracy" and neutralised smaller parties.

The AVU's Ms Cornelia Kruger said it would nullify provision in the constitution for federalism and the influence of regional parties.

A number of parties pointed out that both the government and the ANC until recently supported a two-ballot system. (3049)

Defending the proposal, the ANC's Professor Kader Asmal said the organisation was not bent on committing fraud but on allowing for the clearest expression of voting in the most simplified form. He said one ballot would help to reduce spoilt votes and delays in the voting system.

The measure was passed after the DP grudgingly made a deal to support a reformed proposal for a Constitutional Court. CT 18/11/93

4. ACCESS TO AND LE

4.1 OVERVIEW

Of the 8.74 million p ...lered urban, approximately 1.37 million (15%) ... This figure is close to the average for South A...

The majority (58%) ...ite supplies in the dense settlements of Bophu...

4.2 LEVEL OF WATER S...

The level of service ...rised below (populations in thousands):

Region					Off-site	
					Stand-pipe (rudim)	Bore-hole & other
PWV Black Townships					131 (13%)	134 (3%)
PWV "White" Towns	2 460	2 460 (100%)				
Bophuthatswana	1 234	179* (15%)	179* (15%)	86# (7%)	259 (21%)	531 (42%)
KwaNdebele	494	12* (2,5%)	12* (2,5%)	159# (32%)	159 (32%)	152 (31%)
TOTAL	8 744	5 513 (63%)	911 (11%)	953 (11%)	549 (6%)	817 (9%)

Note: * No details are available to determine whether stand connections are yard taps of house connections. For the purposes of this table, the total number of stands connections is split equally between the two options.

\# These figures include all people who have access to safe water within 500 meters of their houses. This situation occurs primarily in the dense settlements. It represents a lower level of service than the standpipe supplies in the PWV part of the region where a figure of less than 25 dwellings per standpipe is taken as adequate.

Discussion

In the region as a whole, by far the majority of people (73%) have stand connections, with 63% being house connections, the highest level of service possible, and the remainder (10%) having yard taps. If only the PWV is considered (Bophuthatswana and KwaNdebele not included) the percentage with stand connections increases to 86%. This is made up of 76% with house connections and 10% yard taps.

Commonwealth leader in SA

CT 18/11/93

JOHANNESBURG. — Commonwealth secretary-general Chief Emeka Anyaoku arrived in South Africa yesterday to attend the multi-party plenary session and to discuss how Commonwealth assistance could be applied in the run-up to South Africa's first non-racial election.

Chief Anyaoku met ANC president Mr Nelson Mandela yesterday and is due to meet President F W de Klerk today. — Sapa

304A

Commonwealth official at talks

ART 18/11/93

JOHANNESBURG. — Commonwealth Secretary-General Chief Emeka Anyaoku arrived in South Africa to attend the multiparty plenary session and to find out how Commonwealth help could best be applied in the run-up to the country's first non-racial election. (304)

He will stay until Saturday.

'New super concoction state should be called Absurdistan'

ARG 18/11/93 (304A)

JOHANNESBURG. — The Boers would overthrow South Africa's new political dispensation in due time and reinstate a Boer state, said rightwing Boerestaat Party leader Robert van Tonder.

"In due time we will overthrow the new dispensation and reinstate our Boer state," he claimed in a statement.

Mr Van Tonder labelled the new constitution as an "enormous tragedy", saying South Africa now was "the only remaining super concoction state in the world combining 15 nations in one form of state".

The name of the the new state should be "Absurdistan", he said, alleging the new South Africa was merely a "spiteful oppression of the Boer nation". — Sapa.

Gold star for Trade Centre marathon

304A
ARG 18/11/93

KAIZER NYATSUMBA
Political Staff

JOHANNESBURG. — Give the World Trade Centre negotiators a gold star — or a stiff drink — for stamina.

It was more than eight hours after the scheduled starting time when they trudged down the stairs from the Negotiating Council into the cavernous hall for the plenary session of no return. Not only did they do so briskly, but they managed to smile.

Eleven o'clock at night is not the ideal time to begin a long, seminal meeting marking the rebirth of a nation. It is especially inopportune when one considers that the participants are all but dead on their feet after murderously long negotiating sessions.

But then South Africa's history has never been predictable or conformist. There was a sneaking sense of appropriateness about the haywire timetables, last-minute scrambles, boycotted benches, fatigue-induced giggles and occasional tetchy outbursts.

The whole thing was as authentically South African as the range of accents echoing around the chamber — it simply could not have been mistaken for any other country's moment of truth.

There was also a sense, heightened by the jangled nerves and the lateness of the hour, of a country shifting on its own axis in front of the watchers' eyes.

The ratification of the painstakingly negotiated — and maddeningly still incomplete — transition package is by no means the last moment of high political drama to come on South Africa's road to something new and entirely different from the country its citizens grew up in. But it was one of the moments that will matter forever.

No one at the World Trade Centre felt entirely sure about what the future will hold, or whether history will judge well the labours that gave rise to this historic compromise. But the image which persists is profound — that of a changing of the guard.

President De Klerk came into the chamber early, and sat smiling and gracious as Nelson Mandela made what can only be described as a presidential entrance. It is not that Mr De Klerk was a forgotten man — he is a vital moving part of the new South Africa.

But he had made room for others to take their rightful places, and things would never be quite the same again.

Britain, European Union welcome non-racial settlement

ARG 18/11/93

LONDON. — Britain has hailed as historic the approval of a democratic constitution in South Africa to end white minority rule and give blacks the vote.

A Foreign Office statement congratulated all parties involved in the long and difficult negotiations and called on them "to adhere strictly to the agreements reached".

The statement added: "The completion of the multiparty negotiations on the transition to non-racial democracy in South Africa is an historic achievement.

"We hope the independent electoral commission will be established as quickly as possible so that preparations can get underway for the holding of democratic elections on 27 April 1994."

Britain's serious Press today gave front page splash coverage to the adoption of the constitution.

Most newspapers saw it as effectively ending 350 years of white oppression.

The Financial Times made the report from Johannesburg its page one lead. It also carried two analytical articles and an editorial.

To coincide with the agreement the newspaper also published a five-page survey on South Africa with the message: "Open For Investment".

The Independent, which headlined its report: "Mandela's dream gives birth to democracy", also carried a major editorial suggesting there was "cause for unqualified celebration".

The European Union welcomed the successful conclusion of the multiparty negotiating process, the Danish Embassy said in a statement issued today.

The statement added that the union welcomed the agreements reached on the establishment of an interim constitution and various attendant Bills. — The Argus Foreign Service and Sapa-Reuter.

AVU a new era of hope

Mandela assures rightwingers their language and culture will be safe

Just before 4 am today the new South Africa was ushered into being, signalling an irrevocable loosening of the centuries-long white grip on power.

ANC president Nelson Mandela, in his address to last night's historic final plenary session of the multiparty talks at the World Trade Centre, hailed it as the "beginning of a new era".

And, switching into Afrikaans, he held out an olive branch to dissenting rightwingers: "You are all equal citizens of the new South Africa. You have the fullest right to your own language, religion and culture. These rights will not be taken away from you."

President de Klerk ended his address — the last of an emotional evening — by saying future generations would recall: "It was on this day that we laid the foundation for a new South African nation. Yes, it was on this day that we created a basis for good hope for this and for future generations of our people."

After their speeches the party leaders then signed a pledge acknowledging that "the momentous agreements reached in the negotiating process ... will provide a constructive foundation for a transition to democracy".

The plenary session to ratify talks agreements started just after 11 pm — more than eight hours late — with chairman Mr Justice Ismail Mahomed declaring it the beginning of "the emancipation from the pain and shame of our racist past".

It was the "final, irreversible lap towards our freedom", he told leaders gathered behind a horseshoe of desks and under bright lights in the cavernous main hall of the World Trade Centre.

The leaders then began adopting — in many cases by "sufficient consensus" because of Afrikaner Volksunie (AVU) and Pan Africanist Congress objections — the "package" of agreements that will take the country through to its first nonracial election on April 27 and then through five years of a government of national unity.

The package included the interim constitution, finalised — albeit with loose ends still to be tied — by the Negotiating Council soon before the session and amid a frenzy of last-minute political horse-trading and persistent, frustrating delays.

The minuscule AVU — only in talks on the strength of its status before prominent rightwingers defected and left it in the hands of a cabal of students — struck the only sour note, warning of an "Afrikaner problem" as a result of the agreement. Delegate Gerdus Kruger said the agreement officially marked the moment when the Afrikaner became an oppressed minority.

The formal end of the World Trade Centre talks process marks the trigger point for a breakneck-speed transition, with a Transitional Executive Council (TEC) expected to be installed within two weeks, a blitzkrieg election campaign and the historic first all-race elections five months from now.

Critical to progress before the plenary session and as the Negotiating Council put the final touches to the package was an 11th-hour deal — finalised yesterday morning — between the Government and ANC on crucial outstanding issues. In terms of the deal, agreed to by the Negotiating Council, the solutions were:

- There will be no fixed percentage for taking decisions in the multiparty Cabinet. Instead it will operate as a normal Cabinet, developing its own conventions in a "consensus-seeking spirit". The Government had been holding out for 66 percent agreement on some issues and the deal appears a remarkable concession by it.

▶ To Page 3

AT A GLANCE

These are the elements of the political structures the Interim Constitution will give rise to for at least five years:

- A president.
- Deputy presidents from parties with more than 20 percent support.
- A multiparty Cabinet comprising parties with at least 5 percent support.
- A 400-member National Assembly comprising 200 representatives from a national list and 200 from provincial lists.
- A Senate comprising 10 representatives from each province.
- A constitution-making body comprising the Assembly and Senate to draft the final constitution.
- Nine regions.
- 11 official languages.
- Universal franchise for all South Africans.
- A Bill of Rights.
- A Constitutional Court.
- An independent judiciary.
- A three-tier system of representation for traditional leaders.
- A single police force and a single defence force.

Star 18 Nov 93

Dawn of the new South Africa

◀ From Page 1

■ A deadlock in the adoption of the final constitution by the interim parliament will ultimately be broken by a 60 percent majority in both the Senate and the National Assembly. This would follow various other steps, but in practical terms will put parliament under pressure to complete the constitution without having to resort to deadlock-breaking. This is a concession by the ANC, which proposed that a simple majority — 50 percent plus one — should break such a deadlock.

■ No fresh national elections will be held until 1999. This marks a shift from the previous proposal under which the country could have had elections once the final constitution was written.

■ In a concession to the provinces a two-thirds majority in the senate — consisting of provincial representatives — would be required to adopt any amendments on the boundaries, powers and functions of provinces.

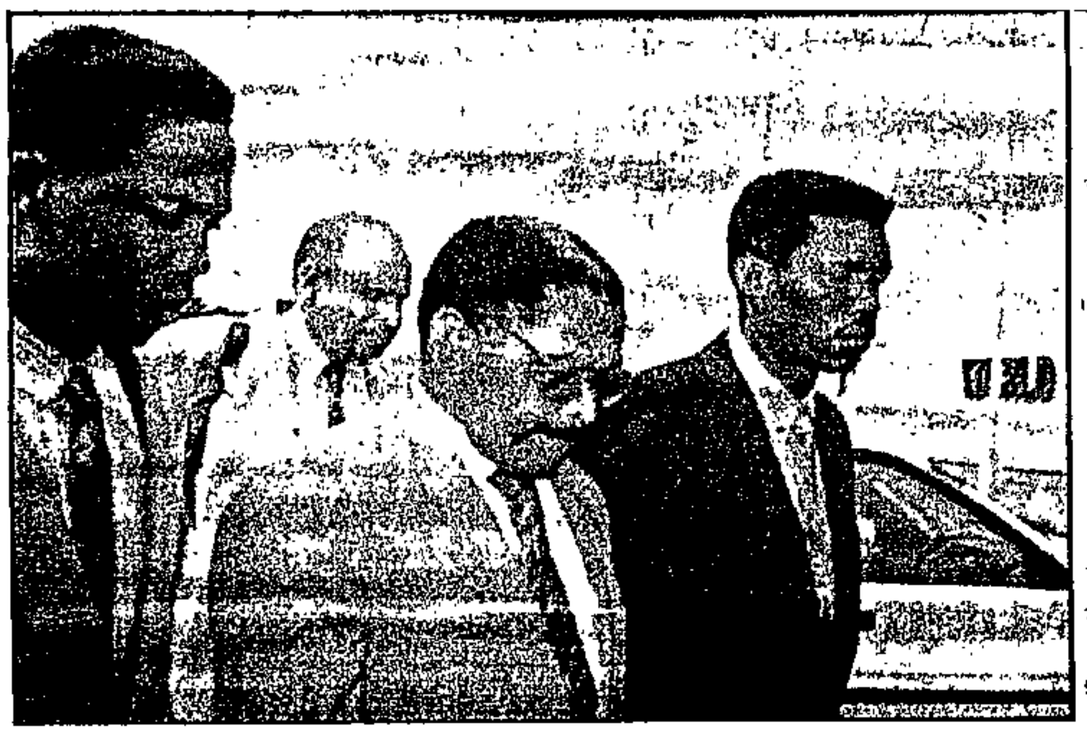
■ In another move which will strengthen the hand of provinces, they will be able to adopt constitutions for themselves after April 27. The previous proposal on this was that the national parliament would have to ratify such constitutions.

■ A single ballot paper will be used in the April elections to choose provincial and national representatives. The Government had argued for two ballot papers — one for parliament and the other for the provincial legislatures. However, the deal drew fire from smaller parties and has the potential to emasculate their regional support because voters will not have the option of voting for a different party at provincial level.

The Democratic Party signalled that it had reluctantly agreed to support the "one ballot" provision as a trade-off for getting its way on the composition of the constitutional court. The PAC's Barney Desai, opposing the deal, suggested the DP should change its name to the "Undemocratic Party", and the AVU's Corlia Kruger also sharply criticised the party's decision — which helped ensure that the proposal was carried.

The plenary session went ahead without the parties of the Freedom Alliance, which walked out of talks several months ago. Observers agreed, however, that there was still room for adjustments to the World Trade Centre packages, which could entice the recalcitrant parties back into the process.

And during the plenary session, National Party delegate Leon Wessels stressed that the NP was "conscious of the fact" that other parties should have been in the process. "We are still reaching out to you," he added.



Deputy president of the Pan Africanist Congress Mr Johnson Mlambo and PAC foreign affairs secretary Mr Gora Ebrahim arrive at the World Trade Centre for the session.



African National Congress memebr of the national executive committee Mr Alfred Nzo (left) and ANC deputy president Mr Walter Sisulu arriving. PICS: JOE MOLEFE



Climax of talks

Sowetan 18/11/93

304A

By Themba Molefe
Political Correspondent

SOUTH Africa last night waited for long tedious hours for the leaders of the 21 parties negotiating constitutional change to approve the deal cut at the World Trade Centre.

The plenary session was delayed after the Government and the African National Congress failed to agree on deadlock-breaking mechanisms. The negotiators also haggled over details of the draft laws to be sent to Parliament next week.

Late last night the leaders endorsed the transitional agreements, thus ensuring the "legitimisation" of the deal reached at Kempton Park. Effectively, they ratified the draft interim constitution which would lead the country through transition to the first "democratic" elections on April 27 next year.

In fact, plans for the plenary at the World Trade Centre went awry earlier in the day because of the disagreement on voting and the constitution. The ANC wanted a simple majority vote to approve the constitution, while the Government wanted a two-thirds or 66 percent majority decision.

Diplomatic sources, however, later indicated that agreements had been reached on these issues.

Another contentious issue which delayed the meeting was that of the funding of parties during the election campaign. Some parties were unhappy with the money allocated by the Government to launch their campaigns.

The question of whether the April 27 election should be a one-person-one-vote or "one-person-two-votes" also contributed to the delay. Also, no finality was reached before the plenary on the number of votes to back Cabinet decision-taking.

Although negotiators invariably said there was no crisis, leaders of the parties such as Mr Nelson Mandela, President FW de Klerk and Mr Clarence Makwetu were set on endorsing major agreements already reached and set aside for further deliberation by the negotiating council on remaining issues.

The negotiating council will sit again today to discuss and finalise those issues to be included in the draft interim constitution, which will be referred to Parliament as a package on Monday.

Politicians, speaking informally to the Press, said the plenary was not closing doors on any other party or grouping like the Freedom Alliance. But, they said, it was just to close the book on two years of negotiations.

● See pages 2, 3, 8 and 9

Last-minute trading clinches the deal

304A

WM 19-25/11/93

Long-held principles took second place as negotiators rushed to finalise South Africa's new constitution on Wednesday night

IT took frantic last-minute horse-trading to wrap up the constitution for the new South Africa late on Wednesday night. In the rush for finality, South Africa's leaders pushed aside high principles and replaced them with 11th-hour deals.

Pretences were dropped and red-eyed negotiators became weary and irritated as the deadline for the plenary negotiations session neared. Increasingly the talks involved only two parties — the government and the African National Congress.

Smaller parties hotly defended their interests, but with the exception of the Democratic Party were swept aside by a process larger than themselves. And in the end, battling for changes in the appointment of constitutional court judges, the DP proved that it, too, was prepared to barter principles.

At stake was a package of six issues agreed between the government and the ANC on Wednesday afternoon, shortly before the plenary was due to start. They dealt with the critical blockages that had to be cleared before the plenary could formally adopt the whole constitutional deal.

Negotiators, media representatives, foreign observers and gawking spectators waited for many hours for progress on these issues and the symbolic climax of a three-year process.

Some of the issues seemed technical and relatively minor, while others — such as the percentage of votes needed for decisions in the multi-party cabinet — were crucial to the power balance in a future government of national unity.

When ANC general secretary Cyril Ramaphosa and NP negotiator Roelf Meyer emerged to announce their "six-pack" of deals, they operated as a single team. Each took three items and spelt out the details to the negotiating council.

The message was clear: we have made the decisions; you can take them or leave them.

The Pan Africanist Congress' Barney Desai described the process as "abominable" and a sell-out of the aspirations of the African people. For the DP's Colin Eglin , the timing of the NP/ANC deal was "close to a disgrace" and "a farce of what we set out to do" .The Afrikaner Volksunie also raised its ritual objection.

Once these objections had been lodged, the forceful and skilled Pravin Gordham in the chair drove through the agreements on the basis of sufficient consensus.

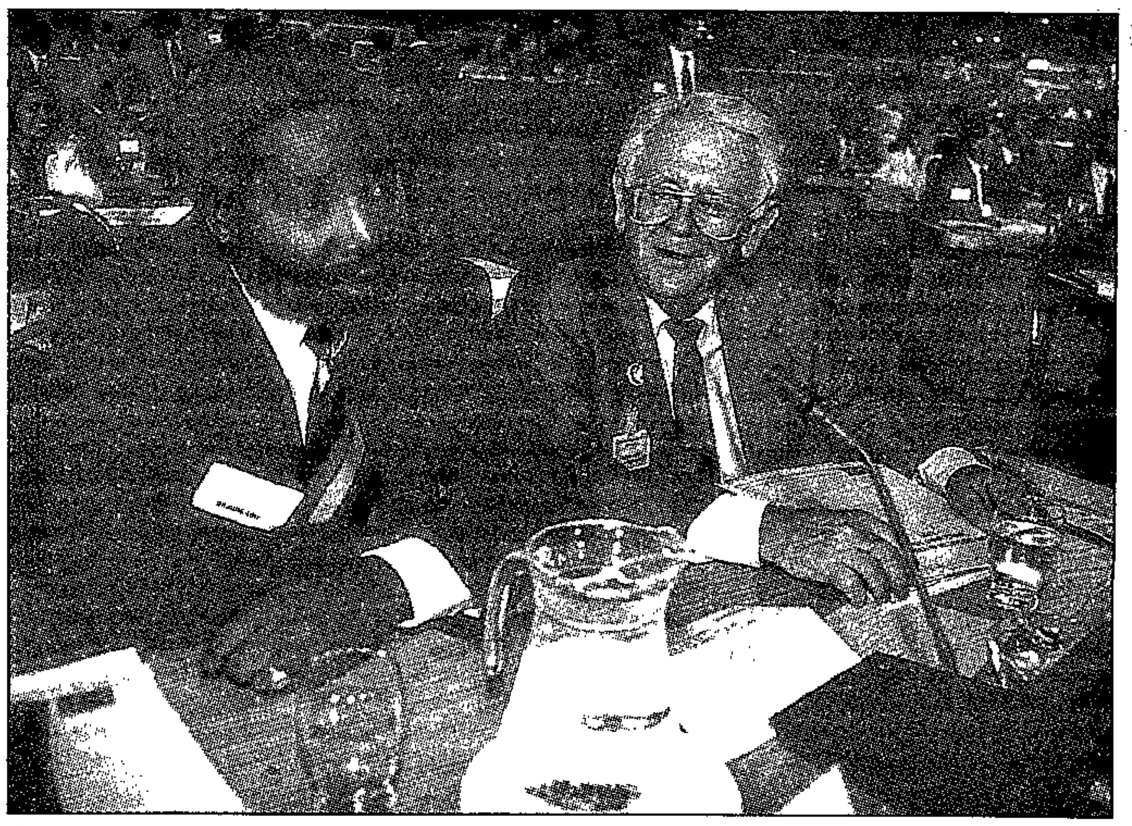
The behind-the-scenes deal between the government and the ANC involved the final mechanism for power in the transitional period:

- The NP backed down on its insistence that cabinet decisions be taken on the basis of loaded majorities. But rather than spell out the enormity of the NP concession, the parties used a vaguely worded statement that said a future cabinet should function "in a manner which gives consideration to the consensus-seeking spirit underlying the concept of a government of national unity as well as the need for effective government". One for the ANC.
- The ANC dropped its insistence on democratic elections as soon as a new constitution was in place, agreeing that national elections would not be held until 1999, unless the cabinet loses the confidence of parliament. One for the NP, although it did not demand too much from the ANC.
- Regional boundaries, powers and functions were entrenched, requiring a two-thirds majority in the senate to be changed. If the deadlock-breaking mechanism comes into operation, a 60 percent majority in the senate is required. One for the NP, which insisted on federalism.
- Provincial legislatures would have the right to adopt their own constitutions, as long as they were consistent with the constitutional principles and the national constitution. One for the NP.
- Deadlock-breaking procedures for the adoption of the new constitution were dependent on a 60 percent majority. Another one for the NP.
- Then came the NP's major concession to the ANC: a single ballot paper for the election of national and provincial legislatures. The NP had always insisted on the devolution of powers to the lowest possible level. But the rest of the negotiating council was not going to take it lying down.

The Afrikaner Volksunie's Corlia Kruger argued passionately that autonomous provinces were impossible if the inhabitants could not directly vote for their own governments. The DP's Dene Smuts described the proposal as "an attack on voter choice" which would allow the ANC to put up its candidates wherever it pleased, without consideration for the provinces. The PAC and the National People's Party's Rajbansi also objected, despite Ramaphosa's earnest assurances that ANC/government bilaterals were enhancing the negotiations process.

A break allowed by Gordham proved profitable. For days the DP's Tony Leon had had a running battle with the government's Kobie Coetsee for his proposal that judges in the constitutional court be appointed by the state president in consultation with cabinet.

Too late, Coetsee realised that he was selling out his negotiating colleagues, who had pinned much of their strategy on the assumption that their agreements with the ANC would hinge on the independence of the constitutional court.



Smiles of success ... The SACP's Joe Slovo and Charles Nqakula PHOTOS: STEVE HILTON-BARBER

In the battle of principles this concession — happily accepted by the ANC, which had never expected such generosity — gave the DP a bargaining chip.

Gone was the DP's moral outrage about government/ANC duplicity. Smuts and Ken Andrew's concerns notwithstanding, the DP would accede to the notion of one ballot paper in exchange for the independence of the constitutional court.

The PAC's Desai dryly congratulated the "unprincipled and undemocratic party for giving in like this".

Coetsee who, two days earlier, had mounted a spirited defence of the executive's right to appoint judges, was suddenly in a magnanimous mood.

Referring to the public outrage that followed his proposal as "an interesting debate", he announced that it had brought the parties together to amend Clause 89. The Judicial Service Commission would now have a decisive say in the appointment of judges.

A markedly more humble Coetsee thanked Leon, the DP's Douglas Gibson and the ANC's Dullah Omar for their co-operation. This was greeted by taunting laughs from fellow-negotiators.

As the negotiators hurried to finish before the plenary, convoluted arguments and Freudian slips became the order of the day.

It was decided for gender-sensitive reasons that "ombudsman" in the constitution would be changed to "public protector". First the NP's Dawie de Villiers and then Solidarity's Dr Rajah referred to the public protector as the "public prosecutor".

As the talks overran the time limit, Gordham became increasingly prominent. Ably manipulating procedures, he made no secret of his preference for certain parties.

Objections and reservations by the ANC or the government were referred back for "more canvassing"; similar positions taken by the AVU's Kruger were simply overruled through the notion of "sufficient consensus"; Rajbansi's frequent interventions met open disdain.

When Kruger at one stage told Gordham that "by now you should know me", the retort was a quick: "Yes, but one never abandons hope in this world".

At 11.30pm, the final clauses were approved and the negotiators rose to applaud themselves and their technical committees. Then they descended one storey to meet their leaders for the plenary in a hastily erected auditorium.

The contrast could not have been more striking, with ANC leader Nelson Mandela and President FW de Klerk lending gravitas to the occasion.

To many who attended the council meeting, Judge Ismael Mohamed's praises sounded incongruous. In his opening address he referred to this "momentous day and momentous hour", "the wondrous and thrilling journey" and the "triumph of good over evil".

Judge Petrus Schabort, in turn, asked that South Africa become "the symbol of the miracle of love".

Any notion that this was imminent was wiped out by the AVU's Gerdus Kruger who melodramatically told delegates that "Afrikaners are leaving this process completely empty-handed".

The new government, he warned solemnly, "will now have an Afrikaner problem on its hands ... The Afrikaners' name has now officially been added to the oppressed people of the world".

While most delegates jeered derisively, De Klerk listened attentively, his head resting on his hand.

Anti-election campaign takes off

South 19/11 - 23/11/95

By Christelle Terreblanche

THE Western Cape, already targeted for some of the fiercest campaigning in the run-up to the election, will also be a centre of anti-election campaigning.

Prominent organisations, like the New Unity Movement (NUM), will kick off their anti-voting information campaigns here next week while parliament is sitting to ratify the transitional legislation.

"We will point out to people that the elections could not possibly be for a democratic election, because the process of negotiations has not been democratic," said Mr Richard Dudley, national president of the NUM. "We will ask them to boycott the elections." (304-A)

The Workers Organisation for Social Action (Wosa) is already organising information meetings countrywide to inform people that the elections cannot deliver.

Mr Salim Vally, media facilitator of Wosa, told SOUTH the movement has not decided whether to take part in the election, but will continue pointing out the contradictions up to the election.

"We will only contest as part of a mass-based workers party in alliance with other groups, if that is possible," Vally says.

"We will take a decision early next year. Taking part would not mean competing, but rather informing about the election."

Azapo, which is also not party to the election, said it would not run an anti-voting campaign.

"But we will persist in exposing the election of being incapable of delivering liberation for the oppressed black people," says Mr Jimmy Yekiso, regional office-bearer of Azapo.

The NUM will be putting out publications in addition to public meetings from Thursday next week to discourage people from voting.

"We reject the way in which the ANC was co-opted by the government through the efforts of international money for the purpose," said Dudley. "We are also against federalism and regionalism"

(304A)

First steps to free elections

ARG 19/11/93

TOS WENTZEL
Political Staff

AFTER a momentous political breakthrough, parliament meets on Monday to set up South Africa's first free election.

This follows yesterday's historic agreement at the multiparty talks which has set the country on the road to a nonracial democracy after nearly two years of negotiations.

A new Electoral Act which will regulate the running of the scheduled April 27 election is among the most important items on the political agenda. The draft interim constitution hammered out at the World Trade Centre talks will also be formally processed by a parliamentary standing committee before it is debated.

A bill on local government is also expected.

Representatives of the multiparty talks will oversee the framing of the interim constitution before it passes into law.

After it has been adopted by parliament the new constitution will be promulgated when President De Klerk has signed it into law, but according to parliamentary sources this is likely to happen in stages starting with provisions for the election.

A small group from the planning committee of the multiparty talks will be present to see no basic changes are made. In the case of technical amendments they will have to see that these are not changes of substance.

All parties except the Conservative Party will support the new interim constitution.

However, the CP confirmed today it would attend the session after expressing doubts earlier.

CP chief whip Frank le Roux said parliament would once again be just a rubber stamp. The party was totally opposed to the interim constitution but would try to put amendments. It wanted to show to what extent the government had capitulated and that it was essentially an ANC constitution.

Mr De Klerk will open what is expected to be a three-week session at a joint sitting on Monday afternoon. This will be followed by a three-day debate on his address.

Tired adversaries in corridors of power after historic deal

Meyer shows Ramaphosa the ropes at parliament

364A

ARG 19/11/93

HUGH ROBERTON
Political Editor

SEEMING more like old friends than political adversaries, government chief negotiator Roelf Meyer and his African National Congress counterpart, Cyril Ramaphosa, toured parliament together and then ribbed each other at a sumptuous dinner.

Both also urged the Freedom Alliance to join the negotiating process, with Mr Meyer disclosing that the government had received a document from the alliance setting out its position on the new constitution, to which the government would reply in bilateral talks today.

Mr Ramaphosa said the ANC was due to meet the Afrikaner Volksfront for further talks.

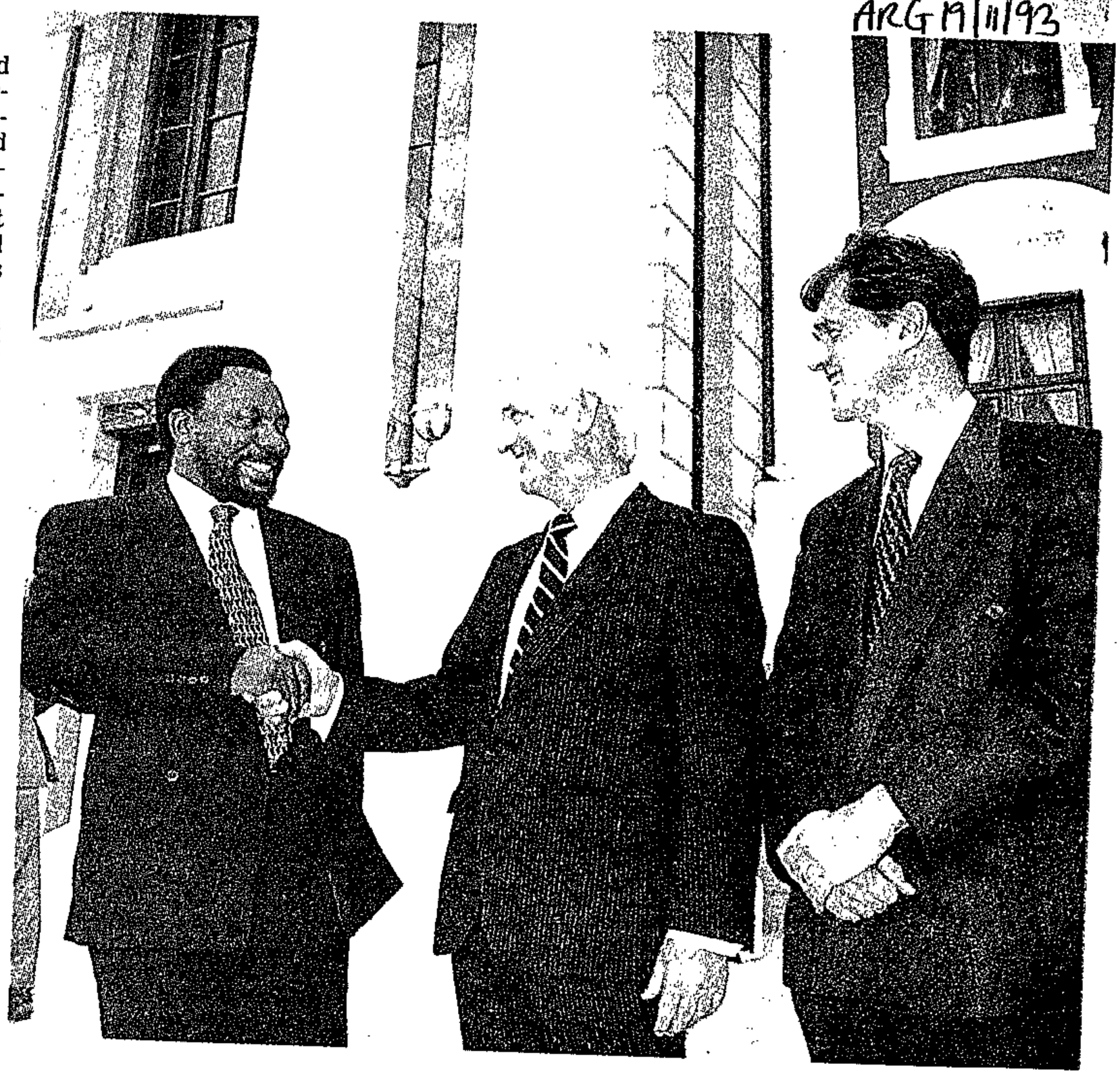
"We want to engage them. We have extended a hand of friendship."

The tour of parliament, a long-standing promise by Mr Meyer, began just hours after the historic signing yesterday of the interim constitution.

"I had never been to parliament. Roelf took me to show me the arrangements, the seats and all that sort of thing," said Mr Ramaphosa at last night's dinner – hosted by former Anglo American chairman Gavin Relly for delegates attending a New York CEO Institute conference on investment in South Africa.

Commenting on the the negotiating process, Mr Ramaphosa told the gathering of leading businessmen from South Africa and abroad: "At 4am this minister does not look as handsome as he is now, and that is the time in negotiations that you really get your deals."

Later, in a more serious vein, and to loud applause, he turned to Mr Meyer and said: "Had people like Roelf Meyer not been around, I have my serious doubts whether we would have reached the point we did last night. It is a joy to be working with people who display good faith."



Picture: ERIC MILLER, AP.

READY TO RULE: Secretary to parliament Robin Douglas greets ANC Secretary General Cyril Ramaphosa and Constitutional Development Minister Roelf Meyer.

Both men looked tired when they arrived at the function in a marquee in the grounds of the Vergelegen estate at Somerset West.

Mr Meyer said the new constitution was "not a perfect product" because it had come through negotiation and compromise.

"But I would say the most important question to ask about the document is whether or not we succeeded in bringing about a balance. I believe we did.

"I have no doubt the process will continue and that this document will form the basis of the future — maybe with very few amendments."

Replying to a question from former chairman of the United States House of Representatives Africa sub-committee Stephen Solarz, Mr Ramaphosa said the white far right did constitute a threat.

"But I think you must remember that 90 percent of the people of this country believe that negotiation is the way to resolve problems."

East Cape women to dominate election

South 19/11 - 28/11/93

WOMEN in the Eastern Cape will wear the trousers in the election.

A study by the border ANC shows almost 65 percent of the electorate in the broader Eastern Cape — including Border/Kei region — will be women.

The statistics are based on Development Bank of South Africa figures from 1990.

Observers believe this profile will significantly affect the shape of the campaign in the region.

ANC elections training co-ordinator Mr Joe Jongolo says most women voters are concentrated in rural areas, especially of Transkei.

In some areas, the preponderance of women is massive.

In Transkei's Herschel district, for example, it is estimated that there are 14 531 black men voters compared to 31 899 women.

The high proportion of women in the region is believed to be due to migrant labour policies and the depressed regional economy which has forced men to leave the region in search of employment.

Business groups in the Border-Kei estimate over 26 percent of the labour force in the region has left in the form of migrant workers.

Professor Jan Coetzee of Rhodes University's Sociology Department says he would expect the high proportion of women to be duplicated in other South African rural areas.

It is anticipated the dominance of women will give them a powerful voice in a region largely regarded as an ANC stronghold, and will make them a sought-after target group in the elections race.

Ms Ndumi Gwayi, co-ordinator of the Border Women's Coalition and Gender Focus Group, says women must realise they have significant political muscle (3857)

She adds the coalition is urging women to use their clout to ensure that political parties not only articulate, but practice women's rights.

Jongolo says his organisation is still formulating its election message, but says this will include strong overtures to women.

Coetzee says he expects political parties wanting to appeal to women to concentrate on housing, education and health issues, which will have a strong appeal to women.

He says women are extremely active in rural communities because they have been forced to take over the functions of running the household and family (304A)

"They have a history of having to take responsibility," he says.

The women's coalition agrees. Gwayi says: "Rural women are the ones who have contributed the most. They are the silent majority, the silent activists. They are the educationalists, they manage rural societies."

This page is a joint project of MATLA TRUST and SOUTH

Taking stock

ANC in surprise Parliament visit

CT 19/11/93 (304A)

By ANDRE KOOPMAN

WITH the ink barely dry on the draft constitution, ANC chief negotiator Mr Cyril Ramaphosa visited Parliament yesterday to scout accommodation for the ANC in preparation for the big move-in after the elections next year.

Mr Ramaphosa, accompanied by his negotiating and sometime fly-fishing partner Mr Roelf Meyer, the Minister for Constitutional Affairs, later stood smiling on the steps of Parliament and said he was "elated to be here".

Senior ANC sources confirmed that Mr Ramaphosa was "looking at office space" for the organisation and clearing up "administrative details".

However, the secretary of Parliament Mr Robin Douglas was fairly tight-lipped about the visit and said only that the two had paid him a courtesy call.

The last white-dominated, tricameral Parliament is to meet in Cape Town from November 22 to December 22 to approve the draft constitution.

Mr Ramaphosa said after his visit: "The hard work starts now. One looks forward to this with excitement."

"This is not going to be too easy," Mr Meyer said. "A lot of preparatory work has to be attended to."

Speaking in Somerset West last night, he said the transitional constitution was not perfect, but it provided a basis from which South Africa could develop.

At the same dinner, Mr Ramaphosa said: "This constitution will make it worth it to run the risks as far as the future is concerned."

The ANC had a vision of equality and empowerment that would ensure that after April 27 it would immediately take steps to redress the imbalances of the past.

THE MAKING OF HISTORY — PAGE 8

The ANC would continue to meet white right-wing organisations to see if their concerns could be accommodated. "Yes, they are a threat, but we must remember that 90% of the people in this country believe negotiation is the only way to resolve problems."

Meanwhile, the two leaders of the major negotiating parties were visiting Natal yesterday.

ANC president Mr Nelson Mandela spoke at a meeting in Mandini, KwaZulu, where he said to loud loud applause that the KwaZulu government would be "finished" after elections next year.

Speaking in Durban, President F W de Klerk yesterday warned parties threatening violence to beware, saying they would incur the wrath of the law.



WELL MET ... Hours after the plenary session settled South Africa's future Mr Cyril Ramaphosa and Mr Roelf Meyer toured Parliament yesterday.

Picture: ERIC MILLER

Debate is part of democracy

South 19/11 - 23/11/93

ONE OF the characteristics of life in a democratic society is open debate. Differences in political opinion and affiliation are not hidden but openly acknowledged because the right of all people to democracy is recognised.

They are not just promises on paper.

Under authoritarian rule, there is an apparent oneness of approach towards political issues.

The reality is that people are afraid to express anything different to the state's official position.

In an open society people should not view public differences as negative. Such differences have always existed among human beings.

The difference is that whereas they do not show in an authoritarian society, they are visible in a democratic one.

Democracy does not create dissension and conflict. It simply does not suppress or try to hide it.

Only if differences are emphasised to the extent of being destructive would a democratic authority intervene, usually on the grounds of existing laws being contravened.

To avoid differences becoming destructive, citizens in a democracy must be able to compromise.

Where agreement is necessary to achieve a vital goal, but agreement is impossible, the only solution is to achieve an acceptable compromise.

Democracy is about mature political behaviour. This means behaviour that is responsible, honest, principled and gives fair consideration to all points of view.

It means having the responsibility to pursue your own needs and interests in a way which threatens neither the society itself, nor any members.

Under apartheid it was illegal to differ politically with the government, to openly join certain political organisations, attend their political gatherings or work for them.

There were so many restrictions on free movement that a national administrative structure had to be created to make sure no one was "trespassing". These are only a few of the massive restrictions that were all violations of democracy.

Authoritarian governments cannot remain in power unless they suppress free access to information and, consequently choice, among their citizens.



WILLING TO COMPROMISE: Conflict is constructive because it enriches debate, but it can only be positive if compromise can be reached

One cannot choose to support something else if one does not know about it. If an alternative view becomes known, it is usually distorted so that people see it as an undesirable option.

This is why authoritarian governments need to control all sources of information through censorship, banning, legal restrictions on what can be published and harassment of those who publish anything the government does not approve of.

Authoritarian governments survive best in an atmosphere of ignorance, apathy and fear.

Because of its history of authoritarian rule, South Africans are still far from being able to comfortably compromise on what they want.

They will learn how to do so once they are freed of the negative effects of the past. 304A

At the moment most South Africans are worried about ensuring they get the things they were deprived of in the past, such as housing, employment, better wages, better education, safety, free movement, etc.

As long as people are not assured of having these dreams realised, they will probably find it hard to listen to others.

Under a democratic system, the government exists to guarantee the rights of citizens and to serve them. But the harmonious functioning of society depends on voluntary control exercised by citizens themselves.

They must not trample on the rights of others in pursuit of their own aims. They must tolerate views which differ from their own.

They must fulfil their duties of citizenship while they enjoy their freedoms.

These all reflect the need for compromise by citizens themselves.

Compromise is vital when so many freedoms exist. It is the old question: "Where does one's personal freedom end, and the next one's begin?"

For example, freedom of speech does not mean the freedom to say anything one wants to in conversation with a neighbour while knowing one is offending his or her religious beliefs.

Neither can one interpret freedom of movement to mean the right to trespass, nor freedom of information to eavesdrop on a neighbour's private conversations.

In order for the right to differ to exist, citizens have to practice self restraint, political tolerance and respect for the country's laws.

Remember, these are not unjust, undemocratic laws, but laws drawn up by people elected by citizens themselves.

Conflict and compromise under the above circumstances become two sides of the same coin.

Conflict can be positive if it enriches debate, stimulates new ideas and can lead to positive changes in the society. But for conflict to be positive, compromise must be possible.

The healthy functioning of a democratic society depends on mutual effort by both the government and citizens of the country. The government has to exercise restraint to allow citizens to explore options open to them within the limits of the law.

Citizens have to demonstrate sufficient social awareness to recognise that not everyone wants or feels the same as they do. They must recognise the right to differ without in any way diminishing their equal right to everything society can offer.

HISTORY IN THE MAKING

By ANTHONY JOHNSON
Political Corrspondent

S 3.35am and the cavernous World ade Centre is a swirl of emotions d bodies.

'udge Ismael Mohamed has just und up proceedings of the historic enary session of leaders to endorse 158-page founding document of de- cracy for South Africa. His theatri- address left a number of negotia- rs and diplomatic observers ndering whether he was audition- for the position of Chief Justice or ssible chairman of the Constitution- Court in the next dispensation.

But whatever the motivation was for s over-the-top exhibition by the lge of SABC Board hearings fame, en he delivered his final flourish, nausted negotiators were struck h the stunning reality that after rs of difficult and painful labour y had finally given birth to the ew South Africa".

For some the reality seemed almost grand to comprehend. They milled out in an apparently dazed state, ouring a still-unfocused mixture of and relief.

For others — at each others' throats t hours before in a no-holds-barred oate in the negotiating council — it s time to remove the masks from ir political personas. Bear-hugs, werful handshakes, kisses, freely- wing tears and more bear-hugs.

The fact that rival negotiators had rtly before the convening of the nary accused each other of fraud, ling out, suppression and intimida- n seemed remote and somehow irrelevant. The l was done — warts and all.

resident F W de Klerk left the plenary floor soon r the session closed. Flanked by his bodyguards, left the World Trade Centre with a minumum of s, giving me a smile and a goodnight nod as he appeared into the night.

oments later the man of the moment, Nelson ndela, has to wade through through well-wishers is swamped by a battery of television cameras e battles to make his way from the plenary floor.

the confusion he stops, shakes my hand and s: "How are you?" Like most of those swept along he enormity of it all, I'm not really sure ... yet.

But the overwhelming sense is that something special, almost miraculous, has happened which deserves celebration.

And before long, so it was in the Le Club cafeteria at the World Trade Centre. At 4am Roelf Meyer led the singing of "Happy Birthday" to Cyril Ramaphosa. The beaming 41-year-old ANC chief negotiator said: "The important thing is to wish not me but the country happy birthday because we have just given birth to something which will allow us all to build a democracy."

Then the champagne flowed, the dancing began, and exhausted ANC and government negotiators rode the wave of adrenalin and warm emotion into the dawn.

Not a bad launch for a government of national unity — but will this positive spirit last?

The interim constitution which emerged this week falls short of the ideals of all the at first 26, and then 21, parties participating in multi-party talks.

Although both Mr De Klerk and Mr Meyer this week pronounced themselves overwhelmingly satisfied with the eventual outcome, their sentiments are not shared by several important players in the National Party.

The lack of enthusiam among some members of the government team about the package deal — what the ANC calls the "six-pack" agreement — unveiled just hours before the plenary session began, raises concerns about the durability of the settlement.

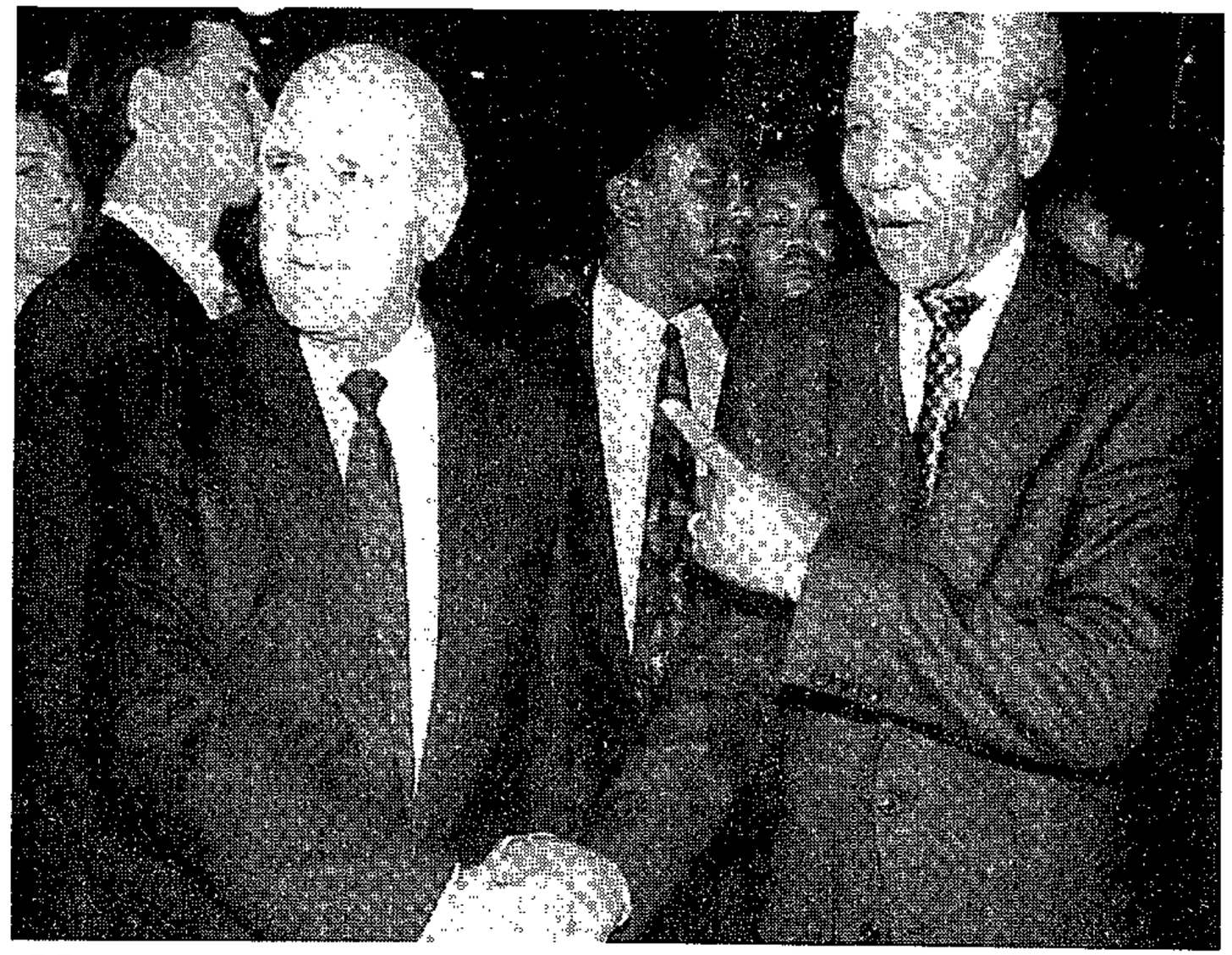
Negotiators from smaller parties believe that in the pressure cooker atmosphere in the final lap of negotiations, the government blinked first in their bilaterals with the ANC.

This led some to label the six-pack deal "the longest suicide note in history" and "the government signing its conditions of surrender".

One of the key problems facing a future government of national unity is that some NP negotiators concur with this assessment. Only history will tell whether these fears are grounded.



WE'RE THERE ... Nelson Mandela talks with top ANC negotiator Cyril Ramaphosa at the World Trade Centre after negotiators finalised a settlement for an interim contitution. Picture: AP



DEAL DONE ... President F W De Klerk and ANC president Nelson Mandela shake hands at the World Trade Centre yesterday morning after negotiators concluded South Africa's interim constitution and Bill of Rights. Picture: AP

CT 19/11/93 (304A)

... but will the 'six-pack deal' hold?

Right wing, ANC discuss homeland

JOHANNESBURG. — The Afrikaner People's Front (AVF) began talks on an Afrikaner homeland with the African National Congress yesterday saying it recognised the reality of the new South Africa.

The talks are due to continue today.

The AVF wants to persuade the ANC to agree to an Afrikaner homeland within a democratic state.

Political sources said the talks were being held at the highest level with the ANC team led by chairman Mr Thabo Mbeki and the conservatives by General Constand Viljoen.

Mr Koos van Rensburg, secretary to General Viljoen said: "We think our chances of agreement are better than 50%. We are absolutely determined to find a solution in a negotiated way. The alternative is unthinkable."

He said the AVF had decided to deal directly with the ANC because the National Party government no longer had the power to make decisions.

ANC officials were not available for comment.

— Sapa-Reuter

Acclaim for the new deal

CT 9/11/93 (3044)

MAJOR world nations yesterday hailed the interim constitution as a historic milestone and urged all parties not included in the deal to join the negotiating process.

City leaders also approved of the democratic package adopted.

But right-wing leaders, including the leader of the right-wing umbrella Afrikaner People's Front (AVF), former Defence Force chief General Constand Viljoen, said acceptance of the interim constitution would mark the start of a violent communist take-over of the country.

The US State Department said the constitutional package was a milestone on a historic journey from apartheid to democracy.

"We salute those who made this development possible," a spokesman said.

The European Community (EC) hailed the approval of a democratic constitution and promised to help underpin democracy in South Africa.

"This represents a historic milestone on the road to true democracy in South Africa," the EC said.

It urged all parties to contest next April's elections, resolve outstanding disputes peacefully, ensure political freedom in the run-up to the elections and to respect the results.

The Organisation of African Unity congratulated negotiating parties on the democratic package.

"We consider this a beginning of a new era in South Africa," the OAU said.

UN Secretary-General Dr Boutros Boutros-Ghali applauded the historic agreement on an interim South African constitution to end white minority rule.



'EVIL SYSTEM OVER'
Archbishop Desmond Tutu

"The secretary-general congratulates all South Africans who have continued to support and to contribute to the peace process despite the many impediments that faced the process amid mounting violence and intimidation," he said in a statement.

The United Nations pledged its continued support for the peace process and its readiness to assist the people of South Africa in the formidable challenges ahead, including in efforts to facilitate the country's first multi-party democratic elections.

Anglican Archbishop Desmond Tutu said: "We have to rejoice that this evil system of oppression is over and that we are almost irrevocably on the road to a new dispensation.

"But the gloss has been taken off the news by the violence and by the fact that so-called ordinary people haven't seen much change.

"I am also sad that some parties were not at the negotiating table to push the sort of compromises that may have satisfied them."

The South African Council of Churches said: "Although the agreement may be seen as flawed by many and will not satisfy everybody, it heralds the beginning of a new era of democracy in our troubled land."

In Cape Town, exco chief Mr Clive Keegan said: "For all its flaws, it's a damn side better than any other constitution we have been offered since 1910."

Mayor Mrs Patricia Sulcas-Kreiner said: "This is a most exciting stage in our history.

"Our congratulations to all the players involved for reaching agreemet in what has been a marathon session.

"My wish is that it becomes fully inclusive so that we get the input of every single sector of our society."

Professor Robert Schrire of UCT's political studies department: "One has to see the constitution not as a document which reflects the sense of the nation, but rather as a peace treaty between contending nationalisms.

"It seems in general to be a set of compromises with which all the major players — both those that win and those that lose — should be able to live.— Sapa, Staff Reporters, UPI

SA 'within reach of dream'

Own Correspondent

LONDON. — South Africa's epochal step towards a non-racial constitution was hailed with a mixture of optimism and anxiety in British editorial comments yesterday.

The Financial Times said South Africa was now "within reach of what once was a dream" and praised President F W de Klerk for his "wisdom and courage" and ANC president Mr Nelson Mandela for "calling not for revenge but for reconciliation".

"But the last stage of South Africa's transition may prove the most hazardous.

"Even if they (the IFP and CP) can be persuaded to participate, the battle through the ballot box will demand unprecedented tolerance in a sharply divided society."

The Guardian said South Africa had "broken through to a new stage of hope, however difficult the transition to a non-racial society remains".

Calling the agreement a "post-war settlement", the Guardian said: "The NP may have made more concessions in the details of constitutional print than the ANC, but in broad conception this is a gradualist approach which abandons the rhetoric of seizing power.

"Mr Mandela may yet have more difficulty in selling it to the deprived and angry of his constituency than Mr De Klerk will in convincing the privileged and equally angry of his own."

The Independent said that whatever fears remained for South Africa's future, the agreement was "cause for unqualified celebration" and congratulates Mr De Klerk and Mr Mandela for retaining "their core faith in each other" in spite of great strains. (304A) CT 19/11/93

NEWS FEATURE *Achievements of democracy negotiators have symbolic meaning for world*

Road open to black rule

Sowetan 19/11/93

■ HISTORIC CEREMONY *Interim constitution inaugurates whole new era:*

SOUTH AFRICA's leaders set the country firmly on the road to black majority rule in an historic ceremony heavy in symbolism.

President FW de Klerk, African National Congress president Nelson Mandela and other black and white leaders approved early yesterday an interim constitution to give the five-to-one black majority the vote for the first time.

Political analysts said the achievements of the democracy negotiators had a symbolic meaning for the world at large.

"It's the beginning of a new era in our relations with the international community," Antoni van Nieuwkerk, senior researcher at the South African Institute for International Affairs, said.

"The plenary session with the leaders has a very high symbolic value and will send out the message to the international community that we are making good progress in the negotiating process.

"It is a signal that tells the international community the time has now arrived for closer co-operation and involvement with South Africa," he said.

Van Nieuwkerk said the country would need "a whole lot of independent observers and monitors" in the run-up to the first nonracial elections set for next April 27.

"There is great symbolism in signing away apartheid and getting on with a new life"

The International Commission of Jurists has also issued a plea for "massive help" from the international community to ensure free and fair elections.

"There is great symbolism in signing away apartheid and getting on with a new life," said analyst Gary van Staden of stockbrokers Kaplan and Stewart.

But missing from the barn-like conference chamber at the World Trade Centre were rightwing whites and conservative black leaders from homelands created by apartheid. The white rightwing vehemently opposed the constitutional package.

The leader of the right-wing umbrella Afrikaner Volksfront, former Defence Force chief General Constand Viljoen, said acceptance of the interim constitution would mark the start of a violent communist takeover of the country.



Constand Viljoen

The leader of the neo-Nazi Afrikaner Weerstandsbeweging, Eugene Terre'Blanche, also raised the prospect of communist domination and told his followers to prepare for war.

Zulu chief Mangosuthu Buthelezi, leader of the Inkatha Freedom Party and KwaZulu black homeland, said democracy negotiators could expect resistance to their agreements. (30 4 A)

The leftwing Azanian People's Organisation, which has steadfastly rejected the forum as a sham, has labelled the outcome a sellout deal which entrenches white privilege.



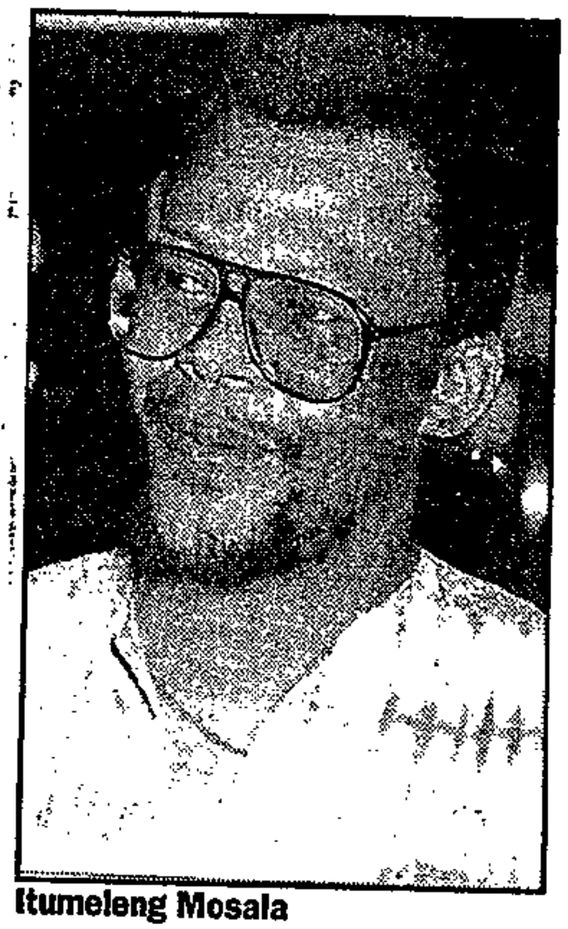
Mangosuthu Buthelezi

Azapo said the economic imbalances imprinted by years of white domination would ensure that whites continued to control and direct the state.

Azapo is to hold consultations with its exiled sister organisation this weekend where their way forward is expected to be charted. The organisation has said it would not take part in elections.

But De Klerk and Mandela left the door open for their opponents to return to the democracy process — even after the April elections. (IBSA)

A senior Afrikaner political analyst expected the right wing to "huff and puff", but still fail to blow the house down.



Itumeleng Mosala

Political sources said Lucas Mangope, leader of the Bophuthatswana black homeland, might prove the most difficult of the black conservatives to deal with because he believed his homeland might have a chance of surviving on its own. The sources said that, despite the denials of Inkatha leaders, Buthelezi's movement could split, with a breakaway group contesting the elections on its own. — *Sapa-Reuter and Sowetan Reporters.*

NATIONAL PARTY FM 19/11/93

On the offensive

Government and the National Party seem unconcerned by mounting criticism that they buckled under ANC pressure at the World Trade Centre. Senior sources claim the main principles of the interim constitution remain true to the 14-point mandate they received in last year's referendum. (3049)

They also reject Freedom Alliance (FA) complaints that they reneged on federalism, claiming they never undertook to negotiate a deal based on FA requirements. They are "quite happy" with the federal elements of the interim constitution. (HP)

A senior government source says the balance of power, duties and functions between central and regional governments is in line with undertakings given to voters during the referendum campaign. In a situation like SA's, regional governments can't be allowed to be totally autonomous and able to make decisions that could damage SA as a whole.

"We are getting a federal system, but not a complete federal system. There will be a healthy balance of power between the central and provincial governments — which has always been our policy."

While the NP did not get all it wanted, it won most of the concessions it sought — which, says a Nat source, is more than can be said for the ANC. NP leaders are apparently satisfied that they achieved their objectives.

"Rejecting with contempt" suggestions that government/NP negotiators were interested only in top posts in the new government, Constitutional Development Minister

FM 19/11/93

Roelf Meyer lists the following Nat achievements: a constitutional State, power sharing and a government of national unity, three levels of government with strong regional government, Afrikaans stays an official language and other aspects such as the protection of public servants and their pensions.

Meyer also mentions 20 functional areas — such as education, policing, health services, culture and agriculture — which will be under regional or provincial control.

Meanwhile, in an unprecedented move, all four Nat provincial leaders have issued a joint statement slamming the views of ANC leader Nelson Mandela on the future role of President F W de Klerk.

Speaking in Natal at the weekend, Mandela reportedly said there was no place in a future government for De Klerk. He also again accused De Klerk of being unconcerned about the loss of black lives.

The four, Dawie de Villiers (Cape), George Bartlett (Natal), Kobie Coetsee (OFS) and Roelf Meyer (Transvaal acting leader), accuse Mandela of not being interested in ending ANC-Inkatha violence and of himself being indifferent to the loss of black lives. (304A) (HP)

This is the strongest attack so far in the election campaign against Mandela personally. Some analysts thought the NP would lay off Mandela because of his massive status in national politics.

However, it seems that the NP is not prepared to let De Klerk — who will be the focus of the NP campaign — be repeatedly criticised by Mandela without reacting. ■

Joy and anger at new deal

Sowetan 19/11/93

By Themba Molefe and Sapa

THE HISTORIC CONCLUSION of constitutional negotiations has elicited both positive and angry responses across the political spectrum.

On an even more optimistic note than in the past, the Afrikaner Volksfront said at the beginning of two days of talks with the African National Congress yesterday that their dream of an Afrikaner homeland was possible.

"We think our chances of agreement are better than 50 percent. We are absolutely determined to find a solution in a negotiated way. The alternative is unthinkable," AVF spokesman Mr Koos van Rensburg said.

Political sources said the delegations were being led by ANC chairman Mr Thabo Mbeki and AVF leader General Constand Viljoen, a former chief of the South African Defence Force.

Van Rensburg said the AVF had presented the ANC with maps indicating where it would like the Afrikaner homeland to be situated in post-apartheid South Africa. (3044A)

Also, the European Community yesterday hailed the approval of a democratic constitution in South Africa to end white minority rule as an "historic milestone" and promised to help underpin democracy.

"This represents a historic milestone on the road to true democracy in South Africa," the EC said in a statement.

Commonwealth secretary-general Chief Emeka Anyaoku congratulated leaders for their success in negotiations, saying the Commonwealth was "delighted" with the achievement.

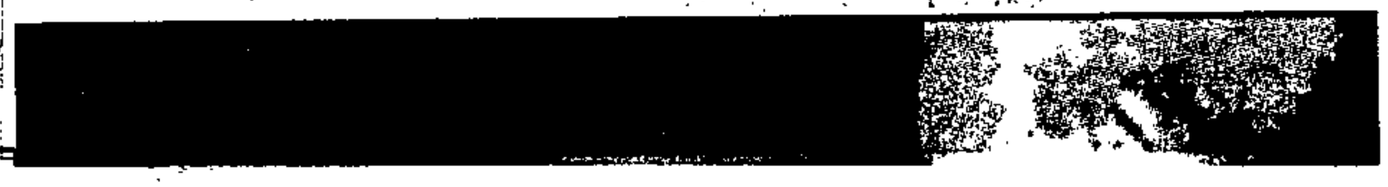
However, the Ciskei government yesterday warned it would not be easy to rescind the status of independent homelands, in spite of democracy negotiators agreeing to the move.

Ciskei, Transkei, Bophuthatswana and Venda will be reincorporated into South Africa once Parliament enacts negotiating council recommendations during a special sitting beginning on Monday.

"To dismantle such sovereign states is no longer a matter for unilateral decision. Full bilateral negotiations will be necessary," Ciskei indicated.

On another level, the Kempton Park accord is to lead to the scrapping of the KwaZulu-Natal Joint Executive Authority. JEA chairman Mr Val Volker, said that, since its inception in 1986, the JEA was regarded as "a transitional arrangement and would be taken over by the new regional government".

See pages 12 and 13



World salutes 'historic' pact on constitution

BIDAY 19111193

THE international community yesterday welcomed the start of a new democratic era for SA with the agreement on the interim constitution.

The US State Department said the constitutional package was a milestone on an historic journey from apartheid to democracy. "We salute those who made this development possible; we also urge those who remain outside the negotiating process to join the task of nation-building and reconciliation as SA prepares for its first nonracial elections in April 1994."

Britain hailed as historic the approval of a democratic constitution to end white minority rule. The Foreign Office congratulated all parties involved and called on them "to adhere strictly to the agreements reached". It called on all parties inside and outside the discussions to take part in the elections and respect the results.

Britain also pledged to "work closely with others in the international community to help ensure that the elections are free and fair and are conducted peacefully".

In Brussels, the EC promised to help underpin democracy in SA. It urged all parties to contest next April's elections, resolve outstanding disputes peacefully, ensure political freedom in the run-up to the elections, and respect the results.

"The European Union will continue to normalise its relations with SA. It recognises that SA's transition to democracy must be underpinned by economic reconstruction and development ... (and) ... reiterates its readiness to help in an appropriate way."

In Paris, the French foreign ministry said: "France calls upon all those who did not join the multiparty negotiations that led to this decisive advance to take part in the election that will make it possible to definitely turn the page on apartheid."

After meeting ANC leaders in Johannesburg, Dutch Foreign Minister Peter Kooijmans said the historic agreement signalled hope to the rest of the world.

"The thing which nobody expected to happen happened," he said. (304A)

The Japanese government said it regretted that some political parties had not taken part in the agreement but it strongly hoped all parties would participate in the general election in April.

In the Ethiopian capital of Addis Ababa, the OAU said: "We consider this the beginning of a new era in SA." Meanwhile, the Ethiopian government announced it was lifting trade and economic sanctions on SA. "Democratic changes in that country have reached a decisive and irreversible stage. The measure to lift the sanctions was taken with a view to giving impetus to the ongoing process of eliminating apartheid and in realisation of the significance of Ethiopia's relations with SA."

DONWALD PRESSLY reports from Manama, Bahrain, that visiting SA Foreign Minister Pik Botha said government would recommend to the incoming Transitional Executive Council's foreign affairs subcouncil that it "smooth the way" for SA to be admitted as an OAU member.

Diplomatic sources said it was unlikely SA would be admitted before the OAU heads of government meeting in June 1994.

Botha said diplomatic relations would be set up with the United Arab Emirates and Qatar soon. He hoped progress could also be made in establishing ties with Saudi Arabia and Kuwait.

Missions had already been set up in Morocco, Tunisia and Egypt, he said.

However, SA was not interested in relations with "irrelevant" little states such as Libya, which still insisted on maintaining sanctions, Botha said. — Sapa-Reuter.

Buthelezi gives warning of 'determined resistance'

BIDay 19/11/93

TIM COHEN

INKATHA Freedom Party leader Mangosuthu Buthelezi pledged to meet the new constitution with "determined resistance" while he and other Freedom Alliance members pondered their futures yesterday.

Buthelezi said he would call a special general conference of Inkatha to decide what the organisation's next step should be. He would also consult the KwaZulu government and its legislative assembly.

"What we learnt in the struggle against apartheid we will employ in our struggle against a constitution, which, if left to run its course, could only produce grave consequences for all of us," he said.

Buthelezi suggested he might disrupt the implementation of the new constitution, saying: "Nobody should expect us to be faithful and diligent in assisting (its implementation)."

Buthelezi reiterated his statement that he would not consider himself bound by the decisions made at the World Trade Centre, since he had been excluded "by the behind-the-scenes manipulations of the government and the ANC/SACP alliance".

Freedom Alliance negotiators are scheduled to meet government in Pretoria today.

One of the key members of the alliance, the Afrikaner Volksfront, met the ANC yesterday only hours after the new constitution had been agreed. The talks, led by ANC national chairman Thabo Mbeki and Volksfront leader Gen Constand Viljoen, continue today.

Reuter reports that Volksfront secretary Koos van Rensburg said: "We think our chances of agreement are better than 50%. We are absolutely determined to find a solution in a negotiated way. The alternative is unthinkable."

Sapa reports that President F W de Klerk warned parties threatening violence to beware, saying they would incur the wrath of the law.

Speaking in Durban after a meeting with Commonwealth secretary-general Emeka Anyaoku, he said: "We dare not allow anyone to jeopardise the legitimate democratic process by illegal means."

He said he had emphasised to Anyaoku the importance of the Transitional Executive Council after Wednesday's finalisation of the interim constitution.

Anyaoku congratulated De Klerk and fellow leaders on their success in negotiations, saying the Commonwealth was "delighted" with the achievement.

He said the Commonwealth reaffirmed its commitment to helping the transition "in any way we can".

Commonwealth members had much to offer in "meeting the challenge of pluralism".

De Klerk said he welcomed the help of the Commonwealth before and during the elections. More observers were needed.

The country also needed the expertise of Commonwealth members for the electoral commission.

De Klerk said he was encouraged by the Commonwealth's "constructive approach" during the transition.

Anyaoku arrived on Wednesday to attend the multiparty plenary session at the World Trade Centre and to discuss Commonwealth assistance to SA.

He said he had met ANC president Nelson Mandela, and planned to meet other leaders.

Sapa reports that NP media director Marthinus van Schalkwyk said Viljoen's war threat on Wednesday and statement that right-wingers should undergo military training were dangerous and groundless.

Van Schalkwyk rejected the "wild" allegation that half the population had been ignored in drafting the constitution. Government and the NP had "bent over backwards" to involve right-wingers and the Freedom Alliance in the negotiations.

Home Affairs launches R3,5m voters' ID awareness campaign

BDay 19/11/93

ADRIAN HADLAND

PRETORIA — The launch of an awareness campaign aimed at encouraging potential voters to acquire IDs ahead of next year's election was announced yesterday by Home Affairs Minister Danie Schutte.

The campaign, which will cost the department about R3,5m, would include newspaper, TV and radio advertisements as well as the distribution of 21 000 T-shirts, he said.

About 2 350 outdoor advertising boards would be erected in rural areas, and further notices and flysheets would be placed in 1 500 buses, Schutte told a media conference.

The campaign was aimed particularly at the 13% of the population who did not yet have IDs but who were eligible to vote.

"After this campaign, and other actions, nobody will be able to say they were not able to vote on April 27 because they could not get an ID."

The acceptance by the negotiating council's plenary session yesterday morning of the Interim Electoral Act meant the time was ripe for an intensification of the awareness campaign, Schutte said.

"Everything now is moving ahead towards the election."

Schutte estimated that more than 90% of SA's population who were eligible to vote were now in possession of the relevant documents.

These included the old reference books and identity cards as well as permanent residence permits.

The agreement by the department earlier this month that photographs for IDs would be provided free of charge had resulted in a very positive influence on the number of applications, Schutte added.

Thousands will not vote, says HSRC

BDay

GERALD REILLY

THE fear of violence and intimidation as well as political illiteracy could keep tens of thousands of voters away from the polls on April 27.

A recent HSRC survey showed that 23% of respondents in the northern Cape, Karoo and Free State, 22% in the eastern Transvaal and 36% in Natal had decided not to vote. 19/11/93

HSRC constitutional analysis centre head Bertus de Villiers said a large proportion of the electorate was already intimidated because of escalating violence. (204A)

More than 50% of eligible voters — most in rural areas — were politically naive, believing their votes would not remain secret.

New peace day set for January 1

JOHANNES NGCOBO

BUSINESS and labour organisations yesterday declared January 1 SA Peace Day and pledged to produce a million T-shirts for the occasion.

This follows the success of the September 2 peace day, when thousands of South Africans demanded more peace paraphernalia.

Speaking at Cosatu headquarters in Johannesburg yesterday, National Peace Secretariat chairman Antonie Gildenhuys said the task of business and labour was to promote peace.

He said the T-shirts were an ideal way for people to show they supported the idea of peace in SA.

SA Clothing and Textile Workers' Union assistant general secretary Ebrahim Patel said the manufacture of the T-shirts at textile factories would create jobs for the unemployed.

"The idea of manufacturing local peace T-shirts stems from workers who want to contribute towards peace in our country," said Patel.

The T-shirts will be available at 2 000 Pick 'n Pay, Checkers/Shoprite, OK, Edgars, Sales House, Pep Stores, Ackermans, Smart Centre, Woolworths, Foschini, Markhams, American Swiss, Hyperama, Truworths and Jet outlets countrywide.

They will cost R10 and will depict a dove with an olive branch in its beak.



Picture: ROBERT BOTHA

Negotiating the art of the possible

B/Day 19/11/93

BILLY PADDOCK

A NEW day was just dawning as President F W de Klerk put his stamp of approval on the new constitution, ending decades of white minority domination and symbolically handing power to the majority.

As they addressed the world early yesterday, De Klerk and ANC president Nelson Mandela were both at pains to say they had brokered the settlement purely with the national interest in mind.

It is true that the 23 months of hard bargaining and horse trading, with regular walkouts and delays, produced a document that has, as its central theme, unity of the country and its people. Most important, as Mandela suggested, it is a settlement that establishes a foundation for the country to move from its conflict-ridden past to a constructive future.

But politics is about power. And the negotiations and tactics employed by both major players has been precisely to secure as much power for themselves with as few brakes on it as possible.

It was clear from as early as the release of Mandela and the unbanning of the ANC in 1990 that it would be just a matter of time before majority rule came into being.

It was in August 1991, when the NP first released its constitutional proposals, that the highly restrictive, compulsory power-sharing ideas were bordering on never-never land. Encompassing a rotating presidency and minority party vetoes in the presidency and Cabinet, they could not possibly have been secured. Slowly but surely, De Klerk's negotiators were worn down, particularly from the time he lost the support of Inkatha leader Mangosuthu Buthelezi in September last year.

And once Inkatha walked out of the newly created process this year, the NP faced a lonely struggle to secure, on its own, the best possible deal for itself.

The constitution clearly does favour the ANC, being predominantly unitary with some federal elements (although the NP's allegiance to federalism is, in any event, uncertain). Aside from guaranteed minority party representation in the Cabinet, the power-sharing arrangements now depend solely on political necessity and a gentleman's agreement.

However, this does not mean the NP has lost everything. Probably the most important concession from the ANC is the local government provisions. The ANC concedes it was forced to accept this by the fear of organised resistance. It is the terrain the right wing has chosen to wage its battle. By effectively securing for whites a minimum of 30% of all town and city council seats, it will greatly minimise the potential for conflict. It is at local level where the implications of the new SA is going to be most felt, where ordinary people interact on a basic level and compete for scarce resources.

The arrangement aids the ANC-aligned civics where they are weak, but also gives solace to the right wing where it is fearful of straight-forward majority rule.

The NP also won from the ANC far stronger regional powers than the ANC intended conceding, a relatively tough deadlock-breaking mechanism for the formulation of the final constitution, and a comprehensive interim constitution that will last for a full five years.

The deal on the security of tenure for public servants, the defence force and the police will be claimed correctly as a major coup by government and the NP. But it clearly is also in the best interests of the ANC, which needs the loyalty and continuity offered by an experienced public service and security apparatus to ensure stability.

So what has emerged from this 23-month political skirmish that will offer John Citizen security, hope and protection from the abuses of government?

He has a government closer to the people with a workable and genuinely creative local coalition government arrangement. He has a Bill of Rights. But most important is the non-partisan constitutional court. And he has the DP to thank for it.

The DP, insignificant in electoral terms at this stage, valiantly fought the goliaths and won important last-minute concessions from the ANC and government by shaming them to compromise publicly. It was, perhaps, the most dramatic turnaround in the entire negotiations process.

Inkatha and the Freedom Alliance as a whole could have learned (and saved) a lot by observing the DP — like them, also a minority party committed to limiting central government's power. The DP was the first to concede to the establishment of a constituent assembly. Its leader Zach de Beer also accepted from the start that the key to a settlement lay in a deal between the two big parties.

Then, within these constraints, the DP worked to secure as much as it could. Its influence in the process far outweighed its size, and it facilitated many constructive agreements between the big two. It was central to the struggle against the majoritarian deadlock-breaking mechanism the ANC sought.

It took a constructive and flexible view of the process, sticking firmly to fundamental principles and ensuring that when these were threatened a balance was achieved by forcing through firmer measures in other areas.

In the end, the DP did much more for the nation than did Inkatha and its Freedom Alliance who refused to acknowledge political realities and whose boycott tactics became as much a disservice to the country as to their own narrow interests.

Buthelezi has left it too late to return to the process that he could have influenced much more than the DP did. Federalism would have had a much better start had he rejoined earlier. The ANC's control over the process would have been diluted and more checks and balances would have been built into the constitution had they remained in talks.

The irony will be even greater when it is realised that the party most committed to a unitary state, the ANC, will be the one that ushers in federalism and strengthens the power of regions over the next five years.

The constitution has built into it sufficient safeguards and support for regions that want maximum decentralised powers. Through its regions, which are fiercely independent, the ANC will increasingly move to accept the reality of increased decentralisation, ironically with Buthelezi's arch-enemy, the ANC's Stalinist Natal Midlands chairman Harry Gwala flying the federal flag, closely supported by the western Cape and eastern Cape regions.

In the final analysis, the deal the ANC and government played custodians to has resulted in a document that will be changed and hopefully improved on in the next five years. The final result, however, is likely to be very similar to what exists now, with all the elements encouraging coalition and unity to be developed further in the quest for national reconciliation and development.

Star 20/11/93

Alliance inclusion: hopes fade

HOPES that the Freedom Alliance as an intact group might find accommodation in the new dispensation appear to be slipping away.

The alliance leadership met President de Klerk and his negotiators last night at the Union Buildings for nearly two hours, and

DALE LAUTENBACH, Political Correspondent

despite the brave faces put on by both delegations in separate press briefings, the mood was glum.

The area of most fundamental difference between the two sides appears now to be the powers and functions of regions and a sharply divergent view of the degree of federalism that is possible in South Africa now. (304A)

"We have to look at the practical realities of South Africa when we judge the question of how far we can implement federalism," said Government chief negotiator Roelf Meyer after the meeting, briefing the press on behalf of De Klerk.

"We have to depart from existing realities. South Africa is a unitary

● TO PAGE 2.

Star 20/11/93

Alliance

● FROM PAGE 1.

state and we have to depart from that point." (304A)

In a proposal handed to the Government on Monday and released to the press yesterday, the alliance accords a limited list of powers to a national government, including functions such as defence, foreign affairs, currency and control of financial institutions, customs, air transportation and national roads.

The alliance proposes a list of 59 exclusive provincial powers, including the judiciary. It agrees to some concurrent powers like human rights, industrial law and regulated substances.

Meyer identified the powers and functions of regions — clause 118 in the transitional constitution, which makes provision only for concurrent powers — as being so different to the alliance proposals that "it will be difficult to find a solution".

On his way into last night's talks, KwaZulu Chief Minister Mangosuthu Buthelezi said: "I just came because I promised to come. Nothing is going to happen at this meeting."

Star 20 11/11/93

Volkstaat outlined

THE Freedom Alliance has released a map of a possible Afrikaner volkstaat, centering around Pretoria with various sub-regions, as part of its proposed regional dispensation.

This forms part of the alliance's document containing its constitutional "bottom-lines", notably self-determination and a federal dispensation, presented to the Government and made public yesterday. (304A)

Adjusting regional boundaries to join the proposed Afrikaner sub-regions could be the way to form a future volkstaat, the document suggested.

Alternatively, the final approval of the boundaries of a volkstaat could be delayed until next January. — Sapa.

CONSTITUTIONAL COURT: *Latest proposals ensure that members can't be appointed by head of state without checks or balances*

Victory for rule of law

Star 20/11/93 (304A)



BAD OLD DAYS: The courts have spoken and armed police carry out orders — in this case the forced removal of a resentful community from the area of their choice to another which they'd rather not live in.

WITH many of my former colleagues, I believe that the Constitutional Court is a bottom-line for all South Africans. We must seek to live under the rule of law, secure in the knowledge that one oppressive system should never be supplanted by another, that we ought not be prepared to legitimise a system with renewed capacity to trample the fundamental rights of the individual.

This is as important to the majority as to the minorities in South Africa.

We need to understand the dangers inherent in a new dispensation, more particularly if the instruments through which rights are to be protected are subjected to the unbridled authority of those who hold political power.

Rendering with humour the famous dictum about the capacity of power to corrupt, Lord Shawcross said "power is delightful, absolute power is absolutely delightful". The checks and balances that a constitution and a charter of rights impose on the political authorities of the day are almost always anathema to those who govern.

After all, "the will of the people" should prevail.

Lest we forget, I would remind readers of our own very recent history. The "volkswil" required that voters should be removed from the common roll. A "High Court of Parliament" was established to achieve this objective. The Senate was packed. (As the late Hamilton Russell observed, it became a "House of ill-repute occupied by gentlemen of easy virtue".) The Appeal Court was targeted.

THE selfsame "will of the people" and their protection was the justification for arbitrary detentions and bannings. As we now know, this resulted in the torture and assassination of dissidents by security apparatus operating outside the law and outside the supervision and control of the courts. The provisions of the Group Areas Act were enforced and mass relocations under the guise of apartheid took place through administrative fiat.

It is because of this painful history that we are about to enact a new constitution, agreed to this week by the negotiators at Kempton Park, with a Bill of Rights. The manner in which constitutional provisions safeguard the principles of good government is subject to interpretation by powers by the courts.

They are the custodians of this quasi-legal contract. This capacity in turn places some constraints on the ability of the legislature and the executive to depart from its terms.

Most importantly, however, the Bill of Rights has been "sold" to the public on the basis that it will be justiciable by an independent judiciary, as indeed it must.

To my mind, this means a court of law and not some semi-judicial creation. For this reason alone I believe that the Constitutional Court should be an integral part of the existing judicial system and fully integrated into its structures.

As long ago as the Sixties and early Seventies, both serving judges and leading lawyers urged the establishment of what is now referred to as a Judicial Services Commission. The provisions in the 25th report of the technical committee in this regard are accordingly to be welcomed. It creates a mechanism through which both judicial excellence and representativeness can be provided.

Accordingly, the conventional judiciary can be appointed only on the advice of this body.

It is puzzling that this desirable mechanism was not harnessed when the method was considered for appointment of judges of the Constitutional Court.

Let there be no doubt that we, as lawyers, must assume some responsibility for the unrepresentative nature of the system through which justice has been administered in South Africa. That this must be rectified is beyond dispute. However, the answer can never lie in conferring virtually unbridled power on the head of state to appoint persons whom he believes will ensure such representativeness.

Richard Nixon attempted to secure appointments complying with his political preferences with two symbols of mediocrity in Judges Carswell and Haynesworth in the Seventies. One notes also the damage inflicted on the status of the US Supreme Court in its present politicised structure with the controversy surrounding the appointment of Mr Justice Thomas and the rejection of Professor Bork's appointment.

THE contention that the present court system lacks "legitimacy" or "credibility" is a smokescreen. With whom, may I ask?

The Appeal Court under the leadership of Chief Justice Corbett has an exemplary record of competence and impartiality. It has also shown its determination to preserve and protect the fundamental values of a just society.

Statements concerning "credibility" are sometimes made with genuine concern about representativeness. In this context they need to be taken seriously. Views expressed that the court cannot be the "creation of the law barons of South Africa" (Dullah Omar) or "we are primarily here for the interest of the majority" (Joe Slovo) tend to confirm that those who contend for the present proposals to be enacted intend the court to function not primarily as a court of judicial excellence.

Instead, such views indicate an intention that the court should act in the interest of the State in giving expression to its mandate from the voters, against the rights, freedom and liberty of the individual, as an extension of the political will of the majority political party.

Representation has to be addressed. The mandate to the Judicial Services Commission could well include targets to be achieved in pursuit of this goal.

The latest proposals will, however, ensure that members of the Constitutional Court cannot be appointed by the head of state with no check or balance other than convention. Instead, the role played by the Chief Justice and the Judicial Services Commission will now be paramount in the process.

To understand how this will affect daily life, I can quote no better source than the former Chief Justice of Zimbabwe (Enoch Dumbutshena) who, when addressing a national conference of Lawyers for Human Rights in Pretoria earlier this year, said the following about the system of appointment of judges in the country:

"The Judicial Services Commission recommends to the president names of legal practitioners for appointment to the Bench. This is the best way of appointing judges. Twice in Zimbabwe, Ministers of Justice have tried to have their friends appointed to the Bench. Twice they failed.

"To some extent we are successful in appointing independent-minded judges ... I can say with pride that from our humble and inexperienced backgrounds we lifted the belief of our people in justice. And I say this without drawing a distinction between black and white.

"IN ZIMBABWE the appointment of black judges to the Bench introduced new attitudes to justice. From the beginning of my appointment I had the misfortune to handle sensitive cases. I declared detentions unlawful and unconstitutional. I acquitted the air force men accused of conspiring to destroy war planes.

"When I announced the verdict of the court, the packed courtroom was upon its feet. Both black and white cheered. It was a new experience and the birth of a new trust and confidence in the judiciary.

"For my sins I was appointed Chief Justice."

The last-gasp amendments to the provisions of the constitution dealing with the composition of the Constitutional Court and the appointment of its judges have gone a long way towards achieving the objectives I have outlined above.

The capacity of the Chief Justice and the Judicial Services Commission to ensure quality appointments is considerable. However, representativeness can and should be promoted through these mechanisms.

While I personally adhere to the view that the Constitutional Court should have been integrated into the existing court structure, South Africans can breathe a great deal more easily in the knowledge that independence is bound to continue to be the hallmark of our courts, including their constitutional arm.

Court does affect everyday life

WHY should the public be worried about how the Constitutional Court is structured, how it functions and the impact its decisions could have on their lives? The court is not remote from the everyday concerns of John and Mary Citizen, writes JAN STEYN, former Judge of the Supreme Court in South Africa. He is a member of the Court of Appeal of Lesotho, a trustee of the Legal Resources Trust and chairman of the Independent Development Trust.





On another wavelength

DISSENTING OPINIONS: "Views expressed that the court cannot be the 'creation of the law barons of South Africa' (Dullah Omar) or 'we are primarily here for the interest of the majority' (Joe Slovo) tend to confirm that those who contend for the present proposals to be enacted intend the Constitutional Court to function not primarily as a court of judicial excellence (but) in the interest of the State."



DP prepares to fight 'racist' local government law

Star 20/11/93

(304A)

THE Democratic Party is gearing up to fight transitional local government legislation it has slammed as racist and undemocratic.

The Local Government Negotiating Forum this week approved a Bill and a chapter of the interim constitution which will see forums set up and interim councils appointed by February.

A key part of the Local Government Transition Bill says election of local and metropolitan councils will be 40 percent by proportional representation for political parties and 60 percent by wards.

But of this 60 percent, half will be guaranteed for white, coloured or Indian local authority areas and half for black local authority areas.

Apart from entrenching representation according to skin colour, this has raised concern that some groups will be represented disproportionately.

CLIVE SAWYER

Prescriptive

DP local government spokesman Jasper Walsh said the party would oppose the deal vigorously.

The forum was an unrepresentative body, from which political parties such as the DP had been excluded. The agreement made no allowance for racially mixed wards.

"It is prescriptive and contrary to this party's principles," he said.

The agreement set deadlines for appointing councils early next year, without allowing for consultation with communities.

"Most importantly, it prescribes racial representation, which in itself is unacceptable, and which further takes no account of regional and community differences."

Walsh said an example would be a small town where black people made up 10 percent of the population, but would be guaranteed at least 30 percent of council seats. The reverse applied where whites were in the minority — they would get 30 percent of the seats.

"This is why conservative whites supported the deal," Walsh said.

"It smacks of expediency and over-hasty agreement. It is ill-considered and reflects a compromise between the National Party and the ANC. It is undemocratic and we will do all in our power to have it reversed."



Former First

COULD Jackie Kennedy h quickly after the first bull pulled him to safety? Thirt Lady. Just released is Jack in Dallas on November 22 your Saturday Star.



STILL POLES APART: ANC leaders look on with concern as the Afrikaner Volksunie delegation at the World Trade Centre objects to yet another resolution before the new South African constitution was adopted this week. ● Photograph: MYKEL NICOLAOU

Star 20/11/93

ANC, AVF reach working agreement

AS A war of words between the Left and the Right escalated yesterday, following the adoption of SA's interim constitution on Thursday, the ANC and the Afrikaner Volksfront (AVF) agreed to establish a joint working group to pursue matters arising from their meeting.

In a joint statement issued at the end of their two-day meeting outside Pretoria, ANC national chairman Thabo Mbeki and AVF co-leader General Constand Viljoen said their parties had committed themselves to finding "a sustainable arrangement".

Although neither would say what had been discussed at the meeting, it is believed the AVF's demand for a "volkstaat" featured prominently.

The two men said their respective organisations had presented proposals on a number of matters and would refer these to their principals. Another meeting would be held soon.

KAIZER NYATSUMBA
Political Correspondent

In Pretoria yesterday, Constitutional Development Minister Roelf Meyer said it was possible to accommodate the Freedom Alliance between now and November 30, when the interim constitution will be submitted to Parliament. Speaking before the Government's meeting with the FA in Pretoria, Meyer said if his team found the FA's proposals acceptable, it would urge other parties to seek agreement and amend the constitution.

Meyer rejected suggestions that the interim document reflected capitulation by the Government or a takeover of power by any party.

He was responding to a senior ANC official's remarks that the NP's last minute concessions ahead of Wednesday evening's plenary session amounted to "a complete collapse" of the Government.

In another development, ANC president Nelson Mandela yesterday called on his supporters to turn out in great numbers to vote for his organisation on April 27 — a day he said would mark the "burial of the NP".

"We must never hear of it again," said Mandela in Durban, accusing the Government of neglecting the lives of black workers.

In contrast to the man many believe will be his boss next year, President De Klerk preached reconciliation in Cape Town, expressing optimism about next year's elections and the future.

The election, he said, would be about the future and not the past, about building and not recrimination.

Door stays open for Alliance — Meyer

3044A
ARG 20/11/93

PRETORIA. — There was such a fundamental difference of opinion between the government and the Freedom Alliance on regional government that a real agreement on the subject appeared difficult, Constitutional Development Minister Roelf Meyer conceded last night.

Nevertheless, the government would keep open the door for the Alliance as long as possible, he said.

Mr Meyer was speaking in Pretoria after a top-level meeting between Alliance leaders and a government delegation led by President De Klerk.

Acceptable proposals by the Alliance could still result in amendments to the draft interim constitution, Mr Meyer said earlier.

Addressing a media briefing in Pretoria before the meeting, the government's chief negotiator said that if the government found the Alliance's proposals acceptable it would try to urge other parties to seek agreement and amend the constitution.

He said it would be theoretically possible to accommodate the Alliance even after the interim constitution had been submitted to parliament. After November 30 it would become increasingly difficult.

However, the introduction of any final "cut-off" points in seeking a compromise with the Alliance would be inappropriate.

Mr Meyer said the provisions for regional government in the interim constitution would be presented to the Alliance at the meeting.

These included specific restrictions on the constituent assembly when writing the final constitution to safeguard the powers and functions of regions, and a special role for the Senate.

A follow-up meeting has been scheduled for next week. — Sapa.

Zac calls on political leaders to settle key issues before Christmas

NEW SUMMIT BID

ARGT 20/11/93 (304A)

■ In the wake of the historic agreement at the multiparty talks in Kempton Park, new attempts are being made behind the scenes to get dissident groups on board the transition process.

FRANS ESTERHUYSE
Weekend Argus Political Correspondent

WITH signs of increased political polarisation, moves are afoot to get all political leaders together for a summit before Christmas for a peaceful final stage of the election campaign.

The conference will aim to deal with key issues arising from constitutional decisions and from the adoption of the interim constitution by parliament at its session which begins on Monday.

The idea, said to be gaining ground among leaders is seen to offer an opportunity for a possible final bid to get dissident groups, such as the white rightwing movement and the Inkatha Freedom Party, to join the election process.

The big question is, Who will take the initiative to get such a summit off the ground? One suggestion is that it could be another joint initiative by the government and the African National Congress, but that church leaders and others should also be included.

One of the strongest supporters of the summit is Democratic Party leader Zac de Beer, who sees it as a way of ensuring that the election becomes "a nation-building exercise".

He told Weekend Argus yesterday a summit aimed at broadening the base of the election would be "well justified".

"A summit would also offer a chance for parties who were not altogether satisfied with the constitution as it stood, to start the debate about how it should be changed.

Asked when he believed such a summit should be held, Dr De Beer said: "The sooner the better. A good time would be about the second week in December".

Who should attend? Dr De Beer suggested all the top leaders of parties intending to participate fully in the election should be there.

On the election, Dr De Beer said there was a need for tolerance, and leaders were the only people who could ensure this.

"If anybody can prevent election thuggery, it is the leaders of parties," he remarked.

The April 27 election was the next major event in the aftermath of this week's agreement at the multiparty talks. The election was not only important in the sense of who got how many votes, but of almost equal importance was the fact that it would be the first national event in which every adult South African could take part.

"Inkatha represents a significant grouping of South Africans whose stated attitudes have in the past been democratic, and it would be a big plus if they could be included.

"As to the white Right: whether they can be helpful or not depends upon their attitude to race discrimination.

Elections: Words of war

● See page 15.

Freedom Alliance maps out plans for Afrikaner volkstaat

PRETORIA. — The Freedom Alliance has released a map of a possible Afrikaner volkstaat, centring around Pretoria and with various sub-regions, as part of its proposed regional dispensation.

This forms part of the Alliance's document containing its constitutional "bottom-lines", notably self-determination and a federal dispensation, presented to the government and made public yesterday.

Adjusting regional boundaries to join the proposed Afrikaner sub-regions could be the way to form a future volkstaat, the document suggested.

Alternatively, the final approval of the boundaries of a volkstaat could be delayed until January next year and only the principle of a volkstaat be approved at this stage, the document said.

"The volkstaat need not be one undivided part but should at least consist of one undivided core with Pretoria as nodal point or link."

The principle guiding the demarcation of the volkstaat should be the inclusion of the majority of Afrikaners who so wished.

Observers said the map seemed to be based on group ethnicity, would pose difficult negotiations and did not take economic realities into account.

In the document the Alliance also proposed a list of exclusive powers for regions as opposed to the interim constitution providing only for concurrent powers for regions.

The present self-imposed time frames of the multiparty negotiation process left little space for further negotiating initiatives and a solution had to be found "in the next few days" to avoid a national disaster.

The Alliance had fundamental objections to many chapters of the draft constitution agreed to at multiparty negotations and was submitting this document "to show that an all-inclusive solution can still be found, if there is a willingness to walk the extra and final mile".

Stressing self-determination as paramount and that the Alliance could only accept a dispensation which established a federalism, the document appeared to offer little new on its initial demands.

Any constitutional dispensation denying the conditions for self-determination would be opposed and rejected, it said.

The Alliance was seeking reconciliation before it was too late and was willing to participate in the country's transformation, including the holding of elections, provided the process was shaped and guaranteed by an acceptable constitutional dispensation, the document said.

"The members of the Freedom Alliance are not willing to abdicate their freedom ... nor will they allow the subjugation of their constituencies to new forms of authoritarianism and totalitarianism." — Sapa.

Freedom Alliance maps out plans (Sapa) for Afrikaner volkstaat

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"The members of the Freedom Alliance are not willing to abdicate their freedom ... nor will they allow the subjugation of their constituencies to new forms of authoritarianism and totalitarianism." — Sapa.

Freedom Alliance may not last the course

304A

DALE LAUTENBACH
Weekend Argus Political Staff

HOPES that the Freedom Alliance might find accommodation as an intact group in the new dispensation appear to be slipping away.

"I just came because I promised to come. Nothing is going to happen at this meeting," snapped Kwazulu Chief Minister Mangosuthu Buthelezi on his way in to meet President De Klerk last night with his Alliance colleagues.

Alliance executive chairman Rowan Cronje was noncommittal but definitely not hopeful.

He said only that the government had, at an earlier meeting yesterday, given the Alliance negotiating team a two-page document in reply to their written proposals.

Sources in the Afrikaner Volksfront have meanwhile hinted that their talks with the ANC are making some progress and that, because their constituency is impatient with the Alliance's apparently futile encounters with the government, last night's meeting with Mr De Klerk could be the last.

But Mr Cronje said earlier yesterday that the two concessions on provincial guarantees reached at Kempton Park on Wednesday night indicated progress and were agreements with which the Alliance could live.

No further progress, however, was made in the government-Alliance meeting yesterday afternoon.

Dawie de Villiers said after the meeting that the two sides would meet again next week for more substantial talks.

Government chief negotiator Roelf Meyer repeated his assertion that the door was open for the Alliance and that amendments to the constitution were possible up to the last practical moment, when the document must go to parliament.

But given the attitude of Chief Buthelezi at the start of last night's meeting, it appears unlikely that the Kwazulu government and the IFP will take up this offer.

Despite this, senior sources in the IFP had indicated that they intend fighting the elections.

ARGUS 20/11/93

■ Sapa reports that the ANC and the Afrikaner Volksfront have decided to establish a joint working group following two days of discussions outside Pretoria.

Constand Viljoen led the AVF delegation, while the ANC deputation was headed by its chairman, Thabo Mbeki.

Observers said they believed the AVF's demand for a "Volkstaat" and self-determination for whites had been central.

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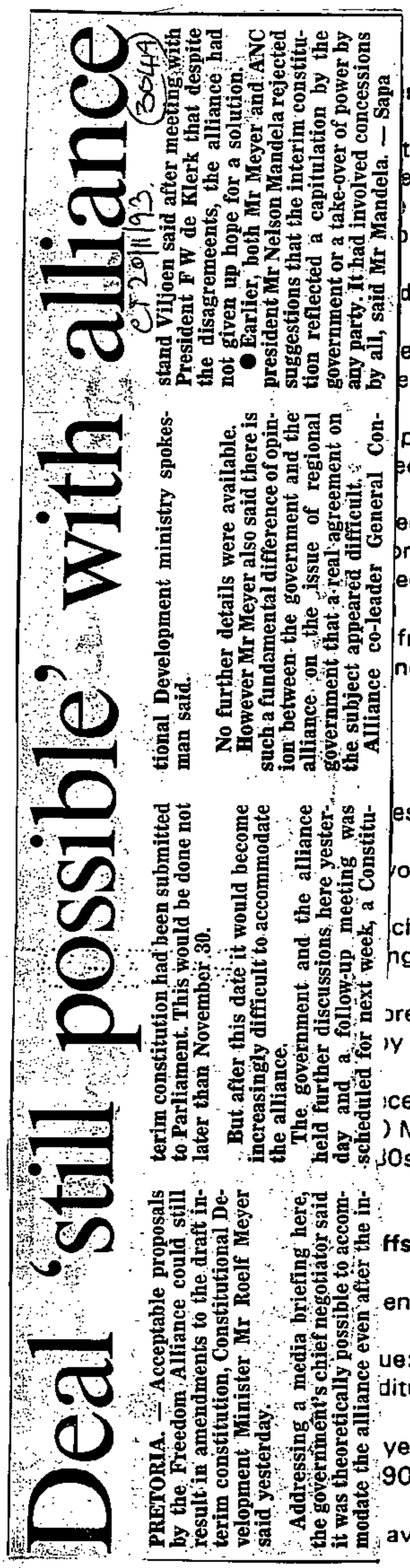


Deal 'still possible' with alliance

ET 20/11/93 (3644)

PRETORIA. — Acceptable proposals by the Freedom Alliance could still result in amendments to the draft interim constitution, Constitutional Development Minister Mr Roelf Meyer said yesterday.

Addressing a media briefing here, the government's chief negotiator said it was theoretically possible to accommodate the alliance even after the interim constitution had been submitted to Parliament. This would be done not later than November 30.

But after this date it would become increasingly difficult to accommodate the alliance.

The government and the alliance held further discussions here yesterday and a follow-up meeting was scheduled for next week, a Constitutional Development ministry spokesman said.

No further details were available.

However Mr Meyer also said there is such a fundamental difference of opinion between the government and the alliance on the issue of regional government that a real agreement on the subject appeared difficult.

Alliance co-leader General Con-

tes the trend in demand for water from the Rand Water Boards customers.
ed on peak week figures which are used for planning infrastructure capacity.
1983-87 drought is clearly evident. water restrictions applied during this
or impact on demand.

development

es the majority of its water from the Vaal River System with only a small
ed from groundwater (about 1%).

provide the necessary yield of water, the Vaal, Grootdraai and Sterkfontein
ed by the Department of Water Affairs.

ent itself is no longer able to provide sufficient water and hence increasing
on inter-catchment transfers. Presently this takes place from the Tugela River
ed over the Drakensberg mountains into the Sterkfontein dam. This transfer
1974. Soon the Lesotho Highlands Water Scheme will come into operation
from Katse Dam in Lesotho into the Vaal River catchment. The scheme
nditure of R5.9 million and it's viability is dependent on sales of water to the

es major pumping stations, treatment works and service reservoirs.

orks capacity is made up as follows:

ch	2 600 Ml/d
ng	1 570 Ml/d

ored in 47 service reservoirs with a combined capacity of 4 000 Ml and
y 2 530 km of pipelines with diameters of >300 mm.

cently completed expansion plans to its infrastructure to provide an overall
) Ml/d. This programme was delayed for many years as the decline in demand
0s made it unnecessary.

ffs

enditure figures for the 1991/92 financial year are as follows:

ue:	R612 841 000
diture:	R563 265 000

year the quantity of water supplied was an average of 2 983 Ml/d, up from
90/91.

average cost of water was 52 c/kl (1990/91 figure 54 c/kl).

War talk erupts after new plots

Right warns of sabotage, ANC of reprisals

OWN CORRESPONDENTS and SAPA

Star 26/11/93

WORDS of war and a war of words exploded yesterday between the Right and Left after the signing of the draft constitution of the new South Africa on Thursday. (304A)

A senior ANC official and Joe Slovo of the South African Communist Party vowed harsh retaliation if there was any obstruction of the reform process.

There were far-right threats not to recognise the transitional government, while the all-white Mineworkers Union (MWU) threatened violence.

The one glimmer of hope was an agreement between the ANC and Afrikaner Volksfront to set up a working committee to discuss differences (See Page 2).

The MWU warned that it would "shake the country to its foundations" with commercial explosives.

Reincorporation

And senior ANC official Matthew Phosa said "tanks will roll" if there was any obstruction to the reincorporation of the TBVC or self-governing states into South Africa.

Slovo told the right-wing Freedom Alliance that if its actions led to the spilling of blood, the Government would have a duty to meet such actions "with resolve".

Speaking at a news conference called by ANC-SACP negotiators, Slovo said the right wing had a right to mobilise in the political sphere against the agreements reached at multiparty negotiations.

"What we object to is the underlying threat from the leaders of the Freedom Alliance that if they don't get their way, they will use force.

"If it comes to that and they continue to threaten to spill blood, it is the duty of the Government to meet that threat with resolve."

ANC constitutional head Mac Maharaj rejected AVF co-leader Dr Ferdi Hartzenberg's call for a white election. "He is losing contact with reality. A white election will never take place in South Africa again and it is impossible for the demand to be realised."

ANC negotiator Mohammed Valli Moosa told the conference that if the TBVC states and self-governing territories failed to participate in the April 27 election, certain clauses in the Interim Constitution would have to be invoked and the "law would have to take its course".

The Independent Electoral Commission had wide-ranging powers to ensure everyone had the right to campaign and to vote.

P.T.O

AVF plans 'own council'

PRETORIA. — Conservative Afrikaners would not recognise a transitional executive council and would establish their own executive council, Afrikaner Volksfront (AVF) leader Dr Ferdi Hartzenberg said yesterday.

Speaking after a joint meeting between the AVF and the ANC he told a news conference here that if the ANC/Nationalist government took military action against the AVF structures, they would be the aggressors and responsible for the outcome.

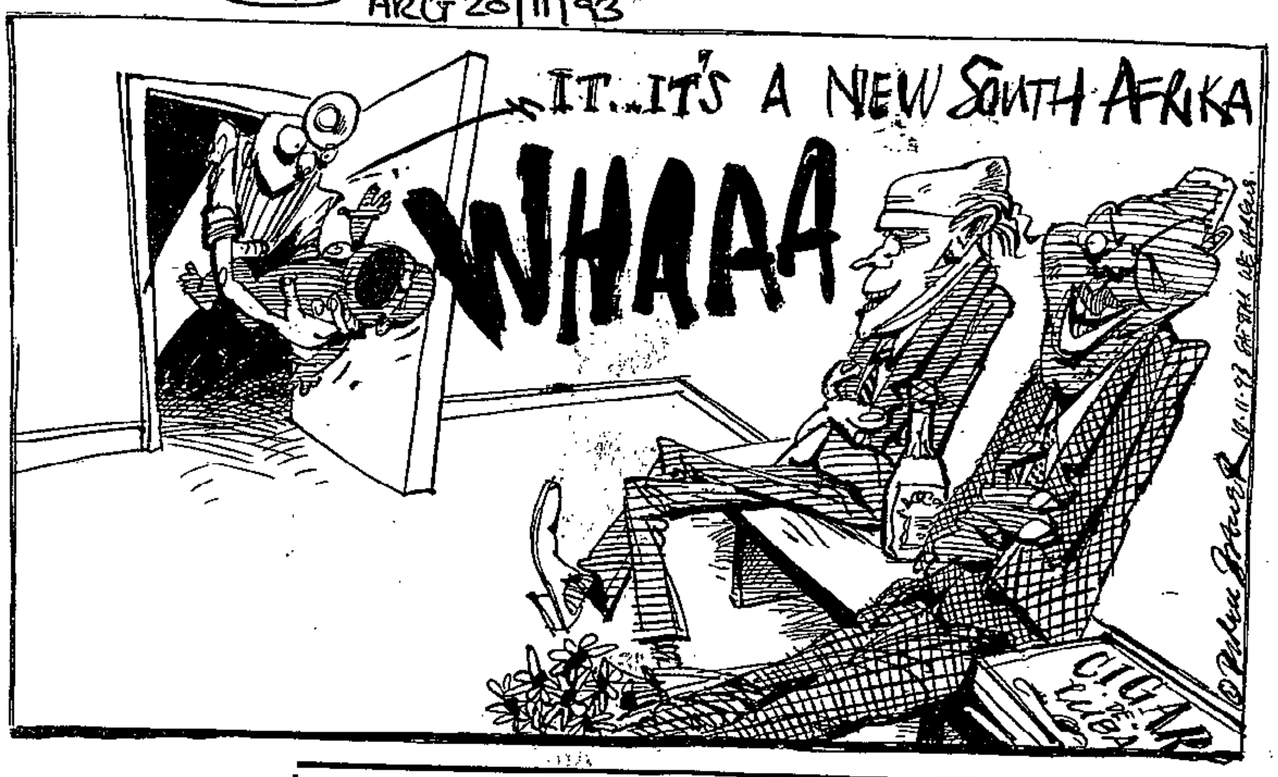
Mr C de Jager of the Mynwerkersunie told the same conference that miners were explosives experts and would use their knowledge to rock South Africa to its foundations to fight for their rights and to counter affirmative action. CT 20/11/93

It was also announced that the ANC and the AVF have decided to establish a joint working group following two days of discussions on unspecified issues. (30HA)

● The AVF yesterday denied that Mr Koos van Rensburg, who supplied "incorrect" information to foreign media on Thursday, served as a secretary to the movement. — Sapa

Words of war

Blood threat looms before voting



The tanks will roll out according to the ANC/SACP if the rightwing obstructs the reform process.

Weekend Argus Political Staff

WORDS of war and a war of words exploded yesterday between Right and Left following the signing of the draft constitution of the new South Africa on Thursday.

A senior African National Congress official, Mr Mathew Phosa, and Mr Joe Slovo of the Communist Party vowed harsh retaliation to any obstruction to the reform process.

The far right threatened not to recognise the transitional government while the all-white Miner Workers' Union (MWU) threatened violence.

The one glimmer of hope was an agreement by the African National Congress and Afrikaner Volks Front to set up a working committee to discuss differences.

Yesterday, however, the union threatened to "shake SA to its foundations with commercial explosives" unless President De Klerk gives in to a far-right demand for a whites-only election.

The threat, by MWU president Cor de Jager, was part of the resistance strategy against the interim constitution unveiled by far-right leaders in Pretoria.

"White mineworkers are all experts in underground work and the use of explosives," said Mr De Jager.

"We will use this knowledge to shake SA to its foundations to obtain our self-determination and to fight affirmative action.

"This land is boer land, and if we have to spill every drop of blood to protect it, we will."

The warning came hours before the Freedom Alliance, of which the MWU is a member through its affiliation to the AVF, was due to meet the government in Pretoria yesterday.

Mr Phosa said "tanks will roll" if there was any obstruction to the reincorporation of the TVBC or self-governing states into South Africa.

Mr Slovo told the rightwing FA that if its actions led to the spilling of blood, the government would have a duty to meet such actions "with resolve".

Speaking at a news conference by ANC/SACP negotiators, Mr Slovo said the rightwing had a right to mobilise in the political sphere against the agreements reached at multiparty negotiations.

"What we object to is the underlying threat from the leaders of the FA, that if they don't get their way, they will use force.

"If it comes to that and they continue to threaten to spill blood, it is the duty of the government to meet that threat with resolve."

ANC constitutional head Mr Mac Maharaj rejected AVF co-leader Dr Ferdi Hartzenberg's call for a white election.

"He is losing contact with reality. A white election will never take place in South Africa again and it is impossible for their demand to be realised."

ANC negotiator Mohammed Valli Moosa said that if the TBVC states and self-governing territories failed to co-operate by taking part in the April 27 elections, certain clauses in the interim constitution would have to be invoked and the "law would have to take its course".

The independent electoral commission had wide-ranging powers to ensure everyone had the right to campaign and to vote.

The constitution made provision for the scrapping of the Status of Self-Governing Territories Act and the Acts governing the independent status of the TBVC states. This would be put into effect during the November sitting of parliament.

Mr Phosa said the activities of the TEC and other structures would include levelling the playing fields throughout South Africa, including the TBVC states.

"If the process is undermined, the relevant authorities must be empowered to expedite the relevant provisions of the constitution. We are not in a helpless situation.

"If the only option left to us is to roll in the tanks, then that is what we will do."

Afrikaner volkstaat mapped

PRETORIA. — The Freedom Alliance has released a map of a possible Afrikaner volkstaat — various sub-regions centring around Pretoria — as part of its proposed regional dispensation.

This forms part of the alliance's document containing its constitutional "bottom-lines" — notably self-determination and a federal dispensation — presented to the government yesterday.

Observers said the map would pose difficult negotiations and did not take economic realities into account. (3044) CT 20/11/93

In the document the alliance also proposed a list of exclusive powers for regions, as opposed to the interim constitution providing only for concurrent powers. The present self-imposed time frames of the multi-party negotiation process left little space for further negotiating initiatives and a solution had to be found "in the next few days" to avoid a national disaster, the report said.

Stressing self-determination as paramount and that the alliance could only accept a dispensation which established a federalism, the document appeared to offer little new on its initial demands.

Any constitutional dispensation denying the conditions for self-determination would be opposed and rejected, it said. — Sapa

Please com
Urban wate

1. Details of

Name:

Address:

Telephone:

Fax:

Contact Person:

2. Population details

Estimated 1991 population within the RSC boundary:

White	Black	Coloured	Asian	TOTAL

3. Budget

Expenditure for 1990/91 financial year (R million):
Estimated percentage spent on water:

Budget for 1991/92 financial year (R million):
Estimated percentage allocated to water:

Budget for 1992/93 financial year (R million):
Estimated percentage allocated to water:

4. RSC Service responsibilities

Does your RSC have responsibility for :

Bulk water supply	Yes	No	Tick Box
Sewage works and sewerage mains	Yes	No	

Race is on for prospective National Party candidates

ST Times 21/11/93

(304A)

By NORMAN WEST
Political Reporter

PROSPECTIVE NP candidates for next year's provincial and national elections have only a few days to meet the deadline of noon on Wednesday for nominations.

In a circular to all its branches, the NP has forbidden all prospective candidates from making media statements until the party decides on its lists.

They face disqualification if they breach this instruction.

Among the Cape-based ministers who would prefer to serve at provincial rather than national government level are the Minister of Law and Order, Mr Hernus Kriel and the Deputy Minister of Home Affairs, Mr Lampie Fick.

Both want to serve in the Western Cape Provincial Parliament, while the Minister of Local Government, Dr Tertius Delport, would prefer to serve in the Eastern Cape Provincial Parliament.

It is understood all other Cape-based ministers and Cape Provincial MPs are willing to be nominated as candidates for either the National Assembly or Provincial Parliament.

Any NP member may be considered for the 400-person National Assembly (Central Parliament) but only those living within the Western Cape Region of the NP will qualify for the Western Cape Provincial Parliament.

All candidates will have to be nominated by two party branches, agree to a code of conduct and take an oath swearing undivided loyalty to the NP.

All prospective candidates must comply with the requirement of the Electoral Act and may not have been found guilty of any misdemeanor, excluding traffic offences. They may never have been insolvent or under judicial management.

Candidates must also sign an undertaking that they will accept their numeric placing on the candidates list.

Prospective candidates are barred from promoting or from making their candidacy known.

The Head Council's Selection Committee will meet after noon on Wednesday to screen the names and documents of prospective candidates.

Lists of selected candidates will be sent to branches.

From these lists, at least two branches must "qualify" a maximum of five candidates — request them to make themselves available — for the National Assembly and the Provincial Parliament. Their names must be submitted by December 10.

Between January 19 and 29 the NP's six organisational regional councils will meet to select the required number of candidates from the lists previously "qualified".

After that the lists will be finalised by the party.

Viljoen predicts head-on clash

Star Times 21/11/93

By JOCELYN MAKER

A HEAD-ON clash is looming between Afrikaners and the rest of South Africa, Volksfront chief General Constand Viljoen warned yesterday.

General Viljoen said the mood among his people was "dangerous", but stressed everything possible was being done to manage the situation. (304-A)

He denied speculation that a rift had developed between himself and ultra-rightwingers, angry about his dealings with the ANC over a Boerestaat.

"I have heard vague rumblings about this but, after a meeting last Saturday at the Valhalla primary school in Pretoria, our executive committee unanimously voted in support of negotiations with the ANC.

"Originally, the discussions were kept a secret between myself and Dr Ferdi Hartzenberg because of security reasons. It was only the Volksfront generals who held these first negotiations. Now politicians have joined in.

"There have been no positive signs from the ANC and this contributes to the dangerous mood of my people."

He also denied that, by talking to the ANC, he was moving the Afrikaner "to the left".

"I am not here to appease my people but to do everything possible to reach our goal for self-determination."

ANC and AVF get together

CIPress 21/11/93

By DESMOND BLOW
and Sapa

(304A)

WARTALK by right-wing organisations is causing much concern, but there are hopes that negotiations between the Afrikaner Volksfront and the ANC will still lead to an amicable solution.

Talks between the two political organisations are to continue on Tuesday, after the ANC and the AVF decided to establish a joint working group following two days of discussions outside Pretoria.

General Constand Viljoen led the AVF delegation, while the ANC deputation was headed by its chairman, Thabo Mbeki.

A joint statement issued on Friday at the end of the discussions did not specify the issues discussed, but observers said they believed the AVF's demand for a "Volkstaat" and self-determination for whites had been central.

■ To Page2

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, April 1992.

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1991

ANC and AVF get together

CIPress 21/11/93

■ From Page 1

However, in the days ahead the AVF and the Freedom Alliance would continue with negotiations in an attempt to solve problems.

"The Freedom Alliance and the AVF cannot be ignored.

"Their justifiable and reasonable demands are the key to stability," Viljoen said.

"We are keen for a solution between the Afrikaner and the African.

"We have arrived at a crucial stage. ANC leader Nelson Mandela should accept our sincerity in our effort to address problems."

Reason and honesty were required, not "cooked" deals and undue haste as was happening at multiparty negotiations, said Viljoen.

A joint working group would be established to pursue matters arising from the two-day discussion (304A)(B)

The Freedom Alliance was also warned by South African Communist Party chairman Joe Slovo that if its actions led to the spilling of blood, the government would have a duty to meet such actions "with resolve".

Speaking at a news conference addressed by ANC/SACP negotiators, Slovo said the rightwing had a right to mobilise in the political sphere against the agreements reached at multiparty negotiations.

AT LAST!

HIP, SLIP, HOORAY FOR A NEW SA!



LONG STORY . . . Journalists awaiting the big moment resort to an old trick – napping. ■ Pics: TLADI KHUELE

The men who guided bitter foes to peace and friendship

THEMBA KHUMALO
Political Reporter



DID IT . . . President FW de Klerk and his negotiator Roelf Meyer.



LED IT . . . ANC president Nelson Mandela and Cyril Ramaphosa.

WEDNESDAY, November 17 1993, will go down in South Africa's history as the day in which a gigantic leap to freedom was made.

It also marked the day the apartheid system was delivered its most fatal blow.

A wild, spontaneous cheer erupted at the World Trade Centre when the new political deal was agreed upon by the majority of South Africa's political groupings.

Nineteen of the 21 negotiating parties had agreed to a package for a temporary constitution to govern the country's transition to democracy.

For 20 hours on Wednesday ordinary South Africans were kept on tenterhooks as the multi-party delegates in the Negotiating Council engaged in heated debate before they finalised a draft transitional consititution.

Their leaders were kept waiting, initially in hotels near the conference centre, and later, in a newly-built hotel at the World Trade Centre itself.

After a 16-hour debate (from 8am to 11pm), during which they occasionally traded insults, negotiators were ready to call in their leaders to give the package a big nod. This went on until 3.30am on Thursday.

Most television viewers who had followed the events on the box, were fast asleep.

At last, we who had been reporting on the talks from the days of Codesa 1 in 1991, were able to tell many people that SA had just crossed the rubicon of racial prejudice.

At 11.30pm on Wednesday, haggard party leaders looking like accused walking into the dock to hear sentence, started filing into the plenary session.

Dressed in pin-stripe suits, they shook hands, hugged and exchanged platitudes with a large contingent of local and foreign journalists and diplomats watching from the gallery.

Minutes later, ANC leader Nelson Mandela led his delegation consisting of Cyril Ramaphosa, Prof Kadar Asmal and others in. Mandela vigorously shook hands with President FW De Klerk and his entire government delegation.

Newspaper photographers and television cameramen passed their own verdict on who would win next year's general elections after they were allowed five minutes to take pictures of delegates.

Invariably, they neglected other leaders and focussed their cameras on Mandela and De Klerk, with more attention on the ANC leader

Fifteen minutes later the session started in earnest with judge Ishmael Mahomed calling the occasion "this momentous day and hour in our history".

He said: "From now on no force can stop us from our emancipation from our painful past," in an apparent reference to those who were opposed to the peace process and who threatened the country with resistance and civil war.

His introductory remarks were followed by an overview of the draft constitutional package by the three co-chairmen of the Negotiating Council – Baleka Kgositsile, Pravin Gordhan and Luwellyn Landers.

Against the spirit of the session, the PAC's Patricia De Lille and Corlea Kruger of the AVU, raised their hands respectively to draw the attention of the delegates to their rejection of the whole package.

Ironically, the two delegates had been among those who delayed the convening of the plenary session while they argued persistently during the Negotiating Council debate.

Gordhan, a staid professorial figure who chaired the pre-plenary debate in the Negotiating Council, had to call De Lille to order and asked her not to scream at him in the heat of debate. He also warned her to refrain from referring to other parties in derogatory terms.

This was after she had called an agreement between the ANC and the government on the one-ballot voting system next year a "fraud".

The PAC and the AVU were the only dissenting voices at the plenary when they rejected the whole package but committed themselves to participating in the forthcoming elections.

The atmosphere in the plenary session became very tense at that stage, but the situation was later saved by the introduction of another item on the agenda; brief remarks from leaders of all the parties.

Afterwards the session was dominated by rhetoric and posturing until the moment of truth was reached – the signing of the package document by 19 leaders.

Then the cheering, singing and dancing started.

Chief NP negotiator Roelf Meyer presented his ANC counterpart and long-standing friend Cyril Ramaphosa with a birthday cake to mark Ramaphosa's 41st birthday.

Delegates ululated as the two indulged in an impromptu dance on the floor. SA's political leaders had not forgotten how to *jol* after all!

SOUTH AFRICA'S NEW DEAL

The art of scoring top marks on bottom lines

81 Times 21/11/93

(304A)

MIKE ROBERTSON reports on the performances of President de Klerk and SACP chief Joe Slovo in regard to what they said were their bottom lines at the talks

FW DE KLERK

DURING the referendum last year, President F W de Klerk listed 16 principles which he said the National Party would demand be either incorporated or addressed in the new constitution. This is how he fared on each point.

● The maintenance of standards — What the government had in mind was that residents of a particular suburb would be allowed to come together and elect a neighbourhood council. This council would set standards and ensure that residents in the suburb abided by them. This has not been achieved although the constitution does allow a council, if it feels it is necessary, to delegate some of its powers to a sub-municipal body. (Half a mark)

● A free market economic system — The constitution does not stipulate that South Africa shall have a free market system as the National Party initially insisted. But the Bill of Rights does protect property rights and the right to freely engage in economic activity — essential elements of such a system. (Half a mark)

● Prevention of domination and abuse of power — The Bill of Rights, Constitutional Court, Public Protector and Auditor-General provided for in the constitution will all serve to counter a government intent on abusing power.

● Effective protection of private property against arbitrary action by a future government — The Bill of Rights provides this protection.

● Job and pension security for civil servants — Achieved.

● Impartial security forces that could never be made in the constitution for a minority veto.

● The ANC must reject compulsory power-sharing as a permanent feature of the constitution. A sunset clause could allow for compulsory power-sharing for a fixed number of years — Achieved.

● Kempton Park negotiators must not be able to finalise powers, functions and boundaries of provinces — The Constitutional Assembly will finalise these matters in conjunction with provincial legislatures.

● The new constitution must allow a new government to redress racially accumulated imbalances — The Bill of Rights allows a future government to practise affirmative action.

● Party representation in the cabinet should be on the basis of proportional representation and there should be decision-making procedures for the cabinet that would not paralyse its functioning — Achieved.

● The ANC should indicate that as part of a new government it would support a general amnesty — It has done so.

● The ANC must respect existing civil service (including SAP and SADF) contracts and pensions — It has done so and the constitution makes provision for this.



LAUGHING LAST ... Joe Slovo and President De Klerk in negotiations Picture: DAVID SANDISON



JOE SLOVO

WRITING in the journal African Communist last year, Mr Joe Slovo listed the ANC's bottom lines in negotiations and suggested issues on which it could compromise. This is how he fared on each point:

● ANC members must accept that the immediate outcome of negotiations will be less than perfect — True, although perhaps not in the sense that Mr Slovo meant it.

● Coir promises made

sembly. Chairmanship of the presidency would rotate annually. South Africa will have a single president with two deputies who do not have veto rights. But provisions such as the Bill of Rights will ensure that the powers of the new president are not as sweeping as those Mr de Klerk now holds. (No mark)

● Multi-party democracy — achieved

● A two-chamber Parliament — South Africa will have a 400-member National Assembly and 90-member Senate.

● A Bill of Rights — achieved.

● Separation of powers — The constitution provides for a separation of powers between the legislature, executive and judi-

stitution-making body must be general constitutional principles which the key actors agree should be binding — The constitution contains such a set of principles.

● Effective structures must be put in place to ensure free and fair elections — An Independent Electoral Commission has already been approved by Parliament to perform this job.

● Acceptable time frames must be provided for the whole process as well as acceptable deadlock breaking mechanisms — An election date was set several months ago. The government of national unity will last for five years. If the final constitution is not a product within

compromised even further.

● The ANC must reject a minority veto of any sort in the constitution-making process — No provision is

President de Klerk and SACP chief Joe Slovo in regard to what they said were their bottom lines at the talks



Graphic: FIONA KRISCH

KLERK

DURING the referendum last year, President F W de Klerk listed 16 principles which he said the National Party would demand be either incorporated or addressed in the new constitution. This is how he fared on each point.

● The maintenance of standards — What the government had in mind was that residents of a particular suburb would be allowed to come together and elect a neighbourhood council. This council would set standards and ensure that residents in the suburb abided by them. This has not been achieved although the constitution does allow a council, if it feels it is necessary, to delegate some of its powers to a sub-municipal body. (Half a mark)

● A free market economic system — The constitution does not stipulate that South Africa shall have a free market system as the National Party initially insisted. But the Bill of Rights does protect property rights and the right to freely engage in economic activity — essential elements of such a system. (Half a mark)

● Prevention of domination and abuse of power — The Bill of Rights, Constitutional Court, Public Protector and Auditor-General provided for in the constitution will all serve to counter a government intent on abusing power.

● Effective protection of private property against arbitrary action by a future government — The Bill of Rights provides this protection.

● Job and pension security for civil servants — Achieved.

● Impartial security forces that could never be at the beck and call of any political party — The constitution stipulates that the National Defence Force shall refrain from furthering or prejudicing party political interests.

● Maximum devolution of power — Provinces have no exclusive powers and will only be allowed to raise taxes with the consent of the national Parliament. Mr de Klerk has failed to deliver on this issue. (No mark)

● Limitation of the powers of the State President — The National Party wanted a collective presidency consisting of the leaders of the three largest parties in the National Assembly. Chairmanship of the presidency would rotate annually. South Africa will have a single president with two deputies who do not have veto rights. But provisions such as the Bill of Rights will ensure that the powers of the new president are not as sweeping as those Mr de Klerk now holds. (No mark)

● Multi-party democracy — achieved.

● A two-chamber Parliament — South Africa will have a 400-member National Assembly and 90-member Senate.

● A Bill of Rights — achieved.

● Separation of powers — The constitution provides for a separation of powers between the legislature, executive and judiciary.

● An independent judiciary — achieved.

● Proportional representation elections — achieved. Citizens will be able to vote for the party of their choice in the knowledge that their vote will count even if they live in an area dominated by a party they do not support.

● Strong regional government — Not achieved. See section on devolution of power above. (No mark)

● The maintenance of language and cultural rights as well as community-oriented education for those who want it — The Bill of Rights provides for all of these.

JOE SLOVO

WRITING in the journal African Communist last year, Mr Joe Slovo listed the ANC's bottom lines in negotiations and suggested issues on which it could compromise. This is how he fared on each point:

● ANC members must accept that the immediate outcome of negotiations will be less than perfect — True, although perhaps not in the sense that Mr Slovo meant it.

● Compromises made by the ANC must not permanently block a future advance to non-racial democratic rule in its full connotation — Enforced power-sharing provisions in the constitution are temporary.

● The final constitution must be adopted by a democratically elected constitution-making body — Achieved.

● The constitution-making body must represent all inhabitants of South Africa's 1910 borders — South Africa will be a sovereign state, including the now nominally-independent homelands.

● The only limitation on the sovereignty of the constitution-making body must be general constitutional principles which the key actors agree should be binding — The constitution contains such a set of principles.

● Effective structures must be put in place to ensure free and fair elections — An Independent Electoral Commission has already been approved by Parliament to perform this job.

● Acceptable time frames must be provided for the whole process as well as acceptable deadlock breaking mechanisms — An election date was set several months ago. The government of national unity will last for five years. If the final constitution is not approved within two years after the April 27 election, deadlock-breaking mechanisms culminating in the adoption of a constitution by a majority of 60 percent will come into play.

● The tricameral Parliament and its executive arm must be automatically dissolved upon the election of the constitution-making body — This will happen.

● ANC negotiators must be allowed to make quantitative compromises on matters such as whether elections should take place in nine months or six months — They were allowed to do so and in fact compromised even further.

● The ANC must reject a minority veto of any sort in the constitution-making process — No provision is



DEEP IN DISCUSSION ... during years of negotiation, the NP's Roelf Meyer and the ANC's Cyril Ramaphosa grew to trust and respect each other's talents Picture: DAVID SANDISON

Lasting bonds forged in the heat of negotiations

S1 Times 21/11/93

By EDYTH BULBRING

IN the early hours of Thursday morning, a nondescript man carrying two briefcases walked towards the exit of the World Trade Centre.

"Why are you leaving Fanie? There are problems to be solved," said the ANC's Jacob Zuma.

"They are all solved. I am leaving the new ones to you," the man replied with a smile.

The man was Fanie van der Merwe, the government's constitutional adviser and one of four men credited with holding together the negotiations that saw the endorsement of a democratic constitution.

The first two are ANC chief negotiator Cyril Ramaphosa and his government counterpart Roelf Meyer, who made the deal. The others are Mr van der Merwe and the ANC's Mac Maharaj, who were always there to fix things and smooth the way for their bosses.

People like to think that during the process a great friendship was born between Mr Ramaphosa and Mr Meyer, allowing a political settlement to be reached. This is not the case. (418) (304A)

Both men were driven to broker the best deal for their principals and, having been thrown together, they simply got on with the job.

The ingredients that helped them complete their task was the trust and respect forged in talks that led to last year's Record of Understanding, which in turn paved the way for multi-party talks.

Although they clashed bitterly, the two men emerged with a healthy respect for one another. Later they began to trust each others integrity and commitment to finding a settlement.

The two became sensitive to each other's own battles within their respective organisations. For Mr Meyer it was the backbiting from members in the cabinet. For Mr Ramaphosa it was criticism from ANC radicals that he was getting too close to the enemy and compromising their struggle.

At first both men would express delight over the internal political battles experienced by their negotiating opponents. Later, the glee changed to concern. They knew that when one of them had problems, the process had problems.

But friendship between these two men is years away — if ever. With the elections looming, they will fight each other ruthlessly to ensure victory for their respective parties.

Mr Maharaj and Mr van der Merwe had a different relationship. Some say they looked at each other from across the room and recognised similar qualities.

Both are shrewd and, when necessary, ruthless in achieving their objectives.

Together they sought ways out of seemingly impossible deadlocks with patient determination and never lost their cool.

They always appeared optimistic and echoed each other that talking and more talking would provide the solution.

In addition they complimented each other. Mr Maharaj would see a solution, while Mr van der Merwe would identify the necessary instruments to achieve the goal.

While both men will never completely trust the other, they have a healthy respect for each other's skills.

The day after the plenary session, when Mr Maharaj telephoned the World Trade Centre to find out how preparations for the Transitional Executive Council were progressing, the message from Mr van der Merwe was: "I won't make any decisions without you."

Homeland leaders warned

THE ANC and the government, backed by the law, will employ a carrot-and-stick approach with homelands that try to prevent free and fair elections.

Their first legal weapon is the new constitution. When it is approved by Parliament, scores of laws — including those granting independence to some homelands, and funding for others — will be repealed.

The second is a legally constituted Transitional Executive Council and an Independent Electoral Commission, which will have powers to ensure that free political activity takes place throughout the country.

By EDYTH BULBRING
Political Correspondent

ANC negotiators said people who tried to obstruct campaigning would be arrested and prosecuted.

If homelands refused to co-operate with preparations for re-incorporation or elections, the TEC would insist that the laws taking away their powers be promulgated immediately, instead of waiting for April 27 as planned.

The ANC was content to allow co-operative administrations to continue functioning until after the elections, when they would be rationalised into provincial administrations.

Another strategy would be to isolate intransigent leaders from their power bases.

This would be done by holding meetings with members of the civil services and the military, who would be informed that their job security and pensions had been secured in the new dispensation, but if they did not co-operate in the amalgamation of the various defence forces and civil services, they risked being left out.

A further strategy would be to strip the Kwazulu legislature of its authority to pay the Kwazulu chiefs.

By handing this function over to the TEC, the chiefs would realise that it was in their interests to co-operate.

The TEC will hold its first legal meeting before December 15 and will be up and running by next year.

Another potential flashpoint in the next few months will be the integration of local councils, which right-wing councils have threatened to block.

At talks this week, however, right-wing representatives were party to an agreement that set a timetable for the installation of non-racial councils.

Some right-wing councils are to be allowed more time to integrate, but the government and the ANC stressed that those who tried to block integration would be acting against the law and would be prosecuted.

At a press conference on Friday, ANC legal adviser Matthew Phosa said that should any of the self-governing territories not co-operate in the process of their own dissolution, "tanks will roll in" as a last resort.

But he emphasised that the first option would be to persuade them to co-operate.

SACP chairman Joe Slovo said that if the actions of the Freedom Alliance led to bloodshed, the government would have a duty to act with resolve.

304A

→ cont.

SEKUNJALO!*

ST Times 21/11/93

*IT HAS HAPPENED!

CLAIRE ROBERTSON reports on the night power shifted irrevocably from South Africa's white minority to its black majority

Centuries of white rule come to an end

IT BEGAN terribly late and took place in an echoing hypermarket of a room. No hymns or anthems marked its passing.

But at 14 minutes past midnight on Thursday, November 18, the plenary session of the negotiations council finally killed off centuries of white rule in South Africa.

The workmanlike constitution it adopted to replace apartheid's rules had been the subject of furious debate only hours before.

As workmen at the World Trade Centre recycled the last Codesa nameplate into plenary signs in the room — a vast, cold exhibition hall partitioned off with screens and crowned with a mezzanine gallery — exhausted negotiators battled on in the negotiations council chamber upstairs.

In characteristic fashion, crucial decisions were taken at the last moment and in haste, with an apparent concession here, a promise there, a dab of the old Ramaphosa and Roelf glue to hold it all together.

Hours after the session was due to have started, the African National Congress revealed to the council that it wanted voters in South Africa's first non-racial elections to be presented with one ballot instead of two — one regional, one national.

One reason privately advanced for this was that the ANC had discovered during voter-education drives that virgin voters assumed that the second ballot would ask them to indicate their second choice — and that 31 percent would choose the Pan Africanist Congress.

The smaller parties, seeing regional votes as their only power base, naturally favoured two ballots — but all at the World Trade Centre have their price. The trading began.

The Democratic Party had formed an unstructured alliance opposing the single ballot with several other small parties, including the Cape Traditional leaders who [illegible]



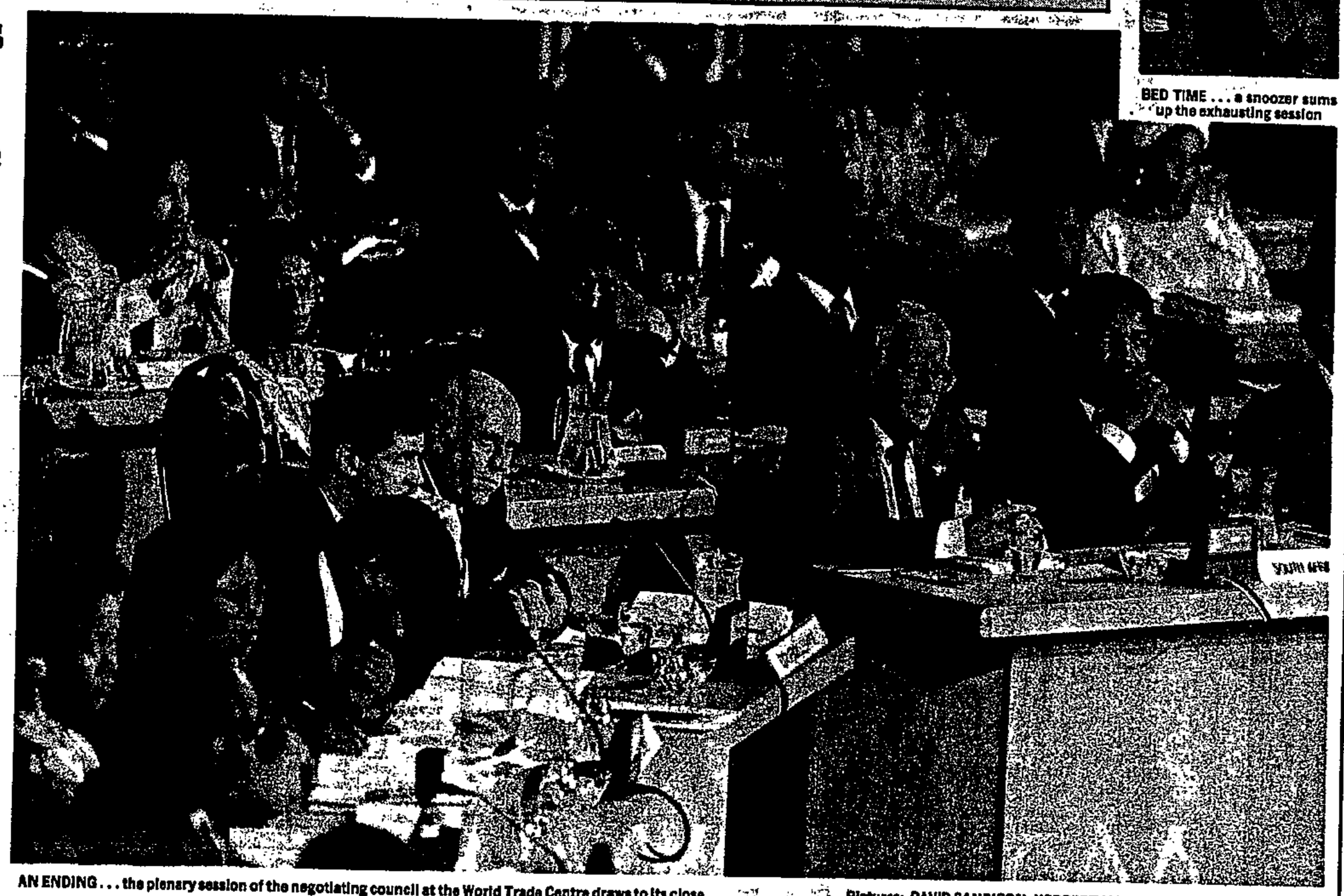
A SHAKE . . . congratulations from F W de Klerk



A HUG . . . Benny Alexander embraces a minute-taker

after 11pm the plenary began.

Some diplomats advised their governments that the deal had indeed been done and left early; the constitution was not a lovely thing, they agreed, but "it can work, or be made to work".



AN ENDING . . . the plenary session of the negotiating council at the World Trade Centre draws to its close

Pictures: DAVID SANDISON, HERBERT MABUZA and CHRISTINE NESBITT



BED TIME . . . a snoozer sums up the exhausting session

bate; a black man, hoarse and steady; a coloured man stretching out his words to capture a stilted ceremony; a sleek, silver, corporate Afrikaner.

Categorised by apartheid's filing system (population group numbers 00 to 05, to be exact, plus scores more di[illegible]

As the clauses were put to the session, AVU delegate Andries Pienaar launched into his portmanteau objection in the manner of a prisoner of war reciting his rank and number: "No concession was made to our just and reasonable demands . . . ."

The unhappiness of the moment the Afrikaner's name was officially added to the list of oppressed people in the world, said AVU chief negotiator Gerdus Kruger, husband of more famous Corlia.

From oppressor to victim in a moment? Perhaps not — but the chief protagonists of the two sides were engaged in what promises to be exceedingly bitchy elections, Mr de Klerk celebrated his personal — if not political — achievement with grace.

"I bind myself and my party to the letter and the spirit of the new constitution."

For old times' sake, the session was treated to a [illegible] doubted the process.

Co-chairman Judge Ismail Mohamed launched into a moving and impassioned closing address, but his audience was dog-tired.

Enough. A job had been done, a workable set of documents had been adopted.

coming sun.

Cyril Ramaphosa who, as the ANC's chief negotiator, had finessed, bullied, cajoled and laughed his way to this moment for two years, stood in the shadows above the hall: "I am very tired, oh, very tired."

began.

The Democratic Party had formed an unstructured alliance opposing the single ballot with several other small parties, including the Cape traditional leaders, who wanted some exemption from the bill of rights; Mr Amichand Rajbansi, whose motives are unclear; the Pan Africanist Congress of Azania and the Afrikaner Volksunie, which genuinely wanted two ballots.

The DP itself, lately awakened from its negotiations role as democracy's proofreader, had discovered a more muscular liberalism and was insisting on a clean and transparent process for choosing the constitutional court. It would cease its embarrassing opposition to the ballots if it achieved this.

The ANC picked them off one by one. To the Cape traditional leaders went a promise to revisit their cause; to Mr Rajbansi went who knows what, but he soon gave a breathtakingly childish reason for caving, and to the DP went a better deal on the court.

The AVU and PAC were judged expendable for the purposes of sufficient consensus, and an ANC/SA Government package, including the ballot ruling, was passed at the last possible moment, wrapping up or fudging several crucial issues.

THE AVU was devastated, having relied on a regional vote for at least some seats in parliament, and its eloquent delegate, Mrs Corlia Kruger, sounded close to tears.

But the machine was unstoppable, particularly in the hands of session chairman Pravin Gordhan, who presided stoically as relieved secretaries cast off their technical committees like so many rows of plain and purl and a scratchy, sulky council tidied up its notes.

It was now almost 11pm, and the plenary session was eight hours late, causing former dominee and administration head Dr Theuns Eloff to mutter Reinhold Niebuhr's prayer as he flew through the corridors: "God, grant me serenity to accept the things I cannot change — I'll never change these people ...."

The halls had blossomed with the bright robes of African observers; the building was thronged with more bodyguards than delegates, and more journalists than both.

Nelson Mandela took his seat after a stately round of handshakes and a jostling of cameras. The present incumbent, State President de Klerk, looked on, and shortly

deal had indeed been done and left early; the constitution was not a lovely thing, they agreed, but "it can work, or be made to work".

(304A)

BUT those gripped by this irritating country from birth or out of a horrible fascination kept watch as South Africa's future was sealed in the dead of night.

On the stage was a black woman as slim and as righteous in her yellow turban as a young queen; there was a white woman, palely floral and decent.

There were men in suits — an Indian man, curbing his quick mind to the slow de-

sleek, silver, corporate Afrikaner.

Categorised by apartheid's filing system (population group numbers 00 to 05, to be exact, plus scores more digits for black people), they will always inhabit these racial slots in the minds of their countrymen.

But one by one they bestowed the vital words "sufficient consensus" on paperwork that seeks to recognise all their tribes but penalise none.

The consensus on each clause of the constitution was only sufficient, and not "general", largely because of the objections of the PAC — "to anything that smacks of power-sharing, chairperson" — and the AVU.

into its portmanteau objection in the manner of a prisoner of war reciting his rank and number: "No concession was made to our just and reasonable demands ...."

The unhappiness of the right wing and the absence of the Freedom Alliance parties were mentioned time and again.

Mr Mandela had been at pains during his address to reassure them that the constitution guaranteed rights that "will not be taken away from you".

National Party negotiator and Cabinet Minister Leon Wessels in turn begged the cluster of boycotting parties: "We want you to be on board."

The moment the new South Africa was born marked the

the world, said AVU chief negotiator Gerdus Kruger, husband of more famous Corlia.

From oppressor to victim in a moment? Perhaps not — but the chief protagonists of the two sides were engaged in a sure shift of balance of power nonetheless.

For this formality before

— no political — achievement with grace.

"I bind myself and my party to the letter and the spirit of the new constitution."

For old times' sake, the session was treated to a last malapropism from an earnest Mr Rajbansi — aimed at the "septics" who had

launched into a moving and impassioned closing address, but his audience was dog-tired.

Enough. A job had been done, a workable set of documents had been adopted.

Outside, the dawn chorus was starting. Cars huddled beneath trees too young to provide much shade from the

the ANC's chief negotiator, had finessed, bullied, cajoled and laughed his way to this moment for two years, stood in the shadows above the hall: "I am very tired, oh, very tired."

Then he cranked out one last soundbite for the night: "But it's a good package. We got a good deal."

21/11/93

TIMES DIARY

Inequitable?

THE M-Net glossy arts show *Première*, due to be axed in a fortnight's time, would appear to be the first victim of the lifting of the British Equity TV ban.

Insiders say the pay-TV station now has so much British material piled up waiting to be shown that local productions are in danger.

Another show on the M-Net chopping block is the travel programme *Bon Voyage*.

The decision has left the crew and presenters of *Première* in a state of shock.

The show was Gillian van Houten's comeback vehicle and made new stars out of Saira Essa and Coenie de Villiers.

Producer Pieter Cilliers told Cobbleigh he was astounded and bewildered at the decision.

"I honestly don't know why M-Net decided not to renew the contract," he said. "The ratings have been good, we've had glowing qualitative feedback, and so the decision has nothing to do with the quality of the show."

Première was the only window on local entertainment. "The ripple effect will be enormous," he prophesied.

Double booking

THE clash of canapés in the publishing world continues apace.

Last week I revealed how Nelson Mandela was in danger of double booking (if that is the right description) this Wednesday evening — when both Ronnie Kasrils and Helen Suzman are starring in rival bashes to launch their autobiographies.

Now Cobbleigh learns that on Tuesday, the launch of Carl Niehaus's own story *Om te Veg Vir Hoop* at Exclusive Books,

Hyde Park, has been scheduled up against the annual Foreign Correspondents' Association dinner in Johannesburg.

So worried is the ANC that the hacks may not attend, that it has issued a statement pointing out that the Niehaus launch (5.30pm for 6) should end by 7pm while the FCA affair is 7.30pm for 8.

But in case that's still cutting it too fine, the ANC is promising that hacks in evening dress will not be turned away!

Meanwhile, at the time of going to press (as we are fond of saying) Jonathan Ball publishers had still not had a reply from Mandela on the Suzman soirée ....

Box pops

FURTHER frissons down at the SABC following another popularity poll of TV presenters.

A year ago the last one, you will remember, resulted in the downgrading of stalwarts like John Bishop and Jane Warden.

However, Cobbleigh is informed that Bishop and Warden have shot up in the latest poll, while last year's "favourites", Riaan Cruywagen and Freek Robinson, are much further down.

One reason is that, this time, the pollsters widened their sample to include black viewers — not many of whom watch Afrikaans news programmes.

In view of the secrecy surrounding the last poll, news boss Christo Kritzinger will be consulting *News* and *Agenda* presenters later this week — to see whether they mind if the latest findings are made public.

Eternal Marike

MARIKE de Klerk, wife of the president, finds herself in interesting company.

The latest issue of the French magazine *Point de Vue* one of the many royalty-obsessed publications on the Continent, features her in a series entitled "First Ladies at the Crossroads".

The piece on Mrs de Klerk is subtitled "the eternal woman" and is accompanied by a fetching picture of Marike sitting on the branch of a tree with black schoolchildren posed around her.

The other first ladies are Queen Noor of Jordan, Hilary Clinton of America, Mme Ana-Milena Gaviria, wife of the President of Colombia — and Princess Di.

Hell hath no ...

HOWLS of outrage from women in the eastern Cape. Object of their fury: Port Elizabeth magistrate Peter Campbell.

Campbell ruled that a policeman convicted of four charges of sexual assault — one involving a teenage girl — should not be sacked because his crimes were not serious enough and because his victims had "over-reacted".

This despite the fact that one woman was "uncomfortable and unhappy" when the defendant, Warrant-Officer Anton Weitz, put his hand under her dress and rubbed her leg.

Adding injury to insult, Campbell apparently joked that "we men must learn to keep our hands to ourselves", adding: "It may be difficult for us men to understand why women react the way they do."

The way Cobbleigh hears it, half the local population — all of them female — are itching to put him right.

Thomas Cobbleigh

Employers

27 April 1994 is a very important day in the history of South Africa. It is of the utmost importance that all those eligible to vote be given an opportunity to do so.

Approximately 87% of South Africans eligible to vote are ready to participate in the elections, because they have ID documents. However, almost 2,4 million potential voters do not yet have ID documents.

Over the past three months an average of 239 914 ID documents have been issued per month.

Applications for ID documents may be made at any of the regional or district offices of the Department of Home Affairs, at any of their service points or mobile units, or at any magistrate's office throughout the country.

It is in everyone's interest that, come 27 April 1994, no-one should be able to say that potential voters could not obtain ID documents.

What can you do?

Bring to the attention of your employees the fact that they can vote if they fulfil the necessary requirements.

Emphasise the fact that no-one will be allowed to vote without an ID document.

Motivate your employees to obtain ID documents.

Refer interested employees to the nearest regional or district Home Affairs office, or to a mobile unit, or to a magistrate's office.

Emphasise that it is easy to obtain an ID document, and that the initial issue of an ID document costs nothing.

Give your employees an opportunity during work hours to go and apply for their ID documents.



If the number of employees requiring an ID document warrants it, arrangements may be made with the Department of Home Affairs for one or more of their officials to come to your premises in order to facilitate the submission of applications. If you require more information in this regard, please contact the regional or district Home Affairs office closest to you.

FW faces critical NP caucus meeting

Swansong session for white rule

Star 22/11/93

(304A)

THE Conservative Party is expected to come out with all guns blazing as it makes its final stand as Official Opposition

■ **BY CHRIS WHITFIELD**
POLITICAL CORRESPONDENT

Cape Town — The last white Parliament has finally arrived, but its swansong session over the next three weeks is shaping up to be tense and bitter.

This afternoon President de Klerk will open what will be, barring unforeseen developments, the last sitting of a legislature which effectively retained all significant power exclusively for whites.

But this morning he was facing a critical meeting of the NP caucus — probably the last real opportunity for party dissenters to have their say and the last chance for De Klerk to stem any possible haemorrhaging.

The session has two vitally important chunks of legislation to pass:

- An Electoral Bill in terms of which the country's first nonracial election will be held on April 27.
- The Interim Constitution, laying down the rules of democracy in South Africa for the next five years.

De Klerk's special opening address will deal with recent developments and be followed by three days of debate arising out of it.

On Thursday and Friday "ordinary legislation" will be processed, and the Electoral Bill could come before Parliament next week.

The Interim Constitution is due to be tabled late next week and, possibly, discussed during the third and final week of the session.

A Bill giving effect to the new local government dispensation agreed to in talks is also due to be tabled, as well as legislation in terms of which the TBVC states and self-governing territories could be scrapped.

The session will provide the last platform on which the Conservative Party will enjoy Official Opposition status, and it is bound to do everything in its power to leave its mark.

During September's short session the CP attempted to disrupt debates and even blockaded the entrance to the MPs' residential compound at Acacia Park with their cars.

The passing of the Interim Constitution will no doubt mark another outbreak of CP activity.

Of more pressing concern for De Klerk and the NP will be caucus unity. The ultimate nightmare for the president would be defections from the NP in such numbers that all the work to date in negotiating a new dispensation is blocked when it comes to the vote in Parliament.

However, Nat MPs were yesterday sceptical about the possibility of this happening. One said the "critical moment" had passed with the acceptance in talks of the Interim Constitution and, while the document was not regarded as perfect, they could probably live with it.

Meanwhile, sources close to Constitutional Development Minister Roelf Meyer and Law and Order Minister Hernus Kriel have denied reports that the two clashed in negotiations last week.

It is, however, reliably understood that Kriel exchanged some harsh words with a senior police officer last Monday during negotiations with the ANC on the shape of a future police force. Kriel was unavailable for comment yesterday.

De Klerk's mission for Nat unity

ARG 22/11/93

304A

TOS WENTZEL and MICHAEL MORRIS
Political Staff

AS parliament convenes for the last, crucial session of white rule today, President De Klerk moves to strengthen National Party unity and embolden the spirit of reform to head off a right wing onslaught.

He met the National Party caucus this morning for what was expected to be a frank exchange on details of the interim constitution ratified in Kempton Park last week.

Mr De Klerk will pitch his caucus performance and his opening address in parliament this afternoon to convince fellow MPs to maintain a united front, in spite of some misgivings in the ranks, to meet full-on a last rightwing stand against the results of his February 1990 reforms.

Other parties in parliament also met to plan their strategy for the three-week session which will give final substance to the new constitution.

The session starts this afternoon when Mr De Klerk proposes a motion to a joint session to discuss negotiations.

This will be followed by a three-day debate.

This NP caucus meeting was expected to deal chiefly with misgivings among some MPs about some of the agreements reached in negotiations.

These are especially about aspects of regional and local government, the powers given to these tiers of government, whether regions can draw up their own constitutions and the borders of some of the regions.

The way the cabinet will operate also worries some MPs.

There is some concern too about how the Freedom Alliance can be drawn into the process.

Talks between the government and the alliance continue tomorrow.

Nationalist politicians remain hopeful that the alliance will take part in the election. They argue that the alliance will be unable to persuade all its followers to boycott the poll which may lead to some voting for the National Party.

NP leaders are dismissing all suggestions that there could be a split in the party.

Kriel says walkout talk is 'rubbish'

Political Staff

LAW and Order Minister Hernus Kriel has flatly dismissed suggestions that he walked out of talks last week after falling-out with Constitutional Development Minister Roelf Meyer.

Speaking yesterday before the National Party's special caucus meeting, Mr Kriel said a weekend report on this was "unadulterated rubbish".

The report said Mr Kriel had stormed out of talks after a row with Mr Meyer and the SAP's General Andre Pruis over developments in negotiations on the future police service. It added that he had subsequently not turned up for the talks plenary session.

Law and Order Ministry spokesman Craig Kotze added yesterday that there "does seem to be to be a sustained disinformation campaign at the bottom of all this".

However, Captain Kotze declined to comment on why Mr Kriel had not attended the plenary session, saying only that the minister's brief comment "sums it all up".

It is understood that various newspapers have received faxes purporting to be copies of a memo in which Mr Kriel threatens to "take on" Mr Meyer.

304A

ARGUS 22/11/93

NP signs uptop image builders

(304A)
ANC 22/11/93

LONDON. — The National Party has signed up high-profile British image makers Saatchi and Saatchi and Lowe Bell Communication for its election campaign, it was reported here today.

Lowe Bell chairman Sir Tim Bell, Margaret Thatcher's public relations consultant when she was prime minister, flew to Johannesburg yesterday to meet NP leader President De Klerk, The Times newspaper reported.

Meanwhile African National Congress leader Nelson Mandela has called on Westminster-based lobby group IGA, which has offered its services free.

The ANC will also be working with Americans Stan Greenberg — who helped US President Bill Clinton win — and Bill Lynch, political adviser to former mayor of New York David Dinkins. — Sapa-AFP.

Under fire

ST 22/11/93 3044

FW faces charge of 'betrayal'

PRESIDENT F W de Klerk faces a grilling today from both the NP and parliamentary opposition over fears that whites were betrayed in last week's democracy accord with the ANC.

NP sources said Mr De Klerk, who meets his 100-strong caucus this morning a few hours before Parliament convenes a four-week session, expected to be its last, would face blistering condemnation from a conservative faction in the NP caucus, believed to include Law and Order Minister Mr Hernus Kriel and Local Government Minister Dr Tertius Delport.

Mr De Klerk will face the wrath of the right-wing parties in public debate this afternoon.

But the NP sources said the criticism would be levelled in the privacy of the caucus and Mr De Klerk could rely on his party's support when Parliament weighs the draft of an interim constitution that will end more than three centuries of white domination.

"Sparks will fly and Mr De Klerk is going to have a rough few hours, but there won't be a split," said one NP member.

Right-wingers will march through the city streets to Parliament this morning to deliver a protest document demanding a "whites only" election.

The HNP-organised march, expected to include AWB, Volksleer and HNP party members, will leave District Six at 10am, moving through Darling Street to Parliament. HNP leader Mr Jaap Marais is expected to deliver the document to Parliament.

President De Klerk will address Parliament at the start of what is believed will be a three-day debate on all aspects of the negotiations.

It is understood he wants to address all remaining uncertainties about the future constitutional process and is anxious to reassure the NP caucus on whether government compromised too much.

He is also likely to set out the government's position on the discussion with the Freedom Alliance, after an unsuccessful meeting on Friday at which the two sides swapped documents on possible amendments to the interim constitution agreed to last week. The documents demonstrate that large differences still exist between the alliance and the government. Another meeting is due to take place tomorrow.

The government has not set a deadline on when the constitutional discussions will end, but effectively once the new constitution has been approved by Parliament no new changes will be possible.

Negotiators are due to meet the World Trade Centre on Thursday to discuss the constitution.

Mr De Klerk's address today will be followed by three days of debate by MPs from all three Houses.

However, the debate on the interim constitution and the Electoral Act approved by multi-party negotiations this week is only expected to begin on December 6. These vital items on the agenda will first go to the parliamentary standing committees for consideration.

A bill providing for a revamped local government dispensation is also expected to go before Parliament.

A task force from the multi-party planning committee at Kempton Park will be in Cape Town during the session to monitor proceedings and ensure that no substantive changes are made to vital pieces of legislation endorsed by the plenary session in the early hours of Thursday morning.

A wide range of non-constitutional legislation will also be disposed of during the session, which is expected to last for up to four weeks. — Political Correspondent, Own Correspondent, Sapa



MOUNTAIN ACCIDENT ... Ambulance staff put Ms Kim Fuller, 24, into an ambulance after rescuers brought her from Lion's Head by helicopter. She slipped and fell off a ledge while hiking yesterday morning.

Picture: ANNE LAING

Chopper rescue in Lion's Head fall

By DENNIS CAVERNALIS

A CONSTANTIA woman injured herself in a fall and was airlifted from a narrow ledge on Lion's Head yesterday — the second mountain rescue in two days.

The rescue of Ms Kim Fuller, 24, involved Metro rescuers, the Mountain Club of SA, the South African Air Force, and John Rolfe rescue service.

In the first rescue, on Saturday, police, Metro rescuers and the mountain club found an exhausted and semi-conscious Mr Geoff Shand, of Kenilworth, in a dry river bed near Woodcutters path on Table Mountain after he had gone missing on Friday. He was carried off the mountain.

Metro rescuers said Ms Fuller "sustained head, neck and back injuries after falling a few metres" from one ledge to another while hiking with friends.

About 9.35am yesterday an advance party of Mountain Club members and a doctor reached the injured woman.

Shortly afterward a John Rolfe rescue helicopter lowered a Metro paramedic onto the ledge.

However, it did not have stretcher-hoisting equipment so a South African Air Force 22 Squadron helicopter from Ysterplaat followed with another medic, Mountain Club member and stretcher.

Ms Fuller's condition was reported to be stable when she was taken to City Park hospital.



BLOOD TESTS ... Daryll Cullinan

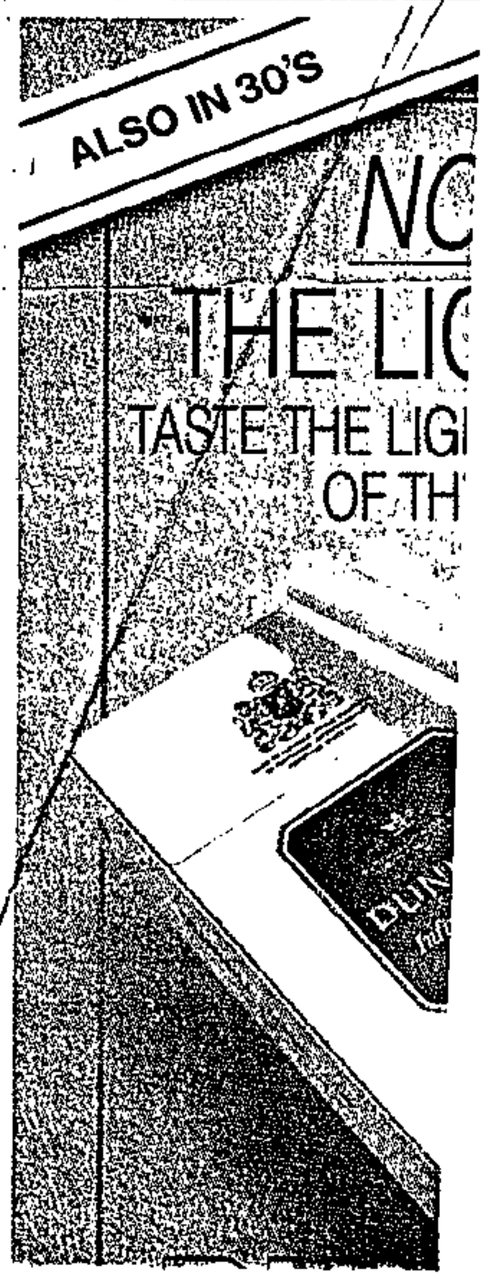
Mystery illness still dogs Daryll Cullinan

CHANDIGARH, India. — South African batting star Daryll Cullinan is still battling with a mystery illness and will not play for SA against India today (this morning SA time).

The talented Transvaal batsman attended practice yesterday afternoon after blood tests were taken in the morning, but has been advised by team doctor Peter Macfarlane to give today's match a miss.

It is hoped that Cullinan will be back to full fitness later this week.

● Full report — Back Page



Parliament to confirm its demise

By Mathatha Tsedu
Political Editor

■ **RACIST ELECTIONS** State President is expected to say no more:

Sowetan 22/11/93

TRICAMERAL parliamentarians move into the House of Assembly this afternoon in a historic move to legislate themselves out of existence.

And President F W de Klerk, seen as the last white president of South Africa, is expected to tell his erstwhile rightwing brothers their demand for a white election cannot be met. (30 4A)

The ultra rightwing, composed of the Inkatha Freedom Party (IFP), Afrikaner Weerstandsbeweging (AWB) and the Ciskei and Bophuthatswana homelands among others, have threatened to rock South Africa to its foundations if their demands for more regional powers are not met.

Today's session, scheduled to begin at 2pm, is to deal with the interim constitution and other Bills emanating from the Kempton Park democracy talks. The session is expected to last until December 15, by which time the Transitional Executive Council (TEC) and its subcouncils are expected to be in place.

The draft constitution is expected to be tabled on Thursday, after Parliament has dealt with other outstanding legislative issues. The passage of the constitution will pave the way for the appointment of the Independent Electoral Commission (IEC) and the Independent Broadcasting Authority (IBA).

The IEC will be responsible for the election process, preparing ballots, polling stations and ensuring the smooth running of the campaigns.

The IBA will regulate coverage of elections by state-funded electronic media and will also issue licences for new radio and television stations.

Commentators yesterday said the Freedom Alliance (FA) would, after the passage of the Bills, announce their entry into the elections in the hope that their combined appeal might put them second and thus ensure that they have one of their leaders as deputy president.

● See pages 11 and 17, 18,19 and 20 for our special pull-out supplement on the way ahead.

De Klerk faces grilling in parliamentary debate and NP caucus

B/Day 22/11/93

CAPE TOWN – The short session of Parliament due to bring an end to a century of minority rule begins today on the eve of a crucial meeting between government and the Freedom Alliance.

President F W de Klerk is to address Parliament today at the start of what is believed will be a three-day debate on all aspects of the negotiations process.

Debate on the new constitution and the Electoral Act is not expected until the latter half of the session, which could last between two and three weeks.

It is understood De Klerk wants to address all remaining uncertainties about the constitutional process and is anxious to reassure the NP caucus about whether government has compromised too much.

Sapa-Reuter reports that De Klerk faces a grilling at the caucus meeting and from parliamentary opposition over fears that whites were betrayed by the agreements reached at the World Trade Centre.

NP sources said De Klerk would face blistering condemnation from a conservative faction within the NP caucus believed to include Law and Order Minister Hernus Kriel and Local Government Minister Tertius Delport.

But they said the criticism would be levelled within the privacy of the caucus and De Klerk could rely on his party's support on the constitution. (304A)

The caucus is due to meet this morning prior to the debate and will be addressed by Constitutional Development Minister Roelf Meyer, who will also be anxious to reassure the party faithful.

De Klerk is also likely to use the opportunity to set out government's position on tomorrow's discussion with the Freedom Alliance. This follows an unsuccessful meeting on Friday at which the two sides swapped documents on possible amendments to the interim constitution.

The documents show that large differences still exist, although it is believed government has offered a deal including provincial finances, powers, boundaries and constitutions.

Government has not set a deadline on when the constitutional discussions will end, but effectively once the new constitution has been approved by Parliament, no changes will be possible.

The motion accepting the constitution by the plenary session of the negotiations forum envisaged that changes to it, even of a non-technical nature, would still be possible, leaving room for a last-ditch attempt to draw the Freedom Alliance into the process. But the time available to the alliance is short, especially as the constitution is likely to move through the first stage of parliamentary approval this week.

Afrikaner Volksfront leader Gen Tienie Groenewald said the government-Freedom Alliance meeting would be decisive.

Work on abuses swamps office

B/Day 22/11/93

PRETORIA — The Transvaal attorney-general's office has been swamped with work since publication last week of reports on maladministration in Lebowa and KwaNdebele by the Parsons and De Meyer commissions.

Transvaal attorney-general Jan D'Oliveira said he had limited resources with which to investigate the "multitude of allegations" emanating from the commissions.

The two commissions uncovered irregularities and maladministration in virtually every department they investigated, dating back to the late '70s. These included Lebowa's chief minister's office and its departments of education, receiver of revenue, works, transport and water affairs and KwaNdebele's chief minister's office as well as its departments of justice, interior affairs, welfare and pensions, finance and health.

Tens of millions of rand and hundreds of the self-governing territories' officials were implicated in the commissions' findings.

D'Oliveira said a special investigation team had been created and additional staff taken on by his office to deal with the "very large number" of cases to be looked at.

ADRIAN HADLAND

The four reports issued by the commissions, which detailed the numerous abuses, ran to almost 1 700 pages.

D'Oliveira said, however, the investigation and the opening of criminal dockets would take months rather than years. (11)(12)

Meanwhile a finance department spokesman said a team from SA's inland revenue office was in Lebowa attempting to place the territory's receiver of revenue office on a sounder financial footing.

The unsatisfactory state of Lebowa's receiver had been a source of concern for a considerable time, Finance director-general Estian Calitz said last week.

New measures, including additional training for Lebowan staff, improvement of administration procedures and the assistance of SA officials, had been introduced.

Receiver of revenue offices in other self-governing territories had been kept under better control. While SA's inland revenue office had been aware of difficulties in Lebowa for some years, until they had taken part in the De Meyer commission investigation they "were not aware of the magnitude of the problem".

UK military attache takes up duty in SA

LONDON — The first British military attache to serve in SA for eight years, Brig James Parker CBE, a former deputy chief of staff of British forces in Germany, will present his credentials to the Foreign Affairs Ministry this week before officially taking up his embassy duties.

Britain's Foreign Secretary, Douglas Hurd, said in the House of Commons last week: "It is a direct British interest that SA should come through this tunnel of transition safely. Our dealings with SA have returned to healthy normality. We are working to encourage British investment."

Own Correspondent

He said Parker would be the first defence attache to be sent to the British embassy in Pretoria for eight years.

"We want SA to return to being an area of prosperity and stability after being, for too long, a source of dissension and disturbance," Hurd said.

CP and ANC in local govt talks

B/Day 22/11/93

GAVIN DU VENAGE

RIGHT-WING local government representatives and the ANC will meet today to discuss transitional measures that will probably be enacted at the end of the month.

The Transvaal Municipal Association, an organisation representing CP councillors, has accepted most of the provisions in the Local Government Transition Bill, as well as Chapter 10 of the interim constitution. The inclusion of the association was seen as a major breakthrough, as CP councillors have threatened to resist any attempts to integrate white towns with black local authorities. (20)(A)

However, intensive discussions between the association and ANC over the past few months had led to compromises, particularly on the ANC's side. Entrenched in the constitution is a provision that reserves at least 30% of council seats for minorities. (14)

The association provisionally accepted the Bill and Chapter 10, pending the outcome of discussions.

Transvaal Municipal Association president Prof Ben van der Berg declined to give details at the weekend as matters were "still very sensitive". However, he was confident the two sides would reach agreement soon.

Once they have finalised discussions, the proposal will still have to be ratified by the Local Government Negotiating Forum management committee, which sits later this week. If the association endorses the agreements in full, the ANC/civic alliance will put pressure on the association to convince its members to go along with the process.

The association will be expected to intervene in councils that have up to now refused to begin discussions on integration.

Meanwhile, the DP has said it would "vigourously oppose" the agreement. DP local government spokesman Jaspar Walsh said the deal was racially biased and would provide "different answers depending on which town you looked at".

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B/Day 22/11/93

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Receiver of revenue offices in other self-governing territories had been kept under better control. While SA's inland revenue office had been aware of difficulties in Lebowa for some years, until they had taken part in the De Meyer commission investigation they "were not aware of the magnitude of the problem".

UK military attache takes up duty in SA

LONDON — The first British military attache to serve in SA for eight years, Brig James Parker CBE, a former deputy chief of staff of British forces in Germany, will present his credentials to the Foreign Affairs Ministry this week before officially taking up his embassy duties.

Britain's Foreign Secretary, Douglas Hurd, said in the House of Commons last week: "It is a direct British interest that SA should come through this tunnel of transition safely. Our

Own Correspondent

dealings with SA have returned to healthy normality. We are working to encourage British investment."

He said Parker would be the first defence attache to be sent to the British embassy in Pretoria for eight years.

"We want SA to return to being an area of prosperity and stability after being, for too long, a source of dissension and disturbance," Hurd said.

CP and ANC in local govt talks

B/Day 22/11/93

GAVIN DU VENAGE

RIGHT-WING local government representatives and the ANC will meet today to discuss transitional measures that will probably be enacted at the end of the month.

The Transvaal Municipal Association, an organisation representing CP councillors, has accepted most of the provisions in the Local Government Transition Bill, as well as Chapter 10 of the interim constitution. The inclusion of the association was seen as a major breakthrough, as CP councillors have threatened to resist any attempts to integrate white towns with black local authorities.

However, intensive discussions between the association and ANC over the past few months had led to compromises, particularly on the ANC's side. Entrenched in the constitution is a provision that reserves at least 30% of council seats for minorities.

The association provisionally accepted the Bill and Chapter 10, pending the outcome of discussions.

Transvaal Municipal Association president Prof Ben van der Berg declined to give details at the weekend as matters were "still very sensitive". However, he was confident the two sides would reach agreement soon.

Once they have finalised discussions, the proposal will still have to be ratified by the Local Government Negotiating Forum management committee, which sits later this week. If the association endorses the agreements in full, the ANC/civic alliance will put pressure on the association to convince its members to go along with the process.

The association will be expected to intervene in councils that have up to now refused to begin discussions on integration.

Meanwhile, the DP has said it would "vigourously oppose" the agreement. DP local government spokesman Jaspar Walsh said the deal was racially biased and would provide "different answers depending on which town you looked at".

NEWS FEATURE *Last white Parliament convenes today to legislate itself out of existence*

Sorry chapter ends for SA

■ HOME RUN *Rumblings of discontent as South Africa heads for crucial all-race election*

Sowetan 22/11/93

By Mathatha Tsedu
Political Editor

THE LAST white-controlled Parliament opens in Cape Town this afternoon amid threats of war from the ultra-rightwingers.

Following the adoption last week of the interim constitution, those opposed to the deal have vowed to ensure that the deal falls flat.

The forces lined up against the deal are the Freedom Alliance (FA) comprising the Inkatha Freedom Party (IFP), Conservative Party (CP), Afrikaner Volksfront (AVF), Bophuthatswana and Ciskei on the one hand, and the Azanian People's Organisation (Azapo), Workers Organisation for Socialist Action (Wosa) and New Unity Movement (NUM) on the other.

The rightwing elements met with both the ANC and the Government last Friday and reached deadlock.

Their demands for states/provinces/regions (SPR) to have exclusive powers were found to be unacceptable by the Government, according to chief negotiator Mr Roelf Meyer.

These groups had also demanded regional fiscal control, re-organisation of the SPR borders and the ability of regions to draw up own constitutions.

Meyer said at the weekend that "substantial progress" had been made on these three, but that the exclusive powers of the regions demanded by the FA were "impossible to accommodate and intolerable in the current situation".

It is understood that the insistence on strong regions emanates from a desire by the components of the FA to create a *Boerestaat* for the ultra-white right, and the maintenance of the status quo in the bantustans by the black members.

The CP, the main white party in the alliance, said yesterday the FA had produced a map of the SPR indicating how the idea of a *Boerestaat* could be accommodated.

"It is not a map of the *Boerestaat* as such but takes the SPR map as a basis and then indicates how the Boerestaat could be fitted in," CP MP Mr Fanie Jacobs told *Sowetan* yesterday.

The proposal includes "parts of the Western Transvaal, Northern Transvaal and Eastern Transvaal, while the Orange Free State is still a subject of negotiations. It does not touch on the PWV region save for the fact that it borders on Pretoria. The borders with Pretoria still have to be negotiated," Jacobs said.

In the meeting with the ANC, the two groups agreed to form a working group to pursue the issues discussed, and further committed themselves to finding sustainable arrangements.

While AVF leader General Constand Viljoen has said the expected passage of the interim constitution between now and next week did not signal a cut-off date for inputs, the FA seems to be using a stick and carrot method.

Bombing campaign

For, following on the meetings with the ANC and the Government, an alliance of white rightwingers including the Mineworkers Union, SA Iron and Steel and Allied Union, Afrikaner Weerstandsbeweging (AWB), Afrikaner Volkswag, Afrikaner Volkstigting, Herstigte Nasionale Party, Boerestaat Party and others have threatened a bombing campaign to block the Kempton Park deal.

The alliance called on President F W de Klerk to call a whites-only election to test who represents the white electorate.

A programme of mobilisation would be embarked upon starting with a reaffirmation of the vow of Blood River on December 16, to be followed by the appointment of the AVF executive as a new government for the white right.

Threats of bombings were also made to ensure that De Klerk calls the white election and also stops affirmative action.

This was met with derision by ANC spokesmen, who said the FA call for a white election was not on.

ANC spokesman Mr Mac Maharaj said the FA was losing contact with reality. "A white election will never take place in South Africa again," he said.

There is speculation, however, that the FA was huffing and puffing to gain maximum publicity with the threats of violence.

It is speculated that the FA, which has so far said it will not take part in elections, will announce its entry into the race at a crucial date and pool resources to ensure that they have a deputy president, who has to come from the party with the second majority.



Mosibudi Mangena, the chairman of the BCMA which has been involved in bombing missions.

This, were it to happen, could see Buthelezi as Mandela's deputy (if the polls are anything to go by), a sure recipe for continued skirmishes in the corridors of power which would ensure the downfall of the system.

This scenario would however need the FA to fight the election as individual components to save the blacks the embarrassment of hooking up with white extremist racists.

The components would be able to come together after the election however and form a block that could sink De Klerk's hopes of deputising for Mandela. (304A)

The Government's and the ANC's relentless efforts to woo the rightwing are however also seen as a realisation that this faction possesses the firepower to make the coming months at the very least extremely uncomfortable.

The weekly arrests of rightwing members with arsenals of war and the reported preparations and stockpiling cannot be ignored by the two parties, it is argued.

This would explain why the threat from the left has so far been almost ignored.

While Azapo's sister organisation, the Black Consciousness Movement of Azania (BCMA), has been involved in bombing missions in the Eastern Cape and Pretoria recently, these have not rocked the boat sufficiently for those within to feel any need to address the threat.

Azapo has itself been vociferous in its condemnation of the process but whether it can translate this into effective disruptive activities sufficient to worry the negotiators is another matter.

Wosa and the NUM have themselves not shown any muscle, either in mass action or in the theatres of war.

And so, as the last white Parliament sits to legislate itself out of existence, the clouds gather outside.

Whether the clouds will actually result in torrential rains, or hold no threat remains to be seen.

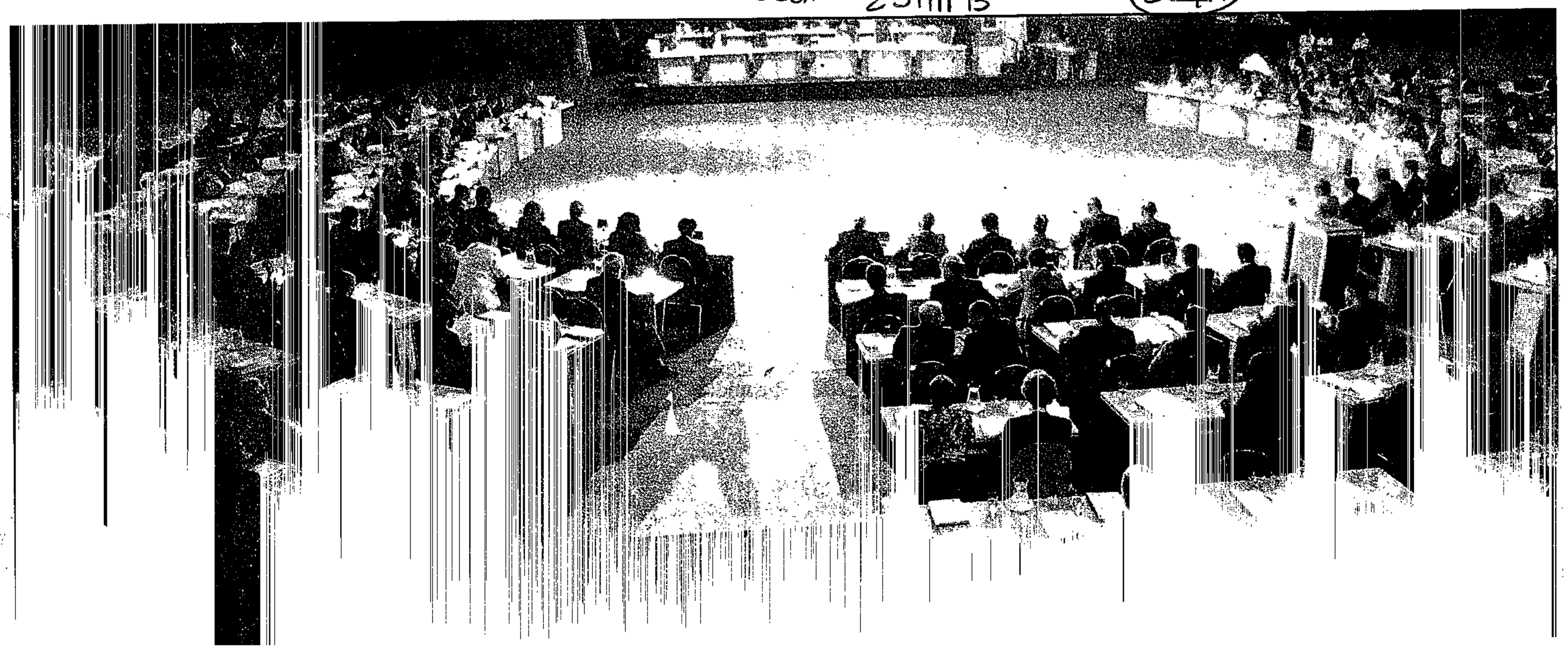


Thabo Mbeki led the ANC delegation to meet rightwingers.

The fight over the Interim Constitution is not quite over, with important issues still to be resolved. But, argues ***Etienne Mureinik****, on most of the issues which were controversial during negotiations, it is possible to see who won and who lost*

NP conspicuous by its failures

Star 23/11/93 (304A)



Seal of approval . . . last week's plenary session of the multiparty talks, at which the Interim Constitution was adopted.

Power-sharing: possibly the cornerstone of the National Party's strategy was to secure a share of executive power during the transition. Indeed, the ANC's willingness to entertain the idea of coalition government was widely considered one of the concessions which made the multiparty negotiation process possible.

Under the Interim Constitution, the Cabinet is to be constituted by proportional representation. But to secure its influence in the Cabinet, the NP had sought rules requiring super-majorities for Cabinet decision making. For general matters, the NP was hoping for a two-thirds majority. As late as last Monday, NP negotiators were talking about holding out for 80 percent majorities and more on certain issues.

Last Wednesday, however, in a final collapse of its will to negotiate, the NP abandoned its quest. Shrouding its defeat in euphemisms about "consensus", the NP agreed to decision making by a simple majority. If the ANC majority in the next Cabinet listens to its NP colleagues, it will do so as a matter of grace, not law.

Outcome: ANC victory; NP defeat.

Federalism: several parties sought regional autonomy, though with very different agendas. The Democratic Party and the NP were hoping for a federation. Most of the parties to the right of the NP were probably looking for something closer to the sovereignty of the regions they consider their support bases.

None of them were very successful. The powers of central government to override the new regional governments have been drawn in vague and general terms. It is open to the Constitutional Court to interpret them narrowly, and bring about a federal dispensation. But that is unlikely to happen.

Even in a country with a strong tradition of regional independence (such as one created by uniting formerly independent states) all the pressures push over time towards ever greater central control.

In a country without such a tradition, centralising tendencies will be even more powerful, and will most probably influence the court's interpretation of the open-ended language used to define the centre's powers of override. The regional dispensation looks like a victory for the ANC and other anti-federalist parties.

Outcome: probably ANC victory.

Private discrimination: during preparation for the constitutional negotiations, a major aspiration in the NP had been to secure constitutional protection for private spheres in which racially exclusive practices might survive.

The ANC, the DP and Inkatha were the parties with the most developed constitutional proposals opposed to such protection. The interim Bill of Rights stops short of outlawing private discrimination itself, but it does expressly empower the new Parliament to outlaw private discrimination.

Outcome: NP defeat.

Free speech: the interim Bill obliges the State to regulate all the media under its control or financed by it so as to ensure impartiality and a diversity of opinion. This is a major contribution to free expression. The obligation is an elaboration of a proposal made by the DP in its draft Bill.

Early in the development of the interim Bill, the DP's proposal was warmly resisted by the technical committee responsible for drafting the Bill. In doing so, the committee was exceeding its proper function, which was to draft, not to take stands on questions of principle.

The committee's resistance was overcome with the assistance of the ANC, which supported the DP's proposal. Here, the ANC displayed a selfless commitment to democracy. The proposal which it supported will fetter its freedom of action in the future.

Outcome: DP victory, with ANC support.

State of emergency: almost everyone accepts that at least some of the rights in the constitution have to be capable of suspension in a state of emergency; a failure to make them suspendable may force a government faced with a mortal threat to tear up the Constitution altogether. But democracy will be in grave peril if the power of suspension is not subject to strict control, by Parliament and by the judges.

The interim Bill secures a strong form of parliamentary control. Under the Bill, a state of emergency expires if it is not ratified by a two-thirds majority in the National Assembly within three weeks of its declaration. This protection is much closer to that proposed by the DP, which sought a two-thirds majority ratification within two weeks, than by the ANC, which would have been happy with a two-thirds majority only after a year. The NP's draft Bill proposed no parliamentary control at all.

The powers of judicial control in the interim Bill are also modelled on the DP's. They empower the courts to inquire into the validity both of the declaration of the emergency and anything done under it, and to strike down action in conflict with the Bill which is not necessary to restore peace and order.

Outcome: mainly DP contribution.

Democratising government: it was agreed without much controversy that the interim Bill should require government bodies and officials to give reasons for their decisions. But the DP's proposal that individuals affected by unjustifiable decisions be given a right to challenge them in court encountered resistance. The DP's success in having this right included in the Bill, albeit imperfectly worded, is a major contribution to accountability in government administration.

The DP's efforts to include a general right of access to official information, however, were unsuccessful. Missing an opportunity to entrench open government, the interim Bill contains only a limited right, that of access to information required for the protection or exercise of one's rights. This right is similar to the one suggested in the ANC's draft Bill.

Outcome: DP one; ANC one.

Labour rights: the drafters of the interim Bill originally proposed to give workers the right to take collective action, including the right to strike, and employers the right of lockout. Objecting to the right of lockout, Cosatu threatened a national strike. In consequence of its threat, the labour clause was revised.

In the revised clause, the rights to strike and lockout have both been limited — they may now be exercised only for the purpose of collective bargaining. This narrows these rights by excluding political and possibly sympathy strikes and lockouts. The narrowing is more costly for workers than for employers, because employers rarely resort to political or sympathy lockouts.

In the revised clause, workers have also lost the right to take collective action short of a strike.

In exchange, however, a right to fair labour practices has been entrenched, something of greater value to workers than to employers. This gain easily outweighs workers' reduced protection for industrial action.

Outcome: gain for Cosatu and fair employment law.

Constitutional Court: the Constitutional Court is the lynchpin of the Constitution. It is the final guardian of the rights which are clear, and the final judge of the ones which are not.

Will women enjoy a right to an abortion? What compensation is payable on expropriation? Will the death penalty be valid? When will prayer in government schools be permitted? Will detention without trial outside a state of emergency be possible? Are the guarantees of free speech in the interim Bill compatible with traditional remedies for defamation?

On these questions the text of the Constitution gives the Constitutional Court great latitude. And what the court decides will prevail even over the will of Parliament. We are moving from parliamentary supremacy to judicial supremacy.

All of which makes it critical that the judges of the Constitutional Court be chosen in a way which justifies confidence in their independence. Despite that, the ANC and the NP attempted last week to impose an agreement which would have vested effective control over the court in the next government. The story of the DP's resolute and ultimately successful resistance to this agreement is now well known.

Outcome: Victory for DP and for the Constitution.

No fireworks as NP caucus meets

Star 23/11/93

■ BY CHRIS WHITFIELD
POLITICAL CORRESPONDENT

Cape Town — The National Party's special caucus meeting passed without the predicted fireworks yesterday.

Party sources said that while there had been debate over aspects of the Interim Constitution agreed to in talks, there was no suggestion of a walkout or a split in the party.

Opening the special session of Parliament after the meeting, President de Klerk said: "The storm that was predicted in the NP caucus was not even a storm in a teacup.

"The behind-closed-doors meeting had been conducted in a good spirit, marked by constructive discussion, and the NP is united in the spirit of negotiations," De Klerk said.

Caucus chairman Piet Swanepoel said in a statement later that the party's MPs had unanimously accepted the new Interim Constitution, the subject of most of yesterday's meeting.

Also discussed were the negotiations process in general, the future of talks with the Freedom Alliance, and the security situation in the country.

A senior NP source told The Star there had been no suggestion of a split.

304A

Queries

"The moment for that passed when we accepted the Transitional Executive Council deal," the source added.

It is understood that queries in the caucus meeting centred on the controversial single ballot proposal — in terms of which one vote will be cast for both central and provincial representation — the issue of federalism, and engaging the Freedom Alliance.

Whites-only election urged by protesting rightwingers

Star 23/11/93

Cape Town — A group of flag-waving, white Afrikaner right-wingers protested outside Parliament yesterday morning and demanded, in a letter, that President de Klerk call a whites-only general election.

They also asked for a TV debate between De Klerk and the leadership of the Herstigte Nasionale Party. (3049)

The group of about 40 represented the HNP, the AWB and the Volksleër.

They carried the South African flag, the Nazi-style Volksleër flag and the old Transvaal Republic Vierkleur.

After their letter had been handed to a government official, one group member shouted: "The Boerestaat is coming. Away with De Klerk."

The group had marched from District Six and received permission to stand outside Parliament until noon. — Sapa.

POLITICS

The last white parliament

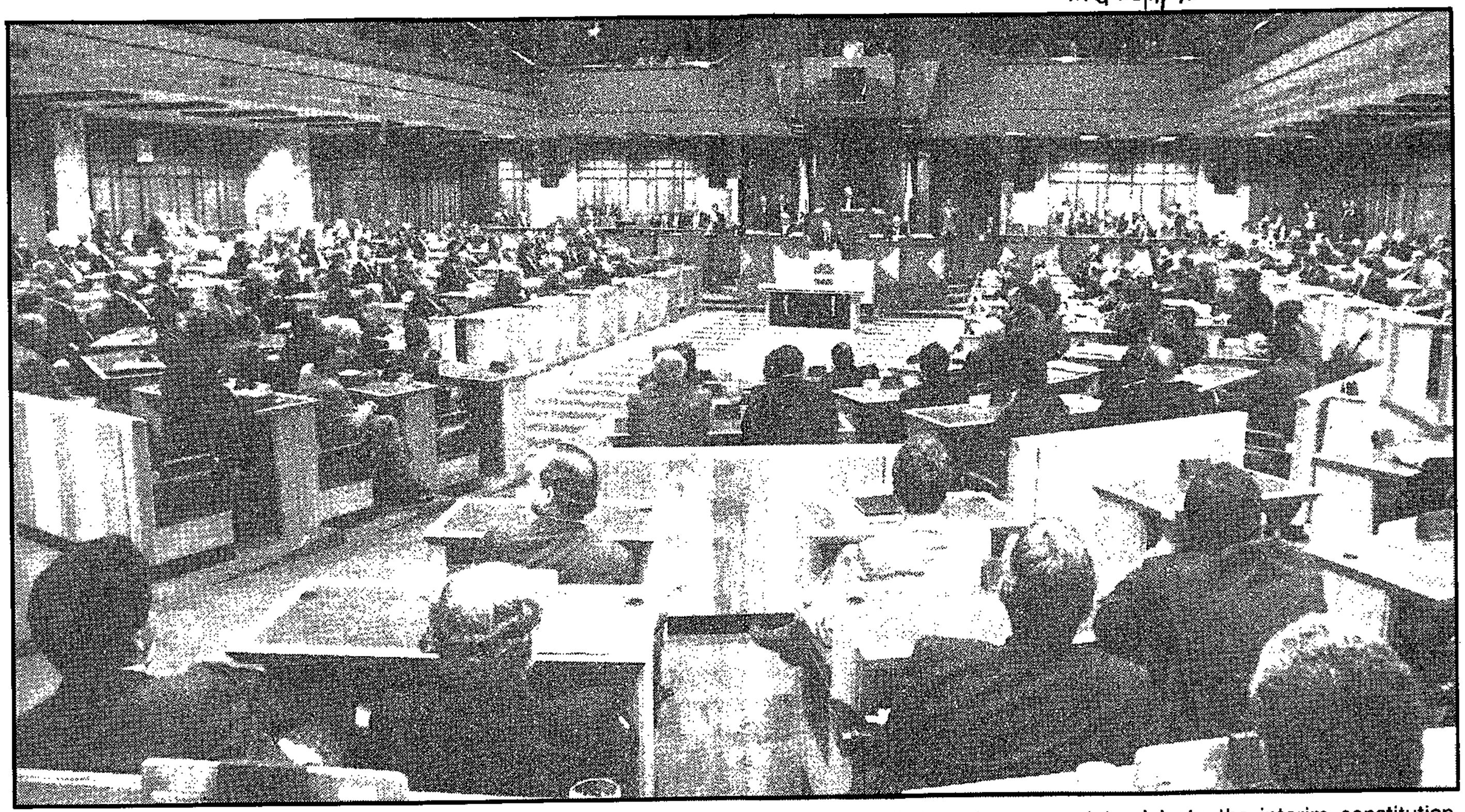
ARG 23/11/93 (304A)

'We're bigger than Nats' — CP point to opinion polls

HUGH ROBERTON Political Editor

IN their furious blizzard of interjections during the debate on the new constitution in parliament, and in the speech of their leader, Dr Ferdi Hartzenberg, the Conservative Party's MPs held up a new icon of their salvation — the latest opinion polls which, they asserted, show them and their associates in the Freedom Alliance to be the second largest political grouping in the country, eclipsing the National Party by far.

They have made these claims often before, and it was their swaggering assertion to be speaking on behalf of most whites which provoked President De Klerk into calling last year's referendum. But the far right learned nothing from their chastening then, and they showed even less benefit yesterday from rational debate on the constitution, or from informed analysis of opinion polls.



JOINT SITTING: The scene in the chamber of parliament yesterday as members of all three houses met to debate the interim constitution agreed on at Kempton Park last week. The debate was initiated by President De Klerk and is to continue until tomorrow.

:e:ore the referendum, the polls — in-luding one by the Human Sciences Re-earch Council, which was said to have ad only a three percent margin of error – gave Mr De Klerk a mere 51 percent f the white vote. It was a tantalising nargin which, parliamentary talk has it, vas the fateful lure which tempted the 'P into fighting the referendum. The re-ult, for the record, was that 68,6 percent f whites backed Mr De Klerk and the far ight were routed.

Yesterday, though, they were back on tream, asserting once again that they vere the voice of white South Africa, dar-ng Mr De Klerk to call a white election, nd referring to the latest polls as if they vere the last word in political objectivity. 3ut nowhere did they address the lethal laws in the Freedom Alliance which Mr)e Klerk, DP leader Dr Zach de Beer, nd many other speakers exposed.

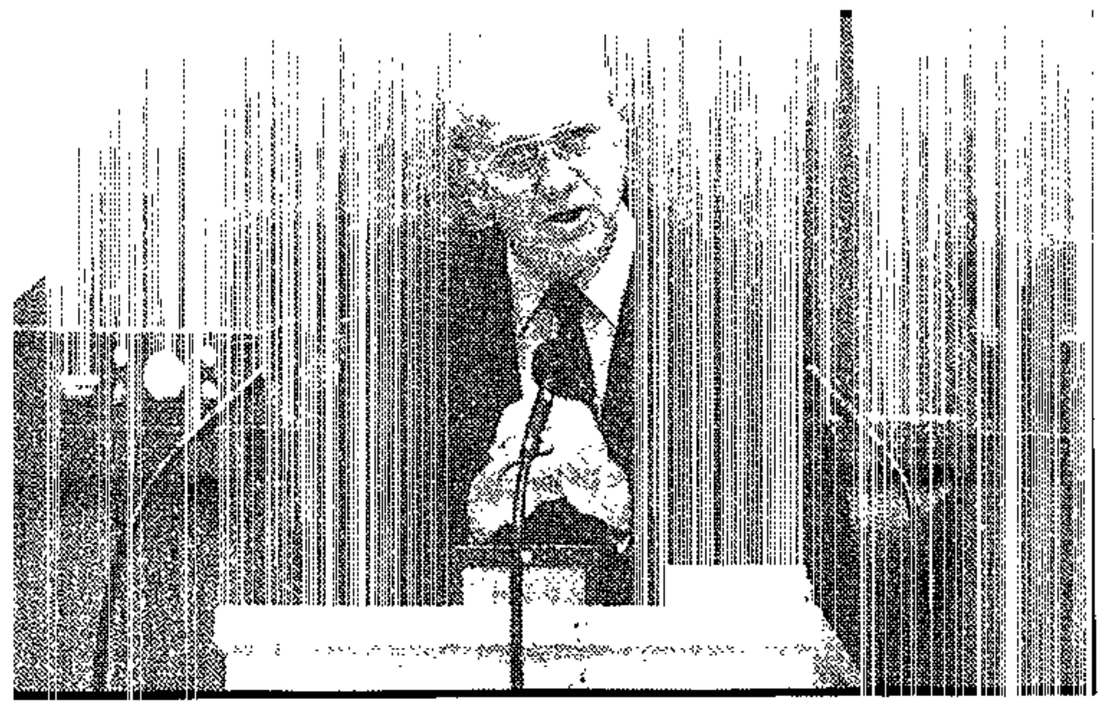
And nowhere did they respond to at-empts by Mr De Klerk and Minister of 'onstitutional Development Roelf Meyer) lure them into rational debate with yet nother hint that, even at this late hour, ome sort of deal might be struck with ne Freedom Alliance — if only the alli-nce would be reasonable.

Instead, the CP's contribution to the de-ate was an evocation of every anachro-ism in South African politics. "We stand or the undiluted self-determination of ur people," roared Dr Hartzenberg, at ne apogee of his passion. "The NP capitu-ated to the SACP. The SACP got every-ing they wanted," he declared.

It was all something of a letdown for ose who had been expecting the CP to xpand on its war talk. The closest they ot to the *skiet en donder* politics which as had their supporters reaching for eir ammo, was a belligerent remark 'om Dr Hartzenberg, apropos an intem-erate warning from the ANC that tanks 'ould roll into those homelands that re-sted reincorporarion. "Touch Bophuth-tswana and you touch us," he thundered. We will not leave our allies in the lurch."

President De Klerk and his cabinet niled indulgently across the floor, some aking their heads in apparent disbelief.

But there was barely a peep out of the P when Mr De Klerk, with lawyerly kill, gave a preview of the sort of cam-aign the country could expect if the reedom Alliance were to go into the ection in its present form. "Do they ac-ept federalism, at least as a point of de-arture?" Mr De Klerk wanted to know. o, they do not, the CP's interjections ade clear. "But your IFP allies stand r federalism. If the CP rejects federal-m it rejects the core of IFP policy," Mr





AT LOGGERHEADS: The chief antagonists in yesterday's debate were President De Klerk, leader of the NP, and Dr Ferdi Hartzenberg, leader of the CP.

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Pictures: ANDREW INGRAM, The Argus

New constitution 'will prevent abuse of power'

Reports by MICHAEL MORRIS Political Correspondent

NO future government would be able to do just as it at pleased simply because it had a majority, a visibly buoyant President De Klerk told parliament.

Opening the last session of white rule yesterday, he declared that, after 300 years, South Africa had rid itself once and for all of the "albatross" of injustice and oppression.

He faced a barrage of interjections from the Conservative benches — taunts such as "Slovo's slaves" — but rounded on the CP: "If that is the only strategy they can come up with after a whole morning in caucus, to act obnoxiously in this House, it is proof of their political bankruptcy."

Detailing the "dramatic" difference between the present constitution and the new interim document, he said South Africa was being turned once and for all into a *rechtstaat* in which the rule of law would be sovereign.

This change was "far-reaching" and would be significant for every individual, language group, organisation and political party.

"It offers healthy protection to all. It changes the essence and character of our State. It places an effective limitation on the abuse of power by any majority. It replaces power as the determining factor with values which define justice as the decisive test.

"Henceforth, no government will be able to do just as it pleases merely because it has a majority."

The new constitution would stand out as the most significant constitutional innovation when the history of this era came to be written.

"For that reason, my plea is that all South Africans should adopt it as their own. We have to stop believing that political power is everything."

Dismissing suggestions that the National Party had "capitulated" on most of the important issues, he said: "That is the biggest nonsense I have heard in a long time. Anyone who says that is either uninformed or malicious.

"We stayed within our mandate and are generally satisfied with the result."

He added: "No party has won. South Africa and all its people will indeed be able to win if they make the best of the opportunities the constitution has to offer. Without the constitution, all of us would have been losers. Now, everyone can become a winner."

Mr De Klerk said his hope was that all South Africans would "bury the hatchet, and abide by the rules of the game, and begin to concentrate on the game itself ... the coming election".

He said the NP looked forward to the election. It would fight hard, but responsibly.

The challenge of the future was to make reconciliation work.

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PRESIDENT De Klerk has scoffed at speculation of tension in the National Party caucus over the Kempton Park agreements.

"It was not even a storm in a teacup," he said of yesterday's pre-session caucus meeting.

Opening parliament yesterday, Mr De Klerk said: "There were constructive discussions and the NP is united in its acceptance of the results of negotiations.

"Naturally, we know (the result) is not perfect, but we in the caucus believe this constitution can work for South Africa. It is best we could negotiate under the circumstances. It is balanced and we will accept the challenges of the future within its framework."

In an unusual move, chairman of the NP caucus, MP Piet Swanepoel issued a statement rejecting speculation of dissent among the Nats whom, he said, had endorsed the interim constitution unanimously.

He said the meeting had been conducted in a spirit of unity.

Other senior National Party sources confirmed this.

One said: "There won't be any walk-outs. If there were to have been any defectors, they would have gone when the Transitional Executive Council legislation was up for debate in October."

Some MPs had expressed uncertainties about elements of the negotiated agreements, but gave them their backing.

Another source sharply rejected a weekend report that Law and Order Minister Hernus Kriel walked out of talks at the World Trade Centre last week after a row with Constitutional Development Minister Roelf Meyer.

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MPs on parliamentary standing committees should be obliged to declare any interest they might have in a subject under discussion, parliament's Joint Committee on Public Accounts has recommended.

The recommendation appears in a report tabled in parliament yesterday on major deficiencies in the Department of Transport that left the committee "seriously perturbed".

It is understood the committee's concerns about members declaring their interests arise from a case in which a former committee chairman, and now a Cabinet Minister, had an interest in a bus company that fell within the ambit of a committee investigation.

The committee was seriously perturbed by deficient external audit certificates in the Department of Transport, the absence of clear guidelines for these certificates, and delays in the submission of certificates.

It was also concerned at:

- The lack of clear guidelines for determining tariffs and compensating losses.
- The lack of clear criteria for advance payments to bus companies.
- Advance payments, specifically intended to alleviate cash-flow problems, had been made to two bus companies with large cash surpluses.
- The lack of departmental criteria for calculating bus replacement reserves and depreciation reflected in the income statements, which had led to ad hoc payments not accounted for.

Corrective measures had been instituted, the committee noted.

ants be able to vote in such a constituent state, regardless of race or colour? Would the CP be prepared to accept the result of an election if the NP or ANC were to win in such a constituent state?" There was no answer, either by interjection or from CP speakers later in the debate.

But Mr De Klerk had anticipated that. "If their reply to these questions is 'yes' then I will truly say I am thankful. Then there is hope. Then there is no necessity for war talk. If their answer is 'no' then I cannot understand how the IFP, President Mangope and the Ciskei are able to stay in an alliance with the CP and AVF. If the CP is not prepared to give everyone the vote, then it is an apartheid party and the other parties in the alliance — and especially the IFP — should have the courage to dissociate themselves unequivocally from the CP and its policy."

In the visitors' gallery supporters of the IFP and the Ciskei government sat impassively.

During the debate it was confirmed that the NP would meet the Freedom Alliance yet again, today, and that the alliance — including the CP — were negotiating separately with the ANC. As Mr De Klerk has said all along, he will do everything possible to get the alliance into the constitutional agreement and he has sent them yet more proposals for compromise.

But judging from last night's debate, the chances of success appear to be minimal and the public exchange once again left many in the chamber in awe of Mr De Klerk's prodigious forbearance.

FW's offer

ANC tackles Biehl case



'PROTECT WITNESSES' . . . Mr Tony Yengeni, ANC regional secretary, surrounded by journalists outside the Supreme Court yesterday morning, says state witnesses must be protected from intimidation.

Pictures: ERIC MILLER

Witness won't speak

CT 23/11/93

Supreme Court Reporter

THE ANC is to question a witness who refused to give evidence in the Supreme Court trial on the death of American exchange student Miss Amy Biehl, according to ANC regional secretary Mr Tony Yengeni.

As a result, the state was forced to withdraw charges against three men charged with the murder of Miss Biehl.

One state witness, Mr Charles Benjamin — an ANC member — refused to testify for political reasons.

Speaking outside the Supreme Court, Mr Yengeni said witness protection programmes needed to be reviewed because no amount of intimidation should stop people from giving evidence.

The four remaining accused, Messrs Mongesi Manqina, Mzikhona Nofemela and Vusumzi Ntamo and a 15-year-old youth still face charges of murder, public violence and robbery with aggravating circumstances when the trial starts today.

Mr Yengeni's comments followed a dramatic announcement in court when Mr Nollie Niehaus, a deputy attorney-general, told Judge-President Mr Justice G Friedman he was in possession of a sworn statement by Mr Benjamin linking Messrs Mlungisi Ngxaza, Mzukisi Mxoli and Mankene Lungilisa



REFUSED TO TESTIFY . . .
Mr Charles Benjamin

to the murder of Miss Biehl.

Mr Benjamin, however, had refused to testify "for political reasons" and the state had no alternative but to withdraw the charges against the men, said Mr Niehaus.

Mr Yengeni said the organisation would like to know from Mr Benjamin what the problem was and if there had been threats against his life.

CT 23/11/93

Speaking to reporters Mr Benjamin said he feared the ANC would not be able to guarantee his safety if he testified. He said it was a personal decision. The ANC had told him it was his duty to assist police in the investigation.

The SADF raid on an alleged PAC base in Umtata had influenced him in deciding not to testify.

Earlier an open-handed PAC salute greeted the surprise announcement by the state that charges against three were being dropped.

Supporters in the public gallery then left the court chanting "one settler, one bullet" and "this is war" and continued to chant and dance until the three men emerged from the building.

● Special arrangements in the trial of the remaining four include the use of two interpreters.

One will translate from Afrikaans to English for one of the assesors, Mr Charles Goredom, a Zimbabwean, and the other from Xhosa to English and vice-versa.

Other special measures include a razor wire cordon outside the Supreme Court, the presence of the internal stability unit and strict control of admission to the public gallery.

Mrs Renata Williams is the second assessor. Mr Justice Poswa and Ms Nono Goso appeared for the remaining accused.

New plan to woo Alliance

304A

CT 23/11/93

By ANTHONY JOHNSON
Political Correspondent

PRESIDENT F W de Klerk has announced an 11th-hour compromise to get the support of the Freedom Alliance for the interim constitution.

Addressing Parliament yesterday, he also brushed aside charges that the National Party had "capitulated" to the ANC in negotiations.

Mr De Klerk and his chief negotiator, Mr Roelf Meyer, took the wraps off what could be a final offer to the Freedom Alliance (FA), which is to meet the government in Cape Town today.

The offer amounts to a government pledge that the alliance members can have self-determination — with the Inkatha Freedom Party achieving the same in Natal/KwaZulu — but through the ballot box.

Mr Meyer, Minister of Constitutional Development, said the northwest province — which embraced Bophuthatswana — had been proposed as an area in which the CP, the AVF and the Bophuthatswana government could achieve their aspirations for self-determination.

Documents submitted by the government to the FA laid the basis for a solution grounded in a beefed-up form of federalism — but it was essential that the Conservative Party and the Afrikaner Volksfront (AVF) give a vote to blacks, coloureds and Indians and allow all parties to participate in elections.

Mr Meyer and Mr De Klerk said that if the FA had a "genuine willingness" and sense of urgency to settle on the basis of federalism, its demands could be met.

However, Dr Ferdi Hartzenberg, said in Parliament yesterday that any attempt to reincorporate Bophuthatswana would be interpreted by the CP as a declaration of war — against the CP as well.

RIFTS IN IFP

— PAGE 2

Later, in an interview on SATV last night, Mr De Klerk said "every effort" would be made to accommodate the alliance's demands in the negotiated draft interim constitution — but the essence of what had been agreed on would not be changed.

In Parliament, after rallying his NP caucus behind him during a marathon pre-debate four-hour session, Mr De Klerk said the interim constitution would deliver federalism.

Dismissing reports of division in the NP ranks as "not even a storm in a teacup", Mr De Klerk said there was "unanimous acceptance" of the results of negotiations.

Some NP sources said Mr De Klerk had warned that he would not speak in Parliament if there was not "100% support" for the World Trade Centre. However, others said that some Nats were merely "confused" about what had transpired at the multiparty talks.

The debate on the President's speech continues until tomorrow.

● Notes in the House — Page 9

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ANC line-up

Boks in ANC line-up

ANC nominations include sports stars, activists and controversial politicians

Preliminary election nominations include sports stars, activists and controversial politicians

DENNIS CRUYWAGEN Political Staff

SPRINGBOK sports personalities Morné du Plessis and Elana Meyer and South African soccer international Duncan Crowie are among preliminary ANC Western Cape nominations to stand in the first free election.

The provisional list of candidates for the April 27 election is a potpourri of sports legends, controversial politicians and civil rights activists.

Former Springbok and Western Province rugby captain Du Plessis, Barcelona Olympics silver medallist Meyer and Cape Flats soccer hero Crowie join liberation struggle stalwarts Essa Moosa, Kader Asmal, Dullah Omar, Albie Sachs and Christmas Tinto.

National executive committee members Trevor Manuel and Cheryl Carolus, who are members of the movement's shadow cabinet and are likely to be included in Nelson Mandela's government of national unity, have also been nominated.

Lawyer Alex Abercrombie, Crossroads strongman Jeffrey Nongwe and ousted Brown's Farm leader Christopher Toise are on a long list of nominations.



Meyer — Crowie — Du Plessis — Moosa

Others are Western Province soccer chief Vincent Baartjes, Peninsula Technikon rector and SABC board member Franklin Sonn, boxer Nika Khumalo and Hannes Senekal, who led the campaign for a judicial Commission of Inquiry into Hit Squads.

Regional executive committee member Dawood Khan, who was suspended earlier this year for passing a controversial remark outside the Israeli Embassy, is also on the list.

(To page 4, col 4)

Boks in ANC line-up

(From page 1)

Western Cape ANC chairman Allan Boesak said the list was only provisional.

"It's a very, very provisional list. The process has only started. Many of those on the list will have disappeared by December 11, when we'll announce our official list of 74 candidates."

Of the 74, 20 would be nominated to go on the ANC's national list of parliamentary candidates, 44 would serve in regional government and 10 would be in the senate.

Declining to divulge names on the list, Dr Boesak said "some good people have been nominated, but there are others of whom no self-respecting political party would be proud of".

The ANC had decided that those nominated would not necessarily have to be members of the organisation.

"But we would want the final 74 candidates to endorse our policies, identify with the movement and be loyal to the ANC."

The nominations list will be discussed at the ANC's regional conference at the Pensinsula Technikon on Friday.

Dr Boesak is unopposed as chairman and is likely to be unanimously re-elected.

Mrs Meyer's husband and manager Michael Meyer said the track star did not want to become involved in politics at this stage.

"She has no time for politics now. But she'll vote next year."

He declined to say which party would get her vote.

He said his wife was surprised to have made the ANC's provisional nomination list.

Mr Nongwe was also surprised to be on the list.

"I'm willing to be a candidate."

Mr Toise said he was "honoured" to have been nominated.

He, too, was ready to serve the ANC, he said.

Bid to meet self-determination demands

Govt hands olive branch to FA

Star 23/11/93

BY CHRIS WHITFIELD
POLITICAL CORRESPONDENT

IF YOU touch Bophuthatswana you touch us, CP leader Ferdi Hartzenberg warns in Parliament

304A

ape Town — The Government, the eve of today's critical eeting with the Freedom Alli-ce (FA), has made what could a final offer to the dissenting ouping.

But yesterday in Parliament, esident de Klerk, having won er his caucus, faced Conserva-e Party MPs' threats to defend e freedom of the Afrikaner and phuthatswana with everything their disposal.

De Klerk — opening the spe-l session of Parliament which ll see the negotiated Interim nstitution for a new South rica pass into law — said ere was hope for a solution he CP, an FA member, accept-federalism, nonracialism and ree and fair election.

The special sitting, the third is year, is expected to be the t of the current dispensation.

Constitutional Development nister Roelf Meyer revealed in e debate on the president's eech that the Government had oposed that the CP, the Afri-ner Volksfront and the Bo-uthatswana government could hieve their desire for self-termination in the North West ovince demarcated in talks.

The region stretches from the tswana border in the north to e Free State border in the south and from Rustenburg in the east to the western border of Bophuthatswana.

Meyer suggested there could be sub-regions in the province — such as an Mmabatho sub-region — where the various parties could exercise such self-determination.

A last-minute deal in negotiations has already ensured that another key demand of the FA — for provinces to be able to compile and adopt their own constitutions — has been met. "A solution is in our hands," said Meyer.

In essence the Government is suggesting that the FA could achieve its aims — with the Inkatha Freedom Party doing the same in KwaZulu/Natal — but would have to do so through the ballot box.

Earlier De Klerk said: "The Government is still involved in efforts to bring the parties in the alliance on board by means of negotiation. Given a genuine willingness and sense of urgency on the part of the Freedom Alliance, that remains possible."

However, CP leader Ferdi Hartzenberg was in a belligerent mood and said any decision to reincorporate Bophuthatswana — as proposed in the talks — would be a declaration of war.

"If you are touching Bophuthatswana, you are touching us," he said to cheers from CP MPs. Afrikaners in the FA would protect their freedom with everything at their disposal and not let their allies down, Hartzenberg added.

He also said the CP still stood for confederalism.

De Klerk asked whether the CP accepted federalism, that all parties had the right to field candidates in all regions in the election, and that all should have the vote irrespective of race.

"If the answer is 'no' then I cannot understand how the IFP, President Mangope and Ciskei are able to stay in the alliance with the CP and the AVF any longer," said De Klerk.

The president also vigorously defended the National Party against charges that it had capitulated on important issues in talks.

CP MPs repeatedly shouted interjections, with two having to withdraw comments suggesting De Klerk had "no morality", and that he was "either an idiot or skelm (dishonest)".

Government negotiators meet the FA in Cape Town today.



Poll protest . . . about 40 rightwingers march to Parliament in Cape Town yesterday, demanding that President de Klerk hold a debate with their leaders.

ANC aims to raise R180m

THE ANC is trying to raise R180 million, to fight the forthcoming election on April 27, according to Mr Ketso Gordhan, assistant co-ordinator of the ANC's election commission.

Commenting on the preparations, Mr Gordhan said: "We are planning to spend about R180 million if we can raise it. We have acquired the services of Hunt Lascaris as our advertising agency. (#14) CT 23/11/93

"We have also engaged two prominent consultants who featured in Bill Clinton's presidential campaign to assist us."

Meanwhile, the NP has signed up high-profile British image-makers Saatchi and Saatchi and Lowe Bell Communication for its campaign.

Inkatha Freedom Party elections manager Mr Arthur Konigkramer said: "Our advertising campaign started this weekend. We have engaged a number of advertising agencies and consultants to prepare our campaign."

The Democratic Party has engaged overseas fundraisers to assist them and are aiming to raise R20m. — Own Correspondent, Sapa-AFP (3049)

Rightwing election call

Sowetan 23/11/93

A SMALL group of flag-waving white Afrikaner rightwingers protested outside Parliament yesterday morning and demanded, in a letter, that State President FW de Klerk call a whites-only general election.

They also asked for a special TV debate between De Klerk and the leadership of the Herstigte Nasionale Party.

The group of less than 100 represented the HNP, the Afrikaner Weerstandsbeweging and the Volksleer.

They carried the South African flag, the Nazi-style Volksleer flag and the old Transvaal Republic *Vierkleur*.

After their letter had been handed to a government official at about 10.35am, a group member shouted, in Afrikaans: "The *Boerestaat* is coming. Away with De Klerk."

Worcester HNP chairman, Mr Pieter du Toit, told *Sapa* the letter had been addressed to Minister of Law and Order Mr Hernus Kriel because there was a "definite division" in the National Party Cabinet, and they felt the chances of a reply were better if it was addressed to a "rightwinger". (304A)

The letter, signed by the Worcester HNP divisional council, states that the HNP strongly protests at the Government's intention to accept an interim constitution, during the session starting later yesterday, which would "take total control of our fatherland out of whites' hands".

Such an action would be against De Klerk's mandate, the letter says.

The group had marched from the Kaisersgracht in District Six and had permission to stand outside the parliamentary gates until 12pm, Du Toit said.

They left the precincts shortly after 11am. — *Sapa*.

De Klerk defends new deal

Sowetan 23/11/93

By Themba Molefe
Political Correspondent

THE NATIONAL PARTY government had at last rid itself of the apartheid albatross, State President FW de Klerk said in Parliament yesterday.

But, De Klerk did not escape the wrath of the Conservative Party, and as such, the Freedom Alliance, which said he had capitulated to the South African Communist Party's demands.

CP leader and Freedom Alliance co-leader Dr Ferdi Hartzenberg said the Government's chief negotiator and Minister of Constitutional Development Roelf Meyer had "secured himself a job" in a future African National Congress-SACP government while De Klerk needed a "20 percent vote" to get a job.

He was referring to the Kempton Park agreement on parties with at least 20 percent support which could get a deputy president.

Addressing a joint sitting of Parliament, De Klerk withstood angry interjections from the CP benches while putting across the Government's side of the accord signed at the World Trade Centre last Thursday. (304A)

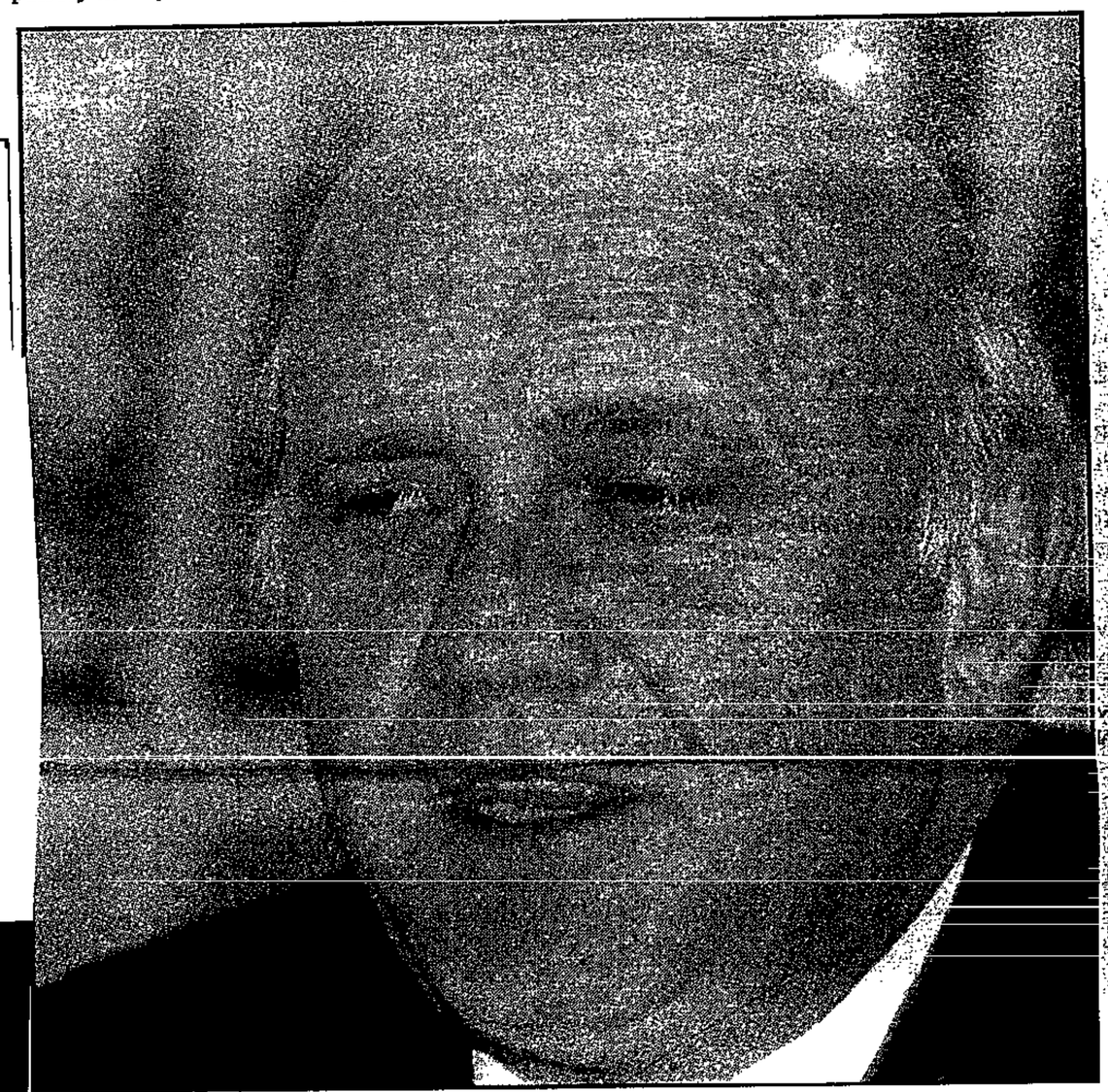
Taking the fight to the Freedom Alliance, which comprises the CP, Inkatha Freedom Party, Bophuthatswana and Ciskei homelands and the Afrikaner Volksunie, De Klerk called for its disbandment and accused it of opportunism.

"It is a great pity that certain significant parties walked out of the multiparty (negotiations) forum." He was referring to the AVF components.

He defended the draft interim constitution — to be tabled in Parliament during this session — as being a democratic outcome of the negotiations process and, as such, should be legalised through enactment by Parliament which was supreme and sovereign.

"The new, agreed constitution — read together with the prescribed principles which are also compulsory in respect of succeeding constitutions — changes this system drastically. It turns South Africa once and for all into a *Rechstaat* — a state in which the Rule of Law is sovereign."

This, De Klerk said, would be protected by the provisions of the new Constitution and proposed Bill of Fundamental Rights.



The National Party Government has finally rid itself of the apartheid albatross State President FW de Klerk said during the last all-white session of Parliament yesterday.

Pik hopes new ties will boost trade with India

BIDay, 23/11/93

NEW DELHI — Foreign Minister Pik Botha expressed the hope yesterday that the establishment of full diplomatic ties with India would lead to a boom in commerce between the two countries.

Earlier he signed a protocol with his Indian counterpart, External Affairs Minister Dinesh Singh, resuming, for the first time in four decades, full diplomatic relations between SA and India.

"I really hope this will signify to the private sector in both countries that the doors are now open to explore," he told a media briefing on the first visit to India by an SA government minister. (304A)

Yesterday's agreements cleared the way for the establishment of consulates and embassies in both countries after 39 years of no diplomatic contact which began when India withdrew its ambassador in 1954 to protest against apartheid.

The protocol upgrades SA and India's recent limited diplomatic presence in New Delhi and Johannesburg to the status of consulates. Both countries are expected to set up embassies later.

Botha said both governments intended to encourage trade and business co-operation through exploratory visits.

Singh said: "It is our hope that there will be close co-operation between India and SA, and that we shall be able to work together as very friendly countries."

Botha left India last night to return to SA after a week-long trip abroad in which he visited Tunisia, Bahrain and Pakistan.

In his visits to the four countries, he has raised the idea of an Indian Ocean rim grouping of states along the lines of the North American Free Trade Agreement and the Asian Pacific Economic forum.

Botha discussed this with Pakistan's Prime Minister Benazir Bhutto and India's Prime Minister Narasihma Rao. He said they had both expressed a great deal of interest in the closer co-operation of Indian Ocean rim countries.

The envisaged grouping could include east African countries, some Gulf states, Pakistan, Bangladesh and India and would begin with greater marine and air co-operation, he said.

This initial collaboration could lead on to closer economic and trade opportunities which would enable Indian Ocean rim countries "to further our interests, to protect our interests, to speak with a more powerful voice in the world".

A potential stumbling block to Botha's initiative could be the poor relations between India and Pakistan. Botha said he had discussed that conflict with Bhutto and Rao, but it was not his place to interfere in those countries' domestic affairs. — Sapa.

● Comment: Page 12

NP backs De Klerk on new constitution

B1Day

CAPE TOWN — President F W de Klerk received staunch backing from his party yesterday, shrugging off allegations that government had capitulated to the ANC.

Opening a three-day debate at the start of the short session of Parliament, De Klerk said the furore predicted by the media in yesterday's NP caucus meeting had "not even been a storm in a teacup".

The caucus had been unanimous in accepting the result of negotiations, saying the new constitution was not perfect, but was the best that could have been achieved in the circumstances. (304A)

Sources said De Klerk threw down the gauntlet, asking for endorsement of his

TIM COHEN

parliamentary speech in which he approved the new constitution. No serious objections were forthcoming. 23/11/93

Opposition parties nevertheless took swipes at De Klerk, citing reports that quoted ANC secretary-general Cyril Ramaphosa saying he could not believe that government had given in so easily.

Anticipating the charges, De Klerk spent much of his speech highlighting the limitations on majority power envisaged in the new constitution. The transformation from parliamentary sovereignty to the sovereignty of law would be the most far-reaching aspect of the new dispensation.

Every law passed by Parliament would have to meet requirements of a value system of prescribed norms and principles and could not be in conflict with the constitution or the Bill of Fundamental Rights.

Courts, especially the constitutional court, could declare laws null and void if they conflicted with the constitution and the Bill of Rights.

"One day, when the history of this era is written, this incisive change in our system will stand out as the most significant constitutional innovation of them all."

De Klerk said allegations that the NP

☐ To Page 2

had capitulated on most of the important issues in negotiations was "the biggest nonsense I have heard in a long time". No party had won. (304A)

SA and all its people would be the real winners if they made the best of the opportunities the constitution had to offer.

"I hope, especially, that all South Africans will now bury the hatchet, will abide by the rules of the game and will begin to concentrate on the game itself — the coming election," he said.

In response, CP leader Ferdi Hartzenberg said the NP had failed to secure permanent power-sharing in either the interim or a final constitution, as it had promised. Instead the SACP and its allies had been accommodated at the expense of other groups, nations and individuals. The SACP had not only won more than its bottom line; it had sometimes got more than its top line.

Negotiations had produced a unitary state rather than a federation and regions had been left without any significant powers, Hartzenberg said.

DP leader Zach de Beer said the constitution was not an end in itself, but the means to an open, free, just and prosperous society. Such a society needed more than just a good constitution; it needed to develop the patterns of social intercourse which made an open society.

⊙ See Page 4

Warning of war over homelands

CP threats as govt tries to woo Alliance

B/DAY 23/11/93

TIM COHEN

CAPE TOWN — On the eve of a last-ditch attempt by government to draw the Freedom Alliance into the new constitutional dispensation, the CP yesterday issued a stern warning that any attempt to reincorporate the homelands without the alliance's consent would lead to war. (304A)

Government and alliance negotiators meet today in what is widely believed will be the alliance's last opportunity to ensure that some of its requirements are included in the interim constitution.

Speaking in Parliament yesterday, CP leader Ferdi Hartzenberg said any attempt to reincorporate Bophuthatswana would be interpreted by the CP as a declaration of war against the CP as well.

He was responding to President F W de Klerk's statement that it was still possible for parties in the alliance to "come on board", given a genuine willingness and a sense of urgency. But De Klerk effectively limited the time in which agreements could be forged, saying agreements reached in the next week or so could still be enacted by Parliament.

But Sapa reports that in a speech in the Durban city hall last night, Inkatha Freedom Party leader Mangosuthu Buthelezi said he would not lead Inkatha into an election under the present draft constitution. He urged his supporters to fight a "fatally flawed constitution".

However, Inkatha would nevertheless continue to prepare for elections because "there will be elections next year once we have reached true multiparty consensus on the way forward". Inkatha has consistently said it will not fight the April elections before a final constitution is drawn up, but it is planning to contest elections "sometime next year".

The Freedom Alliance would continue talking to government "in the hope that sense will in the end prevail".

Inkatha remained committed to a speedy, negotiated settlement and although he had repeatedly warned of the danger of the present "civil war" turning into a more devastating conflict, "you can be assured that Inkatha will not be in the forefront of that".

In Parliament, De Klerk said the basis of the current negotiations was that federalism had been accepted as the point of departure, and the question now was how federalism might be strengthened further. Alliance leaders had twice on Friday confirmed they supported federalism, rather than confederalism. Were this not so, the negotiations would be senseless, he said.

This representated progress, as it meant

□ To Page 2

Freedom Alliance

B/DAY 23/11/93

From Page 1

that the CP and Afrikaner Volksfront were now negotiating within the framework of federalism, which they had previously rejected as totally unacceptable.

A further sign of progress was that the Volksfront was negotiating with the ANC — "for which I and the NP have been branded as traitors". (304A)

Addressing the problems of the alliance, Constitutional Development Minister Roelf Meyer suggested the northwest region, encompassing a subregion with Mmabatho as its capital could offer a solution for the Afrikaner Volksfront, the CP and Bophuthatswana. Such a region would be adjacent to the mainly Afrikaans-speaking northern Cape region.

Hartzenberg apparently rejected these overtures, however, saying the alliance was determined not to subject itself to the SA Communist Party and its allies.

Afrikaners in the alliance would protect their freedom with everything at their disposal and would not let their allies down. "If you strike Bophutatswana, you are striking us."

CP MP Fanie Jacobs said the CP would mobilise Afrikaners to defend the homelands if a new government tried to send in tanks, as threatened by one ANC leader.

Referring to a document tabled in discussions between government and the alliance, Jacobs said that what was important was how the alliance understood the references to federalism, not how government chose to interpret them.

□ Outgoing SADF chief of staff Lt-Gen Pierre Steyn yesterday told journalists in Pretoria that the Freedom Alliance was not capable of a sustained military threat.

While many SADF-trained whites might make themselves available to the Alliance, a "head-on" battle was unlikely.

"I don't credit them with being a sustained threat and I don't foresee an uprising." But the security community would be neglecting its duty if it did not monitor threats of violence.

□ A small group of flag-waving Afrikaner right-wingers protested outside Parliament yesterday, demanding that De Klerk call a whites-only election. They also asked for a special TV debate between De Klerk and HNP leaders.

● Comment: Page 12

De Beer quizzes CP on alliance with Inkatha

CAPE TOWN — The confederalist CP had to be asked why it was in alliance with the Inkatha Freedom Party, which roundly denied being confederalist and insisted on its federal policies, Zach de Beer (DP Parktown) said yesterday.

In debate on the President's opening address to Parliament, he said CP leader Ferdi Hartzenberg had earlier delivered a parliamentary speech based on the theme that the CP rejected federalism and favoured confederalism.

The question regarding the CP's alliance with Inkatha was not a fine academic point.

"This goes to the root of our constitutional future."

Confederalism, while it would not work, was logical in terms of the CP's view of the world, which also would not work.

"But their most significant partners, the IFP, are most emphatic in their rejection of confederalism and their insistence on federalism."

Tony Leon (DP Houghton), said during a special debate on the negotiation process that history would record the role President F W de Klerk and his party had played in bringing about a negotiated end to apartheid.

The Bill of Rights in the constitution was largely a good one, but clauses on property rights, freedom of information and administrative justice presented problems.

Jurie Mentz of Inkatha (Ind Vryheid) said Inkatha objected to the ANC's seizing power.

Only the ANC had gained in the interim constitution.

Inkatha sought lasting peace, not confrontation. However, there could be no peace if the winners of the election also wrote the rules of the game, said Mentz. — Sapa.

Star 24/11/93

A step forward, says FA of latest Govt proposal

■ BY CHRIS WHITFIELD
POLITICAL CORRESPONDENT

Cape Town — Hope for an agreement which would bring the dissenting Freedom Alliance (FA) parties into a political settlement flared last night after a meeting with the Government had ended on a positive note.

The Government's negotiators had tabled a proposal on changes to the powers and functions allocated to provinces — at the heart of the FA's rejection of the Interim Constitution agreed to in World Trade Centre talks — and FA negotiators described this as a "step forward".

However, both parties to the nearly four hours of talks in the parliamentary complex last night were at pains to emphasise that more tough-talking would have to follow.

Also crucial to further progress will be the attitude of the FA party leaders — unpredictable and erratic to date — and the ANC, increasingly hardline towards the alliance.

The meeting between negotiators from the Government and the FA ended shortly before 9 pm.

Bophuthatswana's Rowan Cronjé emerged to reveal that "we are very pleased that a constructive proposal to try to bridge differences came forward from (Home Affairs) Minister Danie Schutte".

The FA parties saw this as a "constructive step forward". He declined to give details, but said it referred to Clause 118 of the Interim Constitution — dealing with the powers and functions that will go to provinces in the new dispensation.

(30(4A)

Fundamental

Constitutional Development Minister Roelf Meyer also declined to give details of the proposal, saying it had still to be put to leaders.

Although there are other critical areas of difference between the parties, Clause 118 is the most fundamental. Agreement on adjustments to this — which can still be made during the current sitting of Parliament — could sweep away other obstacles.

Although neither side wanted to comment last night, it appears that accommodation might be reached on the areas in which "self-determination", as demanded by the FA elements, could also be achieved.

In terms of the Government's position this could be attained for Zulus in KwaZulu/Natal and for both Afrikaners and Tswanas in the north-west region agreed to in talks.

"We believe their (Volkstaters') aspirations can be satisfied in the north-west region ... without amending borders," said Meyer.

In essence, the Government proposal demands that the FA parties take their chances at the ballot box and, should they win in the north-west, a sub-region could be established in which a Volkstaat could effectively be established.

The FA meets in its own bosberaad in Mmabatho tomorrow and Friday and is scheduled to meet the Government again on Monday.

"We will look at it (the Clause 118 proposal) and assess the implications. We will give it priority," said Cronje.

The time factor has become critical — with Parliament expected to pass the Interim Constitution within the next three weeks.

Star 24/11/93

MPs not likely to rock boat on IC vote

Cape Town — Chances of a shock rejection of the Interim Constitution during voting in Parliament next month are extremely slim.

As things stand, the National Party has 168 of the 308 MPs in the three Houses of Parliament.

However, the constitution could be blocked if a majority in one of the three Houses rejects it.

(304A)

Lined up

The only serious pocket of resistance will be in the House of Assembly, where the Conservative Party's 36 MPs and the Inkatha Freedom Party's three will oppose the talks settlement.

But they will be lined up against 101 Nat MPs, 27 in the Democratic Party, and 11 "independents" who include five ANC members.

Barring wholesale NP defections — unlikely after the party caucus unanimously gave the deal its support — the constitution should be accepted. — Political Correspondent.

More than 5 000 seek transition jobs

JOHANNESBURG. — The negotiating council is being flooded with applications for posts in transitional structures such as the Transitional Executive Council and the independent electoral and media commissions.

More than 5 000 applications have been received for the 147 posts in the electoral and media commissions. These bodies will function only from December until April.

An official involved in the selection of applications says it appeared many applicants were unemployed. — Sapa.

ARG 24/11/93

Hope of a breakthrough for Freedom Alliance, government

ARG 24/11/93

Political Correspondent

PROSPECTS for an imminent breakthrough in negotiations with the Freedom Alliance hinge on a crucial round of talks in the next few days.

There is greater optimism in the government and alliance camps after a "thorough" three-and-a-half-hour discussion last night.

A plan to extend the list of exclusive provincial powers — in return for a commitment from the alliance to enter the constitutional and electoral process — appears to lie at the heart of the latest proposals.

Details are being kept under wraps pending further meetings this week and on Monday.

The government is insisting on a package deal — various agreements and compromises that can be presented as a package to other parties in the negotiations — as the only feasible way of clearing the way for the alliance to re-enter the political mainstream.

Central to it is the concept of a federal volkstaat in the north west region, and the notion of the alliance parties exercising their aspirations to self-determination through the ballot box, regionally.

The latest government proposal will head the agenda of a two-day alliance "bosberaad" tomorrow and on Friday in Mmabatho.

The two sides will meet again in Pretoria on Monday with the hope of finally reconciling their positions.

The alliance is also expected to meet the ANC soon.

A key factor in the bid to draw the alliance into the process is that there are Negotiating Council meetings scheduled for Monday and Tuesday.

Alliance spokesman Rowan Cronje said of the latest proposal on regional powers: "We are very pleased with the proposal to bridge the gap between us. We like this approach and regard it as step forward. It moves closer to what we feel it should be.

"We now have the basis to try to see if we can finalise the question of powers for regions."

Chief government negotiator Roelf Meyer said he hoped the governemnt's latest proposal would lead to a breakthrough.

"We will await their response. We'll have to play it by ear."

He added: "It is not going to be possible to sell a deal to any of the other parties if the Freedom Alliance is not prepared to play the game and accept this as part of a political deal."

BOLFA

W 9 knots

UN appeals to all SA parties to respect interim accords

ARG 24/11/93 (SOUTH)

NEW YORK. — The United Nations Security Council has welcomed the successful completion of agreements on an interim South African constitution and electoral bill and has urged all parties to respect the accords.

The council said in a statement read at a brief meeting that it looked forward to elections scheduled for next April and urged "all parties in South Africa, including those that did not participate fully in the multiparty talks, to respect agreements reached during the negotiations, to recommit themselves to democratic principles, to take part in the elections and to resolve outstanding issues by peaceful means only."

The council reiterated its continued support for peaceful democratic change for the benefit of all South Africans and invited Secretary-General Boutros Boutros-Ghali to accelerate planning for a possible UN role in the election process.

This would include co-ordinating with observer missions to be sent by the Organisation of African Unity, the European Community and the Commonwealth.

The council urged the early establishment of the Transitional Executive Council and Independent Electoral Commission, key institutions on the road to a non-racial democracy.

"The Security Council considers South Africa's transition to democracy must be underpinned by economic and social reconstruction and development, and calls on the international community to assist in this regard." — Sapa-Reuter.

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High pressure brings fine, sunny weather. | Fresh southerly to south- erning.

Clinton promises to support and help SA

ARG 24/11/93 (30A)

☐ Sanctions repeal Act signed at White House

PETER FABRICIUS
The Argus Foreign Service

WASHINGTON. — The United States's economic isolation of South Africa has formally ended with President Clinton's signing at the White House of legislation repealing most federal sanctions.

He yesterday also sent Commerce Secretary Rob Brown on an official trade mission to South Africa.

"I'm determined our nation will stand by South Africa as it faces the difficult challenges ahead," said Mr Clinton.

He said the signing of the legislation "marked the realisation of a great dream — the transition to a non-racial democracy".

Witnessing the ceremony were, among others, civil rights campaigner the Rev Jesse Jackson, former congressmen Steven Solarz and Bill Gray and Senator Nancy Kassebaum.

Mr Clinton said the Act would help to provide resources to overcome the "bitter legacy" left by apartheid — poverty, illiteracy and unemployment — by lifting remaining federal sanctions and giving South Africa access to international financial instituions.

But this was not enough. Those who had helped "topple the pillars of apartheid must remain committed to building South Africa's non-racial democracy".

This was why Mr Brown was to lead a mission to explore investment possibilities, especially in the black private sector.

Mr Clinton ended his speech with the opening words of the anthem *Nkosi sikelel' iAfrika*.



SIGNING OFF: President Clinton signs the Bill ending economic sanctions against South Africa while Vice-President Al Gore, left, applauds and Secretary of State Warren Chrlstopher, centre, and Commerce Secretary Ron Brown confer.

Dinkins for campus — not SA

The Argus Foreign Service

NEW YORK. — Rumours that New York Mayor David Dinkins was likely to become the United States Ambassador in South Africa were dispelled today with the announcement that he is to take up a full-time teaching position at Columbia Univesity after he leaves office in January.

Mayor Dinkins, who claims a close friendship with ANC president Nelson Mandela and led a civic delegation on a controversial and costly visit to South Africa two years ago, was narrowly defeated by Republican candidate Rudolf Guliani in a mayoral race two weeks ago.

Now

The wir
in a light

Labour to contest poll on ANC ticket

JOHANNESBURG — A joint statement from the ANC and the Labour Party yesterday welcomed the LP to the "democratic movement" and confirmed it would compete on an ANC ticket in the April election.

After senior members of the two parties met at the ANC's Johannesburg headquarters, ANC executive member Mr Ebrahim Ebrahim said they had agreed that "maximum unity of our people" was essential to win the election.

"We concluded that this phase of the struggle should be approached on the basis of conditions now existing and not those of the past," said Mr Ebrahim, confirming this referred to the LP's controversial participation in the Tricameral Parliament. It had also been agreed that the LP would not contest the election independently. — Sapa

Fresh hope

CT 24/11/93
304A



Govt, alliance narrow the gap

By ANTHONY JOHNSON
Political Correspondent

ELEVENTH-HOUR negotiations between the government and the Freedom Alliance have raised hopes of a "bridge-building" agreement that could draw alliance support for the new constitution.

And ANC president Mr Nelson Mandela, in a surprise announcement in Johannesburg last night, said he had met Afrikaner Volksfront leader General Constand Viljoen and Conservative Party leader Dr Ferdi Hartzenberg for talks that had "broken the ice".

Mr Mandela said the ANC looked forward to pursuing its dialogue urgently with the right-wingers.

In Cape Town last night, alliance and government negotiators emerged from a four-hour session in the H F Verwoerd building and said the gap between them was narrowing.

Both sides said significant progress had been made on the powers and functions of regions.

However, they said the emerging consensus represented only part of an overall settlement and still had to be ratified by their principals.

The leader of the five-party alliance delegation, Bophuthatwana's Mr Rowan Cronje, said: "For the first time constructive proposals from the government's side have been put on the table that may allow us to bridge the gap on regional powers.

"It's a bridge-building movement between the government and the alliance that we will look at on Thursday and Friday. We will give our response to the government on Monday."

Mr Cronje said the alliance would also assess the progress made at last night's meeting with the ANC.

The Minister of Constitutional Development and the government's chief negotiator, Mr Roelf Meyer, said the emerging consensus on the power and functions of the regions was "critical", but emphasised that any deal would have to include a commitment from the alliance that it would participate in elections.

He was reluctant to divulge details of the proposal and would say only that it entailed the "description" of the powers of regions as defined in section 118 of the new constitution.

The proposal was based on the idea that the Conservative Party's concept of a "volkstaat" and the demands of the Bophuthatswana government could be accommodated in the north-west region, given that subregions could be established.

In addition, many of the aims of the Inkatha Freedom Party could be accommodated in the Natal/KwaZulu region, Mr Meyer said. However, he emphasised that it would be up to voters to decide what system would apply.

Govt closes ranks on constitution

CT. 24/11/93

Political Staff

THE government closed ranks yesterday behind all aspects of the new constitution with a procession of senior ministers staunchly supporting the document's limitations on government and parliamentary power.

Privatisation Minister Dr Davie de Villiers, Justice Minister Mr Kobie Coetsee, Home Affairs Minister Mr Danie Schutte, Land and Regional Affairs Minister Mr André Fourie, Law and Order Minister Mr Hernus Kriel and Local Government Minister Dr Tertius Delport all spoke on the second day of a three-day parliamentary debate yesterday.

Dr De Villiers, who predicted that the current session of Parliament would be the most decisive since 1910, said no party was completely satisfied with the agreement achieved at the World Trade Centre.

But it represented an equilibrium in which divergent demands, expectations and views of different parties could be reconciled. Freedom Alliance members were far removed from the realities of the great political forces at work in South Africa. The IFP behaved as if negotiations meant only that its demands should be met and the CP had not arrived in the new South Africa, he said. (304A)

Non-citizens join April poll

304A
CT 24/11/93

TBVC residents may vote

Political Staff

FOREIGN citizens who are permanent South African residents will be able to vote in next year's elections for the first time in the country's history, the department of home affairs has confirmed.

The clause in the draft electoral bill passed by negotiators at Kempton Park is designed mainly for the more than 4 million citizens of the soon-to-be reincorporated TBVC states. It will also give the franchise to passport-holders of other countries.

In addition, it will help returned exiles and people who renounced their citizenship for political or other reasons.

The department's chief legal officer, Mr Attie Tredoux, said the new legislation would apply to people who held permits for permanent residence.

This meant that among the numerous categories of permanent resident, a foreign citizen who had been vetted by the immigration selection board could obtain a temporary voter's certificate within a short while of arriving.

This brings to six the number of different documents people will be able to use to vote, including the old reference book, old identity card, a temporary identity certificate, an SA passport or the new identity book.

Mr Tredoux said the processes an immigrant had to go through to obtain residence would prevent abuse of the system by people from neighbouring countries.

Political parties appear to be generally satisfied with the new legislation. No organisation believed that the eligibility of foreign citizens to vote would drastically affect its chances in the poll.

DP spokesman Ms Dene Smuts said the new flexibility was "definitely a one-off thing" which would only apply to the April 27 election.

"It is not normal, and as a matter of urgency we must sort out the status of all South Africans," she added.

re of South Africa

Nats defend new deal on way forward

Sowetan 24/11/93

■ POWER SHARING NP MPs rap FA members over the knuckles:

By Themba Molefe
Political Correspondent

DEBATE on whether South Africa should change to a democracy continued in the "last white" Parliamentary sitting in Cape Town yesterday.

Predominantly "white" political parties, especially the ruling National Party and the opposition Democratic Party, gave a sterling performance in the joint sitting — defending the Kempton Park constitutional accord against a hostile rightwing onslaught.

As the Freedom Alliance negotiators were poised to meet the Government last night, the NP was again in full swing in the House of Assembly. (3044)

"Power sharing does not mean surrender," said Minister of Public Enterprises and NP negotiator Dr Dawie de Villiers.

De Villiers said the outcome of the negotiations was "a unique child of our own creation and not a product of revolution".

He said the alliance was luring the country to chaos. He accused the Inkatha Freedom Party of reneging on its position on federalism and leaning towards the ultra-right's confederation call.

He suggested that Bophuthatswana and Ciskei could not opt for confederation as their economic sustenance was dependent on Pretoria. "Ciskei is not even worth mentioning," De Villiers said.

During the same debate, Law and Order Minister Mr Hernus Kriel called for a summit of leaders to address the violence in the country. "We cannot go on with the situation on the security terrain as it is now. This constitution needs and deserves to be implemented in a peaceful atmosphere," Kriel said.

In an appeal to the country's leaders, Kriel said: "I beg of you to now take the initiative and stop the violence so that we can have peaceful elections."

The Conservative Party's MP for Randfontein, Mr Corné Mulder, threatening that if the demand by the "volk" for self-determination was not accommodated in negotiations, the CP would have to gain it in "another manner".

CP MP for Kuruman Mr Jan Hoon said the real winner in the World Trade Centre process was the South African Communist Party.

CAPE TOWN
YRARSLI

NEWS Stiff battle for Government

Alliance, Govt make progress

■ HOURS OF TALKS Cronje is happy about Government's proposal:

Sowetan 24/11/93

PROGRESS was made on meeting the Freedom Alliance's demands for self-determination, Bophuthatswana's Mr Rowan Cronje said after three hours of talks with Government negotiators last night.

Cronje said for the first time the alliance had positive proposals to consider.

He said a further meeting would be held with the Government on Monday when the alliance would give its response.

Minister of Constitutional Development Mr Roelf Meyer welcomed the alliance's response.

He said the Government's proposals had identified the north-west region as the territorial focus of a four-point package aimed at getting the FA to endorse the interim constitution and participate in next year's elections.

The Government's offer was in essence a clarification of Section 118 of the draft constitution which sets out the division of original powers between central and regional government, concurrent powers and the asymmetrical options of regions to take on these powers. (304A)

Cronje said the alliance partners would meet to study the proposals at Mmabatho tomorrow and on Friday.

He credited Minister of Justice Mr Danie Schutte for coming forward during the talks with what he called a "constructive forward step".

"It takes the same approach as ours and we will now assess it and see what adjustments and amendments need to be made," he said.

He said the Mmabatho meeting would formulate the alliance's response for presentation to the Government on Monday.

Cronje also identified Section 118 of the draft constitution as the central issue but said the one-versus-two ballot paper issue was also raised.

"It (a single ballot) places regional parties at a clear disadvantage," he said. "It is no good agreeing on a constitutional basis if in an election one is put at a disadvantage." — *Sapa.*

Ministers back constitution

B/Day 24/11/93

TIM COHEN

CAPE TOWN — Government closed ranks yesterday behind all aspects of the new constitution with a procession of senior ministers supporting the limitations on government and parliamentary power.

Privatisation Minister Davie de Villiers, Justice Minister Kobie Coetsee, Home Affairs Minister Danie Schutte, Land and Regional Affairs Minister Andre Fourie, Law and Order Minister Hernus Kriel and Local Government Minister Tertius Delport all spoke on the second day of a three-day Parliamentary debate yesterday.

De Villiers, who predicted that the current session of Parliament would be the most decisive since 1910, said no party was completely satisfied with the agreement achieved at the World Trade Centre. But it represented an equilibrium in which divergent demands, expectations and views of different parties could be reconciled.

Freedom Alliance members were far removed from the realities of the great political forces at work in SA. Inkatha behaved as if negotiations meant only that its demands should be met, the CP had not arrived in the new SA, Bophuthatswana still did not realise it was financially dependent on SA and the Ciskei military junta was not worth mentioning, he said.

Coetsee insisted that government's position from the start was that the Judicial Services Commission should participate in the selection of judges to the constitutional court. On allegations that the DP had enticed government and the ANC to minimise the role politicians would play in the selection of the judges, Coetsee said it was in fact the DP which was initially in favour of parliamentary selection of judges.

Government "from the year dot" had been in favour of the view that judges should be independently appointed and

(304A)

□ To Page 2

Constitution

B/Day 24/11/93

□ From Page 1

that the appointments should be "underwritten" by the legal profession.

(304A)

Both Delport and Kriel, speculated to be against the new constitution, did not speak against it, sticking rather to their respective portfolios. Kriel called for an additional summit on violence, while Delport promised that the proposed Local Government Transition Bill would be presented in Parliament during the current session.

DP MP Dene Smuts said the CP had a particularly bad case of "paradigm lost". She said the CP had, half the time, reacted like settlers who had been told to quit India but who had not figured out where home was. The other half of the time was spent putting grand apartheid into reverse, trying to create a white homeland — "a Boereguay in the midst of Uhuruguay.

"The apartheid spell has been broken. In April, Ulundi will turn into a pumpkin."

Last-minute debate before draft Bills go to Parliament

BILLY PADDOCK

NEGOTIATORS will meet again tomorrow to refine the draft constitution and the draft electoral Bill before they go to Parliament. B/Day

Any agreements between government and the Freedom Alliance this week will be debated by negotiators and the constitution amended accordingly. 24/11/93

The alliance views this as the final opportunity for its demands to be accommodated, although President F W de Klerk has said that the door will not be closed until the election, leaving room for all parties to negotiate changes.

The planning committee met in Cape Town yesterday to finalise issues which were left unresolved at the end of last week's negotiations in the rush to convene the plenary to adopt the constitution.

Despite negotiators having accepted the 11th-hour deal between government and the ANC, one or two issues might be revisited. It is unlikely major changes will be considered, but it is understood that there will be some attempt to re-open the issue of a single ballot. (304A)

Our Political Staff reports that the negotiators accepted last Wednesday that voters should have a single ballot — a proposal which was part of a six-point package presented by government and the ANC.

The proposal was initially strongly opposed, but opposition was dropped after the ANC and government had lobbied extensively.

The DP wants the issue re-examined. DP home affairs spokesman Dene Smuts yesterday berated the Freedom Alliance for not being at Kempton Park and missing a golden opportunity to strengthen devolution of power and federalism.

Meanwhile, the Transitional Executive Council planning committee has been inundated with applications for administrative posts in the TEC, the Independent Electoral Commission and the media commissions. An official said yesterday that applications for the 147 posts advertised had topped 5 000.

Despite the fact that the jobs would only last for about six months, many of the applicants "are very highly qualified and have sent in some very interesting motivations supporting the establishment of the TEC and other structures," she said.

Tuckshops for prisoners strictly cash only

Political Staff

CAPE TOWN — Prisoners will soon be allowed to shop until they drop — but all transactions will be strictly cash. B/Day

The Correctional Services Third Amendment Bill tabled in Parliament yesterday makes provision for the establishment of shops in prisons for the first time. 24/11/93

Correctional Services Ministry spokesman Capt Bert Slabbert said the "tuckshops" would stock items such as toiletries, non-perishable foods and tobacco (304B)

Prison recreational clubs would be allowed a say in the tendering process.

Slabbert said all prisoners would be allowed to use the shops, but some prisons were too small to make them a going concern.

In the past, prisoners had had to supply lists of items they wished to buy to the prison authorities.

"If the PAC and ANC do not agree with our election pact, which includes a call for the establishment of the constituent assembly, the transfer of power from the white rulers to the black majority and the return of black land, we would urge our members not to vote and not to accept nominations which might lead them to serve in the Parliament after April 27."

PAC national executive committee member Mark Shinners said the PAC would have to meet Azapo to discuss their conditions.

ANC spokesman Ronnie Mamoepa said the ANC welcomed Azapo's decision.

"We believe that their decision will send a message to other parties who are still undecided about the April 27 election."

White PAC man speaks out

B1Dg4

CAPE TOWN — Most white members of the PAC were Afrikaners because they had few problems identifying with Africa, an Afrikaans-speaking member of the organisation said yesterday. 24/11/93

The member, a professional man from Pretoria, said the Afrikaner's obsession with the land was well-known and the PAC had a similar obsession.

He said in an interview, published in yesterday's issue of Die Suid-Afrikaan, that Afrikaners did not want to be in a party because they were white or Afrikaners. "They want to be a member as any other member, a person like other people, a person among other people."

The lifestyles of these Afrikaners was different from other Afrikaners because they totally accepted that the country would be governed and managed by black people. "They are not clinging to power. They do not fear the majority. They do not expect other standards."

Die Suid-Afrikaan editor Antjie Krog, who conducted the interview, said the man did not want to be named at this stage, but he had indicated he would publicly declare his membership next year.

Political Staff

PAC information secretary Waters Tobote told the journal the main criterion for PAC membership was an acceptance of the principle of African rule of the majority African people.

"The PAC does not discriminate against whites, but many of the PAC's policies are, generally, speaking, not popular with many whites.

"White people are also generally speaking not receptive to the PAC's principles on socialism.

"There may be a few white members of the PAC, but there is not a single white member of the Azanian People's Liberation Army.

"A number of white people have made applications to the PAC, but anybody who applies to the PAC undergoes an interview, Tobote said.

Apla commander-in-chief Sabelo Phama was quoted as saying the Apla leadership had to handle a force of more than 10 000 guerillas.

calling for an election pact. Failing a pact, he said, Azapo would discourage supporters from voting. Picture: ABDUL BHAP

Survey predicts ANC landslide

A SURVEY of SA's political future published yesterday predicted the ANC could win a major victory in next April's elections. B1Dg4

The survey, a study of investment risks, said the ruling NP was unlikely to win more than 20% of the vote.

"In a future election, the ANC will probably get an absolute majority of over 50% and may get two-thirds," said Lawrence Schlemmer, research director of the Human Sciences Research Council. 24/11/93

He was addressing businessmen in an investment presentation covering SA's political and economic future.

The survey was carried out by the research division of the HSRC and the research department of stockbrokers Frankel Pollak Vinderine. The organisations stressed the survey results were subject to rapid change.

The survey posed three key questions: whether the NP would retain its status as a signficant counterbalance to the ANC, whether the ANC and its allies would achieve an absolute majority in the elections, and whether they would achieve a two-thirds majority enabling them to write a future constitution.

Surveys conducted between March and May, including four nominally independent black homelands, indicated 64% of the April vote would go to the ANC and its allies, between 15% and 18% to the NP, and 14% to 18%to the Freedom Alliance of white right-wingers and conservative homeland leaders.

The NP could pick up further votes, however, if it could present itself as the most credible or logical counterweight to the ANC and the Freedom Alliance did not run.

The survey also warned of the dangers of a weak NP and the erosion of support for the centre.

It said an ANC-dominated government after the elections would need "a credible and substantial coalition partner to function as a 'bridge' to control the state" B2dA7

An NP with no more than 15% of the vote and three or four ministers in a cabinet of 30 could not function as such a bridge.

But both government and the ANC were aware of the high risks of a failed election. — Sapa-Reuter.

Sanco launches monthly newsletter

THE SA National Civic Organisation (Sanco) has launched a newsletter which will be circulated to all its branches, in an attempt to enhance communication between itself and its constituencies.

WILSON ZWANE

The newsletter, Umthunywa/Morongwa, is funded by the Perm and is produced by Sanco in conjunction with Planact.

ly, would not "substitute for report-back mechanisms" such as conferences.

In this month's issue, former Sanco president Moses Mayekiso said Sanco had not been able to communicate effectively to its structures in the past.

He attributed this to a lack of resources, the rapid

communicate effectively had given rise to concerns that the organisation was not in touch with its grassroots structures.

By launching Umthunywa, Sanco was seeking to correct that.

"This first issue is aimed at providing information on people-driven economic development," Mayekiso said.

□ Newly elected Sanco

NEWS IN BRIEF

Firearms control

DRAFT legislation to tighten control over firearms and to allow the Commissioner of Police to close down the business of an arms dealer suspected of irregularities, was published yesterday.

The existing Act provided that people con-

'There is still time for FA to come on board'

FW warns Right not to play with fire

Star 25/11/93

304A

■ **BY CHRIS WHITFIELD**
POLITICAL CORRESPONDENT

Cape Town — President de Klerk has warned right-wingers in the Conservative Party and Afrikaner Volksfront that if they wanted to revive apartheid they were "playing with fire".

In an aggressive closing speech to three days of debate in Parliament on negotiations, De Klerk identified the next 10 days as critical if the dissenting Freedom Alliance (FA) parties were to come on board the country's political settlement.

He appealed to rightwingers and members of the FA to "wrestle" with the question of how they should approach this period.

De Klerk was speaking on the eve of a crucial two-day FA bosberaad, which will consider its response to proposals made by the Government to the alliance this week. The FA will meet the Government again on Monday.

He said there was still time for agreements reached with the FA to be included in the Interim Constitution — to be passed into law next month by this session of Parliament — but it was running out.

"If they (the right wing) want to make war to let apartheid live again they will do this country the greatest possible disservice," he said.

He remained of the view that the Inkatha Freedom Party was an important role player which should not be ignored. He was convinced the IFP would have accepted the Interim Constitution if it had been presented before it walked out of the process.

De Klerk again suggested that the FA was not an alliance and charged that its member parties held sharply differing views.

Pressure on Govt, ANC to rethink vote issue

One-ballot deal for debate again

Star 25/11/93

■ BY CHRIS WHITFIELD
POLITICAL CORRESPONDENT

Cape Town — The controversial "one-ballot deal" — which will deny voters the right to different choices at national and provincial levels — is to be raised again in negotiations at Kempton Park tomorrow.

But President de Klerk strongly defended the talks agreement in Parliament yesterday.

Pressure has been steadily growing on the Government and the ANC to change their minds on the issue after it was settled in the closing minutes of last week's deliberations of the Negotiating Council and then ratified by the plenary session of leaders.

Dispute

The Democratic Party said it would call in the Negotiating Council today for the issue to be re-opened.

The Freedom Alliance (FA) parties have also described the deal as a "fundamental" point of dispute with the Government and ANC.

The FA parties said that it could decimate smaller, regionally-based parties and deny voters in the provinces the chance to express a provincial preference.

GROWING pressure on the Government may force a rethink on voters' choices in national and provincial elections

304A

In terms of the deal, voters would only have one ballot paper for both national and provincial legislatures, effectively denying them the choice of different parties at different levels of government.

De Klerk, speaking during yesterday's President's question time in Parliament, said the NP and Government had been in favour of the concept of separate ballots.

But in the coming election "we are dealing with millions of voters who are voting for the first time".

Evidence from across Africa indicated that if the voting system was a complicated one the country could have "millions of ballot papers filled in the wrong way".

"That is why we decided this is a concession we can make," said De Klerk.

He pointed out that in future the regions would hold their own elections and therefore this was the "last time" such a system would apply.

In a sarcastic response to a question by the DP MP for Pniel, David Curry, De Klerk said that "if the DP, with its tremendous power, can convince other parties (to change their minds) we won't stand in the way of two ballot papers".

DP MP for Gardens Ken Andrew, speaking later during debate on the President's opening address to this session of Parliament, described the talks agreement as a "shabby deal".

Although the DP had reluctantly agreed at Kempton Park to this provision in the draft Electoral Bill, it would raise the issue again today at the meeting of the Negotiating Council, he said.

Undermine

The deal would have an "unjust and detrimental effect on smaller, regionally based parties".

It would undermine the effect of the devolution of power to the provinces and restrict voter choice; and mean, in practice, that "voters will have no free choice when it comes to electing their provincial governments", Andrew said.

FA spokesman Rowan Cronje described the deal as "fundamentally undemocratic.

Star 25/11/93

'Afrikaner own govt' calendar

Potchefstroom — Right-wingers released details of their time scale yesterday for creating alternative government structures — including an own "presidency".

A "Freedom Calendar" was released in pamphlet form at a meeting addressed by Afrikaner Volksfront co-leader General Constand Viljoen in Potchefstroom yesterday.

It envisages Afrikaner "alternative government structures" such as an own defence force, and departments of justice, finance and so on.

Before March national representatives and a president for Afrikaners should be elected, and by March the volkstaat should be created.

Its national assembly should then declare the "Azanian" government illegitimate in the volkstaat. — Sapa

(304A)

CP shooting from the hip at TEC

Star 25/11/93

■ BY CHRIS WHITFIELD
POLITICAL
CORRESPONDENT

Cape Town — The might of the Boerevolk would be mobilised against a communist takeover of the Defence Force through the Transitional Executive Council (TEC), CP deputy leader Dr Willie Snyman warned yesterday (304A)

Made during a debate in Parliament, this amounts to one of the most direct threats made by the right wing.

Speaking during a mini-debate in the House of Assembly — one of the last whites-only sittings — the MP for Pietersburg said that the CP would not recognise the TEC.

The debate centred on the influence the TEC would have over the SA Defence Force.

One vote plan faces growing opposition

ARG 25/11/93

Political Staff

THE Democratic Party and PAC are pressing for changes to the interim constitution to allow voters to choose national and regional governments separately in the April 27 election.

In parliament yesterday DP national chairman Ken Andrew continued his party's blistering attack on the African National Congress/National Party pact on a one-ballot election.

He said the single ballot would mean most voters being denied free choice in electing their regional governments.

Under the deal struck by the ANC and NP, voters would get one ballot paper and vote for the party of their choice once.

But the vote would be counted twice — once for national and once for regional elections.

This would mean voters wanting to support one party in the national assembly but another in regional government would be unable to do so, Mr Andrew said.

It would undermine the federal structure and devolution of power that were supposed to be essential parts of the interim constitution.

The DP will propose that the matter be reconsidered when the Negotiating Council meets tomorrow to put final touches to the interim constitution.

PAC negotiator Patricia de Lille said she would also demand that the debate on the issue be reopened.

"We also want a full explanation of what deals were made. A trade-off was made here and we want to know what parties were promised for toeing the line," she said.

President De Klerk said the government had agreed to make concessions on a single ballot paper to avoid voter confusion because millions of people would be voting for the first time.

Under the DP plan, a voter would enter the polling station and at the first table obtain a ballot paper for the national election. After casting this ballot, the voter would move to a second table for a ballot paper for the regional election.

Mr Andrew said no confusion could arise under this plan since in the first ballot a voter would have the same choice as that proposed under the ANC-NP deal, and in the separate second ballot he or she would again have the same choice, except that it would be for regional government.

Mr Andrew said his party had initially only agreed to the one-ballot proposal because it did not want to delay the negotiation process. But the system was untenable, farcical and undemocratic.

It could eliminate small, regionally-based parties and could affect the composition of the Senate. Mr Andrew said today that he remained hopeful that something could be done.

'Boer rule' promised in 14 days

ARG 25/11/93

304A

Political Staff

JOHANNESBURG. — Rightwingers in the Free State have been promised a "Boere government" within 14 days.

Conservative Party leader Ferdi Hartzenberg told 400 farmers and MPs at an undisclosed venue this week that he expected the Transitional Executive Council to be installed by that time. Simultaneously "a Boere government" would be put in place as a transitional government of an Afrikaner people's republic.

The proposed government would be headed by a "people's leader". Dr Hartzenberg called on all Afrikaners "who don't want to be part of (Nelson) Mandela's and (Joe) Slovo's communist hell in Azania" to rally behind this leader.

"When we speak of self-determination, we speak of complete self-determination in our own fatherland with our own constitution, civil service and security forces," he said, adding that no other government could rule the Afrikaner people.

In parliament yesterday, CP deputy leader Willie Snyman warned that from the moment the TEC was established, the CP would regard the Afrikaner Volksfront's executive council as its cabinet, suported by a military force in its own "area of jurisdiction".

FW gives hope for two vote option

(30qA) CT 25/11/93

By ANTHONY JOHNSON
Political Correspondent

PRESIDENT F W de Klerk has opened the door to a review of the highly controversial deal with the ANC to scrap regional ballots in next year's poll as the rebellion against the single system gained momentum yesterday.

The Democratic Party — which now has the backing of at least a dozen smaller parties — announced it would spearhead 11th-hour moves at the World Trade Centre to overturn a provision in the interim constitution that denies voters the opportunity to back different parties for regional and national parliaments.

The five-party Freedom Alliance — which includes Inkatha and the Afrikaner Volksfront (AVF) — also served notice that it regards the right to free voting choice "of such fundamental importance" that it will use the issue as a major bargaining chip in talks with the government and the ANC aimed at winning acceptance of the interim constitution and participation in the elections.

Alliance spokesman Mr Rowan Cronje said the single ballot system placed regional parties at a clear disadvantage.

Concession

When the negotiating council at the World Trade Centre meets again tomorrow, parties expected to throw their weight behind moves to overturn the ANC/NP "shabby deal" include the PAC, the Afrikaner Volksunie and the Cape traditional leaders.

In Parliament yesterday, Mr De Klerk said the government would not block a review of the single ballot proposal, noting that the NP had supported the concept "as a concession" which formed part of a larger package deal with the ANC.

The DP brought the simmering issue back on to the front-burner both in State President's question time and during the last day of a three-day debate on the new constitution yesterday.

Gardens MP Mr Ken Andrew conceded that the DP had reluctantly assented to the single ballot system at multi-party talks, but he said it had done so as part of a "blackmail deal" in order not to hold up last Wednesday night's negotiations plenary session. The single ballot system had been foisted on voters as a result of a behind-the-scenes arrangement between the ANC and the NP.

● Two votes are better — Page 16

Women's party for elections

T E recently launched South African Women's Party (SAWP) intended fighting the April 27 elections next year, its convenor, Ms Michelle Muller, said yesterday.

SAWPO, which launched its operations in Cape Town this week, wanted "to unite women of all races, religions, cultures, capabilities, sexual and political orientations" and to empower women to independently take charge of their futures through political action. CT 25/11/93

Poll: Volkstaat idea favoured

(3044)

PRETORIA — A volkstaat is favoured by 28% of whites, according to a Markinor-Gallup poll.

About 22% of the 800 whites interviewed telephonically thought a white homeland was a viable option, while 14% were prepared to move to such a volkstaat.

The poll found a volkstaat had some appeal across all segments of the white population.

25/11/93

'Right is playing with fire'

Sowetan 25/11/93

■ SPITTING VENOM

De Klerk attacks right:

Sowetan Correspondent

PRESIDENT FW de Klerk has warned rightwingers in the Conservative Party and Afrikaner Volksfront that if they wanted to revive apartheid they were "playing with fire".

In an aggressive closing speech after three days of debate in Parliament yesterday, De Klerk said the next 10 days would be critical for South Africa if the dissenting Freedom Alliance parties were to come on board the country's political settlement.

He appealed to rightwingers and members of the alliance to 'wrestle" with the question of how they should approach this period.

De Klerk was speaking on the eve of a crucial two-day FA bosberaad to consider its response to proposals made by the Government to the alliance this week.

The FA will meet the Government again on Monday.

The State President said there was still time for agreements reached with the FA to be included in the interim constitution. The interim constitution will be passed into law next month.

De Klerk said unless the CP started to negotiate seriously it could trigger the violence it had threatened.

This elicited a storm of protest from the CP benches, but De Klerk stressed that he was not threatening violence: "It is the CP and AVF who make the war talk." (304A)

"If they want to make war to let apartheid live again they will do this country the greatest possible disservice," said De Klerk.

NEWS Words of condolence from Nelson Mandela jeered at by meeting

Sowetan 25/11/93

ANC will govern SA — Viljoen

THERE would be great problems ahead if the Transitional Executive Council was placed in charge of the security forces, Afrikaner Volksfront leader General Constand Viljoen said yesterday. He was addressing a crisis meeting in Potchefstroom after a local farmer, Mr Johan Kooij, was murdered on his farm.

A number of the 150 farmers who attended the meeting expressed their dissatisfaction with the lax security provided by police in rural areas.

NOT HERE 'No-go Popcru regions.'

304A

State of mind

Viljoen said he had discussed Mr Kooij's murder with African National Congress president Nelson Mandela on Tuesday night and had told him that Arikaners' state of mind was becoming "explosive".

There were jeers from the crowd when Gen Viljoen said Mr Mandela had asked him to convey his condolences to the meeting yesterday.

Viljoen said he failed to understand how the TEC, consisting of unelected office bearers, could be placed in control of the security forces.

He added that the ANC and the SA Communist Party would win next years's elections and would then implement socialist economic reforms and institute repressive measures.

He said the agreements the Government had reached with the ANC were not worth anything. The only thing that counted was political and military power.

Mr Willie Lewies, of the Transvaal Agricultural Union, told the meeting farmers should not allow policemen who belonged to the Police and Prisons Civil Rights Union on their farms. "Make your region a 'no-go area' for those who are not with us." — *Sapa.*

304A

Legalise prostitutes, Government advised

Star 25/11/93

■ BY NORMAN CHANDLER
PRETORIA BUREAU

▶ Anything okay in sex with a 'luck' – Page 25

Prostitution in South Africa — first outlawed 100 years ago — could be legalised if an "enlightened strategy" on the subject was developed by the Government, says a Human Sciences Research Council group studying "commercial sex workers".

The 169-page report has been received by the Department of National Health and Population Development.

It is the second major report favouring legalisation of prostitution. Earlier this year, the South African Law Commission recommended in a proposed human rights Bill that protection be offered for this type of work.

Prostitution in South Africa was first controlled in 1893 through a Transvaal Republic law, and was prohibited in terms of the 1957 Sexual Offences Act.

Policing has not necessarily been successful and methods of investigation differ from city to city, say the researchers,

▶ To Page 3

Star 25/11/93

Legalise prostitution

◀ From Page 1

Willem Schurink, Ian Liebenberg and Evanthe Schurink, of the HSRC's Social Dynamics group.

The police, however, apply the law strictly, particularly against street-walkers in order to "force" them into escort clubs, where they must be registered with the police's South African Narcotics Bureau.

The HSRC says four options are open to the State: a return to fundamentalist values (rooting out prostitution through repressive measures); retention of the current situation; decriminalisation of the profession; and decriminalisation and legalisation of prostitution.

It favours the latter, which could mean the introduction of legal controls such as registration, the right to collective bargaining and medical examinations.

Benefits to the authorities will come through education, counselling and retraining of prostitutes who want to quit the profession.

Buthelezi 'may quit public life'

SIMON BARBER

WASHINGTON — Inkatha Freedom Party leader Mangosuthu Buthelezi might retire from public life rather than lead his party into next year's elections, former Inkatha general secretary Oscar Dhlomo predicted here yesterday.

Dhlomo, who now heads the Institute for Multiparty Democracy in Durban, thought it would be out of character for Buthelezi to take up arms against the interim constitution or a new government.

At the same time, his objections to the new order were so deep-seated that he would find a "climb-down" difficult. BDay

Dhlomo interpreted Buthelezi's talk of retirement in a Washington Post interview last weekend as an indication that he was "quietly preparing for an exit".

Dhlomo was confident that Inkatha would participate in elections, with or without Buthelezi, but that his departure would leave Inkatha in some disarray because there was no obvious successor.

Inkatha was already preparing to run, Dhlomo said, noting that it had been receiving campaign training from the International Republican Institute (IRI).

There were "simmering tensions" in the party's ranks over Buthelezi's rejectionist stance.

Dhlomo thought the only way Buthelezi would lead his party into elections was if he received a strong appeal from his supporters, but even that might not change his mind. 25/11/93

White homeland lacks much allure

BDay 25/11/93

BILLY PADDOCK

NEARLY half the supporters of the Afrikaner Volksfront would not want to live in a white homeland, Markinor deputy MD Christine Woessner said yesterday.

However, a Markinor survey conducted among 800 whites this month indicated about half a million whites favoured such a homeland — 12% of the support coming from Inkatha Freedom Party supporters.

"What is especially surprising is that about half the Volksfront supporters would not be part of a white homeland. In fact, only six out of 10 are in favour of the concept itself and only slightly more than half (54%) consider it a viable proposition," Woessner said. (304A)

The Volksfront, led by arch-conservatives Gen Constand Viljoen and CP leader Ferdi Hartzenberg, refused to comment last night.

Volkfront media spokesman Stephen Maninger said there would be no comment until the Volksfront had studied the results of the survey "and have had the opportunity to question her (Woessner) about her methodology and other details".

The survey indicated that 28% of whites were in favour of the homeland, with 22% believing it was a viable option. But only 14% of whites would be prepared to pack their bags and move to such a white homeland.

People in the lower income (less than R2 999 a month) and education (Standard 9) groups were the most enthusiastic, with most enthusiasm coming from 16- to 24-year-olds.

Support for the white homeland was strongest among Volksfront supporters (43%), with the CP trailing by one percentage point. White Inkatha supporters (12%) supported the idea, beating NP supporters with 11%.

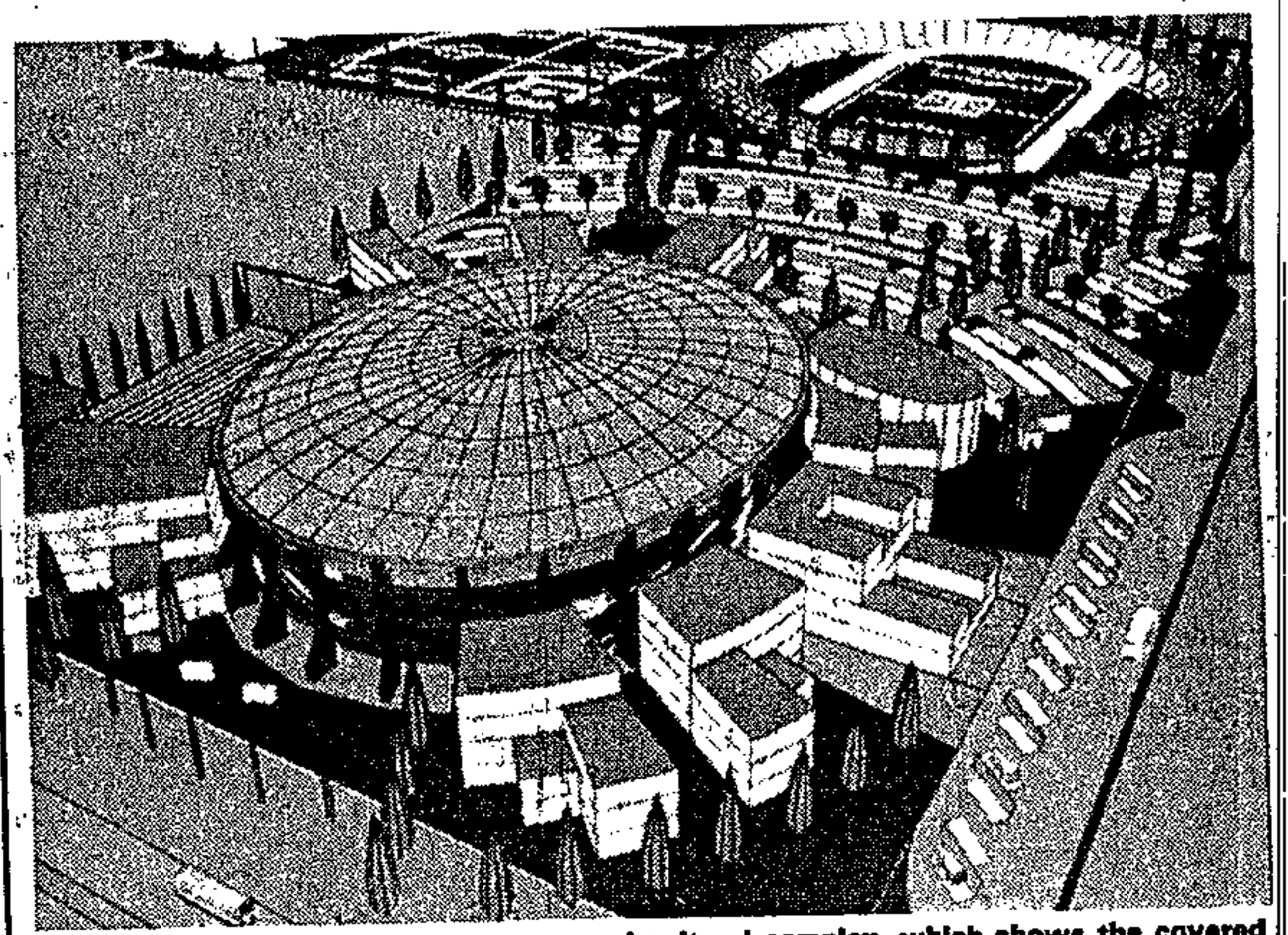
All people polled who said they supported the ANC rejected moving to a white homeland.

Support for moving to a white homeland was fairly equally distributed between the Free State (25%) and white Transvalers outside the PWV area (28%). The least support, 5%, came from the Port Elizabeth/East London/Cape Town area.

□ Sapa reports members of the whites-only SA Iron, Steel and Allied Industries Union are going to approach a vehicle manufacturer to work overtime without pay to provide Volksfront leader Gen Viljoen with a car.

This follows a Volksfront head office request on Tuesday that regional leaders should approach motor dealers who support its cause to supply two cars, one of which should serve as a "VIP" car.

Iron and Steel general manager Nic Cellier said yesterday that one of the union's branches had offered its services and the unnamed manufacturer would be approached. The union is a Volksfront member.



A model of the R106m Soweto sport and cultural complex, which shows the covered stadium surrounded by units which will include a conference centre, library and hotel. The sports park on the right, and to the left is the baseball diamond. Graphic: Kerry Brookabank Architects

Mandela wrong on land, says SADF

WILSON ZWANE

THE SADF yesterday denied an allegation by ANC president Nelson Mandela that it was the country's richest landowner and said much of the land it had use of was suitable only for conservation. BDay

Mandela said on Tuesday a new government would redress land ownership inequalities by — among other things — using vast tracts owned by the SADF.

The SADF said yesterday it did not own land. Land was allocated to it by the Public Works Department and as soon as the SADF did not have a use for it, it gave the land back. (284A) (11A)

The SADF said at present it had the use of 600 000ha of land, 0,5% of the land in SA. "Of this, 500 000ha is undeveloped and is used for training areas, bombing ranges shooting ranges and buffer zones aroun airstrips and ammunition depots."

A Public Works spokesman said if any o its "clients" handed back land, the depart ment disposed of it along normal marke lines. That is, it sold it by public auction o tender. 25/11/93

Elaborating on Mandela's remark ANC agricultural spokesman Derek Han kom said the SADF land would not b expropriated as it was state-owned.

It would, instead, be used as part a new government's redistribution pr gramme, Hanekom said.

DP quarrels with FW over ballot system

BIDay 25/11/93

CAPE TOWN — President F W de Klerk faces growing pressure to reopen the issue of a single versus double ballot, which the DP said it intended raising at the World Trade Centre talks tomorrow.

The DP broached the issue in State President's question time yesterday and during the last day of the three-day debate on the new constitution.

The Freedom Alliance joined the fray on Tuesday, when it gave notice in negotiations with government that it objected to the single ballot system in terms of which a single vote would be counted twice; once for the national parliament and once for the regional parliament.

TIM COHEN

DP MP Ken Andrew conceded that the DP had reluctantly agreed to the single ballot system, but said this had been done as part of a "blackmail deal" in order not to hold up last Wednesday night's negotiations plenary session. (30(4)A)

The single ballot system, which was undemocratic and farcical, had been foisted on voters as a result of a behind the scenes deal between the ANC and the NP.

It was the one feature of the new constitution that had consistently been identified as "a shabby deal in conflict with democratic principles", he said. "It will have an unjust and detrimental effect on smaller, regionally based parties and will distort and have a substantially undermining effect on the concept of devolution of power and the autonomy of provinces."

It restricted voter choice and "severely damages the prospect of providing for the political inclusivity which is absolutely essential in a deeply divided plural society such as ours", Andrew said.

De Klerk said the NP supported the concept of a single ballot in the April 27 general election, but would not stand in the way of separate votes for national and

☐ To Page 2

Ballot

BIDay 25/11/93

☐ From Page 1

regional elections.

Replying to DP MP David Curry during his question time, De Klerk said the NP supported a single ballot because evidence in other African elections had shown that more than one ballot led to abnormally high numbers of spoilt papers (30(4)A)

However, the NP had supported the call for a single ballot very reluctantly as part of a programme to make the election process as simple as possible. In future regions would conduct their own elections.

De Klerk said he was not in favour of reopening debates on issues at the World Trade Centre as this would open a Pandora's box with all parties wanting to revisit aspects of the constitution.

But "if the DP, with all its tremendous power, can convince other parties of the necessity to reopen the issue, we will not stand in their way".

Time is running out for the Freedom Alliance

BDay 26/11/93

BILLY PADDOCK

(304A)

SOUTH Africans worrying about the exclusivity of last week's political settlement are hoping for the best after suggestions that "good progress" is being made in secret talks between government and the Freedom Alliance.

Alliance chairman Rowan Cronje has fuelled these hopes and Constitutional Development Minister Roelf Meyer has done nothing to dispel the expectation that some kind of breakthrough is imminent.

However, President F.W de Klerk shed light on the inside story when he warned the alliance members on Wednesday that the next 10 days were crucial if they wanted to become part of the broad political settlement in SA.

Meyer and his team are fully aware that, despite their attempts to accommodate the alliance, particularly Inkatha, they may merely be going through the motions until the time expires and the constitution is accepted by Parliament.

A senior government source admits that there is little room for government to move in accommodating the alliance, as the deal reached with the ANC and enshrined in the draft constitution is a very hard fought deal and for either of us to change that now will be extremely difficult". Any accommodation that government can make with the alliance will have to be cleared first with the ANC and then renegotiated with all the other participants in the negotiations. The chances that the Freedom Alliance is going to become part of the settlement are slight.

The alliance and government cannot even agree on basic principles to be followed in the talks. Government is proposing a four-point package deal in exchange for a commitment in principle that the alliance will join the process, even if only to the extent that it will contest the election. But the alliance rejects this. The four issues under discussion are "only the beginning, there are still process issues we have severe problems with", Cronje says.

Government has, so far, merely reformulated previous proposals and made semantic changes.

The first point in the government package is that the 18 powers and functions of regions be listed clearly, and that the extent of central government's concurrent powers be spelt out clearly. Regions would be permitted to take up their exclusive powers only if and when they desire to — providing for the possibility of asymmetry.

The only check on this exclusivity is that central government has concurrent powers in setting the basic norms and standards. Cronje acknowledges that this is acceptable in principle, but that the extent of regional powers do not go far enough.

Second, government believes the draft constitution already accommodates the alliance on the issue of regions having their own constitutions. However, the alliance wants regional constitutions in place before the April elections.

Third, government is looking at different ways in which regions can have their own tax base. One way of achieving this, which Cronje accepts as viable, is that the constitution specify a percentage of personal taxes and VAT to be granted to regions to ensure central government does not tamper with these.

Fourth, government is suggesting ways of accommodating the demand for a white homeland in the form of a subregion within the northwest region. However, this subregion will not be entitled to a separate administration. Government also wants the alliance to spell out its view on citizenship within such a subregion. It is insisting that people living in that area be assured of full rights. The alliance refuses to accede to this.

Added to this, the alliance now argues that it would be impossible for it to participate in the election on the basis of a single ballot. This objection is not held exclusively by the alliance.

But the alliance is presenting other process issues, such as the deadlock breaking mechanism and the two-phase finalisation of the constitution, as an obstacle to a settlement.

Institute for Multiparty Democracy executive chairman Oscar Dhlomo is probably correct, as this column has argued in the past, that Inkatha will contest the election. Idasa's Alex Boraine this week argues the same way. But it will do so on the basis of opposition to the constitution.

Buthelezi has painted himself into a corner. There is no way that he can be accommodated without losing face. But he rules Inkatha with an iron fist, and despite his public pronouncements that he will consider resigning if the party chooses to contest the election, he will lead it into the election. There is no future for him and his political colleagues in the party if he refuses. There is no clear successor for the leadership and they are unlikely to go into the bush to wage a battle.

But time is running out and, according to respected political analyst Lawrence Schlemmer, the longer Buthelezi waits to make up his mind on contesting the election the worse it is going to be for him.

ECONOMICS (RESEARCH)

LETTERS

Govt chided over SITE

TIM COHEN

CAPE TOWN — Opposition MPs yesterday chided government for allowing the Inland Revenue Commissioner to refund SITE overpayments.

DP MP Brian Goodall said Parliament ought to insist that there be an obligation on the employer to make the correct deductions and the employee to provide the correct information. B 1D94

But Goodall said he supported the Income Tax Amendment Bill, under debate in Parliament, because there might have been some confusion over SITE. 26/11/93

The CP supported Goodall's argument but also supported the legislation. (304A)

Deputy Finance Minister Theo Alant said SITE, introduced after a recommendation was made by the Margo commission, was intended to simplify the administration of income tax payments.

Employees who earn less than a specified amount do not have to submit income tax returns. Their employers are responsible for determining the amount of income tax payable.

Unfortunately, some employees had, out of ignorance, not kept their employers fully informed of their personal circumstances, Alant said.

Differences in amounts owed and amounts paid had arisen chiefly because employees had not advised employers of changes in their marital status and number of dependents.

Government had agreed to employee organisations' requests that the Commissioner of Inland Revenue refund employees who were liable for less tax than they had paid by means of the SITE system.

Nats unveil line-up of election candidates

304A
ARG 26/11/93

Political Correspondent

PROMINENT politicians and city councillors and men and women from all walks of life have made themselves available to the National Party as candidates for national and regional elections next year.

The list ranges from cabinet ministers, farmers, pensioners and housewives to businessmen, doctors and clerics.

There is also a shipping clerk, a cabinet maker, a driver, an undertaker and a baker.

Of the 54 candidates for the national legislature, 23 are MPs, including top NP negotiator and Cabinet Minister Dawie de Villiers.

Prominent among the candidates for the regional list are former Cape Town City Council executive committee member and one-time Democratic Party caucus member Louis Kreiner, city councillor Anthony Powell, Cape Administrator Kobus Meiring, provincial executive committee members Themba Nyati and Martha Olckers, mayor of the non-racial Citrusdal council Louis Rottgen, Deputy Regional and Land Affairs Minister Lampie Fick, Bishop Daniel Kanyiles and businessman Mark Wiley.

Also on the regional list are cabinet members Hernus Kriel and Tertius Delport. Both announced their intention some time ago to stand for regional positions.

The preliminary list will be circulated among party structures for a second round of vetting. The executive committee of the Cape NP will add to the list "at their own discretion" and the list will be finalised at the end of January.

'Better conditions or a hollow victory'

304A

ARG 26/11/93

☐ Holomisa warns on strategy for losing parties

The Argus Bureau

PORT ELIZABETH. — Winning the vote will be a hollow victory if the material conditions of the downtrodden majority are not significantly improved within the first five years of representative government.

This is the view of Transkei government leader Major-General Bantu Holomisa, who was speaking in Zwide this week.

He also warned that a new government would have to devise a plan to address any post-election uprising by supporters of parties that performed badly in the general election.

General Holomisa was addressing a packed general meeting of the South African Communist Party.

General Holomisa said the SACP, as a guardian and custodian of the interests of the working class, had always to be on the alert to ensure the fulfilment of their aspirations in the new socio-political order.

"Black enfranchisement is our only gateway to the process of social equalisation. We dare not turn our back on this national call lest leaders of the black majority are branded traitors.

"It cannot be doubted that the ruling white oligarchy, when it decided to embark upon negotiations, had a twin-track strategy of normalising white South Africa's relations with the industrialised democratic countries of the West and of selected co-option of prominent black leaders and educated blacks while the majority of blacks would be left to the merciless clutches of economic destiny in the name of free market forces."

General Holomisa said the National Party government, which once did everything to institutionalise white privilege through its centralised hold on state power, had suddenly become ardent champions of the devolution of power.

He said Transkei, like every member of the Patriotic Front, had subscribed to these principles agreed upon by the multi-party Negotiating Forum.

"The new government will be judged by its ability to rapidly rectify historical imbalances."

ANC way ahead

ARG 26/11/93 (304A)

OS WENTZEL Political Staff

HE ANC alliance could draw two-thirds of the otes in an election, with the National Party ailing far behind with only 15 to 18 percent, according to an analysis of nationwide surveys by ie Human Sciences Research Council.

It could be a close call between the Freedom Alliance id the NP and, according to one estimate, the alliance is arginally ahead.



Professor Schlemmer

Lawrence Schlemmer, political analyst and vice-president of research of the HSRC, gave an analysis of surveys, done between 1991 and July this year, at an investment prospects seminar in Bellville today.

Tentative estimates of an election outcome show up to 64 percent support for the ANC, between 15 and 18 percent for the National Party, 14 to 18 percent for the Freedom Alliance, 10 percent for the Inkatha Freedom Party, between

ree and eight percent for the Conservative Party, one percent r other rightwing groups, two to three percent for PAC-Azapo id one to two percent for the Democratic Party.

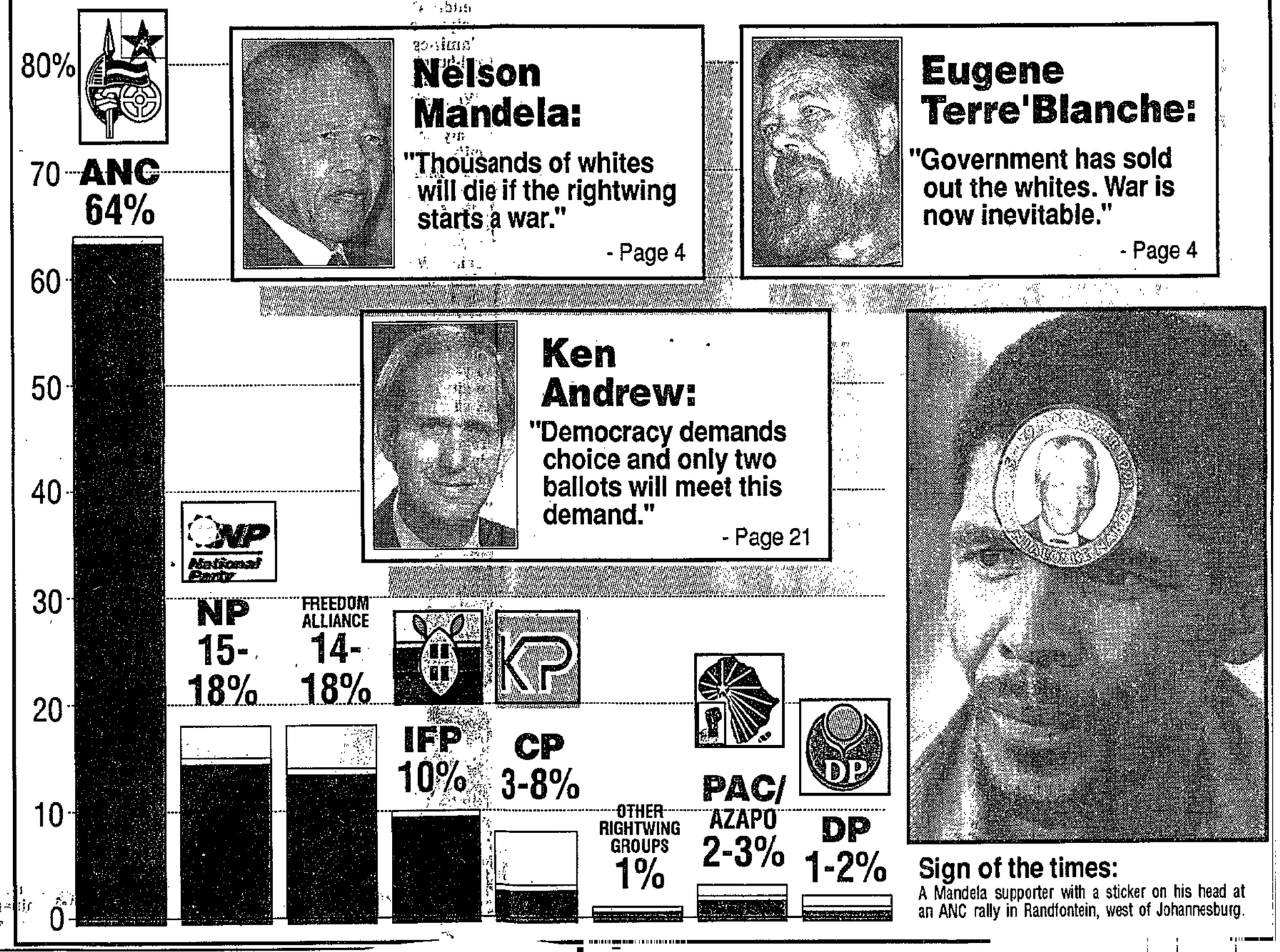
Among the trends were:

- The ANC was strong among blacks in 1991, tended to lose ipport in 1992 and early 1993 but appeared to have recovered to s previous high of slightly more than two-thirds of black supirt.
- The DP remained at a very low level of support.
- Among whites the right wing flagged for a while in late 1992 it appeared to have recovered. But it had not expanded comared to late 1991.
- Support for the IFP fell slightly among blacks but among hites and Asians it increased.
- The National Party remained on a plateau with roughly 50 ercent of white support until February after which it fell to less ian a third of white support.

Similarly, since early 1992, coloured and Asian support for the ational Party dropped, although it was still more popular nong these groups than it was among whites.

- Among blacks, support for the National Party had dropped om eight percent to seemingly nothing.
- Support for the ANC alliance among whites was negligible. mong coloured people and Asians it roughly doubled its support nce late 1991 but there may have been a recent fall-off.

The surveys showed that the NP could recover support from bout a quarter of the voters who had not yet made up their inds. A great deal of the defection from the party had not gone



Sign of the times:
A Mandela supporter with a sticker on his head at an ANC rally in Randfontein, west of Johannesburg.

likely to draw more than a fifth of the vote.

"Part of the reason for the NP losing ground appeared to be the perceived differences between the mandate President De Klerk received in last year's referendum and what white voters feared the outcome of the negotiations would be.

"Among coloured people, Asians and blacks one of the probable reasons for the fall in popularity of the NP was the loss of its former image of determination and strength.

The analysis says an argument could be that "without the constraint of a strong National Party the ANC will feel less antagonistic to the interests of the existing establishment and be more balanced and generous in its own policy formulation."

- A Markinor survey released yesterday showed that fewer than half the Conservative Party's supporters actually backed the concept of a white homeland, and that only slightly more than half of the Afrikaner Volksfront's supporters felt the same way.

About 54 percent of AVF supporters believe a white homeland is a viable proposition, but 43 percent adamantly insist on such a homeland, compared with 42 percent of CP supporters, 12 percent in the IFP and 11 percent in the NP. On average, men (17 percent) were more enthusiastic about the idea than women (12 percent) and the idea was most strongly backed among those aged between 16 and 24.

Kreiner named for NP

Staff Reporter

A LIST of 285 provisional National Party candidates for the National Assembly and the three Regional Parliaments was released late last night.

Former Exco chairman Mr Louis Kreiner has been shortlisted for the Western Cape Regional Parliament as has Cape Administrator Mr Kobus Meiring.

A surprise is that Minister of Law and Order Mr Hernus Kriel and one of the government's chief negotiators, Dr Tertius Delport, have been in the list for the regional parliament.

However, Cape NP leader Dr Dawie de Villiers has been nominated for the national assembly.

'Pleased'

The NP said all candidates had made themselves available for election. The nominations are subject to final approval by the NP.

Last night Mr Kreiner confirmed his candidacy, saying: "I would be pleased to represent the NP."

Until recently Mr Kreiner was a member of the Democratic Party caucus in the Cape Town City Council and Exco chairman.

Earlier this month he lost his seat on Exco in the furore over the new rates and later resigned from the DP.

Mr Kreiner said afterwards that he had been "stabbed in the back" by his DP colleagues who apparently had assured him he would keep his Exco seat.

Personalities

At the time Mr Kreiner said he had no plans to join another party.

City personalities on the national assembly list are: Mrs Evelyn Chiat, former NP MP; Mr Harry Dilley, former Simon's Town mayor and NP MP; Dr Ismail Essop, LP member; Mr Chris Fisher, a Cape Times driver; Dr Nic Koornhof, NP MP; House of Representatives Minister Mr Pieter Marais; and HoR Education Minister Mr Pieter Saaiman.

CT 26/11/93

Among those nominated for the regional parliament are: Mr Deon Adams, MEC; Mr Dennis de la Cruz; Mr Lampie Fick, deputy environment minister; and Mr Mark Wiley, son of former environment Minister Mr John Wiley.

304A

Offer to right

3044
CT 26/11/93



UP FOR GRABS . . . This cuddly pooch — up for adoption at the SPCA in Grassy Park — is one of thousands of pets taken in by the society each year. Over 120 000 abandoned pets had to be destroyed last year. The government is considering compulsory sterilisation. Picture: ANNE LAING

ANC proposes E Tvl homeland

By PATRICK CULL
Political Staff

THE possibility of giving Afrikaners an Eastern Transvaal homeland — including Pretoria — was raised by ANC president Mr Nelson Mandela at a behind-closed-doors session of the Patriotic Front in KwaNdebele on Wednesday.

A senior Conservative Party source confirmed last night that for the first time there appeared to be a proposal on the table which was aimed at accommodating the demands of the right-wing.

Draft

"It is something we are going to have to look at very seriously — and something that we are going to have to react to."

Essentially, Mr Mandela suggested giving Afrikaners a homeland in the present Eastern Transvaal, to which Pretoria would be added. The black township of Mamelodi and coloured township of Atteridgeville would be excised.

The region would have a majority of white Afrikaners who would be able in terms of agreements reached at the World Trade Centre to draft their own constitution.

It could not, however, be race-based.

Mr Mandela hinted at a new initiative in a public address to the PF on Wednesday, when he warned that the white right posed a "serious threat".

"We must be flexible and firm at the same time. We must be willing to accommodate without abandoning our principles."

Later, in the closed session, Mr Mandela gave details of the proposals stressing the right would not be allowed a race-based constitution or be permitted to create second-class citizens — that would amount to a betrayal of principle.

Mr Mandela's remarks to the PF followed talks with CP leader Dr Ferdi Hartzenberg.

A CP source said after these talks that negotiations with the ANC were far more productive than those with the government.

"The ANC has the power. There is no point in talking to people who not only do not take us seriously, but who also have to consult the ANC afterwards to get their approval."

Asked whether this meant the CP acknowledged the ANC was essentially a government-in-waiting, he said: "I suppose so."

The new ANC initiative follows some progress made in a meeting between government negotiators and members of the Freedom Alliance on Tuesday night.

Detail

The alliance is currently holding a two-day bosberaad in Mmbatho ahead of another meeting with government negotiators on Monday.

The ANC move will force the right-wing to consider a proposal which is realistic, even if it does not meet the confederal demands of the hardliners. One CP member said last night: "It is going to put pressure on us."

● AVF supporters oppose homeland
— Page 2

Votereducation

A milestone in the journey to democracy

Sowetan 26/11 – 30/11/93

THE FRUIT of three years of negotiations has been placed before the country and can be hailed as a milestone in the walk to democracy in South Africa.

A new interim constitution that removes apartheid laws from the statute books and resolves many disputes, has been signed by negotiators at the World Trade Centre.

This puts a formal end to the negotiations process, meaning a Transitional Executive Council will soon be put into place. This does not, however, mean a complete and immediate end to negotiation forums and technical committees since amendments made to some of the issues at the plenary session still need to be tied up.

All South Africans of 18 years and older now officially have the vote.

The dispute about whether people should vote once or twice for national and regional governments respectively has been settled. The matter, which caused most of the delay before the last plenary session of the negotiating forum on November 17, was finally resolved.

It was agreed, by sufficient consensus, that people would vote once and that vote would count both for national and regional elections.

Parties opposing this position stated that voters may want a particular party as the national government but not necessarily as their regional government.

The argument that won the day was that millions of South Africans would be voting for the first time in their lives.

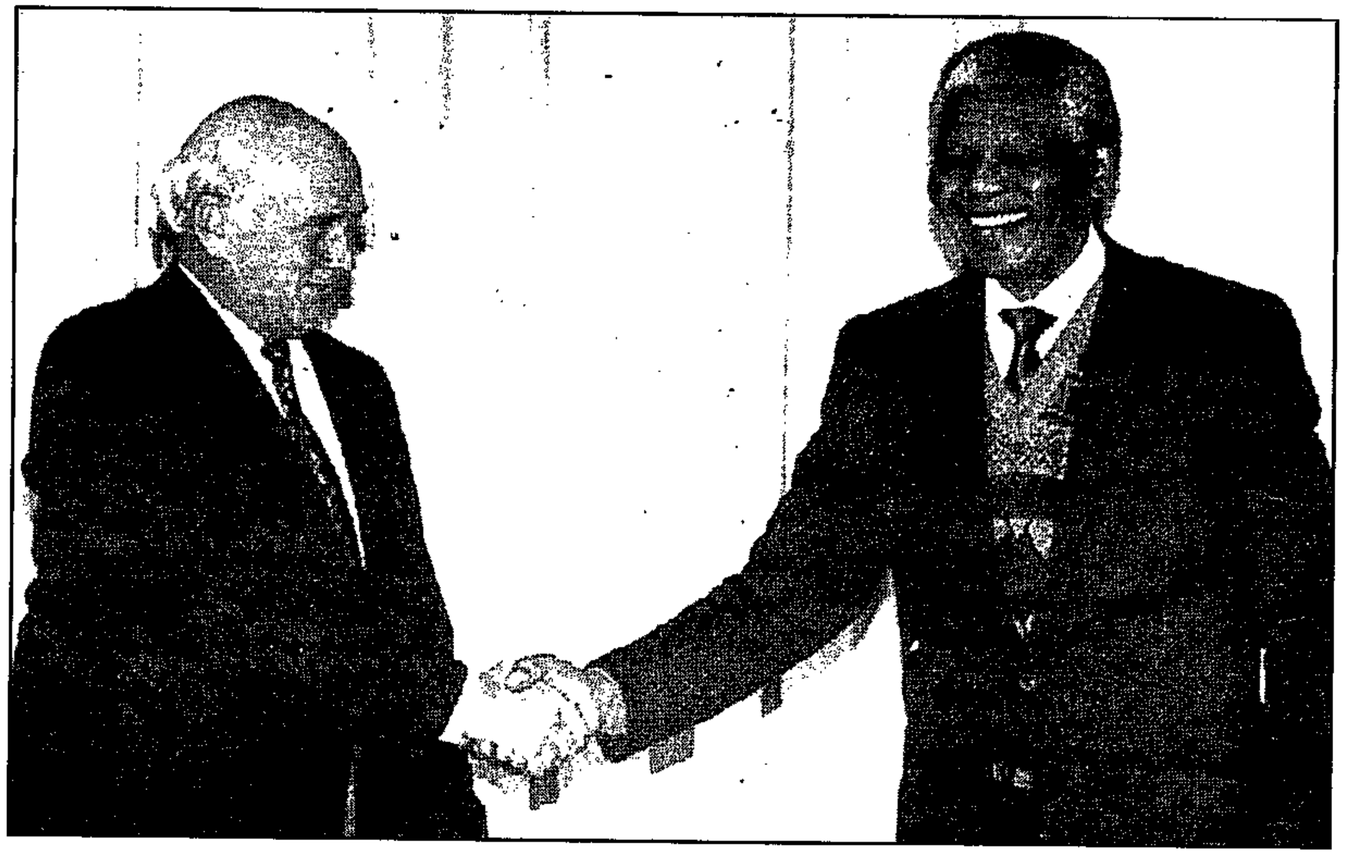
Since this was a new experience for so many, an element of fear would be prevalent and many would find this entire process intimidating.

To vote twice would lead not only to confusion but to many spoiling their ballot papers. Not all parties agreed with this position but it was finally passed by sufficient consensus.

The parties also defined prisoners who would not be eligible to vote. Prisoners excluded from voting are:

● Those detained under the Mental Health Act and the Prevention and Treatment of Drug Dependency Act.

● Prisoners serving a sentence without the option of a fine for offences involving violence and dishonesty, such as murder, culpable homicide, rape, indecent assault, child stealing, kidnapping, assault with intent to do grievous bodily harm, robbery, malicious damage to property, breaking and entering with intent to commit an offence, fraud, corruption and bribery.



END OF THE ROAD: After two gruelling years, negotiators at the World Trade Centre have agreed on an interim constitution.

30HA

IN ORDER for parties to get seats in the future multi-party cabinet, they will have to get at least five percent of the vote.

Deputy presidents will only be selected from parties with more than 20 percent support in the election.

No fixed percentages will exist for decision-making in the future cabinet. Instead a consensus-based method of work will be developed.

Once the interim parliament is sitting, possible deadlocks in negotiations for the future constitution will be broken by a majority of 60 percent in both the Senate and National Assembly.

The agreement on how judges would be appointed to the constitutional court has been amended.

The initial method proposed by the government and the ANC, and then passed by the negotiating council, was fought by those who were against it.

According to the agreement, four judges were to be appointed from the supreme court by the state president in consultation with the chief justice and the cabinet.

Six more would be appointed by the president in consultation with the cabinet and the president of the constitutional court.

In the amended agreement, four out of 10 judges will be chosen by the judge president. The remaining six will be selected by the state president and his cabinet.

The six names will be chosen from a list of 10 drawn up by the judicial service commission taking account of representativeness of the population.

Should amendments to the boundaries, powers and functions of regions become necessary, a two-thirds majority of provincial representatives in the senate will be required.

There will be nine regions and 11 official languages. The languages to be adopted in each region will be decided on regional level. The regional borders remain tentative because full agreement has not been reached. This may have to be resolved by a referendum in the respective regions.

THE BANTUSTANS will cease to exist. The proposal, passed in a special session of parliament on Monday, November 22, provides for the repeal of all legislation that recognises the independence of the TBVC states.

It also recommends the repeal of laws recognising national states such as KwaZulu.

This will mean the re-incorporation of the TBVC states into South Africa, whether they are in agreement or not.

All discriminatory legislation, both in South Africa and the bantustans, has been repealed.

Restitution will be granted to people who have been dispossessed of their land by apartheid.

People's claims can date back to June 19, 1913, when the first Land Act was enforced. The right to restitution will be enshrined in the Bill of Rights.

Traditional leaders will be represented at national, regional and local levels. However, customary law will not be entrenched in the constitution.

This remains one of the issues the technical committees still need to tie up since provision for customary laws will be made on another level.

The lockout provision in the Bill of Rights over which Cosatu threatened a national strike, has been adjusted to the satisfaction of both the labour movement and the employers. Workers now have the right to strike for the ends of collective bargaining.

Employers, on the other hand, have the right of recourse, to the lockout. This clause is linked to a section of the Bill which says labour legislation cannot be changed without the consent of the National Manpower Commission (NMC).

The process of forging a new national army is underway. At the moment, initiatives to further the process involve mainly Umkhonto we Sizwe and the South African Defence Force.

However, it was agreed that after elections, armed forces of all organisations that took part in the elections will have to be part of the new defence force.

The president will be the commander-in-chief of the army.

Agreement on a national police force did not go smoothly. However, it was agreed that there will be differentiation between the national and regional police commissioners.

The president will appoint a national commissioner, who would then appoint regional commissioners. Regional law and order ministers can veto these appointments.

The notorious detention without trial, including the infamous Section 29, has been completely scrapped.

Although technical committees still have to tie up loose ends, South Africa is moving toward a new, nonracial, nonsexist, democratic government.

The parties in the Freedom Alliance refused to be party to the agreements because they believed the process had been rushed and that their demands were not given due consideration.

The negotiating forum remains open to them and other parties who have chosen to remain outside. South Africa is on the brink of change and this can only be meaningful if everyone participates.

Poor AVF backing for Volkstaat

304A CT 26/11/93

PRETORIA. — About half the Afrikaner Volksfront's supporters are against the idea of a white homeland, according to a Markinor research group survey released here yesterday.

"In fact only six out of 10 are in favour of the concept itself and only slightly more than half (54%) consider it a viable proposition," Markinor deputy managing director Ms Christine Woessner said in a statement.

Markinor said contrary to common expectations it was not only Afrikaners from the Orange Free State or AVF supporters who would prefer to move to a volkstaat. "The idea of a volkstaat has some appeal across all segments of the white population."

AVF supporters (43% of those polled) were the most adamant on the issue of the white homeland, followed by Conservative Party supporters (42%), white IFP supporters (12%) and National Party supporters (11%). The ANC's supporters were least enthusiastic.

More men (17%) than women (12%) were prepared to move to a volkstaat, with 16 to 24-year-olds "surprisingly" the most willing.

● Surveys show the ANC could win next year's election with almost two-thirds of the vote. The National Party is likely to take more than 25% of the vote.

DP lobbying for changes

WM26/11-2/12/93 (3044)

Chris Louw

LAST week's euphoria at the World Trade Centre in Kempton Park following the acceptance by the country's negotiators of a package of agreements, has slowly been replaced by a more sober assessment of what has been reached.

Last Thursday morning negotiators were celebrating their historic breakthrough on the road to democracy.

This week doubt started to set in with important aspects of the Kempton Park agreements, including the decision to allow a single ballot paper and the deal struck by the Local Government Negotiating Forum.

The liberal Democratic Party is instrumental in lobbying for changes in both instances.

The DP now has the backing of at least a dozen smaller parties to overturn a provision in the interim constitution that denies voters the opportunity to back different parties for national and regional parliaments when the negotiating council meets in Kempton Park today.



Ken Andrew

Parties expected to throw their weight behind the DP include the Pan Africanist Congress, the Afrikaner Volksunie and the Cape traditional leaders.

Ironically, it was an about-turn by the DP last Wednesday that allowed the controversial single ballot system to be accepted. After vigorously opposing it, the DP supported the proposal in return for a deal taking away the powers of a future state president to appoint judges to the constitutional court.

Gardens MP Ken Andrew conceded in parliament on Wednesday that the DP had "reluctantly" assented to the single ballot system during last week's negotiating council meeting.

He said it was done because of a "blackmail deal" in order not to hold up last Wednesday night's negotiations plenary session.

The singe ballot system, he said, has been foisted on voters as a result of a behind-the-scenes deal between the ANC and the NP.

President FW de Klerk said this week the government would not block a review of the single ballot proposal. He said the NP had only supported the proposal as a concession which formed part of a larger package deal with the ANC.

In the meantime, strong resistance is building up against the racially based local government agreement pushed through by local government minister Tertius Delport.

Delport, known as a hardliner in De Klerk's cabinet, in the face of strong opposition at the World Trade Centre, was unwilling to compromise on a deal struck with the ANC.

This week strong opposition was aired against the deal by, among others, the ANC in the Western Cape, the Western Cape Regional Services Council, the Cape Town city council and the DP.

The deal allows for 30 percent proportional representation for racial minorities in local councils, with the rest of councillors to be elected on a ward system.

This means that racial minorities will be represented in councils out of all proportion to their real numbers.

Although the arrangement will favour whites in the rest of the country, it will allow blacks in the western Cape — where they are a minority — to 30 percent of the votes.

In a press release this week, DP local government spokesman Jasper Walsh said the deal "prescribes racial representation, which, in itself, is unacceptable, but furthermore takes no account of regional and community differences".

The DP would vigorously oppose the deal, Welsh said.

Crossing the t's at the World Trade Centre

304A

WM 12-18/11/93

The back of the Kempton Park talks has been broken, but some of the more emotional debates will only be resolved over time. **Chris Louw** reports

THE week of dotting the i's and crossing the t's is quickly nearing its end at the World Trade Centre in Kempton Park. After agreement was reached last week on issues of real substance, including a formula for government during the transition, negotiators have been left finalising the last details.

Some of these — like the language issue and the right of employers to lock out striking workers — solicited emotional debate. But in the grander scheme of the transition from white minority rule to democracy, they are little more than peripheral.

Although it seems most of the last-minute technical detail will be sorted out by Monday, instead of today as planned, government and African National Congress negotiators agree that it will be wiser to leave some of the more emotional issues to be sorted out over time.

These will probably include the boundaries of the new provinces, some of which are highly controversial for local interest groups. Pretoria and the Mount Currie areas have been identified by the commission on the demarcation of provinces as areas where there are conflicting views.

It is possible that these problems will be solved by referenda after the election if the new government is presented with petitions proving clear dissatisfaction with specific borders.

After the private agreements reached between the ANC and the National Party during their *bosberaad* two weeks ago, the process which began with President FW de Klerk's dramatic announcements of February 2 1990 was all but wrapped up.

Since Monday this week it has been left to those in Kempton Park to burn the midnight oil in addressing the outstanding issues — some of which were not entirely resolved.

The last hurdles were local government, official languages, the integration of the Defence Force and the military wings of liberation movements, a future police force, culturally based education, entrenched workers' rights in the charter of human rights, the deadlock-breaking mechanism in the drafting of a final constitution, and the percentages on which decisions will be taken by the cabinet in a government of national unity.

Despite a spirited defence of Afrikaans as an official language by government negotiators, the ANC proposal that all major indigenous languages be elevated to official status won the day. It will be left to regions to decide what languages to use for government and administration.

Once the final decisions are accepted, the constitution will be referred to experts to be redrafted in technical language for legislative purposes. A plenary will probably be held next week to ratify the full package of World Trade Centre agreements.

These agreements will be referred to a special session of parliament, starting on November 22 to be promulgated into law.

For the Freedom Alliance, representing the parties opposing negotiations, the moment of truth has arrived. They will either have to become part of the process or fizzle out.

In the meantime, the Transitional Executive Council will be set up in Pretoria to oversee the levelling of the political playing fields. The election campaigns, which have already started and will now gain momentum, will culminate in the country's first democratic elections on April 27 next year.

The government elected will rule the country until April 1999, and will double as a constituent assembly, drawing up the final constitution. It will be bound by constitutional principles accepted by the present negotiators.

It is believed that no major changes will be made to the constitution accepted at Kempton Park because it enjoys the support of most interest groups.

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TWO women were raped a

FERRIAL HAFFAJEE
in strife-torn Phola Park
A SHOT rang out and the

MARTIN WALKER
on the US campaign trail
GETS gamble with Bill Clinto

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By **PHILLIP VAN NIEKERK**

The new constitution for South Africa is an astounding achievement. Majority rule will be enshrined after April 27. But the struggle for full democracy is far from over

Don't leave it to the politicians

FOR an instant this week the negotiating council at the World Trade Centre was like a scene out of the very old South Africa. A political juggernaut took a decision detrimental to everyone's rights except its own and steamrolled it through the chamber.

The only dissent was the shrill voice of the member of parliament for Houghton.

Of course, the context of the debate was something completely different — the drawing up of a constitution that will extend democratic rights to South Africa's long-disenfranchised majority.

But civil libertarians must have seen the red lights flashing in the dispute over appointments to the constitutional court. The game is not over. In many ways, a new struggle for openness and accountability in government has begun.

Given the history of South Africa, the constitutional deal is astounding and exciting. But any pact between politicians is likely to take a few short cuts on issues of public interest. Civil society groups' attempts to make an impact were generally feeble and belated.

The plethora of media lobby groups were late in moving to secure a meaningful section on right of access to government records, or freedom of information, in the Bill of Rights. If they had made a noise or sent their submission to the technical committee on fundamental rights just a few months earlier, they could have won that battle.

The constitutional court decision was one of the shabbier political deals. Whoever chooses the judges, it is most disturbing that there will be no public hearings for the officials who might well exercise more power than the national assembly in shaping the basic law of South Africa. We will not be able to hear what the custodians of our basic rights think, or what their record is, or even if they are brain-dead political hacks.

We can only trust that the system will throw up people of stature, despite itself.

Perusal of the new constitution reveals that not a single major appointment, be it cabinet ministers, the heads of the defence force and the police force, or other senior civil servants, will be preceded by a public hearing.

It ought not to be surprising that the idea of how to appoint the judges came from that great democrat, Justice Minister Kobie Coetsee. Politicians of his stripe were alarmed by their first real contact with noisy, coal-face democracy at the hearings into the board of the SABC.

What has not been answered satisfactorily is why the ANC went along. Stalking the corridors of the World Trade Centre this week, I found several ANC legal experts who privately thought the manner of selecting constitutional court judges was bad in principle.

There was more than a trace of opportunism in the explanation that they were simply bowing to the demands of the government — and would change the measure after the election. I think they couldn't believe their good luck when Coetsee threw them a proposal that effectively empowers the majority party.

Coetsee was no doubt hoping that the cabinet could veto the court appointments. I find the notion of NP and ANC ministers appointing the constitutional court judges in secret as bad as the ANC appointing the judges on its own.

What it amounts to is that a new democratic culture of transparency is not going to be born this time around.

And, despite the view put forward by some parties at the World Trade Centre that this is just a white, liberal concern, democratic accountability empowers for the first time those that have been least empowered.



Triumphant ... Roelf Meyer and Thabo Mbeki on Wednesday night PHOTO: STEVE HILTON-BARBER

Transparency is crucial to the central task that the South African government must apply itself it to after April 27: reconstruction and development.

Public scrutiny is the best way of preventing politicians from violating civil rights, stealing from the public purse or just plain incompetence. That much at least we should have learnt from 45 years of NP rule.

Direct accountability is undermined by the proportional representation list system. It is understandable that the simplest possible system was chosen for the first election. But the constituent assembly has to give serious attention to reintroducing constituencies in some form for the next election.

Under the present system, MPs will be entirely beholden to the party leadership or its activists at the expense of any notion of accountability to a specific group of people in a specific geographic area.

It also sets the political parties as they will exist on April 27 in stone for five years. If, for instance, a grouping of NP MPs under Leon Wessels want to move into the ANC, or a Winnie Mandela faction of the ANC breaks away, they will automatically lose their seats. In a fluid period of South African politics, it is unfortunate that the system is not supple enough to permit new alignments.

> "We will not be able to hear what the custodians of our basic rights think, or what their record is, or even if they are brain-dead political hacks."

Because everyone will vote once for all three lists, the party leadership will control not only the executive, but the national lists, the provincial lists and the provincial legislatures.

Not only is the ANC heading for a landslide victory, it will have little opposition because any sizeable opposition party will be automatically co-opted into the government of national unity — again, a sensible compromise, to steer us through the transition — but one with its own attendant dangers.

Let's face it. The ANC negotiating team has done an impressive job at the negotiating table. They earned their pay.

What began more than three years ago as an attempt by the NP to co-opt the ANC ended on Wednesday night with the ANC co-opting the NP. We have that much to rejoice. Majority rule begins on April 27, without a five-year waiting period.

There are ANC politicians who insist they will be fighting in the constituent assembly to improve the shortcomings of the constitution in the public interest. We should wait and see. I suspect that it is mighty hard to divest politicians of power once they have it.

That leaves a lot of hard work for civil society, including the media, in the next five years. We have to learn from the American system, to be brash, to make a noise, to lobby. Whatever shortcomings I've listed, there is no comparison between this constitution, which really takes us into a new era, and the repressive old order of white minority rule.

And no constitution in the world can guarantee participatory democracy. Democracy is an ongoing process of using rights, of taking the gap.

Let's not leave it to the politicians again.



S'TRUE EKSÊ
Arthur Goldstuck

Billy the Kid rides again

WHEN Yvonne Abourizk visited the Roodepoort SPCA to buy a poodle for her mother, she became the unintended victim of a ram called Billy Brat. As she walked past a row of cages with the dog she had chosen, "a white creature stormed at me out of the blue and sent me flying", she said afterwards.

It turned out Billy Brat had just woken up from an operation to sterilise him. According to an SPCA official, he was "too large" to castrate, and was given a vasectomy. Nevertheless, he was so angry when he woke up, he attacked the first male he saw — which happened to be the poodle in Abourizk's arms.

No ball

THE chairman of Benoni Child Welfare, Colin Colquhoun, plans to raise funds for the organisation by selling tickets to a ball that will never take place. For R100 a couple, he says, Benoni residents can save themselves a lot of money. "If you go to a real ball, you'll fork out at least R500 on a new dress, a hairdo, dry-cleaning and drinks — not to mention the difficulty in obtaining a baby-sitter, parking outside the hall and all those toe and back problems associated with dancing."

Deathly fertiliser

A TEMBISA pensioner's observer, Absalom Mphuthi, was confronted recently by a pensioner who said her husband's grave at Emfihlweni cemetery had been replaced with a vegetable garden. When he investigated, he found that gravediggers had removed tombstones from an area next to a shack where they stayed. An entire plot of mealies and vegetables was growing inside the graveyard, over the buried bodies.

Where there's smoke

NORWOOD police recently arrested two people on dagga-related charges, and locked them up in the station's holding cells. Shortly after their arrest, Lieutenant Ferdie Botes thought he smelled dagga smoke, investigated, and caught the men red-handed, smoking dagga in the cells. He found their stash hidden under a mattress, and they were "arrested" a second time.

Park 'n ride

RESIDENTS of Impala Park, Boksburg, are furious about a "facelift" given to a local road, Montague White Avenue. After complaints that motorists were speeding down the residential road, it was redesigned to run through a parking lot. According to Parks and Recreation chief Nico Badenhorst, the changes were made to improve safety, as the new layout made it difficult to speed down the road. Nevertheless, the car park would also soon include longer speed humps, tar strips between the humps, and a 10km/h speed limit.

Candid camera

AND in Benoni, motorists have demanded that the local Traffic Department stop camouflaging its speed trapping cameras, after a motorist found one hidden behind advertising posters. Traffic chief Dennis Jones admitted that the practice was not condoned "under normal circumstances", however it had been common use "mainly because of the possibility of the equipment being vandalised". To get round the problem, he would have signs put up informing motorists of the speed check 400m after they had passed it.

wm26/11-2/11/93 (NB) (3044)

IFP-AWB pact vetoed

Attempts to forge closer ties between Inkatha and the far-right were shot down by Ulundi this week. Jan Taljaard reports

A SECOND secret pact between the Inkatha Freedom Party and the Afrikaner Weeerstandsbeweging in the Transvaal has been called off after intervention from Ulundi.

The IFP was this week preparing to sign a "non-aggression pact" with AWB leader Eugene Terre'Blanche in Vereeniging. But Natal spokesman Ziba Jiyane told the *Mail & Guardian* that Transvaal leader Themba Khoza had been instructed "to tell the people in Vereeniging not to go ahead with it.

"It is official IFP policy not to enter into any kind of agreement or deals with the AWB," Jiyane said. "We cannot allow this to proceed."

IFP supremos have once before had to rein in their Transvaal region, when they scotched a planned non-aggression pact between Terre'Blanche and Musa Myeni.

Apparently organised by the local branch of the Afrikaner Volksfront, the signing of the treaty is due to take place tomorrow and is to be signed by Terre'Blanche and Mwezi Twala of the IFP. Apart from Twala and Terre'Blanche, speakers at the event are scheduled to include Volksfront strategist and member of the AVF directorate Tienie Groenewald.

Earlier this week Volksfront regional secretary in Vereeniging Bill Moorcroft waxed lyrical about the event.

"Everything will be there," he enthused. "The AWB commandos, the brass bands, the horses ... we are only leaving the aeroplanes at home."

In an invitation to rightwing groups this week, Moorcroft called on all interest groups to attend and support the event.

Referring in the invitation to it as a "non-aggression pact *(nie-aanvalsverdrag)*" he this week described the proposed deal as being more a "pact of solidarity".

The pact signed by Myeni and Terre'Blanche in March last year caused severe embarrassment in senior IFP circles.

Central committee member Walter Felgate immediately reacted by stating that the IFP did not support the pact and that Myeni had acted "out of mandate".

Myeni also repudiated reports of a formal pact by terming these "deliberate mischief-making".

He said the planned deal had merely covered the principles of peaceful coexistence and the peaceful resolution of disputes at local level.

Brown crowd bravely cheers 'new' NP

WMS-11/11/93 (304A)

Amy Waldman speaks to some of the supporters at last weekend's National Party Rally at Kempton Park

ELDERLY white hands clapped for President FW de Klerk and wrapped up the free sausage rolls to take home for supper. Magriet Cillié and Lindy Robertson, lifelong National Party members, were among the residents of Pretoria's Jubileum Rest Home who had been bussed to Kempton Park for last weekend's NP rally.

Wrapped in NP scarves, waving NP flags, they bravely cheered the "new NP". "It had to happen," Robertson said somewhat ruefully, "and they've done it well." Sandwiched between blacks, coloureds and Indians, Cillié smiled charmingly and said enthusiastically: "The changes are wonderful." Then she leaned forward to whisper, "Stay in South Africa. We need every white we can get."

The World Trade Centre rally, the first stop for the NP Transvaal election train, revealed a discordant coalition of individuals with little affinity for the ANC, but not much more for each other.

But the day's events also showed off a well-financed American-style election machine skilfully pushing multicultural buttons. The 7 000-strong crowd grooved to Mango Groove (a video, not the real thing) and Zulu moves, and went berserk over De Klerk. Pik's lips just moved to *Nkosi Sikelele*, while the largely brown crowd sang *Die Stem* with passion. Then they filed out for stew and pap (halaal available).

Two African teenagers who would identify themselves only as 'Johannes' and 'Johannes' eagerly queued up for lunch. Both were 17, from Bophuthatswana, and decked out in NP paraphernalia. They had donned their visors and scarves on the bus, because they couldn't tell anyone from home where they were going.

As De Klerk was declaring that "You don't need an election to be liberated," the two Johanneses confessed that it wasn't so much the NP's platform that attracted them as, well, after much giggling ... the free bus trip. "I wanted to see the World Trade Centre", Johannes Number One said. Eyes gleaming with anticipation, Johannes Number Two confided: "Next week we heard they're going to the Eastern Transvaal. Will you be there?"

Mrs Slinger of Bosman needed no such enticements — she is an NP loyalist, and the mother-in-law of Trevor George, MP for Bosman. "I know what I've got today" — a house, a Bosman taxi business — "I don't know what I'll have tomorrow," she said. And in Bosman, she has power: "the pensioners ask me how to vote", she said proudly. "They know they can trust Mrs Slinger."

The coloured question is everyday material for her. "Blacks and whites wonder where coloureds come from," she scoffs, "calling us 'so-called'" — a phrase she utters with vehement distaste. "We come from both of them, but we're not white, we're not black, we're not Indian — we're something different."

She has been canvassing for the NP since 1970, although she occasionally strayed to other parties. "The Bible and God tell me to vote for the Nationalists; I can't vote for someone who doesn't follow Jesus Christ."

She has heard the stories of blacks "pushing ahead" of coloureds who have been on waiting lists for years for homes in Mitchell's Plain. "That's what will happen with the ANC. They'll call us brothers now, and then they'll come for us.

"If Mandela would say, 'Leave the whites in God's hands,' I would go with him. But he doesn't say that," she said. And firmly planted in her head is an image from Idi Amin's Uganda she once saw on television — an image of a white hand cleaning Amin's toilet.



Last week's rally of the 'new' National Party at Kempton Park attracted Nat supporters of all races
PHOTOGRAPH: DENIS FARRELL, AP

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New South Africa – old tactics

WM 12-18/11/93 (304A)

Estelle Randall

SURPLUS land will be "distributed among our people", all public service posts "will be replaced by comrades", no ammunition will be available to whites, health institutions will be Africanised and whites required to pay according to their income, some white schools will be permitted "because most settlers will pay their last cent for white education" and pension funds will be "at our disposal for edication of our comrades in the years to come".

This is the affirmative action strategy of the African National Congress, to be implemented after April 27 next year. Or so claims a pamphlet widely distributed in affluent white Pietermaritzburg suburbia this week.

Addressed to "senior staff and marshals" and ending "Viva! Kill a Boer, kill a farmer!", the leaflets were dropped in letter boxes in Wembley, Clarendon, Athlone and Montrose — areas blitzed by the African National Congress with invitations to attend Nelson Mandela's city hall meeting next Monday.

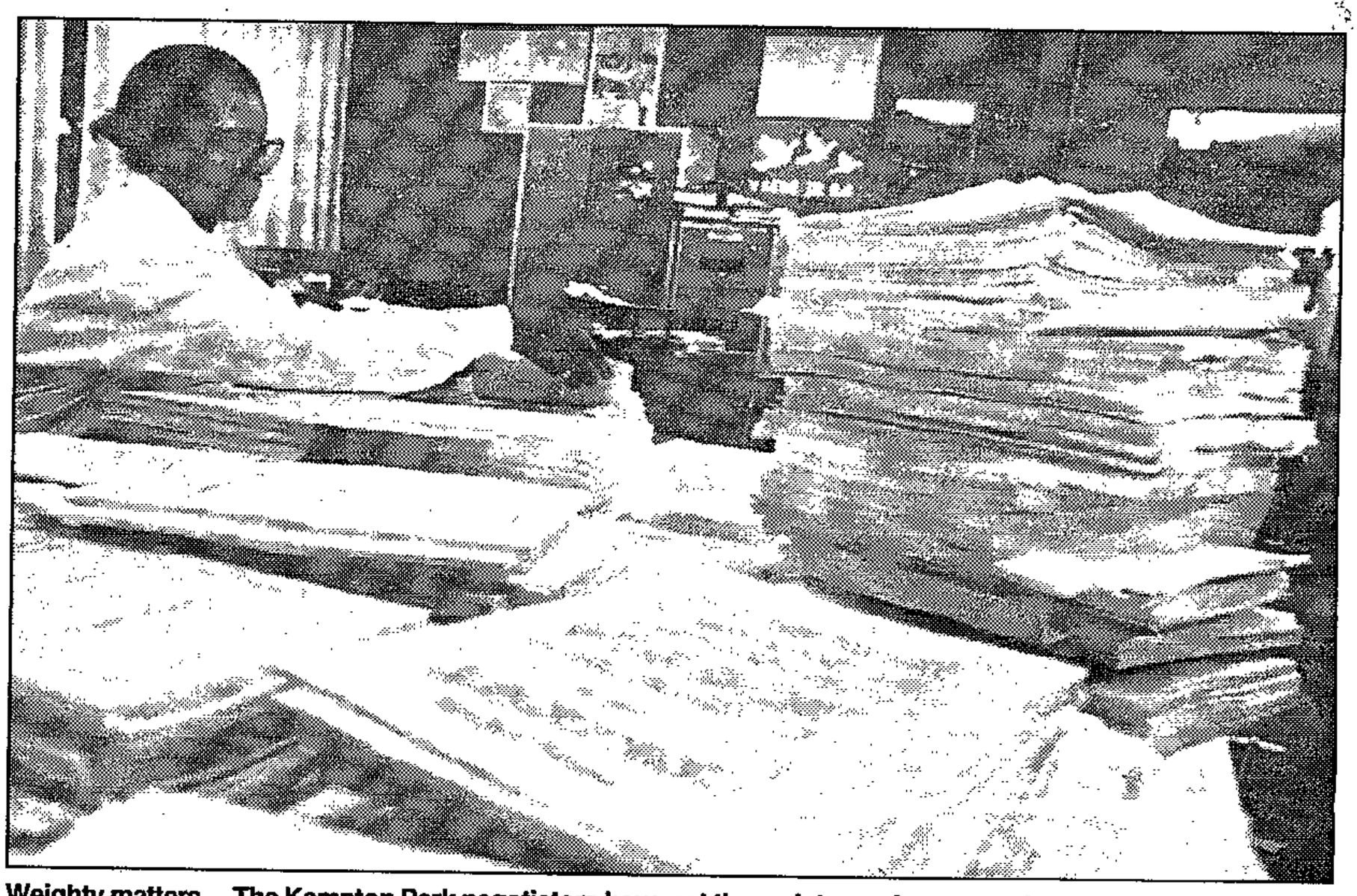
The leaflets also outline "Our success story — our struggle for liberation", referring to the "threat of violence (which) forced the white, spineless regime to negotiate for so-called peace" and mass action as "a successful method to rip the nation's economy to pieces and create panic among the rich settlers".

ANC spokesman Blade Nzimande said a similar pamphlet had been circulated about three weeks ago. "It's a desperate attempt by the enemy to discredit us," he said.

A hole in one at the 19th?

SOUTH
WM 5-11/11/93

The 19th — and, with any luck, final — draft of the transitional constitution was presented to the Kempton Park negotiators this week. Chris Louw reports on the culmination of three years of talks



Weighty matters ... The Kempton Park negotiators have got through tons of paper as they table then modify proposals for a new constitution. The 19th draft was tabled this week
PHOTO: GUY ADAMS

THE Pan Africanist Congress' Barney Desai was a lonely voice objecting to the 19th draft of the transitional constitution this week.

"We want to place it on record," he insisted in his measured tone, "that the PAC does not want to be associated with an instruction to the technical committee for a document that provides for power-sharing to 1999."

Desai's objections were duly noted, but his assertion that the technical committee had exceeded its mandate by incorporating private agreements between the African National Congress and the National Party in the draft constitution were vehemently rejected by parties aligned to the ANC and NP.

There were only two small voices of support for Desai, neither of which are taken seriously by their co-negotiators or the media.

Amichand Rajbansi argued that the technical committee was only instructed to "consider" proposals by the NP and ANC, not to base their full report on the powers of a future executive solely on ANC/NP submissions.

The Afrikaner Volksunie's (AVU) Corlia Kruger added her youthful voice to those of the Raj and Desai, complaining that the technical committee had "only taken the ANC/NP bilaterals and drafted them into legal/technical language".

While the debate was going on, government negotiator Roelf Meyer found it impossible to hide his satisfaction at the culmination of months of negotiations and behind-the-scenes dealings. Grinning like the cat who stole the cream, he walked up and down the negotiations room, pausing to share insights with the ANC's Mohammed Valli Moosa, or a secret with council convenor Theuns Eloff, or a joke with the press gallery.

Little effort was made to hide what all negotiators knew all along — that most of the crucial decisions in the present multiparty negotiating process depended on secret deals struck between a party with state power and one enjoying the legitimacy of mass support.

The ruling NP was, in fact, negotiating the conditions of its surrender to its successor. The smaller parties were allowed to haggle over detail, their primary role limited to giving the process legitimacy.

The satisfied smile on Meyer's face, even before the draft constitution was finally accepted, attested to his confidence that none of the other parties could seriously threaten a power-sharing agreement thrashed out in last week's *bosberaad* between ANC and NP negotiators.

After all these months there was no reason for pretence about the nature of the talks. They primarily involved the NP and the ANC.

The Democratic Party's Colin Eglin put it neatly in context. If the draft constitution had been a minor party's proposal, "we would have looked at it differently". But because it came from two major parties — "even though constitutionally inelegant" — it had to be taken seriously.

It provides for a president with considerably less power than FW de Klerk now enjoys, deputy presidents from all minor parties drawing more than 20 percent of the vote in next year's elections, and cabinet representation for all parties proportional to the votes they receive.

In short: power will slip from De Klerk to ANC leader Nelson Mandela without hurting too much.

Although they had settled the principles under which the country will be governed in the five years after elections, the NP and the ANC still had one major disagreement: how the system should be explained. This disagreement, however, was securely based on spirited defences of their common plan.

The NP's Dawie de Villiers said the constitution should be seen in terms of a government of national unity — "a power-sharing formula".

Moosa insisted the ANC had consistently rejected power-sharing. "We wanted a government of national unity without paralysis."

National unity was only possible if all parties with substantial support became part of the government. But the role of the deputy presidents was not to frustrate the work of the president, nor to veto his decisions.

On television afterwards Meyer seemed to back De Villiers, arguing that government had succeeded in its goal of establishing "entrenched coalition government".

The South African Communist Party's Joe Slovo had a different explanation. The transitional constitution, he said, was rooted in "the real situation that we will face after the elections". A new government would inherit a history of conflict and division and even the threat of future conflict by extremists who rejected democracy.

The truth is that a new government will not have immediate full control of all state powers. A government of national unity, Slovo said, was intended to facilitate the process towards democracy with the least conflict possible, and could even accommodate the "spoilers".

In other words: the ANC was strategically retreating for five years. But it was determined to win eventual political supremacy.

Meanwhile, the "spoilers" — in the form of the Freedom Alliance — were preparing for their meeting with the NP at a secret venue in the bush. For months they had accused government and ANC of conniving and not taking other negotiators — including themselves — seriously. Now the moment of reckoning had come.

The test would not be whether negotiations were conducted fairly and democratically. What would count now was whether they could seriously challenge a process that has found international acceptablity, is backed by the media and involves the white custodians of state power and their major opponent and heirs, the mass-based ANC.

Government negotiators were adamant they had addressed most of the homeland and rightwing's concerns. Federalism was entrenched in the constitution, as was coalition government.

That these applied only to the transition, and not — as promised in the referendum campaign — to the final constitution was now of little import. There was no way government could grant any of the more unrealistic demands of the Afrikaner Volksfront or the Inkatha Freedom Party, NP negotiators insisted.

Back at the party offices the hacks were starting to ready themselves for the coming election campaign.

The disagreement between ANC and NP negotiators about the nature of their deal — whether it entailed power-sharing or "national unity without paralyses" — was rooted in their relationships with two very different constituencies.

It also forshadowed their respective approaches to the election.

The deal was hardly struck — and the PAC and AVU's objections to the ANC and NP "connivance" raised — when the first salvos were fired from the Union Buildings in Pretoria.

Chris Fismer, assistant to the state president, issued a statement vehemently denying that his party had agreed to the "concept and implementation of simple majority rule". Instead, the NP "stood for and succeeded in the creation of a model of participatory democracy through proportional representation".

If anyone still had doubts about the relationship between the ANC and the NP, NP spokesman Brigadier Kobus Bosman tried his best to lay them to rest.

Parties who tried to find favour with the ANC, he warned with reference to the Labour Party, or who had become "part of the ANC's inflated power hunger and striving to dominate", risked being "spat out" when the ANC saw no further role for them.

The message was clear. The rules for the new game have been established. The talking is over. The NP is adamant to a doubting public that it did not bed the ANC.

The fighting has begun.

FW under pressure from NP caucus

WM 26/11-2/12/93 (30+A)

Dissatisfied NP members are still determined to force changes to the constitution. Chris Louw reports from Cape Town

FW DE KLERK leads a National Party whose middle ranks are unhappy with the new constitution, are determined to make one last push to change it, but are resigned to their fate.

De Klerk's meetings with the Freedom Alliance (FA) yesterday and today have as much to do with the right-wing's demands for self-determination as with dissent in his own caucus.

This week the chairman of the powerful National Party constitutional development study group, Dr Frik van Heerden, openly stated that he was "not excited at all" with the constitution agreed to by his colleagues in the NP's negotiating team.

"We have not finished fighting yet," Van Heerden said. "No-one will convince me that this is a federal constitution."

The constitutional development study group has met weekly for the past year to discuss aspects of the negotiations. The group normally meets early on a Wednesday morning, before the caucus meeting, and up to 90 NP caucus members are known to have attended meetings.

In parliament on Wednesday, De Klerk seemed to begin succumbing to the pressure in his own party when he allowed for changes to the constitution to be made before it is passed into legislation during the present session.

The understanding among negotiators at Kempton Park was that agreements on draft Bills would only be rewritten into legal/technical language and that no substantial changes would be brought about on these Bills.



Rowan Cronje ... Regional powers



Roelf Meyer ... Less optimistic

De Klerk said, however, that the government would not block a review of the single ballot proposal. He noted that the NP had supported the notion as a concession which formed part of a larger package deal with the ANC.

The one ballot paper system puts smaller parties at a distinct disadvantage in the elections, because people tend to vote for national parties. Two ballots will allow voters to support bigger parties on the national level and regional parties on the local level.

De Klerk's concession follows a heated NP caucus meeting on Monday during which aspects of the Kempton Park agreements were openly criticised by MPs.

Although it was clear after the meeting that the NP had closed ranks, dissatisfaction among ordinary MPs continued to simmer.

Many of them are ideologically close to the FA, but realise that there is no alternative to a negotiated settlement. They now hope to change aspects of the constitution to entrench strong autonomous states.

This week, Internal Affairs Minister Danie Schutte — known as one of the conservatives in government — promised FA leaders during meetings in Cape Town that the powers of the regions could be revisited.

His assurance was welcomed by Rowan Cronje, chief negotiator of the FA, as "a constructive, progressive step". Cronje said it seemed that the proposal is in accordance with the FA's own approach to regional powers.

Government negotiator Roelf Meyer — the man responsible for the deal with the ANC — took a less optimistic view, saying it would not serve any purpose to negotiate about new formulations if the FA does not agree to the constitution and participation in the elections.

However, Schutte's proposal is in line with the approach of an important group in the NP caucus who believe they were sold short by their negotiators and that too many concessions were made to the ANC.

Van Heerden, MP for Bloemfontein-North, told the *Mail & Guardian* he was prepared to take a hiding for his views, but he was not prepared to keep quiet about the fact that he was less than excited about the agreed constitution.

He said the constitution did not "pass the juridical test" on federalism because the newly created provinces would not enjoy any exclusive powers. All their powers would be concurrent with — and thus subject to — the powers of the national government. "With due respect, for every one expert who claims this is a federal constitution, I will bring five who will say it is not."

Stressing that his unhappiness did not mean that he would resign from the NP or that a split was imminent, Van Heerden said changes needed to be made to the constitution to make it more acceptable to the white rightwing. "The rightwing can sow havoc over a short period of time, even though they cannot win in the long run. We must alter the constitution so that we can render them into rebels without a cause."

He said it was also in the ANC's interest to make concessions "to help avert a possible revolution".

However, the ANC this week came out strongly in favour of centralised powers for the new state. ANC economic spokesman Trevor Manuel said a strong central state was a precondition to restructure the economy and redress the wrongs of the country's apartheid past.

Van Heerden, in turn, insisted that the draft constitution not be promulgated into law next week, as was planned. "It must first be thoroughly debated, and there must be greater calm before this can happen."

He said he did not expect the constitution to pass before December 10. This would allow the negotiating council in Kempton Park to revisit aspects of the constitution before parliament accepts the package.

AVF pins its hopes on Mandela

With crucial negotiations under way, an agreement between the Afrikaner Volksfront and the ANC may be within reach. Jan Taljaard reports

(3044) WM19-25/11/93

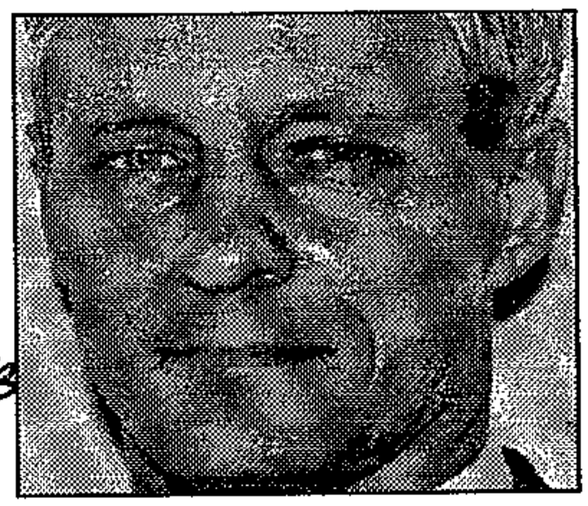
AFRIKANER Volksfront leaders are gingerly preparing their followers for the unthinkable — a deal with the African National Congress.

They have also clearly accepted that on the issue of Afrikaner self-rule, it is with the ANC as the future ruling party that they must deal, rather than the current National Party government.

The AVF entered crucial negotiations with the ANC yesterday. Earlier this week, insiders put the chances of reaching a mutually acceptable agreement at better than even.

At a public meeting in Pretoria on Wednesday night, Volksfront leader Constand Viljoen went as far as hinting that Afrikaner hopes for self-determination turned on his increasingly close relationship with ANC president Nelson Mandela.

At the meeting he again pushed for a summit of leaders, stressing that a solution had to be found between "the African people and the Afrikaner".



Hopeful ... Constand Viljoen

Fellow member of the Volksfront directorate Tienie Groenewald also indicated publicly for the first time that armed conflict would not achieve Afrikaner ideals, but that attention should rather be given to mass action and the establishment of alternative governing structures.

Viljoen told the meeting the National Party had collapsed, and that South Africa was 75 percent on its way to being a "highly unstable" society as a result of a "concocted" negotiating process.

Declaring that Mandela had told him (Viljoen) that he felt closer to him with each consecutive meeting and that he would reserve seats for both Viljoen and Conservative Party leader Ferdi Hartzenberg in a future government, Viljoen said: "I agree it is time for our leaders to get a bit closer. If I am moving closer to the ANC in negotiations ... I am not moving away from my own people."

Privately, Volksfront sources shared the same hopes. "Everything depends on what happens in the next two days," a source said on Wednesday.

"All is set for our meeting with the ANC (on Thursday) and there are indications that things may happen on Friday." Admitting that the prospects for an independent *volkstaat* did not seem favourable, the source stressed that concessions had to be made by both sides.

"The ANC knows that if it can't find a solution to our problem now, the problem will not go away when they are the government."

Groenewald played on future fears by telling the crowd of Pretoria ratepayers that (according to proposals) "there is no doubt that you will be ruled by a black (municipal) council who will determine taxes".

However, to take up arms would only result in destruction by a small group without anything being achieved, he said. The alternative was for people to mobilise "in their thousands" and send a message to local government, provincial administration and the president that "this city is our city; it belongs to nobody else".

Keep out of townships, Sanco tells DP

wm 26/11/93 – 2/12/93



Tony Leon ... Sanco delegation 'abrasive'

Sanco chiefs accused the DP's Tony Leon of 'shooting at township residents' at a recent meeting to discuss free political activity, report **Chris Louw** and **Paul Stober**

FREE political activity in the townships will only start when the Transitional Executive Council is in place. This appears to be the view of South African National Civic Organisation (Sanco) secretary-general Dan Mofokeng.

At its congress this week, Sanco committed itself to free and fair elections once the TEC is installed. However, the TEC is likely to be up and running only by mid-December.

According to Democratic Party MP Tony Leon, Mofokeng's view emerged at an amazing encounter between Sanco, the ANC and the DP early in November. The meeting was called by the DP to discuss free and fair electioneering in the townships after Sanco announced it would not allow it to campaign in the townships.

Leon, who was present, said the meeting quickly degenerated into a slanging match between the DP and Sanco representatives. The ANC delegation, led by PWV secretary-general Paul Mashitile, appeared surprised by Sanco's attack on the DP and could only look on. "The outcome of the meeting was that Sanco still said they would refuse to allow us to operate in the townships until the TEC was in place. Only then would free political be allowed," said Leon.

Leon described the Sanco delegation, led by secretary-general Dan Mofokeng, as "abrasive". DP MP for Hillbrow, Lester Fuchs, who had laid a criminal charge against Sanco after the organisation had threatened the DP, was accused of planning to set up hit squads to act against Sanco members. Fuchs retaliated by threatening a private prosecution if the police did not press his charge.

When Leon produced a file containing press clippings about Sanco's statements on the DP, Mofokeng made it clear he viewed this as sinister.

Leon said Mofokeng warned him that: "We know all about you Mr Tony."

Leon was told he had "patrolled the townships with an R1, shooting at people." Leon said he had completed his military service in 1975, long before the Defence Force was deployed in the townships.

At the end of the meeting, the ANC delegation suggested that the DP and Sanco have a further meeting to discuss the issue further.

Leon has already expressed his reservations about such a meeting. "I would be very reluctant to attend such a meeting. I would have to be convinced it would serve any purpose at all."

Mofokeng could not be reached for comment.

Leader warns of war

AWB will share land but not power, says TerreBlanche

Star 20/11/93

THE FA is pondering positive new proposals at the same time as war talk fills the air

As South Africa yesterday waited eagerly for the Freedom Alliance's response to the Government's latest constitutional proposals, leading political figures pointed accusing fingers at one another and warned of the consequences of civil war.

The warnings, made by ANC president Nelson Mandela during his "People's Forum" election campaign and by AWB leader Eugene TerreBlanche, coincided with positive news from Mmabatho that the FA had accepted the "framework" of Pretoria's proposals.

The proposals, made at the Government's meeting with the FA in Cape Town early this week, are understood to deal with the interim constitution's clause 118 detailing powers provincial governments will have in the new order.

Addressing a packed hall in Port Elizabeth's Algoa Park last night, TerreBlanche said the right wing was preparing to go to "inevitable" war because Pretoria had "sold out" whites. Although his organisation was willing to share land, it was not prepared to do the same with power.

A few hours earlier, Mandela had told a 5 000-strong crowd at Mohlakeng Stadium near Randfontein that thousands of whites could die if rightwingers carried out their threat of civil war.

The ANC, Mandela said, had received reports that the Right was "stocking arms to continue the carnage of our people", and this would not be to anyone's interest.

Mandela, who has called for reconciliation and talks with the right wing since his whistle-stop visit to the PWV region began, appealed to the Right and conservatives to help the ANC control the youth and their anger by not using language which would incite whites to oppose democracy.

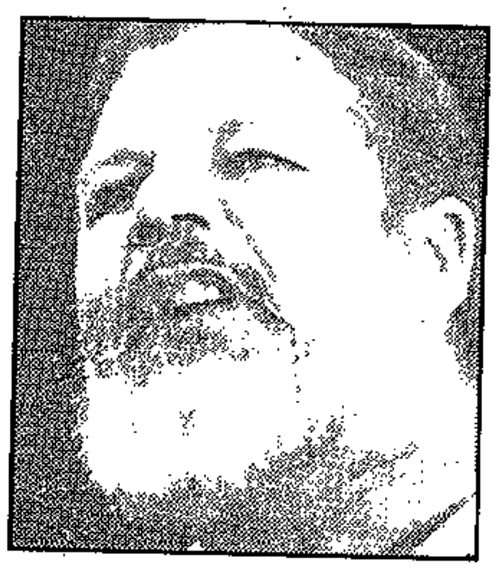
Earlier at the Johannesburg College of Education, Mandela had castigated President F W de Klerk for failing to take decisive action to end violence.



F W de Klerk . . . time to accept responsibility.



Nelson Mandela . . . appeal to conservatives.



Eugene TerreBlanche . . . whites "sold out".

Scare

He accused the Government of using violence to scare up to 40 percent of black voters away from next year's election in an attempt to reduce the ANC's majority.

But in Johannesburg last night, De Klerk took both the ANC and the Inkatha Freedom Party (IFP) to task for their involvement in violence, saying it was time they made more effort to stop the carnage.

Speaking at his Export Award function, De Klerk said it was time the ANC and the IFP did "something meaningful instead of pointing fingers elsewhere".

The President said there was also reason for concern about the FA which was not sufficiently committed to resolution-oriented negotiations.

Although Government was prepared to accommodate the FA within agreements already reached in talks, it could not stop the process now just because "people, after three or four years, do not have clarity yet". — Political Staff and Sapa.

NEGOTIATIONS Fm 26/11/93

What it took

A package deal over certain outstanding constitutional and electoral issues, clinched between government and the ANC in the final hours of the stretched negotiating council deadline on November 17, enabled the historic plenary to go ahead and adopt the interim constitution (304A) (HP)

Its substance was, fittingly, read to the council in part by government's Roelf Meyer and in part by the ANC's Cyril Ramaphosa.

On the thorny issue of Cabinet decision-making after April it is agreed that the Cabinet will function in a way that "gives consideration to the consensus-seeking spirit" underlying the idea of a government of national unity, as well as the need for effective government. No obligation there to consult, let alone government's original demand for a rotating presidency — against which, the *FM* understands, the ANC had been prepared to deadlock the process.



Ramaphosa

In the trade-off, centred on a government of national unity, the two sides agreed that "national elections will not be held under a new constitution adopted by the constitutional assembly (CA), until 1999, unless the Cabinet loses the confidence of parliament."

The third element concerns provincial boundaries and powers. It states that the provisions of the new constitution to be adopted by the CA regarding the boundaries, powers and functions of provinces, and any amendment will require the approval of the Senate with a two-thirds majority.



Meyer

Fourth, provincial constitutions. Immediately after the first elections, a provincial legislature "shall" be entitled to adopt a constitution for its province. This must be consistent with the constitutional principles and the national constitution, and the constitutional court will have to certify this.

What the ANC extracted for conceding that forms the fifth leg of the deal: use of a single ballot paper in the first elections for national and provincial legislatures. 27

Lastly, the clause on the deadlock-breaking mechanism says that should this become necessary in the making of a new constitution, "the deadlock-breaking procedures will culminate in the adoption of a new constitution by a majority of 60%."

When Codesa broke down, it was at least in part because government had dug in over its demand that the deadlock-breaking majority should be 75%. ■

POLITICS

Fri 26/11/93

Now for the hard part

(304A)

The gulf between government and the Freedom Alliance on how to shape a new constitution is far wider than believed by optimists. There seems little hope that differences will be resolved on the basis of current bilateral negotiations.

Another round of talks was under way in Cape Town as the *FM* went to press, but neither side expected much progress. However, it was likely that the door would be left open for further discussion.

How to deal with the Alliance is becoming a major problem for both government and the ANC. It may in fact be easier for President F W de Klerk to convince the ANC of the need for a referendum to break the deadlock, than to get the Alliance back on board before April 27.

The Alliance comprises a rightwing grouping under the banner of the Afrikaner Volksfront, Inkatha and the governments of Ciskei and Bophuthatswana. De Klerk is understood to be increasingly disturbed by repeated claims by the CP that he has left Afrikaners in the lurch and that the Alliance has more backing than the groups represented at the multiparty talks.

In parliament this week, CP leader Ferdi Hartzenberg taunted De Klerk by suggesting that the Alliance was "at least" the second most popular political grouping after the ANC. And, at a public meeting in Durban this week, Inkatha leader Mangosuthu Buthelezi claimed the Alliance represented more than half the country's population. He warned that if the Nats and the ANC ignored "the majority of SA's population" the country was "heading for an abyss."

But these calculations of support appear to assume that all Zulus and Afrikaners back the Alliance.

The parliamentary debate on the negotiation process illustrated the extent of the gap between government and the Alliance. They could not even agree on the basic constitutional concept that underlies their differences — though there should not be surprise at this.

De Klerk was apparently under the impression that the basis of current negotiations was the acceptance of federalism as a point of departure. He said this was confirmed to him by Alliance leaders twice last week. If this were not the basis of talks, negotiations would be "senseless." The issue for discussion was how to strengthen the federal concept.

But speaking immediately afterwards, Hartzenberg strongly rejected De Klerk's interpretation of the CP's position, which he said was confederalism and not federalism as envisaged by the interim constitution. In a confederal system, the CP's envisaged *volkstaat* would in effect be an independent country that would have an arm's-length relationship with neighbouring states.

The interim constitution agreed to by the multiparty negotiators provides for a federation, in which not all the powers of the constituent members will be exclusive of central government. Hartzenberg said this was a union rather than a federation — and he has a strong theoretical case.

At the Durban meeting, Buthelezi also indicated support for confederalism. He said the interim constitution was fatally flawed. However, he was preparing to contest the general election next year in the belief that "true multiparty consensus" would be achieved by then. But the chances of this happening appear slim. The dispute between government and Inkatha goes beyond the interpretation of federalism. Buthelezi is also opposed to a two-phase transition and wants multiparty negotiators rather than an elected constituent assembly to draw up the final constitution.

He was prepared to continue talking to government "in the hope that sense will in the end prevail ... Our arguments to the government will be that the only way we are going to achieve peace and stability is for SA's negotiators to draw up a final constitution before elections next year. We have a fight to put up against a fatally flawed constitution."

If agreement was not reached, Buthelezi said he would not lead Inkatha into the election. If the party decides at a special congress in January to contest the election on the basis of the interim constitution, he will step down as leader.

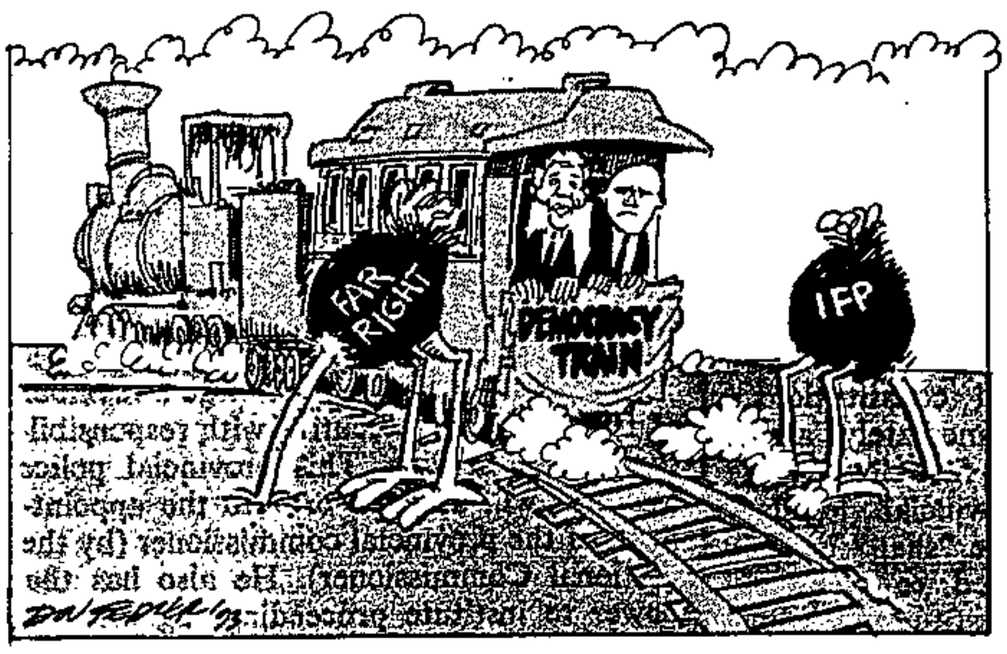
But in a TV interview at almost the same time as Buthelezi was speaking, De Klerk said while every effort would be made to accommodate the Alliance, the essence of what had been agreed at the World Trade Centre would not be changed. He said it was up to the Alliance to provide further specific details of its demands within a federal framework.

"We are then prepared to go back to the negotiating council if we are convinced their demands are attainable and reasonable."

During the parliamentary debate De Klerk tried to split the Alliance by suggesting that Inkatha, Bophuthatswana and Ciskei should not associate with the CP if that party rejected federalism and nonracialism. He urged Alliance partners — particularly Inkatha — to "have the courage to dissociate themselves unequivocally from the CP." If they did not, the Alliance would be branded as the "apex of opportunism ... It is simply not good enough that the Freedom Alliance presents itself as a political entity when that suits it while glossing over the fundamental conflicts of policy within its ranks."

De Klerk said it was still possible to bring them on board "given a genuine willingness and sense of urgency on the part of the Freedom Alliance." He said agreements reached within the next week or two could still be endorsed by both the negotiating council of the multiparty forum and parliament. "We believe that we have already made constructive proposals and are prepared to look together with the Alliance at what more can be done."

But it was clear from the CP's attitude that agreement is a long way off. The party is simply not prepared to consider at this stage the sort of nonracial framework within a federal system that government insists is a basic condition for participation in the election. The party was unmoved by De Klerk's claim that the new constitution provides an effective balance of power between the provinces and central government. Instead, Hartzenberg and colleague Fanie Jacobs warned government of Afrikaner resistance if military action were taken against Alliance partners who refused to accept the interim constitution.



De Klerk is not in favour of using force — which does not mean that the use of force can be ruled out. If the war talk of some elements in the Alliance turns out to be more than bluff, it is by no means unthinkable that the Defence Force will be called in to preserve the union and restore stability within it. ■

P.T.O.

THE TRANSITION

Fm 26/11/93

Time to hold thumbs

304A

A remarkable political compromise, but it needs hard work

There was a triumphant conclusion to the negotiating process last week at Kempton Park — but it would be a grave mistake to assume that the transition to democracy is now signed, sealed and delivered. True, four years of tortuous negotiations will at last find concrete expression when the Transitional Executive Council (TEC) is set up — probably within weeks. But the practical obstacles to achieving a stable democracy remain formidable. The five-month interregnum between now and the general election on April 27 will be critical — perhaps the most critical period of all.

For a start, can the TEC govern? Will it be able to hold the ring and indeed "level the playing field"? Will the police and defence forces be regarded as impartial or open to political attack? What if there's an outrage over a police action? Who ultimately takes responsibility in a crisis — the present Cabinet, which must govern in consultation with the TEC, or the TEC itself? There is an obvious problem of sovereignty and accountability; enormous goodwill will be needed on all sides to avoid a crisis.

The aims of the TEC are to promote — in conjunction with all legislative and executive structures at all levels of government — the transition to a democratic order. Essentially, this came about because the ANC objected to government being both referee and player in the election campaign.

The TEC will be made up from the 21 participant parties that have been at the negotiating council and have accepted the interim arrangements; many of the familiar Kempton Park personalities are expected to serve on it. Each party will nominate a representative, plus one alternate. This will give disproportionate numerical weight to minority and marginal groups but the major players — the NP, ANC and, to a lesser extent, the DP — can be expected to dominate. Out of the picture at the moment, and likely to remain so, are the Freedom Alliance partners, including the white Right and Inkatha. This is causing unease but not panic.

Not all the parties have put forward their nominations for the TEC; some are waiting to see what level of representation the big guns — ANC and the Nats — will put forward. While Roelf Meyer could well be a candidate from government's side, it's thought that Cyril Ramaphosa and Thabo Mbeki will stay out in order to concentrate on the election and ANC organisation. Sceptics believe, however, that they may not want to risk ruining their images should the TEC go wrong in some way or have to dirty its hands. If the bigger players stay out, this could undermine the standing of the TEC. Candidates from all groups should officially be known in a week.

Functioning in tandem with the present Cabinet, the theory is that the TEC will serve as a check on government and intervene where free political activity is threatened. Though the TEC Bill was passed by parliament in September — together with the Bills on an Independent Media Commission and the Independent Broadcasting Authority — the trigger for the TEC to come into being is passage by parliament, this week or next, of a package of laws providing for the interim constitution, the Electoral Act and the Independent Electoral Commission.

The TEC members will appoint a management committee and an executive director from among themselves. The TEC will have the power to set up committees for certain functions and to second public service technocrats. Every government and party is obliged to keep it informed of proposed laws or actions which might affect its objective. It has the power to monitor, propose, liaise, be advised and represented, obtain information, investigate, accept and reject various actions — just about everything, in fact, but govern.

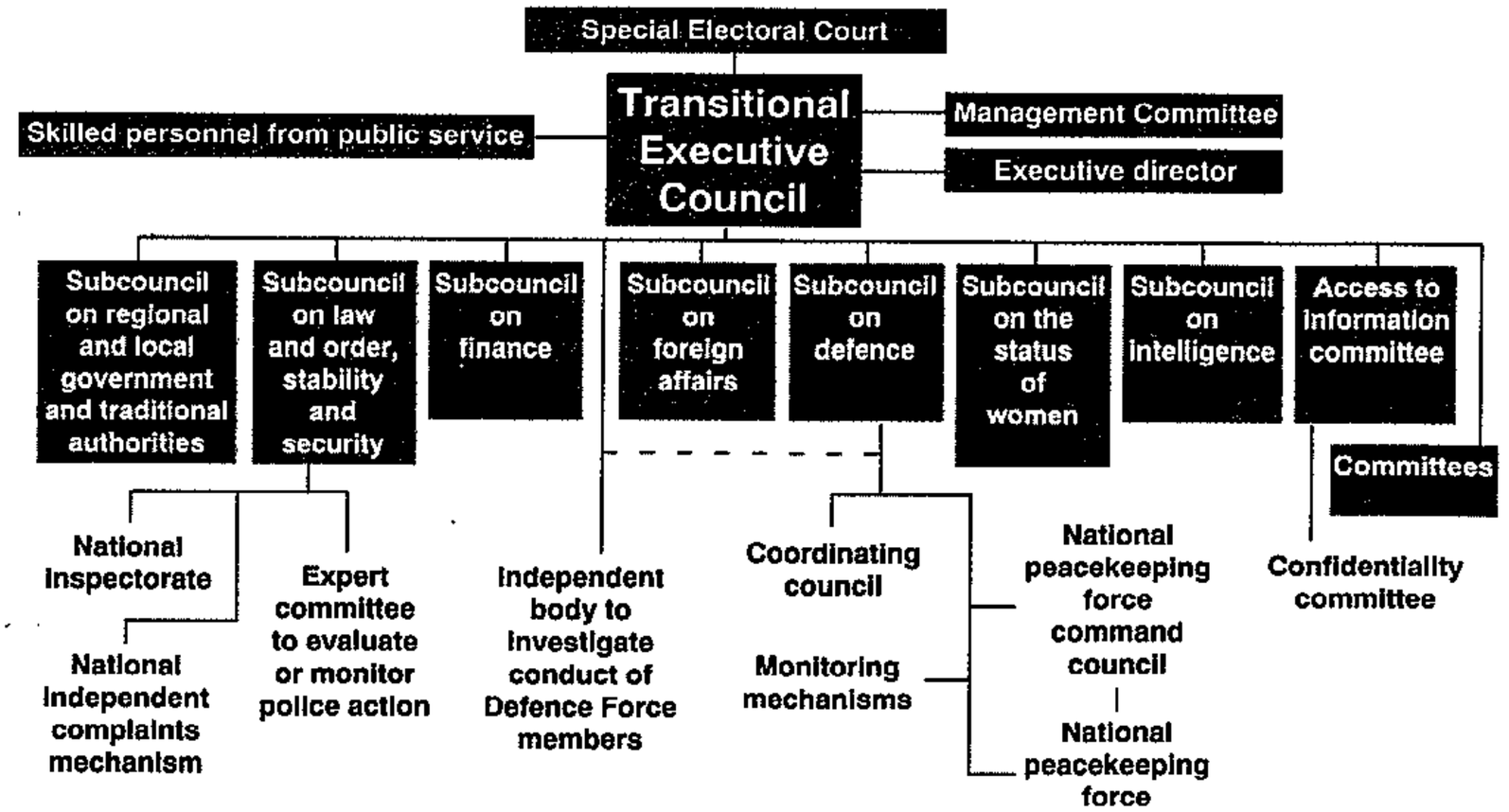
Most of the vital work will be done by the seven TEC subcouncils. Three of them — Law & Order, Stability & Security; Defence; and Intelligence — will have eight members each. The other subcouncils will have six members each: Finance; Foreign Affairs; Regional and Local Government, Traditional Leaders; and the Status of Women. Other subcouncils may be established if necessary.

The Law & Order subcouncil is surely the most important. It will have to monitor the police, but also ensure the police are not undermined by any of the parties. The choice of individuals who serve on this subcouncil will be crucial. It will also establish a national inspectorate, drawn from policing agencies and other bodies it may decide on. This inspectorate will have the power to investigate, monitor and liaise with police forces. The subcouncil may also establish an independent, civilian-controlled complaints mechanism on police conduct. Possible candidates from the ANC on this council are Matthew Phosa and Fink Haysom; and from government's side, police negotiator Lieutenant-General Andre Pruis.

The Defence subcouncil has the power to investigate and recommend appropriate action over any allegedly adverse conduct by any military force, including the SADF.

More controversially, the Defence sub-

Levelling the playing field



P. TO 7

Fm 26/11/93

council is to establish a National Peacekeeping Force, drawn from every military and police force in SA — but there will be severe practical difficulties with this. It must also set up a Command Council which, with the TEC, will control the peacekeeping force (if it ever comes into being).

Any disputes between the TEC and any party or government agency are to be resolved by the Special Electoral Court, which flows from the Independent Electoral Commission, to be appointed by the TEC and staffed by people of the utmost probity and neutrality. There again, the effectiveness of the structure will depend heavily on the individuals chosen.



De Beer



De Villiers

Will all this work reasonably well?

There's no reason not to expect co-operation between government and the ANC, says DP leader Zach de Beer. He believes the TEC, which will be housed in the Saambou building in Pretoria, has a good chance of working "in a patched-up sort of way." While it has teeth, its legs are a bit wobbly in that, initially, it lacks the necessary bureaucracy. Yet it will, in its more executive role, have on board the same parties represented at Kempton Park in a legislative role — so it does not have to start communication from scratch. Any major crisis will probably require intervention from President F W de Klerk and his ANC counterpart Nelson Mandela, should it come to that. "As usual, if the ANC and the Nats agree, nobody can stop them," observes De Beer.

According to ANC spokesman Carl Niehaus, it will to a large extent remain the relevant Minister that carries the can should anything dire occur. "In this period the TEC really only has political control to the extent that no major decisions — for example, on troop deployment — can be made without the agreement of the TEC."

In the event of some hypothetical blow-up, like the raid on Apla in Umtata, "it will continue to be the Minister who has to answer and explain to the TEC — much as Law & Order Minister Hernus Kriel had to appear before the negotiating council following the Umtata raid," says Niehaus. "We talk of political control, but it's not full control. We can't practically place MK or Apla men on the spot in every potentially difficult situation. We can't have operational control on the ground." However, Ministers are hardly likely to do anything resembling the Umtata raid — they will probably only make decisions on unavoidable day-to-day matters, and otherwise lie low.

According to a member of the ANC's negotiations commission, the TEC is intended only to limit government's ability to act alone; it thus has more negative than positive powers in the sense that it can stop certain things from happening rather than make the running. He sees no contradiction between the two streams running towards April 27 — that of creating a climate conducive to free political activity, and the electoral battle itself. (304A)

But it will be a very delicate balance. At present it seems that the spirit of co-operation and compromise nourished at the talks may shine through — but the new roles will be strange to both the major players. Cabinet Ministers will have to discover unprecedented humility; ANC leaders will have to stop accusing the security forces of conniving in township violence. It will not be easy to marry the need for administrative co-operation with fierce electoral rhetoric — especially if the rhetoric is concerned with the raw areas like security. It remains to be seen whether ANC leader Nelson Mandela, in particular, understands this — and whether all ANC campaigners will be disciplined.

If we get to April 27 intact, and if the election itself produces a result which sticks, the worst will be over. The interim constitution agreed last week will come into operation immediately. It will endure until a permanent one is adopted by the constitutional assembly — which could take as long as five years.

"The achievement vindicates our commitment to the negotiating process," says senior Cabinet member Dawie de Villiers.

"The NP," he says, "is convinced that this is a good constitution, well crafted to meet the needs of reconciliation and good governance and to protect the rights and freedoms of all the people and communities in our land."



Welsh



Niehaus

US congressman Stephen Solarz has described SA's negotiated transition to democracy as unprecedented, something of a political miracle.

The agreement marks the NP's formal acceptance of a nonracial democracy. At the heart of it is in effect the five-year "sunset clause" first advocated by Joe Slovo, and the guarantees to incumbent civil servants which astutely provide a measure of continuity and therefore confidence in the future.

According to Zach de Beer: "It's a good constitution by any standards and it contains the essential elements of a workable democracy." While not exactly what the DP would have written, it is "probably closer to our established policies than any other party's, which means it is good news for SA. We think it's a federal constitution, but do not think the powers of the provinces relative to the centre are sufficient. We think that SA is moving closer to a more strongly federal constitution, and we intend fighting for it."

Commenting on what is probably the best victory in the negotiating council — the DP's successful opposition to having the president choose the judges of the new constitutional court, which the ANC and government bowed to in exchange for the DP dropping its opposition to a single ballot in the election — De Beer points out that the single ballot proposal would have been carried anyway. And though the court is not perfect either, the fact is that every name will have to be filtered through the Judicial Services Commission, "a very significant safeguard."

The property clause in the Bill of Rights, he says, ended up not as good as it was six weeks earlier in the talks, when it spoke of "just and equitable compensation" in the event of expropriation. But the NP had interfered, the upshot being that the clause is "too messy but essentially acceptable" (see *Leaders*).

Political scientist David Welsh describes the constitution as "reasonably good in the classic liberal democratic mould." But he objects most strongly to the way in which it was rushed through with no opportunity at all for public debate.

Welsh is relieved that the Bill of Rights has not been filled with "second generation" (economic) rights, even if it obliquely encourages affirmative action. The section on land claims is good but will, in practice, prove enormously difficult to implement.

As to weaknesses, he says it is bad, in principle, that one vote should elect national and regional members of the national assembly and members of the provincial legislatures, as it will have an indirect but strong centralising effect. While the argument for simplicity is a strong one, it is somewhat patronising towards the electorate.

The provision dealing with circumstances under which an Act of parliament shall prevail over a provincial law are "excessively broad and sweeping." And the provision that an MP who defects to another party must resign "violates every canon of parliamentary representation that has been accepted since Burke's great speech to the electors of Bristol: 'You choose a member indeed — not a member of Bristol but a member of parliament'."

On the whole, however, Welsh remarks: "If anyone thought five years ago that we'd have a document like this, I'd have said you're off your head.

"It is a tribute to the good sense of South Africans that they have embodied this compromise." ■

Govt unsure about voter numbers

PRETORIA — Even though permanent residents in SA will be allowed to vote for the first time in next year's election, government officials are unable to estimate how many of these potential voters there are in the country.

Census figures from 1991 indicated there were 1,66-million people in SA who were not born here, a Home Affairs spokesman said.

But, of this number, there were no statistics stating how many of these were under the voting age or what proportion were SA citizens

ADRIAN HADLAND

or permanent residents.

Between 1961 and 1992, 916 402 people immigrated to SA, while 314 333 emigrated. Of the 602 069 balance, official statistics did not say whether the immigrants were citizens or residents. (3044A)

"In other words, the figures are so vague that we can't really use them."

Most permanent residents had ID documents which stated "non-SA citizen" in them, he said. This would be sufficient to vote on April 27 next year.

Those not in possession of an ID book should apply for one as soon as possible.

A permanent residence stamp in a foreign passport could not be used for casting a ballot. BIDay

For SA citizens living overseas, an ID book or SA passport would be required for voting. 26/11/93

There was a possibility the electoral commission would arrange for additional voting stations to be set up, depending on the demand in different countries, the spokesman said.

AWB, Inkatha plan a Treaty of Vereeniging

BIDay 26/11/93

WILSON ZWANE

THE AWB and Inkatha Freedom Party are expected to meet tomorrow in Vereeniging to agree to a "solidarity" pact, in terms of which "an attack on Zulus will be an attack on the AWB".

AWB Johannesburg spokesman Johan Thompson would not divulge details of the agreement, except that it would be between the East Rand and Vaal regions of the two organisations.

AWB leader Eugene Terre'Blanche was expected to attend the meeting, he said.

Inkatha Transvaal deputy chairman Humphrey Ndlovu said its Vereeniging branch had arranged the meeting. He said — without elaborating — that the branch had been advised to cancel the meeting. But Thompson insisted it would go ahead.

He said the AWB was providing military-style training to Inkatha members in the Transvaal. He refused to say when the training began or how many Inkatha members had received training. (304A) (4B)

The training was strictly for self-protection purposes. Thompson denied claims that the AWB had provided Inkatha with guns. "We train them only in the use of firearms. We don't give them firearms."

The only items the AWB had given to the residents of East Rand hostels were food and medicine.

Inkatha has repeatedly said the AWB is not training its members.

Sapa reports that Ciskei military leader Brig Oupa Gqozo said in Bisho that he had an agreement with Terre'Blanche that the AWB would defend Ciskei if the SA government turned against it.

Help from Afrikaners and farmers was just a telephone call away, he said.

SA moves closer to joint rule

Star 27/11/93

KAIZER NYATSUMBA
Political Correspondent

SOUTH AFRICA yesterday moved closer to its first phase of joint rule, with the installation of the multiparty Transitional Executive Council now only days away.

The TEC, whose establishment some right wing groups have described as a declaration of war, is expected to start operating from December 6, with its first meeting scheduled for December 8. (304A)

President de Klerk yesterday signed a proclamation calling on the parties and organisations which participated in multiparty talks since they resumed on April 1 this year to nominate people to serve on the TEC and its seven sub-councils, a well-placed government source confirmed last night.

This was done at the request of multiparty negotiators at the World Trade Centre, and a notice proclaiming the TEC was to have appeared in a special Government Gazette yesterday.

Although the TEC's establishment will effectively mean the beginning of joint rule or power-sharing, the Government will continue to run the country, with the TEC having authority only over defined areas related to the April 27 election.

Agreement on observers

In terms of the agreements reached, all 26 parties that were part of the multiparty talks which resumed on April 1 this year — including the Freedom Alliance (FA) which subsequently walked out — qualify to nominate people to serve on the TEC and its sub-councils. So far, no FA member has indicated a willingness to serve on the TEC.

According to sources, each party has until midnight on Monday to submit the name of its representative on the council. De Klerk is expected to announce, in a Government Gazette, the names of people who will be on the TEC on December 6 — two days before the council's first meeting.

On a day when the Democratic Party failed to get discussion reopened on the number of ballot papers to be used in next year's national and regional elections, negotiators also agreed to formally request international bodies such as the United Nations and the European Community to send observers to monitor next year's election and to take part in the Independent Electoral Commission, which will run the election.

The DP, which last week reluctantly agreed to a single ballot in the election in return for a deal removing political intervention in the appointment of judges for the still-to-be-established Constitutional Court, submitted a resolution to the Negotiating

● TO PAGE 2.

Star 27/11/93

Joint rule

● FROM PAGE 1.

Council asking that the debate be reopened "to attempt to achieve a solution which has the support of as broad a consensus of parties as possible". (304A)

Supported only by the Pan Africanist Congress, the DP lost the fight to reopen the debate, with the ANC and Government warning against revisiting any issue already agreed to. They said the transitional constitutional package adopted by the November 17 plenary of leaders was based on compromise, and that reopening debate on any one issue could lead to similar demands from other parties on other matters.

The council was emptier than usual, with the Afrikaner Volksunie conspicuous by its absence.

South African Communist Party chairman Joe Slovo accused the DP of "a dishonourable attempt" to renege on the earlier agreement, but he later admitted in a statement to Sapa that the single ballot agreement was not ideal.

"We know that their (the DP's) word is not their bond. To put it at its lowest, if accepted, it (the DP's demand) will bring great discredit to the very culture of negotiations," Slovo said.

Disappointed DP negotiator Ken Andrew told Saturday Star his party now doubted the ANC-led alliance's commitment to strong regional/federal government. His scepticism, he said, was strengthened by the fact that the alliance was insisting on having people who did not necessarily live in a region to be in its election list for that region.

Negotiators yesterday also agreed to be involved in a R250 000 election-monitoring conference to take place from December 8-10. Funding for the multiparty conference will come from both the EC and the Government.

The Electoral Bill, to be passed by Parliament together with the Interim Constitution before the present short session ends, was finalised yesterday.

A technically refined draft of the Interim Constitution will be distributed in the Negotiating Council on Tuesday, and discussion on some aspects of the document is expected to be finalised on Wednesday.

By then, the reincorporation of TBVC states into South Africa as well as the transfer of Walvis Bay and the off-shore islands to Namibia will have been debated.

Radio on top in April (3044)

Weekend Argus Correspondent

DURBAN. — Newspapers and radio stations should reap a bumper crop of political advertising in the lead up to the April elections as parties bare their souls.

This prediction is made by The Media Shop MD Dick Reed, who also maintains television will take a back seat in the race to cadge votes.

He believes added impetus to advertising spending in the radio medium could come from increasing numbers of stations.

However, the picture could change should the rate of growth in TV adspend continue to grow "inexorably" on the back of an expanding economy. Major international companies investing in a strong economy, like Proctor & Gamble, are more than likely to base their promotional drive on TV.

Fueled principally by election spending, Mr Reed estimates advertising spending in all media in 1994 will rise to R3,68 billion, 17 percent above his prediction for this year of R3,15 billion. ARG 27/11/93

Print adspend, which is dominated by newspapers, he forecasts, will grow by about 20 percent to around R1,65 billion (R1,38 billion estimated for 1993). That would see print's share of adspend reversing the declining trend of recent years and rising to almost 45 percent.

TV's share of advertisers' spending — 37,1 percent in 1991 and 37,7 percent in 1992 — would fall from a predicted 39 percent for this year to around 37 percent, or R1,36 billion.

If Mr Reed is right, the biggest gain would be aired by radio — at 26 percent. Stations would see ad turnover in their medium rise to R516 million from R409 million in 1993. That would be almost double the R262 million of 1991 and go a long way to explain the keen interest being shown in radio licencing rules.

Watch Nats, not DP — Boesak

ARG 27/11/92
3044

DENNIS CRUYWAGEN
Political Staff

ALLAN BOESAK has written off the Democratic Party and named the National Party as the African National Congress's main election opponent in the Western Cape.

He warned at the Peninsula Technikon last night that many voters believed they would lose rather than gain if the ANC came to power.

"It is up to us to persuade them that this is simply not true. It is up to us to persuade them that it is the ANC and not the NP that will bring about the changes they need and want," he said at the movement's fourth regional conference.

Fear was not a rationale, but a real thing.

"We could lose this election because people are afraid. If we do not do something to end these fears, we may end up with something we should all have reason to fear with all our hearts — a region ruled by (President) De Klerk and the National Party."

The region would prosper and grow under an ANC government.

"We can build an economy that will provide us with the means to build houses, equalise education and create employment for all people."

The NP wanted to win the Western Cape to exploit its resources for the sake of their people.

"They want to preserve the status quo for themselves and their friends."

The DP believed it could win the Western Cape by not fighting the real enemy, apartheid, but by using propaganda against the ANC to win the hearts and minds of the coloured people.

"Neither of these two parties has anything at all to offer ordinary people. That is why the real question the coloured people of this region need to ask the NP and DP is what they plan to do for the people of this region."

While the ANC has real policies and programmes to offer, the NP and DP had only negative and anti-ANC propaganda.

At the time of the illegal occupation of houses in Delft and Tafelsig it was the ANC which tried to solve the crisis, while the DP "sat in its armchair", Boesak said, and the NP used a situation it had created to make propaganda against the ANC.

He said the ANC did not have to waste its energies on the DP.

"They have the vote of some of the English press, but it is not the English press that is going to vote them into power."

Elections were won when ordinary people went to the polls and expressed their confidence in a political party.

"The real enemy is the NP... it is the NP with all its promises to the coloured constituency that we need to take on in this region."

Under an NP regional government the rich would remain rich and the poor would stay poor.

Under an NP government the powerful would remain in power and the disadvantaged would remain disadvantaged.

"We need to win this region. We need to win the Western Cape to save it from the regime which has exploited it so long."

Another reason for an election victory in the region, he said, was that the Western Cape was one where the principle of non-racialism would be tested.

"It is here that we can demonstrate what the ANC means by non-racialism and how that concept can be translated into a working living reality... if we succeed we can provide the lead in our commitment to uniting all South Africans in a truly non-racial society."

The challenge facing the ANC in the Western Cape was to persuade voters that the movement was the only organisation which could deliver democracy to them.

"And while we should act with confidence, we need to act with wisdom and care when approaching ordinary people."

Referring to the conference's task of electing a new regional executive committee, he said delegates had the responsibility of electing leaders who could genuinely make change in the Western Cape.

"This is not a time to elect friends. This is not a time for kindness or sympathy."

TEC Act may signal violent rightwing reaction

DALE LAUTENBACH
Weekend Argus Political Staff

KEMPTON PARK. — More than four decades of unfettered white National Party rule neared their end with the signing of the proclamation of Transitional Executive Council Act yesterday.

However, the signing by President De Klerk also signals the beginning of a major confrontation with rightwing parties.

"It's the turning point," said Afrikaner Volksfront leader General Constand Viljoen earlier this week. The far-right would not let its arrival go unmarked, he said, declining to reveal details of what sort of protest plans might be activated.

Conservative Party leader Ferdi Hartzenberg has characterised the point at which the TEC would be installed as a declaration of war on the Afrikaner.

It was the TEC in its Bill form in parliament in September for which government chief negotiator Roelf Meyer was branded a "despicable traitor" by the CP.

Now, in the week beginning December 6 the TEC should be up and running in Pretoria.

The 21 parties to the multiparty process must put forward their nominations in time for publication in the Government Gazette next Friday.

The object of the TEC is to create conditions for free and fair elections next April. The main body will have 21 members; three of its seven subcouncils will have eight members each and the remainder six members each.

The body has an effective watchdog role in respect of anything that might be considered to impact on elections and its brief is to keep an eye on all the parties involved, including government and, most sensitively in the eyes of the far-right, the security forces.

The far-right has deemed the TEC as the beginning of the end but by signing the Act into law yesterday Mr De Klerk effectively signalled that there is no holding the transition back and much work is to be done in preparation for elections.

Meanwhile, the multiparty process resumed at Kempton Park yesterday in ironing out the many technical and one or two principle decisions that still need attention.

The Electoral Bill is nearly finalised and later next week a cleaned-up copy of the 1993 Constitution Bill, including the outstanding chapter on transitional provisions, will be debated before going to parliament, probably the following week.

A tricky outstanding issue is the TBVC question. A Bill for re-incorporation should be before the council next week.

■ D-Day for Buthelezi, page 3.

Speaking from his Victoria Hospital Plumstead. living.

FW signs for April election

JOHANNESBURG. — President F W de Klerk yesterday signed a proclamation enacting the Transitional Executive Council Bill for free and fair elections on April 27.

The notice was to appear in a special Government Gazette yesterday, democracy talks officials confirmed.

The decision by the 21-party negotiating council to give Mr De Klerk the go-ahead was based on a recommendation by the planning committee which has to facilitate the talks process.

The TEC would start operating in the week beginning Monday, December 6.

Each party at Kempton Park has until midnight on Monday to submit the name of their representative who will sit on the 21-member TEC.

Mr De Klerk will announce the names in a proclamation in the Government Gazette on December 6.

● Negotiators will meet at least the first three days next week to put the finishing touches — mostly technical — to the constitutional transition package agreed to by political leaders last week. — Sapa

War talk: Army cancels leave



WAR TALK . . .
Eugene Terre'Blanche

PRETORIA. — Weekend leave for some army units was cancelled yesterday after war talk from right-wing and other quarters.

Army liaison officer Colonel John Rolt said the "precautionary measure" was being taken to ensure sufficient troops were available to support the police if necessary.

The decision was taken because of the volatile situation which had arisen from "aggressive statements" from several quarters which Col Rolt said he feared could lead to the disruption of law and order and even violence.

One source of war talk was Afrikaner Weerstandsbeweeging leader Mr Eugene Terre'Blanche, who called on supporters to take up arms.

Speaking in Port Elizabeth yesterday, he urged his supporters to steal guns and arm their women.

"Arm your women. Steal guns if you must. We will make your women soldiers in the name of God and for the freedom of our fatherland," he said.

Law and Order Ministry spokesman Major Craig Kotze said police were investigating whether Mr Terre'Blanche's comments could be construed as criminal incitement.

In his speech, Mr Terre'Blanche predicted the ANC would win 70 to 80% of the vote in the April 27 election. He said this would result in war.

Col Rolt said the cancellation of leave for army units could become a "pattern to be repeated in the future" should similar situations arise. — Sapa

● Mandela warns ultra right — Page 2

Amy witness refuses to talk

By CLAIRE BISSEKER

THE Amy Biehl trial was postponed yesterday in a crisis for the prosecution as a key witness failed to testify — and another witness changed her testimony.

UWC student Miss Sindiswa Bevu, who positively identified one of the accused, Mr Mzikhona Nofemela, 22, on Thursday, caused a stir yesterday when she said she was not sure he was the right man.

She began her testimony by saying her life had been threatened.

She said a group of people outside court on Thursday had told her she was "going to follow Amy".

Stoned

Yesterday the trial of Mr Mongesi Manqina, 22, Mr Nofemela and Mr Vusumzi Ntamo, 21, was declared a special offences trial.

The state alleges they stoned and stabbed Miss Biehl to death in Guguletu in August. The accused, two of whom are members of the Pan-Africanist Students Organisation, have all pleaded not guilty.

Three accused were released when the trial opened on Monday when ANC member Mr Charles Benjamin refused to testify for the state "for political reasons". He expressed fear for his safety.

On Tuesday Mr Justice Poswa, counsel for the men, applied for assessor Ms Renata Williams, an ANC member, to recuse herself, which she did.

Speaking after the adjournment, Mr Nollie Niehaus, a deputy-attorney general, said it was "becoming very difficult" to conduct the prosecution.

PAC regional secretary Mr Batembu Lugulwana said outside court the PAC would intervene and talk to members to prevent intimidation.

He went so far as to offer witnesses PAC protection if they sought it.

Mr Lugulwana said it was in the PAC's interest to ensure that proceedings continued in a manner acceptable to all parties.

Last night ANC Western Cape treasurer Mr Ibrahim Rasool said the ANC was "extremely" surprised at the apparent failure of the attorney-general's office to prepare properly for the trial of people who see themselves as "beyond the law".

Ramifications

He said the consequences of the trial failing were extremely serious with "ramifications that may affect the safety of ordinary people".

Attorney-general Mr Frank Kahn refused to comment on the trial, saying all aspects were sub judice.

Deputy Minister of Justice Ms Sheila Camerer said widespread intimidation of witnesses in Natal cases had given her department impetus to review certain parts of the Criminal Procedures Act, especially the witness protection programme.

Shortlists 'revealing'

Political Staff

THE shortlists of candidates released by the ANC and the National Party this week were all too revealing about the true nature of both parties, the Democratic Party's Western Cape leader, Mr Hennie Bester, said yesterday. CT 27/11/93

"The ANC seems determined to be dictating to its branches whom they should nominate," Mr Bester said.

"Government from above is what lies in store for the members of that organisation."

In contrast, the DP would allow every one of its members to nominate candidates, and the final decision would be taken by an electoral college consisting of representatives from all the branches in the region.

"We note that the NP list contains an alarming majority of 'white' candidates," he said, adding that this was a "blatant disregard of the realities of South Africa". (3049)

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28 NOV 1993

Boesak warns of Cape fears

By ANTHONY JOHNSON

THE ANC could lose the Western Cape to the National Party because people in the region were scared of what would happen if the ANC came to power, ANC Western Cape chairman Dr Allan Boesak said last night.

Opening the ANC regional conference at the Peninsula Technikon, he told more than 1 000 ANC delegates: "Many of our compatriots in this region are very scared of what the future holds.

"Many of them believe they will lose rather than gain if an ANC goverment comes to power — it is up to us to persuade them that this is simply not true."

By late yesterday no candidates had emerged to challenge Dr Boesak as regional leader.

However, the last-minute campaigning and lobbying was intense for the second most powerful position of secretary in the region. The leading candidates are the incumbent, Mr Tony Yengeni, and the former SACP Western Cape chairman and present vice-chairman of the ANC, Mr Lerumo Kalako.

The congress ends tomorrow.

Volksfront split looming?

304A
CT 27/11/93

Political Staff

A SPLIT appears to be looming in the ranks of the Afrikaner Volksfront.

It was also disclosed yesterday that there had been approaches by members of the ultra-right Afrikaner Weerstandsbeweging (AWB) to ANC president Mr Nelson Mandela.

After Conservative Party leader Dr Ferdi Hartzenberg's blunt statement in Parliament this week that he was utterly committed to confederalism, it was disclosed yesterday that Volksfront leader General Constand Viljoen had told Mr Mandela that he agreed there could be no full autonomy for an Afrikaner homeland.

It is understood Mr Mandela told a Patriotic Front meeting in KwaNdebele this week that the general accepted full autonomy was impossible because of the economic interdependence of the regions.

He also gave details of a meeting he had with Dr Hartzenberg on Tuesday.

He said Dr Hartzenberg had "had difficulty" with the issue of who should have the vote in a homeland, particularly at regional level.

He told the PF meeting everything should be done to accommodate the right-wing "without sacrificing principle".

He also informed the PF that members of the AWB had asked to meet him, but his own security staff had prevented this.

Recent initiatives by the ANC are apparently causing "major headaches" for the right wing, and there were marked differences in approach at the CP's caucus meeting on Thursday when the issue was discussed.

Increasingly, it seems that not only are some CP members acknowledging that an independent boerestaat is unattainable and unrealistic, but also state that an Afrikaner homeland should have a guaranteed life of only five years — effectively the period of the transition.

Meanwhile, the Freedom Alliance has denied that it plans to fight the election as an alliance.

Alliance chairman Mr Rowan Cronje said participation was "one of the several options" being considered by the alliance.

AWB tries to meet Mandela

Government woos FA with provincial powers proposal

ST Times 28/11/93

By EDYTH BULBRING

THE government has proposed that the provinces should have exclusive powers in 20 areas as part of a deal to persuade the alliance of rightwing and homeland parties to endorse an interim constitution and participate in the election next year.

These exclusive powers proposed by the government would include roads, provincial public media, regional planning and development, agriculture, health services and public works.

In a significant deviation from the interim constitution approved at the World Trade Centre last week, new proposals submitted to Freedom Alliance negotiators on Tuesday suggest:

- There will be 20 exclusive powers for the provincial governments;
- There will be exclusive powers for the central government. These include defence, foreign policy and international trade;
- All the functions that are not spelt out under provincial and central government will be the joint responsibility of both central and provincial governments; and
- The central government will only be able to interfere in the exclusive areas allocated to the provinces if the matter could not be dealt with effectively by provincial legislation; central government needed to regulate norms and standards thoughout the country and minimum standards needed to be set to ensure economic unity and to prevent a provincial law harming the economic health or security of a province or the country as a whole.

Central government legislation interfering with provincial legislation would have to apply to all the provinces.

The interim constitution as its stands now differs from this new proposal in that it stipulates that the provinces will be able to legislate in 20 areas concurrently with the central government. It does not spell out any exclusive powers. (804-A)

The powers and functions of the regions are seen by the Freedom Alliance as a crucial area that needed to be resolved before they could endorse the new constitution.

Other areas for discussion by the government and the Freedom Alliance are the taxation powers of the regions, self-determination, the right to vote by two ballots, the boundaries of regions and the writing of regional constitutions.

The proposals were discused by the Freedom Alliance this week. The Alliance will present its response to the government tomorrow.

The government's chief negotiator Mr Roelf Meyer said the proposal to the Freedom Alliance was much the same as was submitted to them three weeks ago. "They did not accept it then, now they see it as a constructive proposal," he said.

Mr Meyer made it clear that there would be no tampering with the interim constitution unless the Freedom Alliance gave its undertaking that it would participate in the elections.

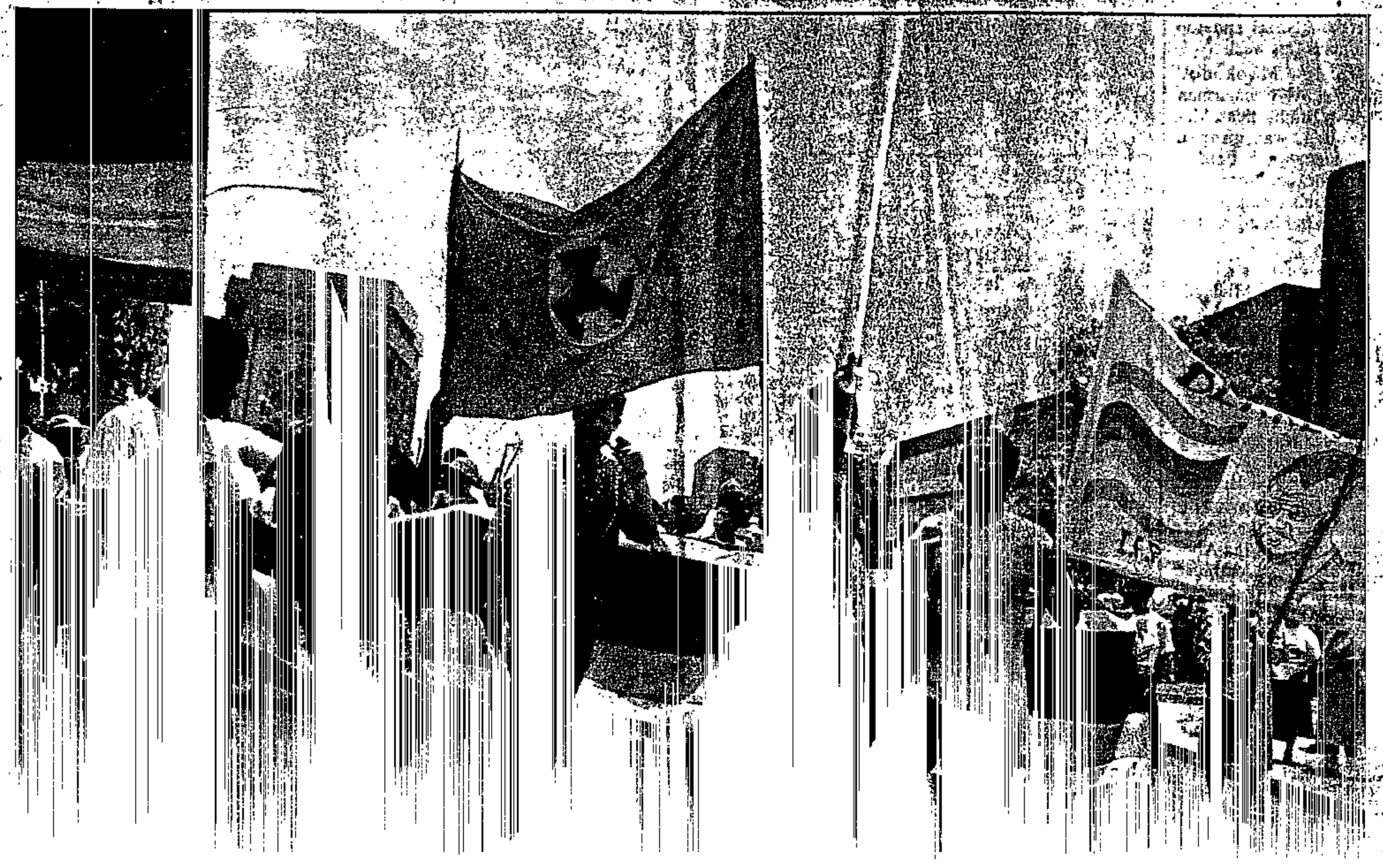
But Freedom Alliance negotiators regarded it as a breakthrough. Given that the principle of granting provinces exclusive powers had been accepted by the government, they would work towards extending the list and then limiting the overriding clauses, they said.

BLOOD BROTHERS

Inkatha and AWB to form 'hitsquads' against ANC

CIPress 28/11/93

By MOSES MAMAILA



INKATHA and the Afrikaner Weerstandsbeweging yesterday pledged to form underground units aimed at "protecting the two organisations against the ANC and its communist allies".

The Vaal Triangle region of Inkatha and the East Rand region of the AWB signed a pact at Vereeniging which committed them to working together in underground structures later described by an Inkatha interpreter as "hitsquads" (304A)

The accord was signed by AWB's Eugene Terre'Blanche and Inkatha regional leader Myezi Twala – in full view of the media and supporters of the two organisations.

Moments after the signing of the pact, Inkatha's Transvaal deputy leader Humphrey Ndlovu refused to comment and referred enquiries to Inkatha's director for political affairs Dr Zimba Jiyane, who could

INKATHA and the Afrikaner Weerstandsbeweging yesterday pledged to form underground units aimed at "protecting the two organisations against the ANC and its communist allies".

The Vaal Triangle region of Inkatha and the East Rand region of the AWB signed a pact at Vereeniging which committed them to working together in underground structures later described by an Inkatha interpreter as "hitsquads" (HB) (304A)

The accord was signed by AWB's Eugene Terre'Blanche and Inkatha regional leader Myezi Twala – in full view of the media and supporters of the two organisations.

Moments after the signing of the pact, Inkatha's Transvaal deputy leader Humphrey Ndlovu refused to comment and referred enquiries to Inkatha's director for political affairs Dr Zimba Jiyane, who could not be reached.

However, the pact was dismissed by Inkatha's Transvaal youth leader Themba Khoza, who said it was "null and void".

Addressing hundreds of uniformed AWB members and Inkatha impis who were armed with traditional weapons, Twala called on Inkatha members to strengthen the unity between the AWB and Inkatha.

"We need to build up this unity not only in the rallies but also underground so that communism is not implemented in SA," said Twala, who received thunderous applause after his call.

His interpreter was even more frank. Translating what Twala was saying to the predominantly Zulu following, the interpreter said: "We are called upon to form hitsquads with the AWB and self-protection units in our fight against the ANC."

In his address Terre'Blanche called on the AWB to form a military front with the Zulu impis to fight the ANC and the communists.

He warned that nobody could govern this country without the support of the "boer and the Zulu".

Vereeniging came to a halt as hundreds of impis and boers marched side by side, with some Inkatha members chanting "Viva AWB" slogans.

Terre'Blanche drew loud response when he chanted to the black marchers: "Long live the Zulu king Zwelithini long live. Long live the Zulu nation!"

When Twala was asked by City Press before the march whether he was defying Ulundi, he said: "Our organisation believes in federalism and this means giving more power to the regions. The regions are autonomous and can actually take decisions on their own without the approval of the national leadership".



VOLK EN IMPI ... Inkatha supporters show their true colours in a joint march with the AWB yesterday. ■ Pic: EVANS MBOWENI

'There's life after Buthelezi'

City Press 28/11/93

By FRED KHUMALO

MANGOSUTHU Buthelezi's resignation from Inkatha would create within the party a climate where democratic principles would be observed – and Inkatha would be a fully fledged party, not a manifestation of the Buthelezi personality.

This is according to University of Natal political scientist Dr Ian Phillips, speaking in the wake of Buthelezi's threat to resign from Inkatha.

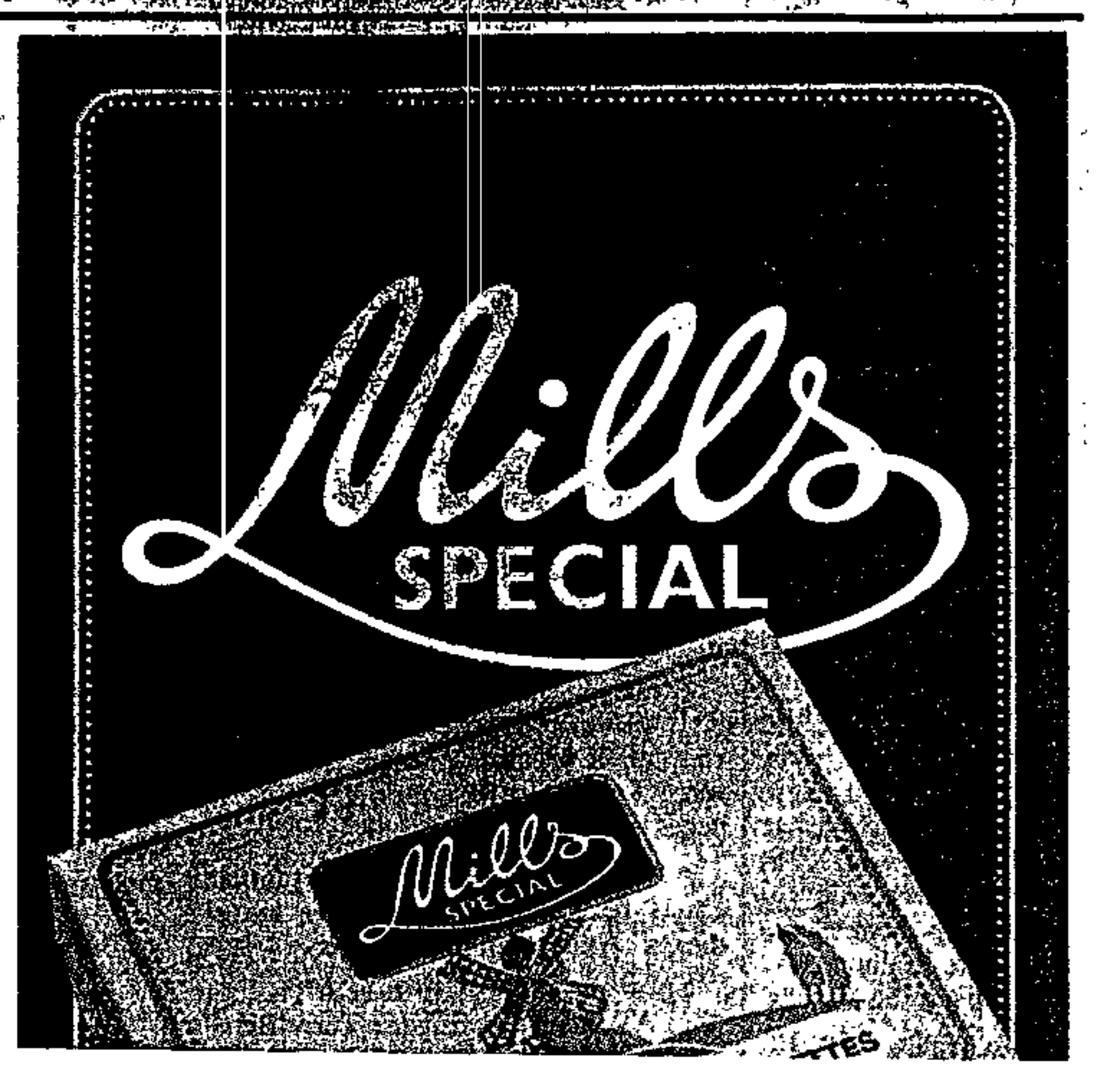
Addressing a crowd of supporters at the Durban City Hall this week, Buthelezi threatened for the third time this year to resign as Inkatha president if his position with regard to the interim constitution was not supported at a general conference. (HB)

Buthelezi's threat reflected the rift within Inkatha between Buthelezi and his close confidante Walter Felgate on the one side and party moderates on the other.

"It would be strange for him to resign. He is a power-hungry person. And without the KwaZulu government and Inkatha he has no power," said Phillips.

He added that contrary to popular belief, Buthelezi was preparing for elections.

"He wants to come out at the last minute and announce that he is after all taking part in the elections. He wants to create drama at the last minute," said Phillips.



FW signs away white rule in SA

CIPRESS 28/11/93

By THEMBA KHUMALO and Sapa

WHITE minority rule has come to an end.

On Friday State President President FW De Klerk signed the authorisation of the Transitional Executive Council (TEC), effectively scrapping white rule and ushering South Africa into a democracy.

The 19-member TEC, which will rule the country jointly with the government, is now in effect although it is only expected to have its first meeting on December 8 after De Klerk has announced the names of its members on December 6.

The council is expected to resume its work in earnest not later than mid-December when the current parliamentary session ends in Cape Town.

The PAC and the Afrikaner Volksunie (AVU) may not send their representative to serve in the TEC structure because of their reservations about major parts of the interim constitution.

The main task of the TEC is to prepare ground for the first all-race general election that will take place on April 27.

It will establish the Independent Electoral Commission which is to ensure that the election process is free and fair.

The multiparty negotiating parties have until midnight tomorrow to submit the names of their candidates who will form the council. (30+A)

At its December 8 meeting in Pretoria the TEC will start working on the election plan.

Delegates at the multiparty negotiating council will wind up their debate on the final constitution on Wednesday. Among the issues still to be debated is the definition of the word "republic" and whether it should include the nominally independent TBVC states.

The negotiators also agreed on Friday to formally request the international community, including the UN and the European Community, to send observers to monitor the election.

They said the negotiators would attend a conference on election monitoring which is provisionally scheduled for December 8-10. A delegate from the Natal/Transvaal Indian Congress, Pravin Gordhan, said two-thirds of R250 000 needed to sponsor the conference would come from "an EC source".

Star 29/11/93

New look Broederbond opens doors to all

■ BY NORMAN CHANDLER and CYRIL MADLALA

The once-secretive Broederbond organisation — which is to change its name to the Afrikanerbond — has thrown its weight behind calls for self-determination for the Afrikaner people.

This decision was taken at a conference in Johannesburg at the weekend at which the constitution was changed and membership opened to women and people of all race groups.

Genbel chairman Tom de Beer, elected new chairman, said members of the 75-year-old organisation had until March 1 — when the name change would come about — to decide whether or not they liked the new constitution.

He said in reference to Afrikaner political demands that "we would like the right to handle our affairs in the same way we would grant it to any other minority group".

Former Cabinet minister Dr Gerrit Viljoen told a media conference that the Broederbond was realistically minded and realised that it could not change its image overnight.

"People who were prevented from joining in the past will be watching with interest to see how we perform," Viljoen told the conference.

"We have become more inclusive, serving the Afrikaans-speaking community to build a South African community, positively promoting the interests of all South Africans" (3044)

Former NG Kerk moderator and Broederbond vice-chairman Professor Johan Heyns said the Broederbond was faced with new social and political circumstances, and sought new mechanisms to face the challenge.

The language of the new organisation will continue to be Afrikaans, but it would not be aligned with any political party.

"We do not attach importance to people's individual political organisations, and we do not have records whether each is (a member of the) ANC or IFP," Viljoen said.

ANC, Nats and DP lock horns

ARG 29/11/93 (3044)

Battle for hearts and minds of W Cape voters: Who is winning?

DENNIS CRUYWAGEN and TOS WENTZEL
Political Staff

THE African National Congress, the National Party and the Democratic Party locked horns today over who is winning the election battle for the hearts and minds of Western Cape voters.

ANC regional chairman Allan Boesak predicted that the election in the region would be a tight contest between the NP and the ANC — but he said the ANC had made a breakthrough among coloured people who held the balance of power.

This was disputed by the NP who said their support was way ahead of the ANC's in the coloured community.

And the DP described as "absolute nonsense" suggestions by Dr Boesak that it would be irrelevant in the region.

Dr Boesak, re-elected chairman at the ANC's annual congress at the weekend, says the ANC has no illusions about the tough election battle with the NP.

"We know the NP has to place all its hopes in this region ... The NP has to win this region if it wants to be seen as a respectable partner in a government of national unity," he said.

But the ANC's growth in the Western Cape compared with last year was phenomenal.

This was borne out by the support the movement had generated in all communities.

"The latest polls show we are running neck and neck with the NP. This reflects tremendous growth. We are the only political party which is growing."

The movement has signed up 90 000 members, averaging 3 000 new members a month in the past 10 months.

Cape NP election strategy committee chairman Melt Hamman MP saidNP surveys showed the NP was well ahead of the ANC in the coloured community — "and we intend widening this gap before polling day".

Democratic Party leader Zac de Beer said today Dr Boesak's statement writing off the DP was "standard political stuff from an inexperienced political leader."

"Dr Boesak is in for a surprise.

"As to the programmes and policies of the ANC, the trouble is there are so many of them and they are so different and contradictory.

"It is almost a case of one man, one policy.

"Dr Boesak is quite right when he says we are fighting for the hearts and minds of people. This we do with our long-established, unifying and unconfusing policies."

Voter education plan

Political Staff

STUDENTS have been offered an unusual holiday job — working on voter education projects in January.

They will be paid R20 a day and where necessary, R10 for travelling expenses.

The voter education programme will be conducted under the auspices of the Independent Forum for Electoral Education (IFEE), as part of the Lawyers for Human Rights progammes.

It is being co-ordinated by the Centre for Human Rights at Pretoria University.

The programme is being conducted at Cape Town, Stellenbosch, Colesberg, Kimberley, Mafikeng, Port Elizabeth, East London, Umtata, Pretoria, Johannesburg, Maritzburg, Pietersburg and Klerksdorp.

Students from all universities, teachers' training colleges and technikons were urged to volunteer.

The centre said: "This is a unique opportunity to become part of the process of establishing democracy in our country, to render an invaluable service to the community."

Democracy countdown launched

CT 29/11/93

JOHANNESBURG. — The British Anti-Apartheid Movement (AAM) decided yesterday to launch a Countdown to Democracy in South Africa campaign in the run-up to the election.

An AAM statement from London last night said the objectives would include: (304A)

- Pressing for the election to be genuinely free and fair;
- A call for a large United Nations presence, and
- Seeking to raise funds for the ANC "and other democratic forces so that they can contest the elections on an equitable basis".

The AAM also said it would "seek to ensure that as new trade and investment relations are established they will ... be supportive of the process of democratic change". — Sapa

No FW 'if NP not second'

JOHANNESBURG. — ANC leader Mr Nelson Mandela said this weekend that South Africa's first deputy president would come from the ruling party and the second from the second strongest political party.

"If Mr De Klerk's party is beaten by the right-wing, then he will not be the second deputy president," Mr Mandela told supporters at the Ivory Park squatter camp at Tembisa on Saturday during his four-day election tour of the Pretoria-Witwatersrand-Vereeniging region.

Mr Mandela said the leader of every political party able to get five percent of the vote would serve in the government of national unity for the next five years.

He also slammed government claims that the ANC was responsible for 40% of the violence. — Sapa

TEC to be born, FA to decide on election

Crunch week ahead for SA

Star 29/11/93

NEGOTIATORS as well as boycotters must make some crucial decisions in the next few days

■ BY HELEN GRANGE

South Africa faces a week of profound political change and crucial decisions as preparations for multiparty transitional structures approach finality, the World Trade Centre talks wrap up, and boycotting parties debate whether to take part in elections.

In Parliament, it is expected that legislation to give birth to the Transitional Executive Council will be debated. The TEC — the first phase of shared rule — should be up and running in Pretoria early next month.

At the World Trade Centre, negotiators are finalising outstanding issues, in particular the Local Government Transition Bill and the reincorporation of the TBVC states.

At the same time the Freedom Alliance, which includes the IFP, is expected to continue talks today with the Government to discuss the FA's response to offers of possible alterations to the transitional package agreed at this month's negotiating plenary session.

These discussions will be decisive as to whether the FA — or parts of it — agree to take part in next year's election. (304A)

The Government-ANC proposal offers bigger powers of local taxation, and autonomy in road planning, development, agriculture, health services and public works. The powers and functions of the regions are seen by the FA as crucial.

Sources within the FA said yesterday it had been engaged in negotiations with the Government over the past few days over these proposals, but had not yet made any decisions.

Also yesterday, after an all-day meeting at Ulundi, the central committee of the IFP refused to take part in the April elections, saying it was not a party to the TEC Act signed by President De Klerk last week.

In order to take part in elections, the committee said, key issues had to be resolved. These include the division of power between states and federal government as well as funding arrangements.

It said De Klerk's signing of the TEC Act was "in breach of a solemn undertaking by the State President that there would be no implementation of any aspect of the transition until a constitution and all the attending Bills had been approved as a package".

"The central committee considers that this alone would justify the IFP refusing to par-

▶ To Page 3

Star 29/11/93

Crunch week ahead for SA...

◀ From Page 1

ticipate in the elections scheduled for April 27," it said.

An IFP spokesman told Sapa that the committee meeting had decided that a special general conference would be held to consider the IFP's way forward, but no date had been set.

IFP leader Chief Mangosuthu Buthelezi warned at the weekend that he would resign if his party decided to contest the elections, sparking speculation that a pro-elections group might split from the IFP and form a new political party.

Bophuthatswana president Lucas Mangope has warned of possible civil strife in South Africa should the constitutional dispensation agreed to at multiparty talks be implemented. Speaking on Saturday near Mabopane, he said the alliance was supported by "many millions".

(304A)

(304A)

Alliance sees 'way forward'

DT 29/11/93

Own Correspondent

JOHANNESBURG. — Freedom Alliance and government negotiators are scheduled to meet today to discuss the alliance's response to government proposals aimed at achieving an inclusive constitutional settlement.

Claiming a significant movement on the part of the government, alliance executive chairman Mr Rowan Cronje said yesterday that talks were perched on a "probable way forward to a settlement".

However, there was still a great deal of talking to be done in a little time.

Mr Cronje said the latest government proposal — described by chief government negotiator Mr Roelf Meyer as identical to the one made three weeks ago — was actually a significant advance.

It represented, he said, "an approach and a framework within which we can move forward".

Mr Meyer had told the alliance at their previous meeting that section 118 (the powers and functions of provinces and of central government in relation to provinces) was the key to resolving the other three key issues.

'Shifts by govt are significant'

"We agree with this and will see (today) how the government responds to our refinement of their proposals.

"If they respond well we will have reached agreement on the framework of moving forward. Then we will discuss the details of which powers should be exclusively held by provinces," Mr Cronje said.

In his view the government's shift recognised that regions should have exclusive powers, and where central government had concurrent powers there had to be clear and narrow criteria for its intervention — namely to establish basic norms and standards.

"The rest must be up to the provinces," he said.

There was also a move towards acceptance of the principle that services and powers be controlled and provided by the lowest possible level of government.

The shift was significant, because previously, if there was a clash between central goverment and the provinces over interference, the provinces would have to go to the constitutional court and get a ruling to prove the central government was interfering.

This had been reversed — the central government would have to prove its right to intervene.

Mr Cronje said the alliance had submitted its new refinements to the government and had attached proposals on regional taxation.

The issues of delimiting boundaries of regions, which would include a Volkstaat, the one-ballot system and regional constitutions were still to be discussed.

● Meanwhile, Inkatha, Bophuthatswana and Ciskei sources said they did not believe Chief Mangosuthu Buthelezi was seriously contemplating retiring from politics or the leadership of Inkatha.

Broederbond alters name, opens up

CT 29/11/93 (304A)

JOHANNESBURG. — The former clandestine Afrikaner Broederbond movement has adopted a new constitution which will allow women and all race groups to join as long as they are Afrikaans-speaking.

The movement announced yesterday that it would in future be known as the Afrikanerbond.

Other conditions for membership were that applicants subscribed to the Afrikanerbond's constitution and that they be approved by members.

The organisation, whose membership was in the past shrouded in secrecy and whose membership included only men, decided at a meeting on Saturday to remove restrictions.

Members could in future decide for themselves whether or not they wanted their membership known.

The Afrikanerbond's new chairman Mr Tom de Beer said that in the past members could not reveal their identity without permission from the board. He said an amendment later allowed members to reveal their identities in "exceptional circumstances".

A statement issued at a news conference said an important change in the constitution was that the organisation would strive to serve all South Africans and no longer exclusively the Afrikaner.

The movement is described in the book "Political Organisations in South Africa A-Z", by Hennie Kotze and Anneke Greyling, as "an extremely exclusive, secret Afrikaner nationalist organisation which has played a determining role in the political development of South Africa". — Sapa

POLITICS Heads will roll, says party spokesman ● 'I

IFP rejects pact signed with AWB

Sowetan 29/11/93

By *Sowetan* Reporter and Sapa-AFP

■ **PACT SIGNED** Vaal ignores orders against parade with AWB:

THE INKATHA FREEDOM Party national leadership yesterday distanced itself from a non-aggression pact signed between its Vereeniging branch and the Afrikaner Weerstandsbeweging on Saturday.

"The alleged pact is irregular and does not carry the sanction of the central committee or the national leadership who are the only bodies with the authority to enter into such arrangements," the IFP central committe said in a resolution after an all-day meeting at Ulundi in KwaZulu.

The committee said it had instructed its Transvaal leadership to investigate and report back on the matter.

AWB and IFP members marched through Vereeniging in the Vaal Triangle on Saturday before signing the pact, which promised that both sides "will at all times give support to each other" in the event of aggression by the African National Congress and its ally the South African Communist Party.

Television footage of the event made headline news around the world.

AWB leader Mr Eugene Terre'Blanche labelled the pact "historic" and said the IFP and AWB would fight together against an ANC government.

(304A)

While distancing itself from the pact, the IFP central committee noted, however, that "communities who are being subjected to a systematic and organised campaign of assassination and murder are sometimes driven to seek security and protection from whatever source is available".

Earlier the IFP had been thrown into disarray after the Vaal region ignored instructions from Ulundi to cancel a joint march with the AWB.

IFP spokesman Mr Ed Tillet said heads would roll following the march and the pact.

The AWB and the IFP joined forces in a march in Vereeniging — the first such march featuring both white extremists and supporters of a conservative black party.

The procession was a contrasting affair with uniformed and armed AWB troops marching in formation and spear-carrying IFP supporters doing the traditional black toyi-toyi dance.

AWB leader Eugene Terre'Blanche, on horseback, led about 300 AWB supporters while behind them came about 200 IFP supporters singing and chanting.

During the march, young IFP supporters were seen carrying the swastika-style AWB flag.

De Klerk signs TEC Act

SOWETAN 29/11/93

STATE President FW de Klerk has signed a proclamation implementing the Transitional Executive Council Act after the negotiating council decided that the legislation should be published in the *Government Gazette*.

The Act provides for the establishment of the council to ensure no political party has an advantage in the run-up to the elections on April 27. (BOTHA)

Deputy Minister of Constitutional Development Fanus Schoeman said various formalities still had to be completed and staff appointed before the council began functioning.

The council, which will sit in Pretoria, would not hold its first meeting until about December 8.

The signing of the proclamation marks the beginning of the end of exclusive National Party and white rule. The TEC will not replace the cabinet but will act through its sub-committees as a watchdog on the Government. — *Sapa*.

Political tolerance

Sowetan 29/11/93

Voter education

This voter education page is a joint project of the *Sowetan* and Matla Trust on behalf of the Independent Forum for Electoral Education



ONE OF THE most difficult and necessary components of a democracy is tolerance of an opposing or even offensive point of view. In a democracy, the government represents all the people of the nation. It is this government's duty to respect everybody's ideas.

The apartheid regime did not practice tolerance. Those taking positions against the government were often detained and imprisoned. On 28 April, a new democratically elected government will take power in South Africa. One of its most important goals will be to avoid the practices of the past in promoting a culture of political tolerance. (304A)

Political tolerance applies not just to the behaviour of the government, but also to people. This means that people have the right to freely demonstrate or speak in favour of a particular party or viewpoint. The opposite is also true. If someone expresses an opinion which another person disagrees with or finds insulting, they must accept his or her right to do so.

Tolerant behaviour allows different people to become exposed to different customs, practices, and beliefs. If one person makes an argument that another person finds disagreeable, then they can engage in discussion and debate. When this exchange of ideas occurs, a society develops where people understand and respect each other. In a sense they can agree to disagree. The alternative is an atmosphere of tension, distrust, and even violence.

Certain people or parties may promote unfair or undemocratic views. For a democracy to survive, people must tolerate these ideas. If they are forbidden they can become believable. A democracy will flourish in a society where unjust ideas are confronted in an open forum of debate.

There are many instances of political intolerance in South Africa. For instance, many party meetings and rallies have been disrupted and ruined by hostile demonstrators.

Fortunately, there are also countless examples of political tolerance in South Africa today. Many people released from years in prison chose to negotiate for a new South Africa with their former enemies. Such behaviour demonstrates a commitment to a free society. It is this attitude of tolerance which must prevail for South Africa to have a working democracy.

The secret ballot

Sowetan 29/11/93

The use of a secret ballot is one of the critical features of South Africa's first democratic elections on 27 April. Everyone's vote is his or her own secret.

A secret ballot helps to guarantee that an election is free and fair. Bribery and intimidation cannot alter the election results.

Candidate of choice

If an individual is offered money to vote for a particular party, he or she can still vote for the candidate of their choice. Their vote is a secret, and nobody can discover it.

Similarly, a person or group cannot influence someone's vote by threatening them with violence. A threatened person simply needs to respond that his - hers vote is secret. Threats will not change a person's decision when nobody can find out how that person will vote. A person might even avoid a threat by agreeing to vote for a certain party, and then selecting a different choice in secret. (304A)

The secret ballot has a number of effects. A woman will not have to vote for her spouse's party. A young man will not have to vote for the party that his parents support. A man will be allowed to vote for the party his neighbours oppose. A worker will not have to vote for the party of his or her employer or risk losing a job. A person can state in public that they voted for a particular party, but nobody will know that person's real selection.

Voting is secret

The process of voting allows each person's selection to be secret. When someone votes, they will place a cross next to the party of their choice on the ballot paper. This activity will take place in a private area and nobody will see that person's choice. The person will then take their ballot and place it in a special box where it will remain until the ballots are counted. The voter does not put his or her name on the ballot, and it will be impossible for someone looking at the ballots in the box to identify which one belonged to which person.

A secret ballot is a necessary component of a democracy. Nations which fail to use a secret ballot in elections do not have legitimate governments.

In South Africa's elections on 27 April, the use of a secret ballot will ensure a democratic process for electing a democratic government.



POLITICS Smaller parties fear they will be disadvantaged by ANC-NP agreement

Parties against single vote

Sowetan 29/11/93

■ REGIONAL BALLOT Hot political debate over one person, one vote:

By Themba Molefe
Political Correspondent

THE BATTLE IS ON in the corridors of power over whether South Africa should be a "one person, one vote" or a "one person, two votes" democracy.

Should voters have one or two votes in the country's "first nonracial" election on April 27 1994?

What was hoped would be a simple solution following decisions at Kempton Park is now a raging debate in Parliament.

Put in simpler terms, the politicians in the tricameral Parliament have to decide within the next two or three weeks whether there should be a single or double ballots next April 27.

It has been agreed that there will be elections for a national government. Also, it has been agreed there will be elections for nine regional or provincial governments.

Controversy

The controversy therefore is whether the voters should be allowed separate ballots for national and provincial governments or whether the voter should have only one vote for one party which will then count for both national and provincial governments.

The attempt at simplifying the controversy is pertinent as parties now begin rallying behind one another over the crux of the matter — the vote.

The African National Congress and National Party, although claiming they are enemies, have actually "designed" the interim constitution which provides for a single ballot paper.

The Inkatha Freedom Party MP for Jeppe Mr Hennie Bekker has said his party rejected with contempt the single ballot proposal.

"For true democracy it is important that the smaller parties, which only operate on a regional basis, be given the opportunity to play their meaningful role in their own region.

Decide

"They alone should decide whether their party's name should appear on the ballot paper." The Democratic Party, which is the "leader" of the anti-single ballot paper lobby, said democracy is actually not as simple as one person, one vote which the party actually stands for.

DP federal chairman and MP Mr Ken Andrew put it this way: "Democracy demands choice and only two ballots will meet this demand."

Backing the DP's argument he cited an example: "The Ximoko Progressive Party is based in Gazankulu and may only be interested in gaining representation in the Northern Transvaal provincial government so it submits a list of candidates accordingly.

> **For true democracy it is important that the smaller parties, which only operate on a regional basis, be given the opportunity to play their meaningful role in their own region**

304A

"Now the problems start. Unless all the votes for Ximoko are going to be wasted as far as the national parliament is concerned, Ximoko has to nominate one of its rivals, for example the ANC, DP, NP etc as the beneficiary at national level of any votes cast for Ximoko at provincial level."

The Pan Africanist Congress says it will not recognise as free and fair next year's elections if the single ballot paper decision is not reversed.

The organisation intends taking the issue up at the World Trade Centre.

The attempt by the DP to raise the issue again at the WTC last week failed, as the ANC and the NP as well as their alliances blocked the issue.

Victory

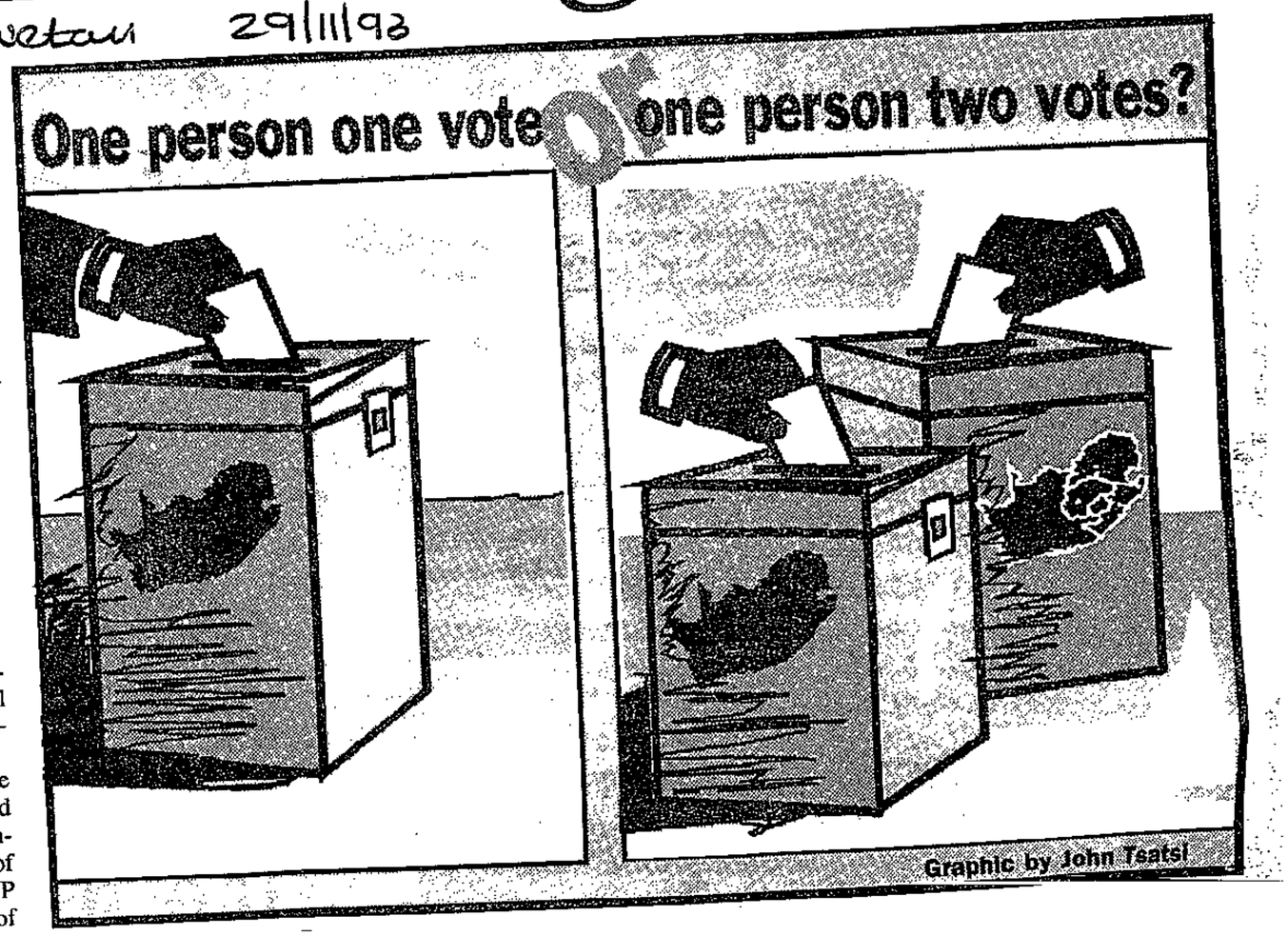
Political observers have seen the single ballot as a major victory for the ANC, for it places the smaller mainly bantustan-based parties such as Inyandza and Intando Ye Sizwe at the mercy of the organisation in order to survive.

A separate ballot in the regions would have ensured some sovereignty for these parties, but their polling power in competition with the national organisations such as the ANC is reduced to almost nil, and to survive, they must go under the wings of the ANC.

This, the observers say, explains why the ANC aligned parties at the World Trade Centre did not oppose the single ballot issue, even though it disadvantaged them, for to do so would lead to accusations by voters that they were reverting back to bantustan status.

The IFP realises this and hence the vehement opposition and threats not to partake of the elections if this is not changed.

The debate goes on in Parliament and at Kempton Park and prospective voters will know by Christmas — it is hoped — whether it will be a one-person-two-votes country for which they will be making their cross on April 27.



Volksfront branch vows to take over Pretoria

ADRIAN HADLAND

PRETORIA — The Afrikaner Volksfront said at the weekend it would embark on a rates and taxes boycott in Pretoria to ensure the city became the capital of an Afrikaner volkstaat. 21 Aug

The Pretoria East mobilisation committee of the Volksfront agreed at its inaugural meeting last week that it would do everything in its power to prevent the establishment of a nonracial city council.

Committee member Ernie Mocke said the registration of ratepayers on the Volkfront's "volksregister" was under way and reported a favourable response in Pretoria's eastern suburbs. 29/11/93

Once as many residents as possible had signed the register, a rates and city taxes boycott would be launched and an alternative council would take over, Mocke said. (304-A)

"Pretoria will not amalgamate with other town councils. We are going to walk over the Pretoria City Council. We are going to govern Pretoria.

"Soon, they will be getting only a very small amount of money. I don't want to use the word 'boycott' but we'll withhold our rates and taxes if necessary," he said.

A plan of action had been agreed on by the committee, including ways of protesting at "extremely high and unreasonable rates and taxes".

This plan was aimed also at preventing the appointment of a nonracial council as set out in the Local Government Transition Bill. — Sapa.

MPs threaten revolt over pensions deal

TIM COHEN

CAPE TOWN — Backbenchers have been threatening to revolt over a decision by government to exclude the "eighty-niners" — MPs elected to Parliament in after the 1989 elections — from lucrative pension deals won in multiparty negotiations.

According to current pensions legislation, parliamentarians who have been MPs for more than five years will receive about R40 000 a year for life, plus a golden-handshake of about R80 000. BIDay

But MPs who have been in Parliament for less than five years, which includes all new MPs elected since the 1989 election, are excluded from the deal and receive only a small percentage above their own contributions. 29/11/93

A large proportion of the House of Representatives and House of Delegates and a number of CP and DP MPs will be excluded from the generous dispensation.

There were rumours in Parliament last week that backbenchers would hold up the passing of the constitution if they were not included in the more lucrative deal, which ends with the commencement of the new constitution. It is understood a payout for existing MPs who have served for more than five years was secured in discussions between the ANC and government during negotiations. (304A)

Legislation on the topic is due to be introduced next week, and a cut-off date for pension payouts under the old system

☐ To Page 2

MPs revolt

BIDay 29/11/93

☐ From Page 1

has been set for the end of January.

NP spokesman Martinus van Schalkwyk said the issue had been presented to the NP caucus last week after examination by a subcommittee (304A)

The caucus had accepted the subcommittee's recommendation that the "eighty-niners" should not be included.

He conceded that some MPs were unhappy with the decision and said President FW de Klerk had given them the option of approaching the finance subcommittee dealing with the issue, he said.

Although these MPs would not be getting the full pension payout, it was possible that they would get expanded gratuities.

Van Schalkwyk said he did not believe any NP MPs would put their own personal interests above the country's by attempting to hold up the passage of the new constitution because they were not satisfied with their pensions.

Govt awaits alliance response

FREEDOM Alliance and government negotiators are scheduled to meet today to discuss the alliance's response to government proposals aimed at achieving an inclusive constitutional settlement. B1Day

Claiming significant movement on the part of government, alliance executive chairman Rowan Cronje said yesterday talks were perched on a "probable way forward to a settlement". However, there was still a great deal of talking to be done and little time available. 29/11/93

Cronje said the latest government proposal, described by government chief negotiator Roelf Meyer as identical to one made three weeks ago, was actually a significant advance which represented "an

BILLY PADDOCK

approach and a framework within which we can move forward".

He said Meyer had told the alliance at their previous meeting that "Section 118 (the powers and functions of provinces and those of central government in relation to the provinces) is the key that would lead to resolving the other three issues on the table". (30(A))

"We agree with this and we will see (today) how government responds to our changing their proposals.

"If they respond well then we will have reached agreement on the framework of

☐ To Page 2

Freedom Alliance

B1Day 29/11/93

☐ From Page 1

moving forward. Then we will discuss the detail of which powers should be exclusively held by the provinces," Cronje said. Government's and the alliance's lists of powers were vastly different.

In his view, government's shift recognised, in contrast to the provisions of the draft constitution, that regions should have exclusive powers, and where central government had concurrent powers there had to be clear and narrow criteria for its intervention — namely, to establish basic norms and standards. (30(A))

"We have no problem, for example, with government setting basic educational standards, or deciding that you must drive on the left side of the road. The rest must be up to the provinces," he said.

There was also a move towards acceptance of the principle of subsidiarity — that services and powers be controlled and provided by the lowest possible level of government.

The shift was significant because, previously, if there was a clash between central government and the provinces over interference, the province would have to go to the constitutional court and get a ruling to prove central government was interfering. This had been reversed — central government would have to prove it had a right to intervene.

Cronje said the alliance had submitted its new refinements to government and had also attached proposals on regional taxation. He insisted that regions be given the right to financial independence from government — either by being guaranteed a specified percentage of personal tax and VAT collected nationally, or being entitled to all the personal taxes collected from the region's residents, or other possible mechanisms.

A government source agreed this issue could be resolved.

Delimiting the boundaries of regions, which would include a volkstaat, the one-ballot system and regional constitutions were still to be discussed.

Meanwhile, Inkatha, Bophuthatswana and Ciskei sources said, despite claims to the contrary, they did not believe Inkatha leader Mangosuthu Buthelezi was seriously contemplating retiring from politics or the leadership of Inkatha.

The government source also disputed the speculation, saying Buthelezi was a seasoned politician who had picked up on public rumours to intensify his own campaign within his organisation and publicly.

TEC to start up next Monday

BIDAY 29/11/93 (304A)

TIM COHEN

CAPE TOWN — President F W de Klerk is expected to gazette the Transitional Executive Council Act today, setting next Monday as the date the council will formally come into operation.

This follows a request from negotiators on Friday.

The TEC will be faced with a substantial workload, being responsible for establishing the Independent Electoral Commission, the Independent Broadcasting Authority and the Independent Media Commission.

It is understood that the World Trade Centre building will be used for the first sitting of the TEC as the Saambou building, set aside for its use, is not yet ready.

The TEC will consist of one member from each of the parties represented at the negotiations.

Members from the TBVC states will be represented only if they have made provision for the independent media and electoral commission legislation in their own states.

The council will spawn a set of subcouncils on regional government, security, defence, finance, foreign affairs, intelligence and the status of women.

All of the members of the subcouncils will be full-time appointees.

One of the biggest tasks of the TEC will be for the subcouncil on defence to establish a national peacekeeping force, several thousand strong.

The force is intended to be an amalgamation of several security forces, but doubt remains about whether the creation of the force will be possible in the short time remaining before the election.

The TEC will have the power to monitor the legislation currently before Parliament, if "it has reason to believe that proposed legislation is likely to have an adverse effect on the attainment of the objects of the council".

The subcouncil on finance will have as its primary responsibility the monitoring of the 1994/95 Budget.

Members of the committee have the right to be informed of recent economic developments, economic policy objectives and targets for the medium term and, more particularly, for the next fiscal year.

Its members also have the right to be represented on all function and budgeting committees in respect of the 1994/95 fiscal year to ensure that funds are not applied in a manner favouring any political party.

The subcouncil will have to be consulted on the overall level of state expenditure, the level and composition of taxes, the financing of budget deficits and contingent liabilities of any government.

Right-wing sabre-rattling continues

Govt, FA keep the door open

Star 30 Jul 93

NEGOTIATORS will attempt to resolve remaining differences during further meetings today

■ BY CHRIS WHITFIELD and KAIZER NYATSUMBA

Despite continued right-wing sabre-rattling, efforts to bring the Freedom Alliance (FA) on board the transition process remain on track.

The FA and the Government agreed yesterday, after yet another high-level meeting in Pretoria, to meet again on Friday to try to iron out differences revolving mainly around the powers of regions in a federal state (304A)

FA chairman Rowan Cronje said there was almost total agreement on changes to the clause in the Interim Constitution dealing with the powers and functions of the provinces — effectively the section that defines the extent of federalism in a new dispensation.

"We agreed on the framework (of changes), the structures and divisons (of power between levels of government). Now we are refining terminology," he said. This issue goes to the heart of the FA's rejection of the Interim Constitution and if it is resolved, could dramatically facilitate an FA acceptance of the settlement.

It is understood the Government pushed for an FA commitment to participation in the "transitional structures" — most notably the Transitional Executive Council (TEC) — and the April 27 election.

However, the FA's negotiators said they would have to take all issues back to a meeting of their leaders on Thursday. Government and FA subcommittees will meet again today.

Although Government sources were fairly positive about yesterday's meeting, they expressed concern at the slow movement within the FA when it came to discussing proposals and common positions.

Interests

Afrikaner Volksfront (AVF) leaders General Constand Viljoen and Ferdi Hartzenberg, who have called the establishment of the TEC a declaration of war, said yesterday the right-wing coalition would now act as a transitional authority protecting Afrikaner interests in anticipation of "the first Afrikaner election".

The said their decision had been taken following President de Klerk's signing of the TEC proclamation on Friday.

Constitutional Minister Roelf Meyer said issues such as an Afrikaner homeland were still being negotiated with the FA (of which the AVF is a member), the Government and the ANC. The AVF statement was, therefore, "incomprehensible".

The ANC said the AVF did not speak for all Afrikaners, the majority of whom supported the transition to democracy.

Meanwhile, speculation of growing internal pressure to contest next year's election, possibly leading to a split within the Inkatha Freedom Party — a key component of the FA — was fuelled by remarks from IFP chief executive Joe Matthews at a luncheon in Johannesburg yesterday.

Matthews said a number of people had asked if the IFP would be taking part in the election. Noting he had spent R2 million on advertisements for the election, he was quoted by Sapa as saying: "What more will convince them?"

At the weekend, an IFP central committee meeting decided not to take part in the election unless a number of conditions were met.

Parties blast IFP for consorting with AWB

Row over 'defence pact' snowballs

Star 30/11/93

BY CHRIS WHITFIELD and KAIZER NYATSUMBA

Cape Town — The dispute over the signing of a "defence pact" between the Inkatha Freedom Party and Afrikaner Weerstandsbeweging in Vereeniging continued to snowball yesterday.

It has become evident over the past two days that the pact could prove to be an election liability for the IFP, with opposition parties already blasting the party for consorting with the right-wing extremists.

Yesterday the National Party's media director Marthinus van Schalkwyk said the IFP had "painted itself into a corner" by being part of the Freedom Alliance, which includes the AWB.

"All that has now happened is that senior officials of the IFP have taken the alliance on national level to its logical consequence on regional level," said Van Schalkwyk.

Democratic Party Umhlanga MP Kobus Jordaan described the deal — which he said included the "establishment of subversive underground structures" — as extremely disconcerting.

"Despite the instructions of senior IFP official Dr Ziba Jiyane not to proceed with the pact, the local IFP leadership went ahead," said Jordaan.

"It appears that at a grassroots level the IFP is taking Chief Minister Mangosuthu Buthelezi's war-talk and being in bed with the Freedom Alliance literally," the DP MP added.

The IFP central committee has already moved to distance itself from the pact, saying after a meeting on Sunday that it was "irregular and does not carry the sanction of the central committee or the national leadership". (304A)

The ANC yesterday welcomed the central committee's decision to repudiate the pact, but called on the IFP to take disciplinary action against erring members.

"We believe that the Vereeniging branch signed the pact because of the confusing signals, particularly the repeated calls for civil war, that the IFP national leadership has been sending their members," the ANC said.

"As a result, the IFP national leadership must bear full responsibility," it said.

Breakaway move by AVF called a 'bad joke'

Political Staff

POLITICAL parties today slammed as a "farce" and "a bad joke" the Afrikaner Volksfront's announcement that it was establishing a volkstaat unilaterally and planning an election — but the movement stuck to its guns.

An AVF spokesman in Pretoria said referendums had been held in a number of Transvaal towns in which people had signified that they wanted to be part of a volkstaat. From this the borders of a state would grow.

Presidential assistant Chris Fismer MP said today the suggestion was a fiction and a farce.

It was reminiscent of the rightwing's technique of "threatening big and doing little".

"If they at any stage interfere illegally with the administration of the country they will be dealt with in terms of the law.

"At the same time the door to negotiation remains open and we hope they do not decide to stop talking."

Democratic Party leader Zac de Beer said the AVF's plans were "a pipe dream of a bad joke".

"First of all they cannot tell us where the volkstaat is.

"Secondly, what is an Afrikaner? Would I, for example, qualify?

"Thirdly, do they really believe that in this modern world they could get away with the act of excluding non-Afrikaners from the voters' roll?"

The ANC said the AVF did not speak for all Afrikaners, the majority of whom supported the transition to democracy and therefore needed protection "against the threats from the AVF to plunge South Africa into a race war".

Surveys had shown that even AVF supporters who were in favour of a volkstaat were divided about where it should be.

TEC to meet in Cape Town next week

30/4/4

ARG 30/11/93

☐ Friday deadline for nominations

Political Staff

THE Transitional Executive Council, the watchdog body in the period up to the April election, meets for the first time in Cape Town next Tuesday.

The building in Pretoria earmarked for the council will not be ready in time and many members will be in Cape Town attending parliament.

The 21-member council — one from each of the negotiating parties — and its seven supporting sub-councils will then meet at the World Trade Centre in Kempton Park until the Pretoria premises are ready.

Parties have until Friday to nominate their members.

ANC secretary-general Cyril Ramaphosa will head the ANC team. His alternate will be national executive committee member Mac Maharaj.

Other members serving on sub-councils will be:

NEC member and peace desk head Sydney Mufamadi — law and order.

Defence secretary Joe Modise — defence.

Deputy ANC international affairs director Aziz Pahad — foreign relations.

Billy Cobbet — local and regional government.

Deputy economics planning department head Tito Mboweni — finance.

Mavivi Manzini — women.

A nominee for the sub-council on intelligence has yet to be announced.

The Democratic Party's representative will be Colin Eglin with Ken Andrew as alternate.

The National Party's member is likely to be its chief negotiator Dawie de Villiers and the government's representative Minister of Constitutional Development Roelf Meyer.

The parties will also nominate sub-council members.

The ANC said today that once the TEC was established the transition process would be on course.

"Our objectives are to ensure that we level the political playing field and create a climate conducive for free and fair elections to be held," the ANC said.

This would be done by ensuring that all armed formations, particularly the Defence Force and the police, were placed under "joint discipline". This would help in combating violence.

The establishment of the TEC would further ensure that the Independent Electoral Commission and the Independent Media Commission were put in place, and this would in turn ensure that the election was free and fair.

"The sub-councils of the TEC would also be in a position to ensure that the National Party regime is not able to use any of the state resources or structures to unfairly prejudice the other parties," the ANC said.

Parliament's unusual move on interim constitution

Political Staff

MEMBERS of the parliamentary joint committee on constitutional affairs could take the unusual step of meeting on Saturday morning to consider the transitional constitution.

Negotiators at the World Trade Centre hope to tie up the constitution tomorrow. From there it would go to the parliamentary standing committee for discussion.

Three days have been set aside for this — Thursday afternoon, Friday afternoon and Saturday morning. MPs are not used to standing committees meeting in the afternoons or on Saturdays.

These times could be changed if the constitution is held up in Kempton Park.

The Bill should not run into any problems in the standing committee as all the parliamentary parties are represented at the multi-party talks except the Conservative Party and the Inkatha Freedom Party. But the CP and the IFP do not have enough MPs to stop the Bill.

PAC peace pact

CT 6/11/93 (304A)



Cape Doctor rocks the city

Staff Reporter

GALE-FORCE winds reaching up to 100km/h buffeted the Peninsula yesterday, preventing fishing trawlers putting out to sea in Hout Bay and Kalk Bay and disrupting shipping in Table Bay Harbour.

A spokesman for Port Control in Table Bay said three container ships were unable to leave yesterday because the strong south-easter (the Cape Doctor) had prevented containers from being loaded.

Cranes used for loading cargo were not in operation because the wind posed a danger to operators. Ships, however, were still able to dock.

Mr Callie de Jong, harbour master at Hout Bay, said fishing boats had returned to the harbour on Thursday night with tons of tunny but had not gone out yesterday because of the hazardous conditions. It was unlikely they would risk going out again today.

The shipping fleet at Kalk Bay harbour has been tied up since Thursday because of gale-force winds and heavy seas and is unlikely to put out to

End to decades of bitter enmity

By ANTHONY JOHNSON
Political Correspondent

THE government and the PAC yesterday formally endorsed a historic peace pact after decades of bitter enmity.

The two sides agreed at a meeting in Pretoria to begin working immediately towards implementing their agreement on "a moratorium on violence".

The deal between the formerly implacable foes — sealed over a luncheon at the Ministry of Law and Order between the minister, Mr Hernus Kriel, and PAC foreign affairs head Mr Gora Ebrahim — was described as "a major breakthrough" and a "triumph for negotiations" by sources close to the talks.

Sources said the practical effect of the pact should be an end to Apla attacks on security targets and civilians — and to "retaliatory attacks" by the police.

Other major spin-offs are that the two sides will in 10 days' time begin examining the logistics of:

- Closer co-operation between the security forces and the Azanian People's Liberation Army.
- The PAC's participation in the Transitional Executive Council ahead of the election. A key component of the TEC is the security subcouncil.

Yesterday's agreement followed a meeting in Harare on Monday between delegations led by Mr Kriel and Apla commander Mr Sabelo Pharma at which a series of provisional agreements were reached.

After reporting back to their principals the two camps yesterday gave their formal blessing to putting the pact into operation.

A joint statement issued by the SA government/National Party and the PAC/Apla said it was "necessary to place a moratorium on violence".

A report-back meeting would be held within 10 days to assess progress in implementing the pact.

Mutual

Significantly, yesterday's agreement made no reference to the stock demands by the two sides — the "mutual cessation of hostilities" in the case of the PAC and "abandoning the armed struggle" on the part of the government.

As one source put it yesterday: "After months of failed meetings, both camps decided to stop their posturing and bluster in the interests of peace."

Apla has claimed responsibility for a number of recent killing of policemen and white civilians, but top police security specialists have cautioned that many non-Apla attacks have been claimed by the PAC's military wing for propaganda purposes.

The police earlier this year launched raids on scores of PAC office-bearers, and last month the SA Defence Force staged a bloody raid against an alleged Apla base in Umtata, killing five black youths.

Independent security experts expressed caution last night about whether the latest pact would end the bloodletting that has claimed more than 15 000 lives since organisations like the ANC, MK, the PAC and Apla were unbanned in February 1990.

The director of the independent Institute for Defence Policy, Mr Jakkie Cilliers, told Reuters: "The PAC does not exercise control over Apla and I doubt that Apla has much control over its men in the field."

And the director of the Centre for the Study of Violence and Reconciliation, Mr Lloyd Vogelman, said he did not believe the PAC and Apla could deliver peace "any more than the government could curb the activities of the police and army or the ANC and Inkatha could rein in their militants".

However, the agreement would send a "moral signal to the people on the ground", he said.

- In another hopeful sign for peace, the ANC's military wing, uMkhonto weSizwe, today begins a three-day conference in Johannesburg with the central theme being an end to violence. Special attention will be paid to embattled East Rand townships.

'Plot to disrupt election': 39 arrested in Transvaal cave

304A

ARG30/11/93

The Argus Correspondent

PIETERSBURG. — Far Northern Transvaal police have arrested 38 men and one woman in a cave in the Strydpoort Mountains south-east of Pietersburg on suspicion of conspiring to disrupt the coming election and for the alleged illegal possession of firearms.

Police liaison officer Major Arno Vogel said four men claiming to be commanders of the group were evidently members of the Azanian National People's Liberation Army (Anpla), a black consciousness splinter group within one of the liberation movements.

Media representatives taken to the cave were shown where the group had lived for the past month.

Detectives also found an AK-47 rifle, an R1 rifle, a Z88 pistol and a great deal of ammunition.

The 39 were arrested in a single police raid on the cave.

Major Vogel said the detainees were being held in terms of Article 50 of the Criminal Procedure Act, which empowered the police to keep them in custody without trial for 48 hours.

Right-wing 'UDI' move

AVF to go ahead with volkstaat

304A
CT 30/11/93



GOING IT ALONE . . . Dr Ferdi Hartzenberg supports unilateral move to a volkstaat.

AFRIKANER ELECTIONS . . . Gen Constand Viljoen says AVF to hold exclusive election.

PRETORIA. — The Afrikaner Volksfront says it is to unilaterally establish a volkstaat and is to hold elections exclusively for Afrikaners.

Throwing down the gauntlet to the government, the ANC and national negotiators yesterday, Volksfront leader Gen Constand Viljoen and CP leader Dr Ferdi Hartzenberg said supporters would be mobilised to protect the volkstaat and the rights of inhabitants.

Gen Viljoen said that following the proposed Afrikaners-only election, a volkstaat would be established and its boundaries would be "declared by the people themselves".

Afrikaners would protect themselves against any aggression from the government or the Transitional Executive Council, he said. Steps leading to the establishment of a volkstaat would be announced shortly.

A "Freedom Calendar", released earlier proposed the transitional executive council's legitimacy be rejected and that alternative government structures, including a peoples' army, departments of justice and finance be implemented and that peoples' representatives and an Afrikaner president be elected.

Yesterday's announcement came in spite of reported headway in meetings between the government and the Freedom Alliance, which is pushing for substantial regional autonomy.

Alliance executive chairman Mr Rowan Cronje said he was aware of the Volksfront statement but said all parties in the alliance were "individual" and entitled to make statements.

But he emphasised that all members of the alliance, including the Volksfront, had agreed with the government on the "basis and approach" to the question of the powers and functions of regions. (See Page 2)

And, in another indication the alliance parties might soon be back on board, Inkatha Freedom Party central committee member Mr Joe Matthews said he thought spending R2 million on advertising would have convinced people the IFP would be contesting the election.

Last night the government described the AVF move as "strange and incomprehensible".

Constitutional Development Minister Mr Roelf Meyer said issues such as an Afrikaner homeland were still being negotiated by the Freedom Alliance, of which the AVF is a member, the government and the ANC.

ANC'S TEC CREW

— PAGE 2

The African National Congress also questioned the AVF's decision.

The AVF was trying to create the impression it was talking on behalf of all Afrikaners, which was untrue. "Only 14% of all whites are prepared to move to a white homeland."

Speaking on Radio Pretoria yesterday, Gen Viljoen warned his supporters not to take the law into their own hands, saying this could be detrimental to progress.

He was worried the far right were planning acts of violence without the knowledge of the Volksfront.

Meanwhile, an army spokesman said leave for SADF units across the country could be cancelled for a second successive weekend.

'Real chance for progress'

CT 30/11/93 (304A)

THERE was a "real chance progress could be made" in the talks between the government and the Freedom Alliance, alliance chairman Mr Rowan Cronje said last night.

Government negotiator Mr Roelf Meyer said yesterday's meeting had ended with the alliance being unable to say if the package of constitutional proposals offered to it was acceptable.

The alliance delegation could not say whether the package could lead to a settlement, saying its leaders wished to discuss it first.

Technical talks on provincial powers, functions and tax issues continued.

However, Mr Cronje emphasised that all members of the alliance, including the AVF, had agreed with the government on the "basis and approach" to the question of the powers and functions of regions (Clause 118).

"What we have to do is define the wording, and decide which items will be the preserve of central government and which will go to the regions."

The issue of regional taxation powers (Clause 121) would be discussed by two sub-committees. "Once we have agreement on 118 and 121, there is a real chance we can make reasonable progress," he said.

The alliance leaders would meet on Thursday to assess the package followed by another round of talks with the government, he said.

A government source said the priority was to get the five alliance parties — the Afrikaner Volksfront, IFP, the KwaZulu Government, Bophutatswana and Ciskei — back on board.

"We will go to all reasonable lengths to achieve this and are not setting cut-off dates."

Therefore, the interim constitution may not be tabled in Parliament next week as planned. — Political Staff, Sapa

IFP 'will take part in polls'

JOHANNESBURG. — The Inkatha Freedom Party will participate in elections, according to brief remarks by IFP chief executive officer mrJoe Matthews at a business lunch here yesterday.

He said a number of people at the lunch had asked whether the IFP would take part.

He had just spent R2 million on advertisements for the elections.

"I thought, two million rands of advertisements. What more will convince them?"

Pressed for further comment after the luncheon, Mr Matthews hurried away.

His remarks followed weekend reports that the IFP central committee had set six conditions to be met before it agreed to take part in the April 27 elections. — Sapa

FA positive after talks with Govt

Sowetan 30/11/93

By Mathatha Tsedu and McKeed Kotlolo

THE Freedom Alliance was yesterday positive about its talks with the Government, raising the prospect that progress made on powers of the regions could see them back in the negotiations. FA chairman Mr Rowan Cronjé told newsmen in Pretoria after the three-hour meeting with Constitutional Development Minister Mr Roelf Meyer that two major sticky issues relating to powers and functions of regions and the ability of regions to levy their own taxes had been satisfactorily dealt with.

Other items, however, remain. These relate to the two-phased ballot demand, among others. The resolution of the first two would clear the way for the others to be dealt with easily, he said. (304A)

Asked whether this meant the FA would participate in the elections, Cronjé said that decision would await an FA leaders summit which could be held in Cape Town on Friday. Cronjé refused to disclose details of the deal but said technical committees of both groupings were refining details and would meet again this afternoon.

The FA comprises the IFP, Bophuthatswana, Ciskei, Conservative Party and the Afrikaner Voksfront.

The FA delegation yesterday comprised Mr Walter Felgate of the IFP, Mr Tom Langley of the CP and Cronjé, representing Bophuthatswana. The Government delegation, which was led by Meyer, said in a statement that the talks had concentrated on whether the Government package handed to the FA last week was acceptable.

"The delegation of the FA was not in a position to give answers on whether the package could be accepted. They indicated that a further meeting between leaders of the alliance was needed for that. The Government waits for a quick response," he added.

DP to fight for people

THE Democratic Party would fight to make the final constitution bring power closer to the people through federalism, DP leader Dr Zach de Beer told a meeting in Benoni on the East Rand last night. Sowetan

He was speaking at the first of a series of "focus" meetings to answer the public's questions. De Beer said there was room for improvement in the interim constitution. 30/11/93

"We believe in limiting the powers and functions of the central government and leaving the rest up to the regions," he said. He criticised the interim constitution for allowing each person only one vote to count for both national and regional parliaments. — *Sapa* 204A

NEWS Front threatens to form own transitional council ● No par



Defiant Afrikaners vow to go it alone

Sowetan 30/11/93

THE Afrikaner Volksfront yesterday threatened to set up its own transitional authority parallel to the agreed-upon multiparty Transitional Executive Council.

AVF leaders General Constand Viljoen and Dr Ferdi Hartzenberg, who is also leader of the Conservative Party, announced that the rightwing coalition would now act as a transitional authority protecting Afrikaner interests in anticipation of "the first Afrikaner election".

The rightwing leaders, who have called the establishment of the TEC a declaration of war, said their decision had been taken following President FW de Klerk's signing of the TEC proclamation on Friday.

They called on their followers to prepare to protect their transitional council against any possible "communist-orientated TEC or Government aggression".

A white election would take place in the Afrikaner state being demarcated by "the people", and practical interim arrangements leading to the volkstaat — to be founded in March next year — would be announced in the near future. (BOHA)

Responding to the two leaders' statement, the ANC said the AVF did not speak for all Afrikaners.

It said the majority of Afrikaners supported the transition to democracy and therefore needed protection "against the threats from the AVF to plunge South Africa into a race war".

A new Jojo is

BILLY PADDOCK

SA WILL continue to operate after the election as it does today until the Independent Electoral Commission (IEC) certifies the election results and declares the election free and fair. B/Day

In terms of an agreement between the ANC and government on the transitional arrangements, President F W de Klerk, his Ministers, Deputy Ministers, provincial administrators and MECs, as well as homeland chief ministers, "shall continue in office until the president under (the new) constitution has been elected and has assumed office". 30/11/93

The agreement provides two mechanisms to deal with the situation that would arise if the IEC was unable to certify the election "substantially free and fair".

No changeover until poll is declared fair

If the IEC declared the election was not free and fair but was able to determine a result from the counted votes, a parliament and provincial legislatures would set up caretaker administrations. They would have no legislative competence except for the enactment of laws necessary for revenue appropriation or the imposition of taxes. A new election would have to be held within a year.

Parliament would not be entitled to amend the constitution, the IEC, the Independent Broadcasting Authority or the Independent Media Commission. In effect it

(304A)

☐ To Page 2

Election

B/Day 30/11/93

☐ From Page 1

will operate as if it were the Transitional Executive Council (TEC). (304A)

Should the IEC be unable to determine an election result, a new election would have to be held within six weeks. The current constitution would remain in force and the TEC would continue operating.

If the IEC declared the election free and fair, the national assembly would convene and a new president would be elected by an electoral college within 30 days.

Once the IEC certified the results De Klerk would hand over power in consultation with the leader of the party which polled the highest number of votes.

In the event of violence from those opposed to the election, the TEC would be able to, by a majority decision and before the election of the new president, authorise De Klerk to take steps "to maintain law and order, including the declaration of a state of emergency . . . or an unrest area in terms of the Public Safety Act".

All courts, judges, attorneys-general, and judicial officers holding office when the new constitution comes into force will retain their posts.

De Beer wants more curbs on central government

THE DP would fight to make the final constitution bring power closer to the people through federalism, DP leader Zach de Beer said in Benoni last night.

He was speaking at the first of a series of "focus" meetings to answer the public's questions. B1D91

De Beer said there was room for improvement in the interim constitution because its limiting definition of regional powers left the balance of power with central government. (304A)

"We believe it should be the other way around — limiting the powers and functions of the central government and leaving the rest up to the regions."

He criticised the interim constitution for allowing each person only one vote, which counted for national and regional parliaments.

"This means people will not be able to choose separate representatives for regional and national parliament, effectively cutting the democracy in the constitution in half and undermining the essence of the federal idea." 30/11/93

Of the ANC, De Beer said: "Any party that is willing to place the constitutional court, which must protect the rights of citizens from abuse by the state, into the hands of that very same state, cannot be trusted to write a constitution that enshrines freedom and is truly democratic."

The NP had become too weak to believe or understand the need for individual freedom. — Sapa.

Afrikaner Volksfront leaders declare UDI

PRETORIA — The Afrikaner Volksfront announced yesterday that whites-only elections would be held for Afrikaners in a volkstaat that would be established unilaterally. B/DAY 30/11/93

Throwing down the gauntlet to government, the ANC and national negotiators, Volksfront leader Gen Constand Viljoen and CP leader Ferdi Hartzenberg said supporters would be mobilised to protect the volkstaat and the rights of its citizens.

A volkstaat would be established and its boundaries would be "declared by the people themselves", said Viljoen (304A)

ADRIAN HADLAND

He said the Transitional Executive Council, which is scheduled to sit next week, was communist orientated and Afrikaners would protect themselves against any agression by it or government.

The statement followed a meeting of the Volksfront's executive committee. It said steps leading to the establishment of a volkstaat would be announced soon. The two leaders said the declaration was a result of President F W de Klerk's signing of the TEC Act.

Sapa reports that the Volksfront strategy council earlier released a "Freedom Calendar", which recommended the rejection of the TEC's authority and the founding of a volkstaat by March.

The announcement came in spite of reported headway in yesterday's meeting between government and the Freedom Alliance. Amendments to the interim constitution were discussed and both sides said problem areas had been identified. A further meeting would be held today.

Viljoen also warned Volksfront support-

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ers on Radio Pretoria not to take the law into their own hands. He said he was worried that people on the far right were planning acts of violence. (304A)

Meanwhile, an SA Army spokesman said leave for SADF units across the country could be cancelled for a second successive weekend. While the decision would be made only later in the week, the spokesman said troops would be placed on alert once more "if conditions are right".

Sapa reports that the ANC said the Volksfront's decision to act as a transitional authority "protecting Afrikaner interests" was questionable.

The ANC said the Volksfront was trying to create the impression that it was talking on behalf of all Afrikaners, which was untrue. "Only 14% of all whites are prepared to move to a white homeland. Not even the majority of Afrikaners support the Volksfront, and according to a recent survey only six out of 10 Volksfront supporters consider a volkstaat viable."

Government described the Volksfront move as "strange and incomprehensible".

Constitutional Development Minister Roelf Meyer said issues such as an Afrikaner homeland were still being negotiated between the Freedom Alliance, government and the ANC.

He questioned what the Volksfront meant by calling for "protection against aggression by the TEC", as the TEC had only monitoring powers and was incapable of any aggressive behaviour.

CP warns that Azanla will continue violent struggle

B/Day 3/11/93

LLOYD COUTTS

THE CP warned the public yesterday not to relax its guard against terrorism despite the agreement between government and Apla on the need for an end to violence.

CP spokesman on law and order Schalk Pienaar said the Azanian National Liberation Army (Azanla), the organisation which allegedly claimed responsibility for bomb blasts in Pretoria on Monday, would take Apla's place. (304A)

"First the ANC/Umkhonto we Sizwe committed violence in its own name, but after their undertaking the same violence was carried on in the name of the PAC/-Apla.

"Now Apla claims it will stop violence, and other organisations will continue with the violence.

"In the light of the bomb attack in Pretoria by Azanla, it can be expected that Azanla will take the place of Apla," he said.

Pienaar urged the public to remain vigilant, to co-operate with the security forces and to join the Afrikaner Volksfront's security group.

Meanwhile in Harare, Apla demanded the SA government deal with armed right-wing extremists before it suspended the armed struggle, Sapa reports.

Apla made the demand in Monday's talks with an SA government delegation led by Law and Order Minister Hernus Kriel.

"That is a cause for concern and we had an in-depth discussion on that issue," Apla's military commander Sabelo Phama said yesterday.

He said Kriel had promised to discuss the matter with right-wing leaders.

Phama said no formal agreement was signed at its meeting with government in Harare on Monday.

Government and PAC/Apla delegations said they had reached a broad agreement on a moratorium on violence, adding that further meetings would be required to implement a peace pact.

Phama said Apla would come back and form part of a democratic security force in the new SA.

PAC officials in Johannesburg could not be reached for comment yesterday.

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