S.A. GOVT & POLITICS

1996

APRIL — JUNE

Constitution

(304A)

Desperate bid for last-minute deal

CLIVE SAWYER
Political Correspondent

CONSTITUTIONAL negotiators went into extra time today in a desperate attempt to reach agreement on clauses on education and employers' right to lock out.

Resolution of these issues continued to elude negotiators in yet another late-night session, with senior party sources disclosing that there was nothing on the table on which agreement could be based.

A fresh round of multilateral talks was to be held today before a special meeting of the constitutional committee.

Constitutional assembly chairman Cyril Ramaphosa said all issues would have to be finalised today to allow the draft to be reviewed by legal experts, checked for compliance with the political agreements and translated into all official languages in time for the constitutional assembly third reading debate beginning on Monday.

He warned that negotiators were "cutting it too fine".

National Party chief negotiator Roelf Meyer ruled out the possibility of a trade-off with the African National Congress on the education and lockout issues, emphasising that his party saw them as being separate.

But even as negotiators made another late-night attempt to finalise the Constitution Bill, claims were made that elements of the draft produced by the political settlement so far might not be approved by the constitutional court.

President Mandela expressed optimism that the lockout issue would be settled. he said that the Congress of South African Trade Unions (Cosatu) had agreed to the formulation of legislation on a lockout clause.

In another significant development yesterday, the ANC announced an "innovative package" to give exclusive powers to provinces while allowing national overriding in circumstances to be defined in the constitution.

Unveiling a proposal listing exclusive andmore extensive concurrent powers for provinces, senior ANC negotiator Pravin Gordhan said the package would promote co-operative governance among all three spheres of government.

This model of co-operative governance was being proposed instead of the "competitive and confrontational" federalism backed by other parties.

Mr Meyer said there was agreement on the concept of the proposal for provincial powers, but not yet on the details.

But Democratic Party chief negotiator Colin Eglin said earlier yesterday that legal opinion which had been sought by his party was that the ANC-NP agreement on provinces failed to give them sufficient exclusive powers to satisfy the principles entrenched in the interim constitution.

The Inkatha Freedom Party, which has boycotted the national constitution-writing process for more than a year, also claimed that the agreement on provinces would be rejected by the constitutional court.

A breakthrough was reached last night on the language clause, eliminating one of the "big four" issues which have plagued negotiators.

The language clause satisfies NP demands by ensuring that, at provincial level, at least two languages must have official status. It also requires local governments to consider language usage and preferences in their communities when deciding official language policy.

In addition, it is understood that leading parties are close to agreement on the property clause.

But the African Christian Democratic Party said it would vote against the constitution because of the omission of the words "in humble submission to almighty God" from the preamble, even though the version agreed to yesterday contains the words "May God protect our people".

ARG 1/4/96

Nzo calls for new bridges over South Atlantic

ARG 1/4/96 (304A)

CLIVE SAWYER
Political Correspondent

FOREIGN Minister Alfred Nzo has urged further links between South Atlantic countries, the Indian Ocean Rim, and the Southern African Development Community.

He was speaking at the opening of the fourth meeting of the Zone of Peace and Co-operation of the South Atlantic, an association of 24 countries that is dedicated to building trade, promoting peace and protecting the environment.

The meeting, being held in Somerset West, is the first to be hosted by South Africa.

Countries are represented by their foreign ministers.

Mr Nzo said the zone's objectives had grown since it was founded during the Cold War era to establish the South Atlantic as a military-free and nuclear-free area.

He said the theme of the conference was "bridging the South Atlantic".

"We should try to agree on ways to encourage trade in the region and bridge the waters that have too long kept South America and Africa apart."

R50m freedom monument

CT 1/4/96 (304A)

DAN SIMON

PLANS have been unveiled to build a R50-million "freedom monument" to commemorate South Africa's liberation struggle — apparently over a week in advance of the scheduled announcement by President Nelson Mandela.

Photographs of the proposed 33m-high monument — a closely guarded secret for over a year — were published for the first time yesterday in an Afrikaans-language national newspaper after news of its existence was leaked to the media last week.

A scale model of the monument, which is to include a "struggle museum", is dominated by Mandela's hand reaching skywards for freedom through broken prison bars.

The arm is cast in bronze with an open hand as opposed to a balled fist. Mandela's hand alone is eight metres tall, making the bronze sculpture the biggest in the world.

The project was to have been made public by Mandela after Easter.

The monument, which comes close to the Voortrekker Monument in size, is the brainchild of Pretoria sculptor Mr Danie de Jager.

It is to be sited at a place of honour in the Pretoria area on land where 100 000 can gather on Freedom Day, Johannesburg millionaire-entrepreneur Mr Solly Krok told Rapport. Krok is on the committee that will oversee the entire project.

Mandela has given the project his blessing after viewing four different models, each with a different theme of the hand.

A suggestion that it be sited near the 40m-high Voortrekker Monument has been ruled out, with the alternate site more likely to be at Klapperkop.

Krok said no taxpayers' money would be spent on the project and the R50m needed to finance the project would come from the private sector.

Casting of most of the arm is expected to take place in Italy as there are no adequate casting facilities in South Africa. It is estimated that 30 tons of bronze will be needed to complete the sculpture.

"The public will be impressed with the sheer size of the project and that a South African artist had the vision and technical ability for what is expected to be the biggest sculpture in the world," Krok said.

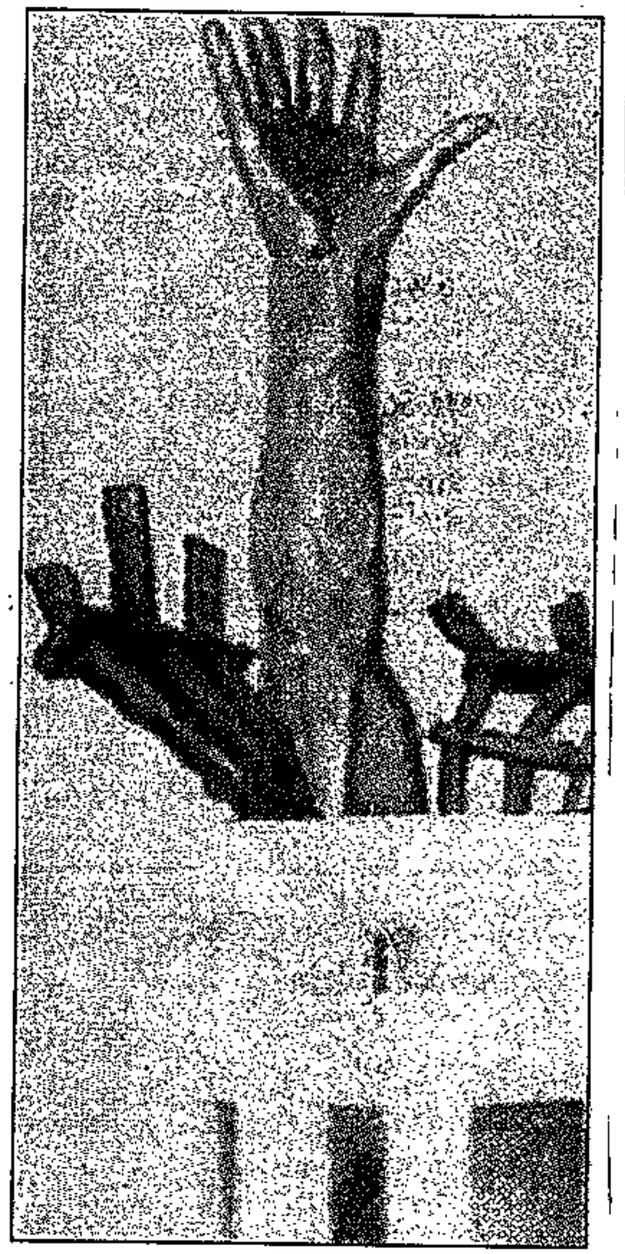
"It will be one of the biggest international tourism attractions in the country and will be sited on land where 100 000 people can come together to celebrate Freedom Day in SA."

He said he and his business partner and brother Abe were approached with plans for the project by Mineral and Energy Minister Mr Pik Botha, acting on behalf of De Jager.

He said that in October 1994, the first scale model with the hand in a balled fist was presented to Mandela. But Mandela chose the last model the one with an open hand denoting freedom.

The monument would also include 40 plaques depicting the freedom struggle, an eternal flame in an amphitheatre and a wall with the word "freedom" written in 100 languages.

Sapa reports the President's office said a meeting would take place in Cape Town on Wednesday during which Mr Pik Botha and several interested parties would discuss the matter further.



REMEMBRANCE: A representation of the freedom monument.

China waits patiently in the wings as SA dithers

BD 2/4/96 (304A)

GREG MILLS

FOREIGN Minister Alfred Nzo's recent visit to Beijing appears to be a clumsy attempt by Pretoria to resolve the diplomatic conundrum over the two Chinas, occurring as it did in the midst of the Taiwanese presidential elections. Will Pretoria now establish formal relations with the People's Republic of China although these will be at the expense of diplomatic ties with Taipei?

Many observers of foreign affairs have been surprised that SA has not taken the advice given by the department of foreign affairs as far back as 1990, and followed international practice by downgrading relations with Taiwan in order to upgrade those with mainland China. Currently only about 30 of 185-plus nations favour Taipei over Beijing. Recognition of both is out of the question as it simply will not be entertained by mainland China.

Attempt "dual recognition" — as some SA policy pundits suggest — and the People's Republic will immediately reject it outright, as it has done with several countries. Thus the choice is simple for SA: stick diplomatically with Taiwan and maintain economic links with Beijing, or vice versa.

Taiwan and SA have an impressive trade and investment relationship forged during the apartheid years, which Taipei was at pains to stress as the inevitable diplomatic showdown loomed. Implicit, but never openly admitted in this emphasis, is the threat that these ties could be endangered if SA downgrades relations with Taiwan.

According to the most recent figures of the SA customs and excise commissioner, between January and September last year total two-way trade with Taiwan amounted to R4,1bn, with the balance (R556m) in Taiwan's favour. It should be said that the Taiwanese put the total figure for the year at R7,3bn, with Pretoria, they say, enjoying a trade surplus of R600m.

There are about 280 Taiwanese-owned firms operating in SA, employing an estimated 45 000 locals. The SA Reserve Bank put the total value of Taiwanese investment at R988m at the end of 1993. An additional R1,1 billion has subsequently been pledged to the RDP from Taiwan's huge foreign reserves of about US$100bn.

The investment carrot has been dangled repeatedly (such as with Mossgas) by Taipei's lobbyists as they have battled to keep their largest diplomatic partner on-side. Taiwan is famous for its "cheque-book diplomacy" — and not only among SA parliamentarians, the main beneficiaries of free trips to the beleaguered island in the past 18 months. The US-Taiwan lobby has operated brazenly since 1949. Reportedly, President Bill Clinton visited Taipei as governor of Arkansas four times, although he has yet to travel to the mainland.

In this regard, President Nelson Mandela's admission late last year that the ANC accepted $10m in election funding from Taipei has complicated the equation, particularly as the president has come out so strongly in favour of maintaining links with the island against the advice of his foreign policy professionals. Not only does it place a low price on the value of our foreign ties, but in turn it raises broader questions about who runs our foreign policy: the ANC or the government of national unity?

In reality, however, mainland China knows that it holds all the cards. In spite of Taiwan's clamours for international recognition and independence, particularly during the recent elections, the official policy of President Lee Teng-Hui's Kuomintang Party remains reunification with the mainland — like the communist state's "one China" policy.

Taipei knows full well that a unilateral declaration of independence would result at least in economic sanctions and possibly military reaction from the mainland. Although Taiwan's independence quest has a number of supporters in the US Congress, about 150 000 American jobs are dependent on trade with mainland China, a fact which forced Clinton to renew the mainland's Most Favoured Nation status with little protestation two years ago.

In my view, SA's interests, too, lie with the mainland, particularly with the impending hand-over of Hong Kong in July 1997. For January-September last year, SA's total trade with China/Hong Kong amounted to R4,7bn, with a negative trade balance of R140m. Trade with the mainland increased an estimated 226% between 1990 and 1994 to R1,87bn. And at R1,26bn, Hong Kong was also the second largest Asian investor (after Japan) in SA in 1993.

Pretoria risks losing ground if it cannot renegotiate links with Hong Kong's new masters before the transfer of the British colony. Such negotiations appear impossible under the diplomatic status quo.

But these figures do not tell the full story. With 1,2-billion people and the third largest economy worldwide, the potential gain from links with China is huge, a fact that the majority of nations recognise however repugnant they might find Beijing's human rights record.

The Chinese wait patiently, for they realise that SA will inevitably establish full relations. It is just a question of when and with how much pain for Pretoria.

□ Mills is national director-designate of the SA Institute of International Affairs, which recently published a book titled SA and the Two Chinas Dilemma.

LETTERS

Premier lends support to Pallo Jordan

Sowetan 2/4/96

Matthews Phosa hits back at criticism following Cabinet reshuffle

(304A)

By Joe Mdhlela
and Themba Molefe

MPUMALANGA PREMIER Mr Matthews Phosa yesterday launched a scathing attack against criticism which followed Dr Pallo Jordan's removal from Cabinet.

His statement yesterday echoed the African National Congress' vote of confidence in Jordan.

"While we concede the right of anyone to comment or criticise the President's decision in this regard, we find it in extremely poor taste that some quarters are trying to use the name of Jordan to question the merit of the President's decision," Phosa said.

He said President Nelson Mandela had applied his mind to the matter of the reshuffled Cabinet, in which Jordan was replaced by Minister without Portfolio Jay Naidoo as Minister of Broadcasting, Posts and Telecommunications.

Phosa's comments come at a time when speculation is rife that Jordan has fallen in disfavour with Mandela.

"We do not believe it is wise for anybody to abuse Dr Pallo Jordan's name in order to question the good intentions of the President."

Phosa said he was confident Mandela would use his constitutional prerogative to redeploy Jordan.

The removal of Jordan from Cabinet has given rise to speculation in some political circles that there could be a tactical move to position him to replace often-criticised Foreign Minister Alfred Nzo.

The reshuffle saw, among other things, the ascension of Mr Trevor Manuel to Minister of Finance, replacing Mr Chris Liebenberg.

Meanwhile, Jordan will retain all his positions as national leader and member of the ANC, the organisation has said.

ANC spokesman Mr Ronnie Mamoepa reiterated that Jordan remained on the ANC's national executive committee and its national working committee, and retained the position of national political head of the NEC's sub-committee on information and publicity.

"We do not want to question what is purely a government matter, but can only emphasise that the ANC has confidence in Dr Jordan and the role he has played in government," said Mamoepa.

Traditional leaders get seats

(304A) ARG 4/4/96

The Argus Correspondent

DURBAN.- Traditional leaders will almost definitely get their place in local government as ex officio members with equal powers as councillors to be elected in the province's seven regional councils on May 29.

Local Government Minister Mr Peter Miller said about 316 amakhosi – "genuine hereditary" – have a right in terms of the interim Constitution to get seats in local government bodies in their areas.

Mr Miller was speaking at a conference in Pietermaritzburg where he outlined how the May 29 elections would be conducted.

The IFP says traditional leaders are entitled by right given to them by Section 182 of the interim constitution to be ex officio members of local government bodies in their areas.

The ANC challenges this interpretation of the Constitution if not in its letter at least in its spirit.

This will have be decided by the Constitutional Court.

However, this would not delay the elections. said Mr Miller.

A proclamation governing the May elections was promulgated yesterday putting all preparations on track for the elections in the province's seven regional councils and the Durban metro area.

Speaking on what would happen to candidates whose names were submitted after the noon deadline yesterday, Mr Miller said each case would have to be looked at individually.

This follows a frantic rush at the Durban city council offices where some parties were late and some got their candidates' names in by the skin of their teeth.

Rural women and levy payers such as farmers and shopkeepers, who are the "financial backbones" in the regional councils, would also get special representation, according to the proclamation.

Monumental row over proposed R50-million statue of raised hand

(304A) Star 6/4/96

Plans for a gargantuan 'freedom monument' to mark SA's liberation struggle are steeped in controversy, writes **GLYNNIS UNDERHILL**

Cape Town – Nelson Mandela has stepped into the row about secret plans for a R50-million "freedom monument", featuring his hand, to commemorate the liberation struggle.

The secretive planning of the monument, which would come close in size to that of the Voortrekker Monument outside Pretoria, has been slammed in academic and art circles.

Although President Mandela had seen sketches of the plans in 1994, he met the organisers this week in Cape Town and placed the controversial project on hold. His spokesman, Joel Netshitenzhe, said Mandela had not given the go-ahead for the project and had always stressed the need for transparency.

What Mandela had not wanted was a monument to himself, but a monument to all the people who had lost their lives in the struggle for freedom, he said.

"The matter has now been referred to the parliamentary committee on arts and culture, which will conduct public hearings on whether there is a need for such a monument, which artists would be involved and where the funds would come from," said Netshitenzhe.

Closely guarded plans for the monument were disclosed after a recent leak to the press, two weeks before an expected announcement by Mandela.

Sketches of the monument show it dominated by Mandela's hand reaching skywards for freedom through broken prison bars. The arm is cast in bronze, the hand open.

The monument is the brainchild of Pretoria sculptor Danie de Jager, who is known for his bust of Prime Minister Hendrik Verwoerd, the architect of apartheid.

MANDELA: Saw the sketches

Among those involved in the secretive project are Johannesburg entrepreneurs Solly and Abe Krok, and Mineral and Energy Affairs Minister Pik Botha.

Elsa de Jager, wife of sculptor Danie, said her husband had retreated to Plettenberg Bay after the meeting this week.

She said her husband had been involved in creating 26 large statues which were on display around the country.

"The monument was his idea, but if it now goes out for competition, he could submit his design," she said.

Funds for the monument would have been raised by the Krok twins from corporate sponsorship in South Africa and abroad, said the sculptor's wife.

The controversy raged on this week with Marilyn Martin, director of the South African National Gallery, saying the plans for the monument resembled an April Fool's joke.

The image, she said, was "fascist in concept, appearance and scale".

"Tourists will indeed flock to see such a monument, not to share in our liberation through a work of art but to laugh at our naiveté and philistinism.

"We will cry for an opportunity lost," she said.

"We at the gallery are astounded that the President's office would be party to such a scheme."

Her concern was echoed by Dirkie Offringa, curator of the Pretoria Museum.

"The people I have spoken to are negative about it because of the way it has come about," she said. There were concerns about the "propagandistic nature" of the bronze arm.

"Even though I am not paying for it, I do want a say in what will be erected," she said.

Nicola Rotter, spokesman for the Krok brothers, said all queries should be referred to the President's office.

Call by Contralesa to boost traditional leaders' powers

BD 9/4/96 (304A)

Drew Forrest

THE Congress of Traditional Leaders of SA (Contralesa) has called for wide-ranging changes to the constitution to beef up the power of traditional authorities at national and provincial levels.

Central to Contralesa's proposals, adopted at its recent Johannesburg conference, is the strengthening of the national council of traditional leaders — and particularly its blocking powers over legislation which affects traditional authorities.

Delegates also condemned the "deliberate exclusion of traditional leaders from the constitution-making process", saying this violated a resolution taken at the talks on the interim constitution at the World Trade Centre.

Contralesa's stance is in sharp contrast to the agreement reached by party negotiators at the constitutional "bosberaad" in Arniston last week.

This merely states traditional leadership will be recognised in the new constitution, subject to relevant legislation, and that national or provincial laws may provide for establishment of councils of traditional leaders.

The negotiators also agreed that courts should apply traditional law where applicable, but subject to the constitution and relevant legislation.

Although Contralesa has historically been ANC-aligned, there has been some tension between the two bodies, notably about rural local government.

The Contralesa conference agreed that provisions of the interim constitution on traditional leadership should be retained and strengthened.

It proposed that where a provincial house or the national council of traditional leaders rejected it, legislation could not be passed without the support of 60% of the relevant legislature.

The conference agreed councils or houses of traditional leaders should have the right to initiate legislation, to comment on legislation of all kinds — especially land Bills — and to call ministers and MECs to account "on matters identified ... to be of importance".

Delegates also called for the creation of a national ministry responsible for local authorities.

On the sensitive issue of rural local government, Contralesa proposed that traditional authorities should stay with the primary structures of third-tier rule and should include elected councillors.

It called for heads of traditional authorities to have ex-officio membership of rural district councils, to be responsible for bulk service delivery in rural areas.

This is a milder proposal than by the IFP, which wants all chiefs represented at district level.

Other proposals included:

- "Categorical" recognition of traditional courts in the constitution, and suitable legislation enacted;
- "Vertical" application of the Bill of Rights between the state and citizens, coupled with legislation formalising African law on interpersonal matters like succession, inheritance and marriage.

Conference delegates raised concerns about the 1913 cut-off date for land restitution claims, stressing land dispossession went back to the "wars of dispossession and Frontier and Kaffir Wars"

They called for ownership of tribal land to be transferred to traditional authorities immediately.

Nomavenda Mathiane reports that Contralesa president Phathekile Holomisa said last week that the organisation had opened its membership to ordinary people in a bid to widen its power base.

Holomisa said his organisation had amended its constitution, which previously allowed only royalty to be members. Now ordinary people who wanted to belong to Contralesa would hold associate membership but would not have voting status and would not hold executive positions.

Holomisa said that the idea of widening Contralesa's base was to give the organisation a chance to be in touch with the masses.

The first branch of associated members would be launched in Transkei, at the end of the month.

Current set-up

CABINET

President

Deputy President — Deputy President

Cabinet of National Unity: ANC, IFP, NP

PARLIAMENT

National Assembly

400 MPs elected by proportional representation

No voters' roll

Senate

90 Senators — 10 appointed for provincial government on the basis of party support in each provincial government

Politically accountable to Cabinet with relative independence in certain areas of provincial governance

PROVINCIAL GOVERNMENT

Premier

±10 MECs in provincial executive of National Unity

Provincial Legislature

Between 30 — 86 MPs elected by proportional representation

Common voters' roll

Local government politically accountable to provincial executive

LOCAL GOVERNMENT

Local Government

The interim Constitution prescribes a transitional form of local government which is to be phased out eventually. Local government consists of councils elected by proportional representation and through wards.
Rural local government still needs to be defined.

Voters' roll

Final constitution

CABINET

President

Deputy President

Cabinet of majority party

PARLIAMENT

National Assembly

350 MPs elected by proportional representation

Common voters' roll

Mediation Committee

Nine MPs representing proportional strength of each party in the National Assembly plus nine councillors, one from each province. The committee is tasked to resolve disputes around relevant legislation before the council

National Council of Provinces

90 councillors — 10 appointed per province, but only six of each provincial delegation are permanent. Four are floating councillors sent to the council from provincial governments depending on matters at hand. Each premier leads the four-person delegation, effectively having a reserved seat in the council

Politically accountable to Cabinet with relative independence in certain areas of provincial governance

PROVINCIAL GOVERNMENT

Premier

5 — 10 MECs in executive of the majority party

Provincial Legislature

Between 30 — 80 MPs elected by proportional representation

Common voters' roll

Local government will be asked to contribute to debate but will not be able to vote on Bills

LOCAL GOVERNMENT

Local Government

Councillors will be elected according to proportional representation and ward system. This tier of government is expected to gain in power and status as central government sinks more resources and energy into developing it, separating it from provincial government.

Common voters' roll

Premiers take up seats in Parliament

Mail & Guardian 13-18/4/96

(Botha)

The new Constitution will scrap the Senate and replace it with a National Council of Provinces, with hotlines to all nine regional governments, reports **Marion Edmunds**

THE Senate is due to be replaced by a National Council of Provinces (NCOP) with permanent and floating members — including the premiers of the nine regions who will participate for the first time in central government.

The final Constitution, currently in the last stages of negotiation in the Constitutional Assembly, leaves the National Assembly pretty much the same as at present, albeit minus 50 seats.

But the NCOP will have 54 permanent delegates, nominated by political parties in the provincial legislature, with six coming from each province; and 36 seats for floating delegates, four from each province.

These floating or special delegates will not always be the same people — depending on the matter or legislation under discussion different people with the right expertise will be mandated by the provincial legislature to appear in the NCOP to represent their province in debate and voting. The premiers will lead the floating delegations, bringing them centre stage in important national debates on provincial interests.

Another new body to appear on the scene is the Mediation Committee. This will combine, most probably, the nine best consensus-seeking politicians from the National Assembly and nine provincial representatives from the NCOP, one per province. This committee is an interesting development because it will be a small forum in which party-political disputes over legislation relating to the provinces will be hammered out.

If the NCOP opposes legislation relating to provincial powers or it wants to amend such draft legislation, the legislation must go for discussion to the Mediation Committee in order to find consensus.

The council can introduce a Bill on any matter relating to provincial powers as defined in Schedule Five — a schedule listing provincial powers — and if agreement is not found on the Bill within the NCOP or the Mediation Committee, the draft Bill will lapse.

The NCOP cannot block Bills which fall outside of Schedule Five but it can force the National Assembly to reconsider legislation before finally adopting it, effectively delaying its adoption. The council will decide on Bills by majority vote.

The other significant but expected change from the current to the future government is that the majority party will not have to share Cabinet seats with other political parties. It is possible that a future president might offer Cabinet seats to members of opposition parties, as a gesture of reconciliation and nation-building, but the final Constitution does not prescribe power-sharing in any way.

Finally, local government will be an interesting tier of government to watch because it is evolving at its own pace, and should gain more independence, status and power as 1999 draws nearer.

Among other things, the Constitution stipulates that laws should be made to create an umbrella body for all local governments — at this stage, called Organised Local Government. This body will have a voice in the NCOP, giving national political debate a depth and range that it has never had before in South Africa. However, Organised Local Government will not have voting power.

Before and after: The final Constitution will introduce the concept of Intergovernmental Relations into the structure of government by creating the National Council of Provinces

GRAPHIC BY SEAN ZINTL

secretary general of the African National Congress until further notice, the sources say, and remains a "loyal and disciplined" member of the ANC.

These dramatic moves are expected to be announced in Cape Town today by President Nelson Mandela, according to the highly placed sources.

It is understood that Ramaphosa, the former trade union leader credited with a pivotal role in achieving the negotiated settlement in South Africa which led to the first democratic elections in April 1994, will be joining Dr Nthato Motlana's New Africa Investments Limited (NAIL). The CA is scheduled to wrap up its business next month.

Sources said they believed Ramaphosa would take up the post of joint executive deputy chairman. Dr Motlana is chairman, and Dikgang Moseneke is already in place as an executive deputy.

It is understood that Ramaphosa is earmarked to play a leading role in NAIL's plans to acquire Anglo-American's 48% stake in Johnnic in the biggest

NEWTON KANHEMA

take some time to become clear, ANC figures welcomed the prospect of "black economic empowerment" no longer being left just up to the government" – the involvement of someone of Ramaphosa's calibre and political weight would have a tremendous impact in the business world.

"It will bring the corporate world closer to the ANC," one source said, "in the way that the trade unions are closer".

Should Ramaphosa step down from the secretary general's post before the next ANC conference, observers noted, the party's constitution made it clear that his deputy – Cheryl Carolus – would assume his responsibilities.

Sources were insistent that Ramaphosa's move did not necessarily mean a permanent shift out of politics, saying he could make a comeback if he chose to.

"What's to preclude a corporate world member from ANC positions?" a source said.

SEE PAGE 3

Moves enhance Mbeki's stature

Deputy President Thabo Mbeki's status as unchallenged crown prince of the ANC – and therefore frontrunner for the post-Mandela presidency – has been greatly strengthened by recent moves within the party.

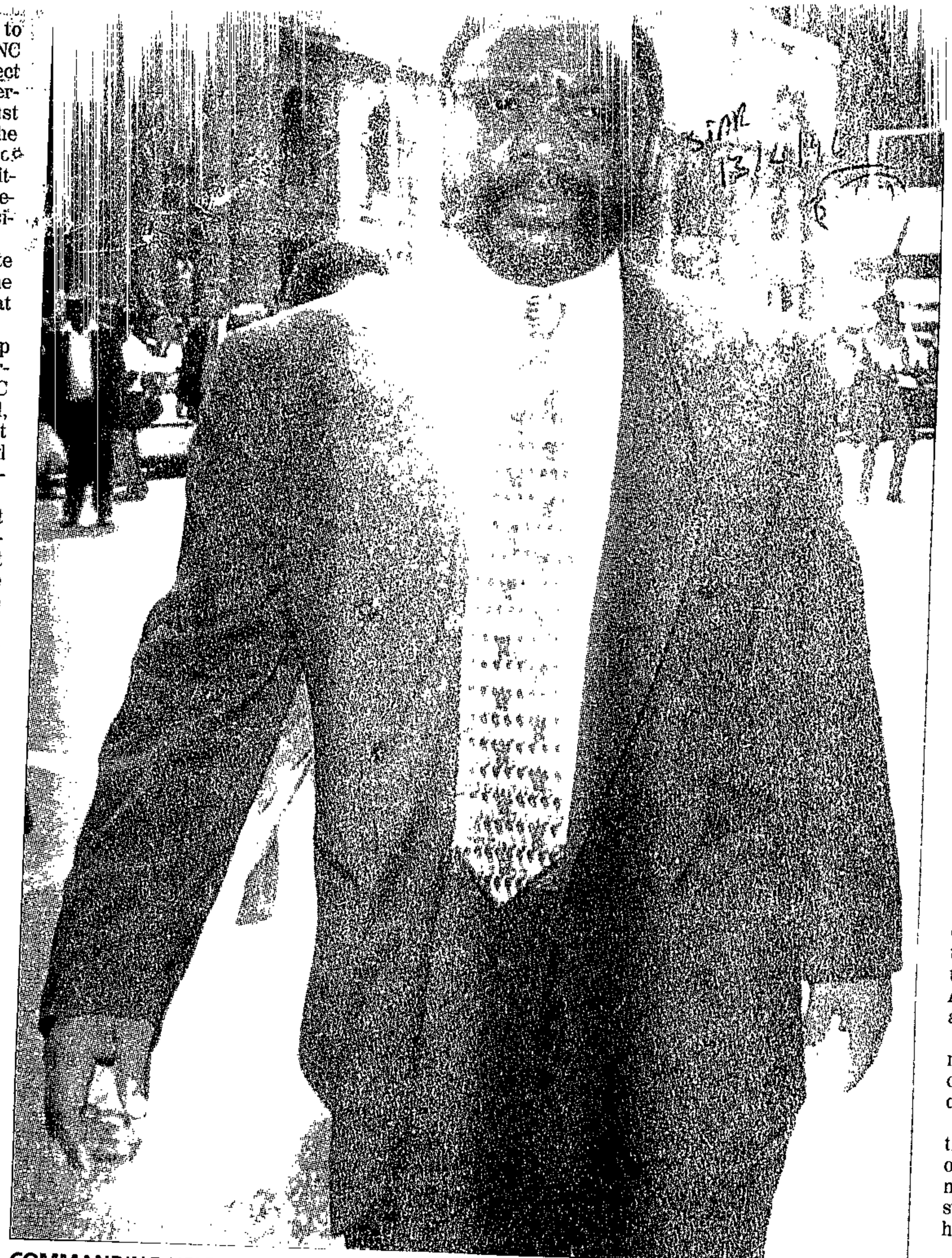
Although Mbeki's ascendancy has been clear for some time, the imminent departure from formal politics of Cyril Ramaphosa, and the departure from the Cabinet of Pallo Jordan, have removed from centre stage two of the very few ANC members with stature even approaching that of Mbeki.

Others popular at ANC conferences, such as Bantu Holomisa, are not considered as serious contenders for positions in the top leadership.

Younger members of the national executive committee such as Blade Nzimande and Jeremy Cronin are likely to move into senior party posts only in several years' time.

However, one Ramaphosa ally pointed out last night that the move to the private sector could yet place him in a position to strengthen his political support base.

He believed Ramaphosa would be able to make considerable strides towards empowering black business while his colleagues were facing difficult times in government.



COMMANDING HEIGHTS: Ramaphosa ... ing business PHOTOGR...

... two of the country's biggest consumer groups – the Premier foods group and South African Breweries.

Anglo American has put its 48% stake in Johnnic up for sale and has been trying to combine the operation as an exercise in black empowerment and corporate unbundling, fashionable among South Africa's conglomerates.

Anglo has finally whittled potential black buyers down to just two. But both – Nthato Motlana's NAIL and the National Empowerment Consortium headed by Prof Wiseman Nkuhlu – have been struggling to find the more than R4 billion necessary to buy the stake.

Market speculation last night was that Ramaphosa's appointment to NAIL was an initiative to boost the credibility of its efforts to raise the necessary funds.

If NAIL succeeds and Ramaphosa goes on to run Johnnic, it would represent easily the biggest leap forward for black economic empowerment in South African history. With command of Johnnic's assets, Ramaphosa would have infinitely more power to effect transfers of real management power to blacks.

As interesting from a political perspective is the fact that Ramaphosa would also have effective control over some of the country's newspapers – the *Sunday Times*, *Business Day* and the *Financial Mail* are owned by Omni Media.

But early reaction from the market took some of the shine off Johnnic shares late yesterday.

"He is obviously an extremely capable man," said one senior stockbroker last night, "and you can understand why NAIL would want him to head their bid.

"But you are either in business or you are in politics. You can't do both."

Ramaphosa to quit Parliament

Star 13/4/96 (304A)

Major role in black business mooted

Immediately after the Constitutional Assembly completes its work, Cyril Ramaphosa will resign his seat in Parliament to take up a senior executive position in a black business conglomerate, well-placed sources have told the *Saturday Star*.

The development could signal the most important move yet in black economic empowerment in the new South Africa.

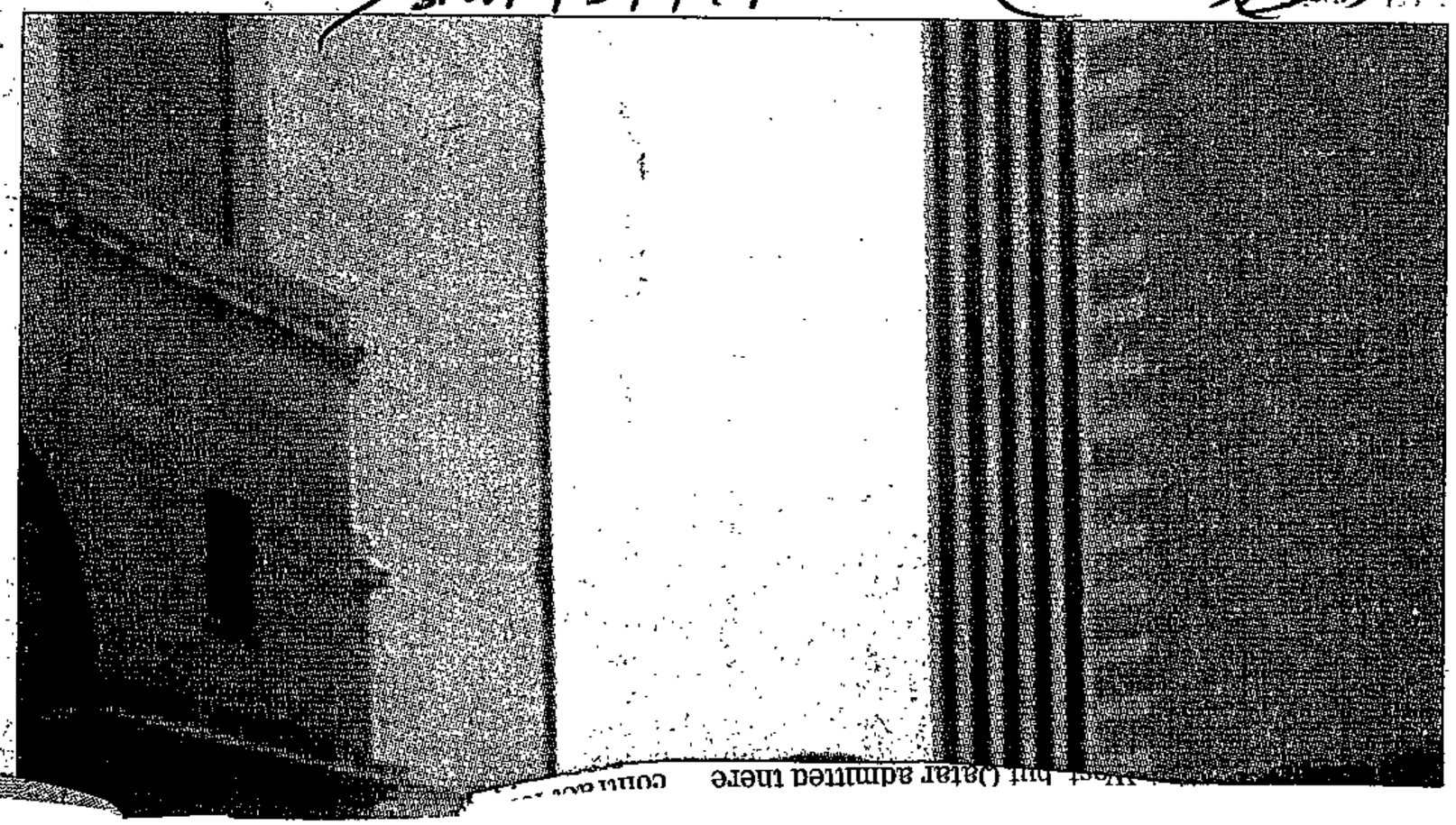
Ramaphosa will

Reports by:
SHAUN JOHNSON
ESTHER WAUGH
CHRIS WHITFIELD

black economic empowerment initiative in South African history.

Neither Ramaphosa nor ANC representatives were prepared to comment yesterday.

However, some sources said that while the move had been canvassed only at the highest level within the organisation, it was clearly taking place with the blessing of the ANC.



Markets respond to Ramaphosa rumours

Amid rumours that Cyril Ramaphosa may continue to hold office in the African National Congress while leading a bid for a large stake in Johnnic, one of South Africa's biggest industrial groups, Johnnic shares eased 50c to R53,50 against market trends yesterday.

Johnnic controls Omni

Mandela persuades Ramaphosa to stay in his ANC post — for now

BD 15/4/96 (3044A)

David Greybe

CAPE TOWN — Cyril Ramaphosa wanted to quit as ANC secretary-general to concentrate on a new role in the private sector, but was persuaded by President Nelson Mandela to stay on, sources said yesterday.

However, Ramaphosa was still expected to step down as ANC secretary-general at the next ANC national conference in December next year, if not sooner, to concentrate on his new role in business, the sources said.

They said Ramaphosa had not been keen to retain his ANC post, and join Nthato Motlana's New Africa Investments Limited (Nail) as executive deputy chairman.

However, Mandela was at the forefront of efforts to convince him to stay on and, in the words of one source, "not to leave the ANC in the lurch".

According to a source, Ramaphosa could have picked almost any Cabinet job. Mandela had even been prepared to "amend the constitution" if need be to create a post for Ramaphosa, but he was not interested.

Ramaphosa is expected to be at the forefront of efforts by Nail — together with the National Empowerment Consortium — to buy Anglo American's 48% share of industrial group Johnnic.

Mandela announced on Saturday that Ramaphosa would relinquish his parliamentary seat after the expected completion of the new constitution in a month's time to "take up a senior position in the private sector".

Motlana said control of SA's largest media group, Times Media Limited, was "the major interest" of the joint bid. The acquisition of TML would "consolidate" black business interest in SA's media.

Motlana described Ramaphosa's switch from parliamentary politics to business as "just the beginning" of the economic battle "for real power" in SA.

One source, referring to Ramaphosa's role as the ANC's secretary-general and chief constitutional negotiator, said he had had enough of "juggling" two jobs at the same time.

The source said Ramaphosa would not hesitate to step down as ANC leader before next December if he found the workload made it difficult to carry out both jobs properly.

Ramaphosa, however, was prepared to say only that the retention of his post as secretary-general and as member of the ANC national executive committee was "discussed at leadership level and it was agreed that I should retain the position".

Asked whether he had wanted to

Continued on Page 2

Ramaphosa

(3044A)

Continued from Page 1

BD 15/4/96

stay on, he said: "It was generally agreed ... I am happy with that," but also said "everything is reviewable". He said there was an "overconcentration of capable people in Parliament".

Ramaphosa did not rule out a return to politics at some future date.

Motlana said he was confident that "by next week" a joint bid by Nail and the NEC (with its mining and clothing and textile union interests) would be presented to Anglo for consideration.

Asked whether the bid would include foreign capital, Motlana said "hopefully the takeover of Johnnic will be a local event". US investment bank Merrill Lynch was acting as an "adviser" in the preparation of the bid.

Meanwhile, former broadcasting and telecommunications minister Pallo Jordan dismissed a suggestion that he was a candidate for ANC secretary-general. "I have turned it down once before, and I don't think anything has changed since then," he said.

Comment: Page 10

Pallo Jordan confirms he is to stay on as backbencher

Tim Cohen and Stephen Laufer (304A) BD 15/4/96

CAPE TOWN — Former posts and telecommunications minister Pallo Jordan ended speculation about his future at the weekend, saying he intended to remain a backbencher for the foreseeable future.

He said this was the desire he expressed when he met President Nelson Mandela on Friday.

Jordan dismissed speculation he had been offered the post of SA's ambassador to Japan as something the Press had "sucked out of their thumbs".

Jordan was dropped from his post amid speculation that the president was unhappy with his performance as a minister. However, press reports suggested the decision might also have been motivated by political differences.

This speculation has been staunchly denied by presidential spokesmen, who claim he was dropped simply because the constitution required that one person had to be dropped.

Jordan said there were no recriminations at the meeting. "I am not the recriminating type," he said.

He pointed out that other prominent politicians, British MP Edward Heath, for example, had found being a backbencher satisfying. He had not yet decided what role he would play in Parliament, or which committees he would join.

Presidential spokesman Joel Netshitenzhe confirmed the meeting was held in a good spirit, and that various options were being explored. For the time being, Jordan would remain in Parliament, he said.

Buthelezi warns of consequences of poll delay

IFP threat to quit govt of national unity

(304A)

BD 15/4/96

Farouk Chothia

IFP leader Mangosuthu Buthelezi threatened to pull his party out of the government of national unity yesterday if KwaZulu-Natal's local government elections were postponed.

Buthelezi told a Phoenix election rally that he wanted to issue a "solemn warning" that the consequences of a postponement would be "very grave".

He said that the IFP could no longer "collaborate in the government of national unity if it was clear that the ANC was in the hands of a clique bent on creating a one-party state".

He said that President Nelson Mandela had initially been opposed to a postponement, but he had buckled under pressure from radicial left-wing elements in his party to support a delay to the election.

"The president is a genuine democrat, but is now a prisoner of these young Turks."

The IFP leader is scheduled to meet Mandela tomorrow to discuss the ANC's call for a postponement because of escalating violence and irregularities in voters' rolls.

Buthelezi said ANC hardliners had also forced Mandela to renege on the mediation agreement which brought the IFP back into the 1994 elections. "There is no negotiating with these kinds of people, no compromise or consensus is possible."

ANC national chairman Jacob Zuma's push for a postponement was "part of a carefully planned strategy by a tightly knit elite group of Marxist hardliners" to impose their one-party state in SA.

"It seems we have vanquished apartheid leaders only to have them replaced by their brothers of a different colour," Buthelezi said.

Presidential spokesman Joel Netshitenzhe said Mandela preferred giving serious consideration to what transpired in his meetings with Buthelezi rather than what was said in public.

"We should not lay much emphasis on speeches made on election platforms. What is critical, is what will happen at Tuesday's meeting."

Mandela, meanwhile, met an NP delegation yesterday to discuss the election impasse.

NP secretary-general Roelf Meyer said the NP preferred the elections to go ahead throughout the province on May 29 but if this was not possible they should be staggered.

Regarding Buthelezi's comments, Meyer said the NP did not believe in threats which would not contribute to finding solutions.

The NP had proposed to Mandela that a multiparty team investigate the preparedness of KwaZulu-Natal for the election.

WO

EU's envoy confident SA links will be strengthened

BD 15/4/96 (304A)

John Dludlu

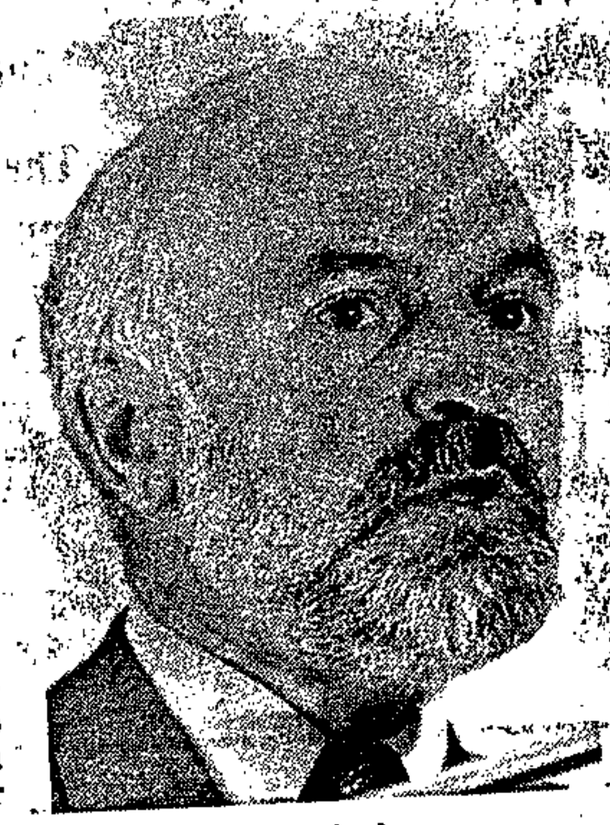
THE EU's relations with SA are expected to be strengthened over the next few weeks, ahead of the conclusion of talks on a comprehensive co-operation accord between them, according to EU ambassador in SA, Erwan Fouèrè.

Speaking at a function at the Rand Easter show last week, Fouèrè said the next few weeks would see a steady flow of EU visitors to this country as the relationship between the 15-nation union and SA developed.

One of the visitors would be João de Deus Pinheiro, the EU commissioner in charge of relations with SA, who is expected to launch formal negotiations with SA next month. Pinheiro, author of the twin-track approach for relations with SA, would be followed by Jacques Santer, president of the European Commission — the executive arm of the EU — and four commissioners.

Fouèrè said the EU stand at the annual show in Nasrec, as well as the constant inflow of trade missions from EU states, reflected the growing links between SA and the union.

A conference on the information highway — to be hosted by SA — would be held, further reinforcing the relations between SA and the EU.



FOUÈRÈ.

The challenge now, he said, was to harness the high degree of interest into concrete results — an apparent reference to the conclusion of a formal co-operation agreement.

In terms of a mandate given to the commission, the accord would comprise several aspects. Key components of the agreement would be SA's partial accession to the Lomé convention and an asymetrical free trade accord, covering more than 90% of all trade between SA and the EU.

Recently EU ministers approved a mandate for the commission to negotiate a free trade accord, excluding 38,6% of SA's farm exports from preferential access to the EU.

Greg Mills, of the SA Institute of International Relations, said this year was a historic moment in EU-SA relations, "not because of the mad cow disease or Sarafina 2" but because of the forthcoming negotiations of the free trade accord.

He said although the trade mandate proposed to exclude only 4% of SA's agricultural products, the exclusions remained areas of concern for Pretoria.

The challenge ahead, he said, was how the proposed accord would evolve to be compatible with SA's obligations to its partners in the five-nation Southern African Customs Union.

However, Mills said, the upcoming talks would be tough and required a great deal of caution to deal with the sensitivities involved.

Elias Links appointed SA's new ambassador to the EU

BD 15/4/96 (304A)

Linda Ensor

CAPE TOWN — Finance department chief director Elias "Elty" Links has been appointed SA's new ambassador to the EU in Brussels to spearhead the drive to free up European markets to SA products.

Links, presently chief director of international development finance in the department with responsibility for bilateral donors and all multilateral institutions such as the IMF, the World Bank and the African Development Bank, was informed of his appointment by Business Day yesterday morning. He replaces Neil van Heerden.

President Nelson Mandela made the announcement from the verandah of a collapsing house in poverty-stricken Delft and again at a rally in Belhar, while on the local government election trail for the ANC.

Links, 49, came from a deprived community in Bellville and was a "son of the soil", Mandela said. He pointed to other coloured people who had achieved prominence in his government, such as his advisor Jakes Gerwel, Finance Minister Trevor Manuel, Deputy Social Welfare Minister Geraldine Fraser-Moloketi and SA ambassador to Washington Franklin Sonn.

Links has the financial and economic background to support the tough negotiations with the EU over a non-symmetrical free trade agreement. He represented SA in a financial capacity in both Washington and Zurich.

He has a doctorate in economics from New York State University and was professor in the subject at the University of the Western Cape before being appointed in 1987 as SA's representative to the World Bank and IMF in Washington.

In 1990 he was transferred to the finance department's Zurich office for three years, where as consul-general his task was to inform European banks of the SA economy and financial situation in order to pave the way for future bond issues.

Links said he had to be informed by Mandela about his appointment and responsibilities. However, he saw them in three areas — contributing to the trade and industry department's negotiations for a free trade agreement; managing the European RDP programme which has allocated 130-million Ecu a year to SA for four years on behalf of the finance department; and managing the European Investment Bank programme involving 300-million Ecu in loans over two years.

He also envisaged an important role for himself in giving financial and technical support to SA ambassadors in other European centres.

IFP's threat to quit GNU

(304A)

By Sipho Khumalo Sowetan 15/4/96

INKATHA Freedom Party leader Chief Mangosuthu Buthelezi warned yesterday that the IFP might pull out of the Government of National Unity if President Nelson Mandela postponed the local government elections in KwaZulu-Natal.

Addressing an IFP rally at Phoenix, north of Durban, Buthelezi said postponing the elections would have "very grave consequences" for South Africa.

"The IFP will no longer collaborate in the Government of National Unity if it were clear that the ANC was now in the hands of a clique bent on creating a one-party state.

"I send this message to the State President. Break from your chains, put your country ahead of your party and stand for democracy," Buthelezi said.

He said Mandela first said the elections should go ahead and then went "sharply into reverse". The President was a democrat, but now had been turned into a prisoner of "Young Turks".

Buthelezi said there was a tight-knit group of "Marxist hardliners" in the ANC who wanted to subvert democracy. This was the same group which had stopped Mandela from proceeding with international mediation.

Inkatha threatens to leave govt

CT 15/4/96 (304A)

OWN CORRESPONDENT

DURBAN: Inkatha has threatened to withdraw from the government of national unity because of differences with the ANC over the KwaZulu-Natal municipal elections.

Addressing an election meeting at Phoenix yesterday, Inkatha leader Chief Mangosuthu Buthelezi warned of "consequences very grave indeed" if the election was delayed again.

One of these consequences could be the formal withdrawal of Inkatha's three ministers and two deputy ministers from the government.

Meanwhile, following the successful completion of a provincial constitution, Inkatha decided at its national council meeting this weekend to return to the inter-governmental forum between the central government and the provincial legislature, ending a year's absence.

President Nelson Mandela and Buthelezi are to meet in Cape Town tomorrow to discuss differences over the poll.

Presidential spokesman Mr Parks Mankahlana said last night reports from ANC structures in KwaZulu-Natal indicated that polling did not seem possible, but it was premature to say whether the the elections in the province would be "postponed or merely staggered".

Well-placed sources said last night that Mandela was considering setting up a commission of inquiry to investigate whether obstacles in the path of the elections were surmountable.

He is expected to report back on his meeting with Buthelezi to the ANC's national working committee on Thursday.

NP provincial leader Mr Danie Schutte expressed concern last night that the situation in KwaZulu-Natal could be aggravated if political parties adopted threatening stances.

He said there would be no point in delaying the poll if the underlying political causes were not addressed.

Schutte suggested that if there were problems in an area, the poll could be scrapped "in that specific area".

Ramaphosa's move to business welcomed, except by IFP

(85) (304A)

By Mondli Makhanya
Political Reporter

ANC Secretary-General Cyril Ramaphosa's move to the private sector would help improve the ANC's understanding of business, political parties said at the weekend.

NP spokesman Dr Johann Steenkamp said Ramaphosa's and other young ANC MPs' move to the private sector would bring the ANC, "with its socialist leanings", closer to the free market.

"The NP welcomes this gradual and natural narrowing of the gap between prominent and disenchanted ANC members and the NP's vision for the future.

"This can only bring stability into politics and the country's economy."

But Roelf Meyer, NP Secretary-General said Ramaphosa's departure was a loss for SA politics.

"The ANC made a big mistake in not retaining his qualities and skills for the benefit of the overall political scene," said Meyer.

Freedom Front leader General Constand Viljoen said the move would provide "an excellent schooling for Ramaphosa" to use when he makes a return to politics in the future.

DP parliamentarian Dene Smuts said Ramaphosa would be "a great asset to the economic life of the country", but added that his departure represented "a very real loss to parliamentary life".

"There are not enough people of his kind of efficiency, incisiveness and his particular kind of leadership around," she said.

Sounding a discordant note was the IFP's Velaphi Ndlovu, who accused Ramaphosa of having engineered the party's exclusion from the constitution-writing process.

He said Ramaphosa was running away from his responsibilities by leaving at a time when the IFP was preparing to oppose the final constitution which was written in the IFP's absence.

He said together with the NP's Roelf Meyer, Ramaphosa had crafted the 1992 Record of Understanding which eventually led to the IFP walk-out of the multiparty talks in 1993 and was also behind the ANC's failure to honour the international mediation agreement which resulted in the IFP's boycott of the CA.

"He was a destroyer of the IFP position and point of view. He possessed an intolerance and believes only he can be right."

► See Business Report Page 1

IFP threatens to quit govt if poll is delayed

Star 15/4/96

By Mondli Makhanya
Political Reporter

(30417)

The Inkatha Freedom Party could pull out of the Government of National Unity if local elections in KwaZulu Natal are postponed, IFP leader and Home Affairs Minster Mangosuthu Buthelezi warned yesterday.

He accused "Marxist hardliners" in the ANC of being behind the postponement call.

Tomorrow, he and President Mandela are to meet, and they are expected to discuss the staggering, or postponement, of elections in the province.

The ANC demanded the postponement on the grounds that violence had made the holding of free and fair elections impossible.

Buthelezi told a rally in Phoenix near Durban that if the ANC succeeded in having the elections postponed, the "consequences will be very grave indeed".

"The IFP could no longer collaborate in a Government of National Unity if it were clear that the ANC was now in the hands of a clique bent on a one-party state," he said.

IFP national council member Velaphi Ndlovu told The Star that the IFP would resist all attempts to interfere with the election date.

"They said they were ready in November and accused the IFP of delaying democratisation. Well, we are ready now, as they were ready in November, and we will accept no delay.

"They cannot use violence as an excuse because the situation was much worse at the time of the 1994 elections."

A number of election candidates and community leaders have been killed over the past few weeks, and the ANC and the IFP are accusing each other of trying to win by intimidating candidates into not standing.

Looking on loneliness ... Dumephi Danisa, widow of ANC local el at the weekend. Danisa, chairman of the Umlazi Civic Associatio

ANC dismisses Buthelezi threat to quit GNU

(304A) ARL 16/4/96

Own Correspondent

DURBAN. – The ANC has dismissed as irresponsible and an act of "political and cultural grandstanding" IFP leader Mangosuthu Buthelezi's threat that the organisation would quit the government if the KwaZulu-Natal local government elections were postponed.

ANC national executive member Mathews Phosa told a Johannesburg press conference that Chief Buthelezi was guilty of improper conduct by speaking on a matter which was scheduled to be discussed by cabinet.

"It's wrong of him to speak and make threats on an issue which will be discussed by the cabinet. It's highly improper for him to speak on a matter on which he is supposed to give input.

He must disabuse himself from cultural grandstanding and wait for a decision which will bind him and other cabinet members."

Speaking in Phoenix outside Durban on Sunday, Chief Buthelezi accused "Marxist hardliners" in the ANC of being behind the postponement call.

He and President Mandela were expected to meet to discuss the staggering, or postponement, of elections in the province.

The ANC demanded the postponement on the grounds violence had made the holding of free and fair elections impossible.

Chief Buthelezi said if the ANC succeeded in having the elections postponed, the "consequences will be very grave indeed".

"The IFP could no longer collaborate in a government of national unity if it were clear that the ANC was now in the hands of a clique bent on a one-party state," he said.

MP appeals on ANC ruling

ARG 16/4/96 (304A)

Gagged Contralesa leader says punishment 'provokes sense of shock'

THE President of the Congress of Traditional Leaders of South Africa (Contralesa), African National Congress MP Patekile Holomisa, has appealed against the ANC disciplinary committee's decision that he must publicly apologise to the party and President Mandela for violating the ANC's code of conduct.

The ruling includes a suspension from the ANC within one year should he not abide by the decision and refrain from making public statements outside the ANC which diverge from the party's policies.

This effectively gags Mr Holomisa as Contralesa president.

However, the ruling will not take effect until the ANC's national executive reviews his appeal, at its next meeting in May.

Mr Holomisa lodged his three-page notice of appeal last week after appearing before the ANC's disciplinary committee, headed by Water Affairs Minister Kader Asmal, on March 28.

ANC KwaZulu-Natal leaders had said that he violated the ANC's code of conduct by spearheading a protest by traditional leaders and challenging the validity of the Local Government Transition Act.

Mr Holomisa said he had not been acting in his capacity as an ANC MP but as leader of Contralesa.

The traditional leaders' protest march to the Union Buildings in October last year was directed at Mr Mandela as leader of the government of national unity and not as president of the ANC, he said. "Hence the protest action was at the Union Buildings and not at Shell House."

Contralesa's decision to sue the government by challenging the validity of the Local Government Transition Act was not an attack on the ANC as a party, as no mention "was ever made of the ANC having to be sued".

Contralesa's decision not to take part in the November local government elections was not directed against the ANC "inasmuch as the announcement was never a call for people not to vote for the ANC,",Mr Holomisa said.

"The disciplinary committee erred in placing reliance on newspaper reports which distorted the decision as a boycott call or opposition to the ANC."

Mr Holomisa said that he had never brought the party into disrepute.

"On the contrary, my conduct was at all times honourable and respectful to the ANC. I never at any stage participated in an attack against the ANC as a party."

The penalties were so severe and disproportionate to the offences that they provoked a sense of shock and injustice, Mr Holomisa said.

The committee ruled that Mr Holomisa be suspended from the ANC, be severely reprimanded for his actions and that he should hold no senior position in parliament or ANC structures.

It also ruled he would be removed as chairman of the national assembly's land affairs committee.

Mr Holomisa said in he appeal: "They are meant more to humiliate and embarrass me than to rehabilitate me."

Mr Holomisa also said that in spite of assurances to traditional leaders by Mr Mandela that their positions were assured, the government and constitutional assembly "are busy taking away all meaningful powers of the traditional leaders". – Sapa.

R1,3m celebration for constitution

CT 16/4/96 (304A)

POLITICAL STAFF

A CEREMONY costing R1,337 million will mark the adoption of the country's final constitution on May 8, but pressure is mounting on constitution-makers to resolve 48 outstanding issues by Friday.

The constitutional committee of the Constitutional Assembly decided yesterday to delay the debate on the outstanding issues relating to the cabinet, the provinces and local government until today, as parties had not had time to read the fifth draft of the constitution.

Deputy Constitutional Development Minister Valli Moosa urged parties to work quickly, as a bill on the new constitution was to be published on Friday.

Employers right to lockout, and the property and the right to life clauses are among outstanding issues. The draft incorporates agreements reached at the recent three-day constitutional bosberaad at Amiston.

Among guests to attend the May 8 ceremony are a host of traditional leaders, including Zulu King Goodwill and former Transkei president and Paramount Chief Kaizer Matanzima. About 200 community organisations, diplomatic representatives from 110 countries and the nine provincial premiers will also be invited.

The ceremony, which will begin with a song of praise by a praise-singer, will include addresses by President Nelson Mandela, ANC secretary-general Cyril Ramaphosa and other political leaders. Ramaphosa said some of the costs would be covered by sponsorship from the international community and the private sector.

Van Eck quits to play role in African affairs

CT 16/4/96 (304A)

BARRY STREEK
POLITICAL WRITER

VETERAN Cape Town politician Mr Jan van Eck is to resign as an ANC MP on May 15.

Announcing this yesterday, Van Eck said he would concentrate on African affairs, particularly Burundi where he had been an international observer.

He is to become a political consultant at the University of Cape Town's Centre for Conflict Resolution.

Van Eck, 52, who unceasingly raised questions about police conduct in the townships during the "struggle" era, earning the wrath of National Party MPs and ministers, was one of the Progressive Federal Party MPs involved in forming the Unrest Monitoring and Action Group.

He is the fourth prominent ANC MP to announce his resignation to take up another position.

CONSULTANT: Mr Jan van Eck

Van Eck's resignation has been expected for some time, particularly because of the demands of his involvement in the Burundi conflict.

In a statement, he said that after 25 years of full-time party politics and "devoting all my energy towards the achievement of a democratic South Africa, the ideals I worked for have been achieved".

"The passing of the new final constitution early in May will complete the process. Although the important process of transforming South Africa still lies ahead, there are many better-equipped people than I to manage that," he said.

"Although I will be withdrawing from all active party politics, my support for the principles of the ANC and its struggle for democracy remain.

"Without President Nelson Mandela and his ongoing efforts to reconcile majority aspirations with minority fears, South Africa would have been a less stable country today."

Van Eck and four other Democratic Party MPs joined the ANC in 1992, although officially he was an independent until his election as an ANC MP in 1994.

Born in Holland, he came to South Africa when he was five with his father, a classical piano teacher, and his mother.

While attending the University of Stellenbosch, he joined the National Party, but became disillusioned and quit to join the Progressive Party.

He taught geography and history at high schools in East London and Cape Town between 1967 and 1971. He joined the Progressive Party full-time when party leader Mr Colin Eglin asked him to promote a "verligte" campaign among Afrikaans-speaking people, particularly at universities.

Van Eck launched the party's Afrikaans journal, Deurbraak

Egg on NP faces after condemning ANC for resignations

Star 17/4/96 (304A)

By Patrick Bulger

Cape Town – Just hours after the National Party yesterday issued a statement condemningANC Members of Parliament for resigning from the House, one of the NP's own MPs announced that he was leaving with immediate effect.

Former Transport Minister and MP for Primrose in Germiston Piet Welgemoed announced that he was leaving Parliament to take up a private sector post.

Welgemoed, who first came to Parliament in 1981 as an indirectly elected MP, said he had discussed his resignation with NP leader and Deputy President F W de Klerk.

"I am excited about the new direction and planning for the future being undertaken by the NP," Welgemoed said in a statement.

Earlier, the NP criticised the "rolling mass resignations" of ANC MPs, 10% of whom had resigned since the first democratic Parliament came into being in May 1994.

"This avalanche may be indicative of a lack of solidarity within the party, spelling dissatisfaction with the ANC," it said.

"It is alarmingly obvious that some ANC MPs merely use the exposure created by being in Parliament as a stepping stone to more lucrative positions, leaving their constituencies and the people in the lurch."

Earlier this week, veteran opposition MP Jan van Eck, who sat on the ANC benches, announced that he was leaving Parliament.

Continued on Page 2 | Comment: Page 12 | SA di

ANC-NP deal will exclude constituency-based polls

BD 18/4/96 (304A)

David Greybe

CAPE TOWN — A fresh row has broken out over a constitutional deal between the ANC and the NP which would exclude the possibility of MPs being elected in constituencies.

Opposition to the deal came from within the top echelons of the ANC, the DP and a group of academics with a keen interest in the electoral system provided for in the new constitution.

The latest constitutional draft provided for an "unaccountable" electoral system based on proportional representation, and excluded any "accountable" element based on constituencies, the critics said yesterday.

DP chief negotiator Colin Eglin said he was "shocked that an agreement has been reached between the two major parties which not only does not provide for constituencies as a partial option but totally excludes it".

He said: "There has developed ever since this Parliament met an underlying feeling in all parties of a need for a constituency element (in the electoral system)." However, the latest proposal ruled this out completely.

The DP would move amendments to the draft constitution during the so-called committee stage next week "to ensure that a constituency component is either mandatory or at least an option under a system based on proportional representation".

The deal was reportedly brokered by the ANC's Essop Pahad and the NP's Alex van Breda.

Van Breda said yesterday he was confident that the proposal was the "purest form" of proportionality, and would best reflect actual voting. It was also the one "closest to democracy" because it "served the widest interests".

The proposal was also rejected by the University of the Western Cape's Community Law Centre. The centre initiated a project in 1994 for an "appropriate electoral system" for the 1999 general election which provided for MPs to be accountable to the electorate, as demanded under the interim constitution. Its findings were published in a book this week.

The centre's Nico Steytler, Jacques de Ville and Pierre de Vos said yesterday the latest proposal was "both shortsighted and seriously defective in that it fails to take account of the serious deficiencies of (the) electoral system (used in 1994)". It was also "clearly in conflict with the letter and spirit" of constitutional principle six in the interim constitution.

Constitution will spell end to era of forced coalitions

ARG 19/4/96 (304A)

CLIVE SAWYER
Political Correspondent

THE draft constitution to be put to the constitutional assembly next week spells an end to the era of enforced coalitions in the national and provincial cabinets.

While this will mean the African National Congress, assuming it wins the 1999 election, will be able to govern unencumbered by government of national unity partners, the change could have far-reaching implications for the Western Cape if the National Party repeats its 1994 electoral victory.

But ANC negotiators who took part in an all-night sitting of the constitutional committee last night were confident that the new constitution would usher in an era of co-operative governance.

The new constitution spells out in clearer detail the dynamics of relations between first and second tier government.

And the negotiators felt that realpolitik would dictate that a provincial government run by a party different to that in charge of central government would not be able to afford to be too confrontational.

A poser unresolved by the marathon talks this week which culminated in last night's negotiations is whether MPs will be allowed to cross the floor or form new parties.

A provisional agreement is that the 1999 election will be conducted by the same rules used in 1994, with all members of the national assembly being elected by proportional representation from party lists.

The Democratic Party said last night it was unhappy with an agreement on this by the NP and ANC, emphasising it would prefer provision to be made for a system including constituency representation.

The NP and DP believe MPs should be allowed to change their party political affiliations, but the ANC favours a continuation of the present system.

New SA deal struck

ARG 19/4/96

Parties agree on constitution bill after all-night talks

CLIVE SAWYER
Political Correspondent

THE PRESSES will roll this weekend to produce a new Constitution Bill, following a series of dramatic breakthroughs by negotiators who sat through the night to resolve a series of conflicts.

Among the most significant of these was an agreement to set up a powerful commission to promote and protect cultural, religious and linguistic communities, which could have a far-reaching effect on the future of education and language rights.

Freedom Front leader Constand Viljoen hailed the African National Congress's "brave move" in agreeing to recognising a form of collective rights, a concession which was welcomed by all parties.

ANC negotiators said the provision was in accordance with the Freedom Charter.

But important issues remain unresolved, among them the property clause and whether the right of employers to lock out should be included in the constitution.

Although negotiators hailed the reaching of a "political agreement" on the property clause, there are strong indications amendments will be tabled, probably by the National Party and Democratic Party, when the bill reaches the full constitutional assembly next week.

Disagreements also remain on clauses on the judiciary, notably on the appointment of a "super attorney-general", an ANC proposal opposed by the NP and DP.

On a further four key areas of continuing dispute – that is, the lockout clause, education, language and the judiciary – amendments will be tabled next week.

The draft agreed to overnight, in a gruelling series of bilateral and multilateral talks and a near-continuous meeting of the constitutional committee, will be given to technical experts for refinement today.

About 2 000 copies, in English only because there is too little time to translate the bill into all 11 languages, will be printed on Sunday.

The marathon meeting of the constitutional committee began at 8pm yesterday and ended at 5.44am today.

Constitutional assembly chairman Cyril Ramaphosa opened the meeting with an admonishment to members: "All the time we've wasted in the past two years is catching up with us tonight."

In the course of the night, multilateral talks produced solutions to conflicts on aspects of the future principles of co-operative governance, parliament, the president and national executive, provinces and local government.

However, the DP gave notice of reservations on several issues, including an agreement by the NP and ANC that election of the national assembly should be purely by proportional representation.

(304A)

The DP favours provision for constituency representation.

The ANC and NP also agreed that election of the next parliament should take place under the rules used in April 1994.

The voting age was set at 18, and the national assembly is to consist of 350 to 400 members, with the final figure to be decided by legislation.

Still unresolved between parties is a proposal for the seat of parliament to be Cape Town, but with provision for it to sit elsewhere if this is in the national interest and agreed by members.

A clear picture of a new status for local government has emerged, with firm developmental duties and internal autonomy. A new body will represent third-tier government in a national council of provinces.

● More reports – page 4

Diplomats bewildered by Minister Nzo's 'dramatic and propagandistic' statement on Libya

The Star Friday April 19 1996

(304A) Star 19/4/96

By Dale Lautenbach
Foreign Editor

The diplomatic community in Pretoria is "confused" by the apparently overtly pro-Libya message delivered by Foreign Minister Alfred Nzo on a visit to that country this week.

It is well known that South Africa insists on choosing its own friends, as with Fidel Castro of Cuba and Muammar Gaddafi of Libya. This comes as no suprise to diplomats.

It is also well known that President Mandela has attempted to broker a resolution to the Lockerbie stalemate by proposing that the trial of the alleged bombers be held at a neutral venue, like The Hague, rather than in the US or Britain, as these two countries, victims in the terror attack, insist.

The US regards Mandela's suggestions – "however well-intentioned", according to US State Department officials at the time – as "unhelpful".

The Nzo statement, issued jointly on Wednesday with the Libyans, looks on the face of it as if the South African delegation left the writing of it entirely up to their hosts.

Diplomats are scrambling to decode its meaning – the mystery lies not so much in what it says but how it is said and the tone of it.

The South African Foreign Minister clearly agrees with the statement: "Nzo expressed his solidarity and support for the position of the Libyan Arab people regarding the invitation put forward by the Great Jamahiriya to end the current crisis between the Jamahiriya and the three Western countries of the Lockerbie crisis".

As one diplomat pointed out yesterday, Mandela has attempted to offer a solution and thereby resolve the Lockerbie deadlock but South Africa has never before taken Libya's side against the US and the UK.

It is one thing to support a resolution and quite another to take sides.

It is also well established, if irksome to the Americans and others, that South Africa supports the Organisation of African Unity position against the UN sanctions imposed on Libya in 1992.

A senior official in SA Foreign Affairs said grounds for this view were that Libya's people should not all be held hostage by the single issue of Lockerbie.

Although the US may disagree with that, it has never before been faced with a South African statement in which the language inclines to the dramatic and the propagandistic, as in "he (Nzo) further supported the lifting of the unjust sanctions implemented against the Libyan Arab people".

Diplomats also noted that Nzo's statement after his visit to Iran just before arriving in Libya also set a new tone of warmth and embrace that has suprised them.

However, embassies in Pretoria are awaiting clarification and interpretation from South African Foreign Affairs officials and probably the deputy minister Aziz Pahad. In the light of an explanation they are also likely to seek further instructions from interested capitals, such as Washington, London and Cairo, before issuing statements.

MAIL & GUARDIAN
April 19 to 25 1996

Nats to set up political academy

Soon you will be able to study to be a Nat politician, reports **Marion Edmunds**

M+G 19-25/4/96 (304A)

THE National Party is setting up a political academy and its first group of 50 students begin training on August 1.

While the detail of this academy is still under discussion, the shape and concept has been accepted.

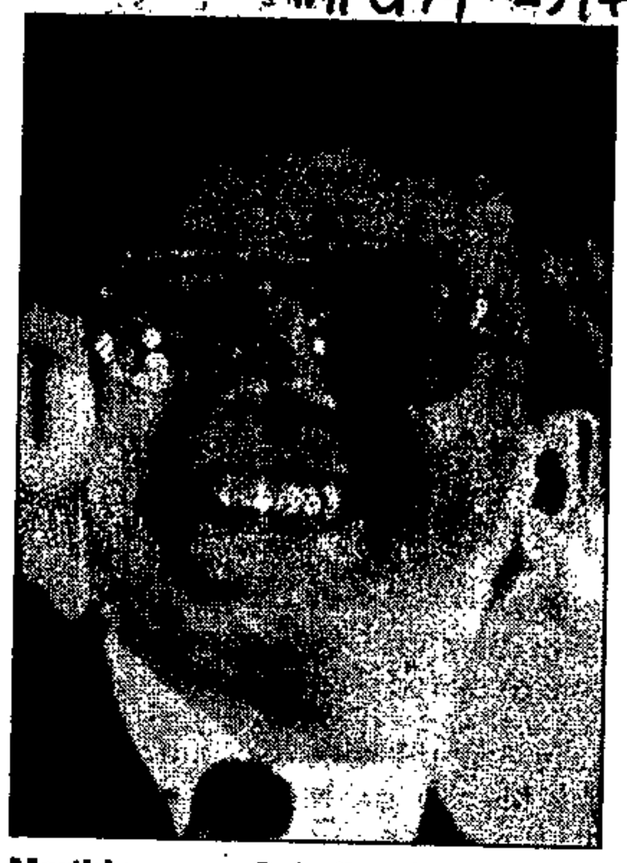
An NP official said this week the institution will strive for political and academic credibility, both inside South Africa and internationally, and will rope in top academics from universities all round the country. The students will be politicians from the NP from central, provincial and local government.

In the face of waning executive power, the NP, in a bid to strengthen ties to civil society, is also cosying up to non-governmental organisations (NGOs) as vehicles for mobilising political support.

NP assistant secretary general Marthinus van Schalkwyk confirmed that the NP has mandated many senior members to make contact with NGOs and to hold meetings to find common ground.

"This is a conscious effort to move out into civil society because it is clear, that with specific regard to the black community, the shotgun approach will not work. The black community is well-organised within society and these organisations act as gate-keepers, so it is important for us to include their concerns in our agenda ... They must see us as a vehicle," he said.

The NP has also started to create NGOs as platforms for its views, to provide an echo in civil society for its voice. It's an old trick used in the early days of NP dominance, with the establishment of the Federasie vir Afrikaanse Kultuur, the Voortrekkers and, secretly, the Broederbond.



Marthinus van Schalkwyk: 'The black community ... must see us as a vehicle'

The African National Congress also has a long tradition of using NGOs to express its policies. NGOs, unions and churches became its vehicles when its political voice was silenced from the 1960s. The ANC still has power in this sphere, although NGO support is not as fervent as it was.

Last month, the NP announced the creation of a Human Rights Trust chaired by Professor Johan Kruger, a constitutional expert involved in the Constitution-making process. Its mandate is to provide victims of human rights abuse with legal and financial assistance, to run public education campaigns, and to monitor political parties.

Further developments include launching the African Dialogue Group, which links nine political movements from seven African countries, all of which state support for the principle of liberal democracy. The parties include the NP, the Democratic Turnhalle Alliance (DTA) of Namibia, the Ford Kenya Party and the Forum Party of Zimbabwe.

Van Schalkwyk said the party was looking at plugging into international networks as well and had become affiliated to the International Democratic Union. Other members included political parties like the Christian Democratic Union in Germany, Australia's Liberal Party and the Republican Party in the United States.

Professor Willie Breytenbach of the University of Stellenbosch's political science department says he regards the NP's civil society strategy with scepticism.

"The two most important components of civil society are the churches and the trade unions. While the NP is plugged into the Dutch Reformed Church, which is mainly white and coloured, it has no links with the trade unions."

Civil society groupings which used to uphold the ideology and spirit of the NP can no longer rely on the NP to carry the candle of Afrikaner nationalism at Parliament as it did in the past. In fact, the Freedom Front is the party that is able to lobby their brand of Afrikaner nationalism, because it has dedicated itself to protecting that particular minority group.

"The NP has a multiracial future in mind, so it wants to plug into the institutions that can feed it the 73% support of society that it does not have. It will have its work cut out in order to achieve that one, given the NPs track record." said Breytenbach this week.

Invest in Winning TSB Performance

TSB's two Managed Portfolios, which are managed by the award winning TSB Fund Managers (Channel Islands) Limited† have shown excellent

1995 Micropal Offshore & Internationally Marketed Funds Awards

The outstandingly successful Portfolios invest in TSB Offshore Investment Fund Limited which is

R1,377m constitution 'bash' to go ahead in spite of fiery objections

(304A) ARG 20/4/96

GLYNNIS UNDERHILL
Staff Reporter

THE management committee of the Constitutional Assembly has flown in the face of controversy and given its approval for the R1,377 million "bash" to celebrate the adoption of the national constitution.

In spite of fiery objections by Democratic Party leader Tony Leon this week, the go-ahead has now been given for the celebrations, according to one of the organisers, Leonora Desouza, public relations officer for the Constitutional Assembly.

Local and overseas dignitaries will fly in to attend the proceedings, which begins at 8am on May 8 and finishes with a dinner for 600 guests.

Mr Leon told SATURDAY Argus his reservations about the bash were more to do with when would be the appropriate time to stage a celebration of this nature.

On Wednesday this week he accused the ANC of trying to railroad negotiations on the new constitution by organising the party in Cape Town.

But the management committee of the Constitutional Assembly gave the thumbs-up for the celebrations on Thursday, the day after the row broke over the proposed party.

While DP representative Colin Eglin placed his reservations on the table at the meeting, the management committee had given the go-ahead, said a delighted Miss Desouza.

It was "highly unlikely" the date for the event would be changed, she said.

As part of the planning for the "once in a lifetime ceremony", a Constitutional Assembly song and a large-scale art mural had been specially commissioned for the event, said Miss Desouza.

She said the mural would be unveiled in Plein Street on May 8, in front of the many dignitaries who would be attending the function.

"It is very exciting because it is the first piece of government of national unity artwork," she said.

Television screens are to be provided at provincial legislatures around the country at a cost of R90 000 and the grand finale of the celebrations, the dinner, is expected to cost around R300 000.

She said the "hat was still being passed around" for sponsorship and the response had been extremely positive.

"We are all so excited about this celebration as it is the climax of two years of hard work," said Miss Desouza.

(304A) ST 21/4/96

Labour flexes muscle

By CAROL PATON

COSATU is to call a national one-day strike on April 30, when it will march on Parliament to push for its demands to be included in the final Constitution.

Sam Shilowa, the secretary general of Cosatu, said the federation aimed to bring about a complete shutdown, including schools. He said Cosatu planned to ensure that workers, students, youths and peasants would join city marches on the day to break the deadlock in the Constitutional Assembly that remained on important issues.

"We want to send a clear and unambiguous message, so our action must leave no room for doubt," he said.

Cosatu's constitutional demands include that:

- The right of employers to lock-out workers be excluded from the Constitution;
- The right to property be excluded;
- Powers granted to provinces do not lead to fragmentation in important areas like education and the labour market;
- The Constitution allow for only one person, one vote at a local level as opposed to additional votes for property owners; and
- The right to life, including a ban on the death penalty, be included.

If the Constitutional Assembly fails to adopt the Constitution by a two-thirds majority, the next step is a referendum.

Mr Shilowa said Cosatu would prefer a referendum if its demands were not met: "Rather than agree to a wishy-washy formulation on these issues, we would go for a referendum. We are ready to mobilise for an ANC victory."

The decision to go for a national strike was made by an emergency meeting of the Cosatu executive committee on Friday.

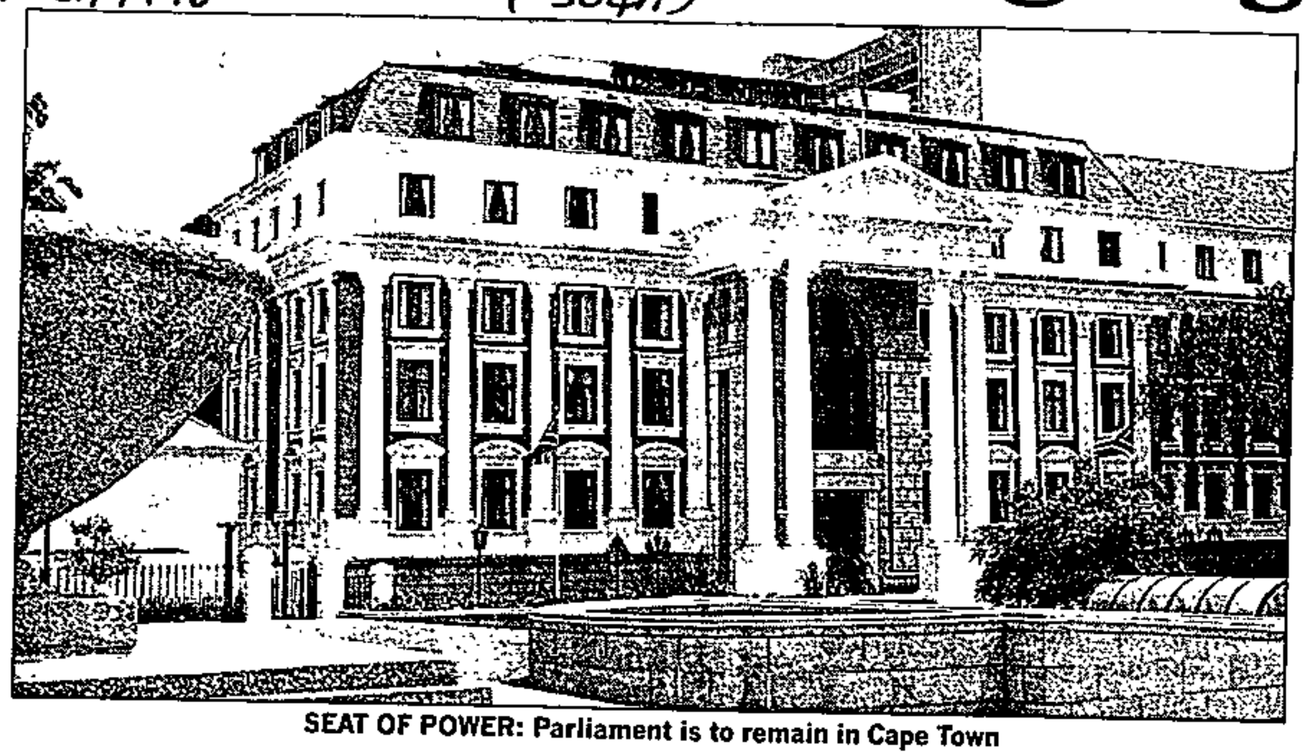
Mr Shilowa said he felt certain that the ANC and the SA Communist Party would support the strike. He said that Cosatu and the ANC shared many of the same positions on the Constitution. Their only difference was over the property clause, which the ANC believed should be included in some form.

The strike on April 30 will be preceded by pickets and demonstrations on April 26.

The controversial fruit of a long night's bargaining

ST 21/4/96 (304A)

A new Constitution Bill will be tabled in the Constitutional Assembly tomorrow. **CYRIL MADLALA** examines some agreements and disagreements after all-night negotiations this week



SEAT OF POWER: Parliament is to remain in Cape Town

DENE SMUTS: wants amendments

The Bill of Rights

THE Bill that will be tabled this week entrenches more socio-economic rights than were provided for in the interim constitution. Rights to housing, health care, food, water and social security are all now included.

There has been agreement that the right to equality will apply horizontally where it is applicable between natural or juristic persons. The state will pass anti-discrimination legislation, and pregnancy has been included as one of the grounds on which there can be no discrimination.

The DP has lost the battle for a stricter test for the limitation of rights. Stung by criticism that it is soft on crime, the ANC has argued that to deal with the escalating levels of lawlessness, the constitution should not make it unduly difficult to limit the rights of suspects, for instance when police want to set up roadblocks or to conduct searches.

The agreement between the ANC and the NP means that rights will be limited if it is "reasonable and justifiable" to do so, while the DP had wanted a "necessity" test to be applied as well. DP MP Dene Smuts has indicated that her party will try to have this clause amended when it goes before the Constitutional Assembly next week.

The clause, which was reformulated by the legal experts, now says:

"The rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom, having regard to all relevant factors including the nature of the right, the importance of the purpose of the limitation, the nature and extent of the limitation, the relation between the limitation and its purpose and less restrictive means to achieve the purpose."

The contentious property clause remains unresolved, although the parties are now working on the basis of a formulation compiled by their legal experts during the *bosberaad* in Arniston two weeks ago.

The debate has been clouded by the need for land reform, and the parties have abandoned the idea of a separate clause to deal with land.

As the NP and the ANC edged closer to an agreement, the DP remained unconvinced that there would be enough protection for other forms of property, such as trademarks and intellectual property.

Ms Smuts said: "As a result of this combination, and the kind of formulation and language used in the land reform sections, the compromise clause is vulnerable to the interpretation that its dominant intention is land reform, which overrides the safeguards.

"It also lends itself to a reading in which only movable property is protected by the safeguards against under-compensated expropriation or arbitrary deprivation."

The ANC, however, sees the inclusion of a property clause as a major compromise. Together with the PAC, its first option was that there should be no constitutional guarantees at all. Amendments will be made to this clause.

There is still no agreement on whether the right to strike and the right to lock-out should be included in the Constitution. The ANC insists on including only the right to strike, while the other parties say either both rights are in or both are excluded.

A solution is also evading the negotiators on the education front, where the debate is over funding by the state of institutions established on the basis of a common language, culture or religion.

One view is that such schools should be created by parents at their own expense. The other is that, since these parents also pay taxes, the state should provide funding for the schools.

Agreements reached this week have resulted in additions to the extent to which certain rights cannot be lessened (the so-called non-derogable rights).

For example, the rights to human dignity and life are entirely protected, while the right to equality is confined to matters pertaining to race and sex.

It has been agreed to extend the non-derogable rights of children in detention to include the right to be kept separately from detainees older than 18.

The preamble to the Constitution

We, the people of South Africa, recognise the injustices of our past; honour those who suffered for justice and freedom in our land; and believe that South Africa belongs to all who live in it, united in our diversity.

We therefore through our freely elected representatives adopt this Constitution as the supreme law of the Republic so as to:

Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental rights;

Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;

Improve the quality of life of all citizens and free the potential of each person;

Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

May God protect our people.

Nkosi Sikelela iAfrika, Morena boloke sechaba sa heso. God seen Suid Afrika. God bless South Africa. Mudzimu fhatutshedza Afrika. Hosi katekisa Afrika.

Freedom of speech tampered with

By CARMEL RICKARD

THE guarantee of free speech is one of the casualties of the final constitution, according to prominent Johannesburg advocate Gilbert Marcus.

This week, Mr Marcus, who has argued a number of press freedom cases, said that while the essential content of the free speech guarantee remained intact, the latest proposals listed three exemptions which would not qualify for protection.

These were incitement to violence, war propaganda and "hate speech".

He said this was an unfortunate approach. It would have been better to pass carefully worded laws outlawing offensive speech falling into these categories than to include "insulation" of this kind in the constitution.

"Constitutions are meant to be drafted with an eye to the future," he said. "They should embody the necessary flexibility to cater for situations which are unforeseen."

Mr Marcus said, however, that the media could benefit from new access to official information made available through the constitution and other legislation. This could provide the press with a powerful investigative tool, one which he was surprised journalists had not thus far invoked in court to obtain access to official information.

Referring to a recent landmark judgment on defamation by Mr Justice Edwin Cameron of the Transvaal Supreme Court, Mr Marcus said the decision was a dramatic new departure by the courts, but should not be taken as an invitation to publish defamatory matter.

In line with the decision, it would not be "reasonable" to publish most untrue statements of fact.

Cultural commission

A COMMISSION to promote and protect the rights of cultural, religious and linguistic communities will be introduced as one of seven state institutions supporting constitutional democracy.

The others are the public protector, the human rights commission, the commission for gender equality, the auditor general, the electoral commission and an independent authority to regulate broadcasting.

Hailed by all parties as a major breakthrough, it is essentially a reward for Freedom Front leader General Constand Viljoen's trust in the ANC to work out a way to accommodate Afrikaners' claim to self-determination. This is particularly important because both parties have for some time had a tacit understanding that a Volkstaat is unlikely to be provided for.

While the agreement also takes care of the NP's demand for the establishment of such a commission, the ANC sees it as paving the way for a resolution to the difficult issue of educational institutions based on a common culture, language or religion in the Bill of Rights.

A single commission, rather than several commissions for separate communities, will be established.

Parliament

IT HAS been agreed that Parliament will consist of the National Assembly and a new National Council of Provinces that will replace the Senate. The National Assembly will consist of 350 to 400 members.

The parties agreed two weeks ago that the number would be limited to 350, but the possible need to increase or decrease this number according to the size of the population has now been taken into account.

There will be no constituencies for the next election because it will be held on the basis of proportional representation, but national legislation will determine how MPs are elected thereafter.

Only people of 18 years and older will be allowed to vote.

The seat of Parliament remains in Cape Town while negotiations about its future continue. The Bill this week will reflect a tentative agreement that Parliament sit in Cape Town but can move elsewhere if a majority of the members agree.

The executive

THERE will no enforced power sharing after the 1999 election. The cabinet will consist of the President, a deputy president and ministers. The President may select any number of ministers from among the members of the National Assembly.

The NP has tried in vain to introduce a new form of power sharing by suggesting a formal consulting body including the leader and at least two other representatives of any willing party with at least five percent of the seats in the National Assembly.

It would be composed of members of most of the minority parties in Parliament and would deal with matters that require multiparty co-operation.

The proposal has not yet been tabled before the constitutional committee, but it is believed the ANC rejects it.

National Council of Provinces

THE council will represent the interests of the provinces in Parliament by taking part in the national legislative process. It will also be a forum for public consideration of matters that affect the provinces.

It will consist of a single delegation of 10 people from each of the nine provinces. Six will be permanent members and four, including the premier of the province or his representative, will be special delegates. There may be different people for different matters.

The premier or his designated representative will head the delegation.

A revised list of areas of concurrent legislative competencies between the provinces and central government has been produced. Policing has now been included, but it is subject to the provisions of the section that deals with the security services.

ANC backs Cosatu plans for strikes

CT 22/4/96 (304A)

POLITICAL STAFF

THE ANC has thrown its weight behind the national strike called for April 30 by the Congress of South African Trade Unions.

The national strike — as well as strikes and pickets this Friday — are intended to give weight to Cosatu's positions on the final constitution, which the ANC shares.

The constitution is to be tabled as a bill before a joint sitting of Parliament tomorrow. Cosatu's action has been timed for the run-up to the Constitutional Assembly's vote on the constitution on May 8.

"The constitutional positions around which Cosatu is mobilising are those that the ANC has long maintained," the ANC said in a statement yesterday. "They are ... critical to ensuring that the constitution lays the foundation for a society based on equality, justice and freedom."

ANC sources said the party supported Cosatu's demand that the final constitution should not include the rights of employers to lock striking trade unionists out of production plants. The rights have been a feature of the interim constitution.

The sources said the ANC was confident that even without this being entrenched in the constitution, employers had rights within the law that enabled them to exercise the lockout option.

They also said that the ANC, if faced with the prospect of having to vote for a clause it could not fully support, would back Cosatu's demand that the "property clause" be dropped from the final constitution.

SA's sympathy for Gaddafi a slap in the face of the US

(304A) BD 23/4/96

SIMON BARBER in Washington

IN A statement issued on February 12, the ANC responded to criticisms of President Nelson Mandela's open invitations to Cuban and Libyan Presidents Fidel Castro and Muammar Gaddafi. SA, said the ANC, "is an independent and sovereign nation whose foreign relations is determined and shaped by the best interests of the country and its people".

Whether Foreign Minister Alfred Nzo's visit to Libya last week passes the "best interests" test is open to question.

A joint SA-Libyan statement declared "unjust" the sanctions imposed by the UN Security Council on Libya in November 1993 as a result of Libya's refusal to hand over suspects in the bombings of Pan Am flight 103 in December 1988 and UTA flight 772 in October 1989.

The statement further indicated that Nzo had accepted assurances from his Libyan counterpart that Libya was not, contrary to assertions by the Clinton administration and others, building a massive chemical weapons plant at Tarhunah, 60km outside Tripoli.

Washington has been only mildly peeved by the new government's friendliness towards Castro and the limpness of its reaction to the shooting down of peaceful flying protesters over international waters in February.

Even congressman Ileana Ros-Lehtinen, the Cuban-born chairwoman of the house Africa subcommittee, has not been much exercised about the new government's fondness for Cuba — and it was her constituents the Cuban air force blew out of the sky.

Sympathy for Gaddafi is a different order of affront, however.

Castro has never made it his business to target completely innocent US civilians.

A lot of congressmen, Republicans and Democrats, have families bereaved by the Pan Am 103 atrocity in their districts. All of them, and more, can be expected to sign a letter to Mandela being circulated by house international relations committee chairman Ben Gilman.

The letter is not particularly clever in its phrasing. It draws a parallel between the Pan Am bombing — in which 270 died, 189 of them Americans — and "the killings of innocent women and children in Maseru in December 1982, when SA commandos attacked anti-apartheid exiles in Lesotho".

"We condemned in the strongest terms the killing of these innocent SA women and children and we have never made excuses for those who murdered them.

"What is puzzling is why our concern for the well-being of your people is not reciprocated."

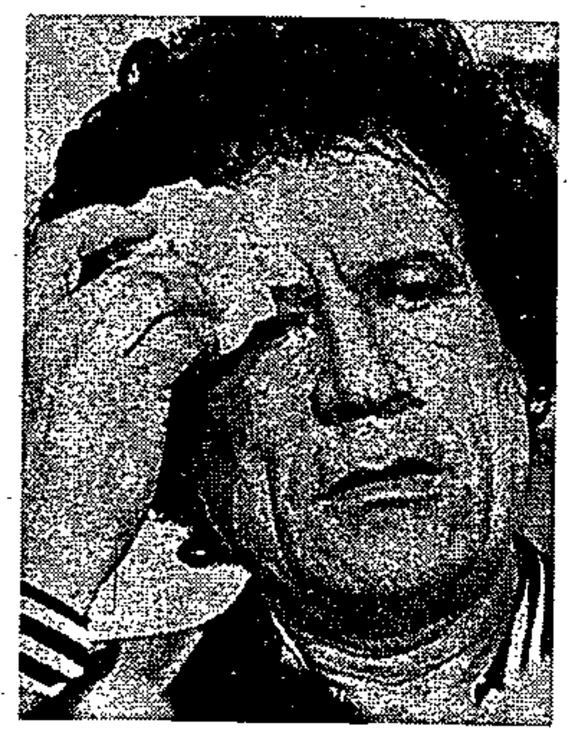
To which the ANC would be justified in responding that the Maseru killings did nothing to alter the Republicans in their opposition to sanctions against apartheid. The Maseru/Lockerbie comparison, and the inference drawn from it, is a piece of unnecessary rhetoric, and may only divert attention from the seriousness of the message.

The next paragraph is better: "Placing bombs on civilian aircraft must be condemned by every civilised nation, especially one like yours that seeks to promote tourism. With the increase in traffic between our two nations, we must work as closely as possible to ensure the safety of all travellers."

The US has recently granted SA highly favourable terms on a new bilateral aviation treaty.

Sticking up for a regime with the blood of hundreds of airline passengers on its hands does not seem like a very civil response.

Well, you may ask, what is Washington going to do about it? Cut aid to SA? Big deal. The sums involved are set to shrink dramatically from the "peanut"-level, to use Mandela's famous phrase, and anyway much of the programme has been so grossly mismanaged that defunding it might be a blessing.



GADDAFI

But aid will not be cut; the domestic parasites who depend on it will see to that.

What actually happens will be considerably worse.

SA is a small economy affixed to the end of a continent associated, in the US public's imagination, with AIDS, misrule, poverty and epic brutality, a place to which the marines have to be sent to rescue US citizens from hopped-up teenage gunmen. Mandela's SA was supposed to be the shining counter-example and here it is canoodling with people who consider the slaughter of innocent Americans heroic.

Gradually, the idea sinks in in the US that these new South Africans do not like them, and the response is: to hell with them.

The Americans — and the British — are not making up tales when they say Abdul Basset Al-Megrahi, a senior Libyan intelligence official, and Lamen Fhimah, the former manager of the Libyan Arab Airlines office in Malta, planted the bomb that destroyed Pan Am 103 by having it checked through to New York from Valetta in a brown Samsonite suitcase and setting the Swiss-made timer — of a type made only for Libyan intelligence — to detonate when the bag would be in the hold of the Pan Am aircraft.

What are you saying, Minister Nzo? That the Americans are liars? Or perhaps you believe them, which only makes it worse, because you are now consciously conspiring to prevent men you acknowledge as prime suspects for mass murder from being brought to justice.

By the same token, when you accept reassurances from your Libyan counterpart that the Tarhunah facility is not being used to make and stockpile chemical weapons, do you mean to imply that US claims to the contrary — based, in part, on construction plans and specifications obtained by German intelligence from companies who helped build the plant — are nothing more than imperialist propaganda?

Or are you saying that SA, as a proud signatory to the chemical and biological weapons' convention, has decided to turn a blind eye because you hold the Great Socialist People's Libyan Arab Jamahiriya in such high esteem that you are prepared to overlook its monstrous designs?

Has it escaped you that Libyans, in their assault on Chad eight years ago, dropped chemicals on the Chadian army?

Is this the way fellow members of the OAU treat each other, or was it okay to gas Chadians because the US was on their side?

So the ANC received succour in its years of need from Gaddafi. It also received help and moral support from the PLO. Do you have any regard for the tens of thousands of Palestinians forced out of Libya because Yasser Arafat decided to negotiate with Israel? And what say you when Gaddafi, faced with unrest from Islamic groups who have no other means of altering their government, tells supporters: "We will corner the traitors here, we will trample them underfoot, and we will physically liquidate them. With their blood, we will wash off the disgrace they have left on our soil."

This is not a relationship that is in the interest of SA's people. Gaddafi may help fill the ANC's coffers, perhaps. But the price is that SA will slide in the estimation of the big powers to the status of just another flaky little country on the periphery of the global economy, a 21st century Transvaal Republic, backward, bloody minded and forever kicking against the pricks.

Remember, SA is not China. Its market is not big enough to excuse this kind of silliness.

One other thing: settlement of the Armscor arms smuggling indictment, and with it chances of SA ever becoming a serious player in the international defence business, just became more problematic.

It is time SA grew up in picking its friends. Hold Castro's hand, if you feel it necessary to consider Cuito Cuanavale as apartheid's Stalingrad (a quaint, but harmless conceit). But do not do the same with Gaddafi. Commerce secretary Ron Brown is not around to lobby for you anymore.

No deal on electoral system, says Meyer

BD 23/4/96 (304A)

David Greybe

CAPE TOWN — NP secretary-general Roelf Meyer lashed out at the DP yesterday over its accusation that ANC and NP negotiators had undermined voters' rights to accountability by cutting a deal on the electoral system in the new constitution.

Meyer described the DP's criticism as "absolute nonsense", accusing the party of opportunism.

He said there was no doubt that an electoral system based on proportional representation was the "best system for SA at this time".

The DP yesterday reiterated its denunciation of the "deal" between the ANC and NP "to prevent voters from selecting their own constituency MPs".

The DP also hit out at the ANC's reported intention to reintroduce a clause binding MPs to their parties' instructions and preventing MPs from crossing the floor. Meyer said the NP would oppose such a clause if the ANC tried to reintroduce it.

The DP said: "The ANC and NP ... clearly cannot be trusted to provide for the right of voters to choose their own representatives. Furthermore, the transitional arrangements remove any possibility of voters electing their own MPs at the next election."

Meyer did not rule out future changes in the electoral system. There were four "good reasons" why the critics were wrong:

Firstly, the latest constitutional formulation had been discussed since last year in both multilateral talks and in open debate in the Constitutional Assembly.

Secondly, the parties were obliged to give effect to the principle of proportional representation enshrined in the interim constitution.

Thirdly, proportional representation generally benefited smaller parties; and

Finally, parties could use a system to select candidates under proportional representation which was similar to the constituency model.

Meanwhile, Sapa reports the CP said yesterday Afrikaners striving for self-determination would not celebrate the new constitution because it failed to provide for the "rights of nations".

NP's Saaiman quits Parliament

YET another National Party MP, Mr Pieter Saaiman, is quitting Parliament as from tomorrow.

Saaiman, first elected as the United Democratic Party MP for Mid-Karoo, joined the NP after it was opened to all races and then became Minister of Education in the House of Representatives.

His resignation follows that of former Transport Minister Dr Piet Welgemoed, who announced his resignation last week, only hours after the NP had criticised the ANC for the number of its parliamentarians that had recently resigned.

● See Page 6

(304A) ET 23/4/96

MPs embark on new Great Trek

CT 23/4/96

(304A)

THE STEADY TRICKLE of MPs leaving Parliament could grow to a flood when the next general election approaches. Political writer **BARRY STREEK** examines the reasons for the exodus.

DISILLUSIONED parliamentarians have found that the gravy train is largely a myth — and this could lead to a large exodus particularly in 1999 when the next general election is held, if not beforehand.

Apart from battling to make ends meet, the parliamentarians have been shocked to discover after two years in office that active political life involves a lot of drudgery, long hours and, for many, financial sacrifice.

This is very far from the glamorous image of the position they had before being elected in the April 1994 election.

Among those who have resigned or are about to quit include:

Constitutional Assembly chairperson Mr Cyril Ramaphosa, his deputy and former Labour Minister Leon Wessels, former Transport Minister Dr Piet Welgemoed, former Deputy Land Affairs Minister Tobie Meyer, veteran politician Mr Jan van Eck, former SA National Civics Organisation president Mr Moses Mayekiso, and former chairperson of the portfolio Committee on Communications Mr Saki Macozoma.

Most MPs will not publicly discuss their frustration, for fear of alienating their party leadership or of being accused of disloyalty, but they cite three major causes of disillusionment.

● The long and often boring hours involved in parliamentary work were not anticipated by many MPs. For those who served under the old system, this was no surprise, but for the new parliamentarians this was a shattering experience.

● Although widely accused of riding the gravy train — by implication enriching themselves at public expense — many MPs have battled to survive financially; they have had to cope with the expense of maintaining two houses, having a limited number of free air tickets, having the responsibility for a constituency office — often not in areas where they live — and having the expenses of being a politician.

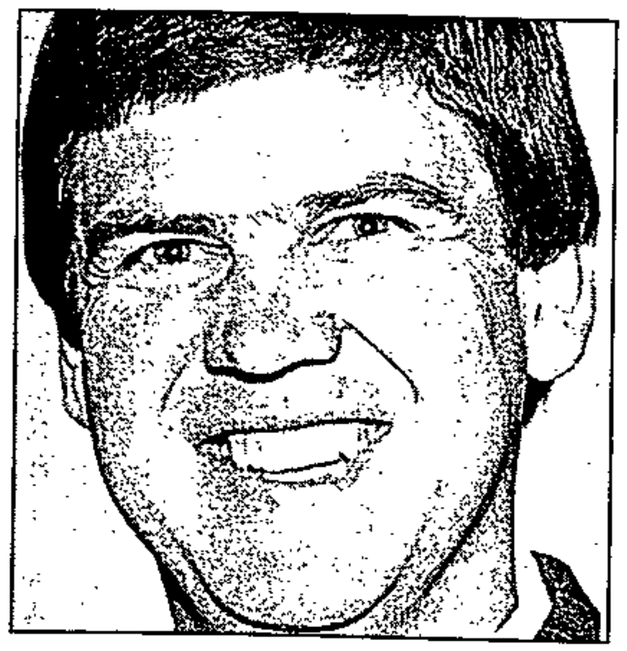
Many MPs, including Macozoma, experienced a decline in their salaries when they came to Parliament.

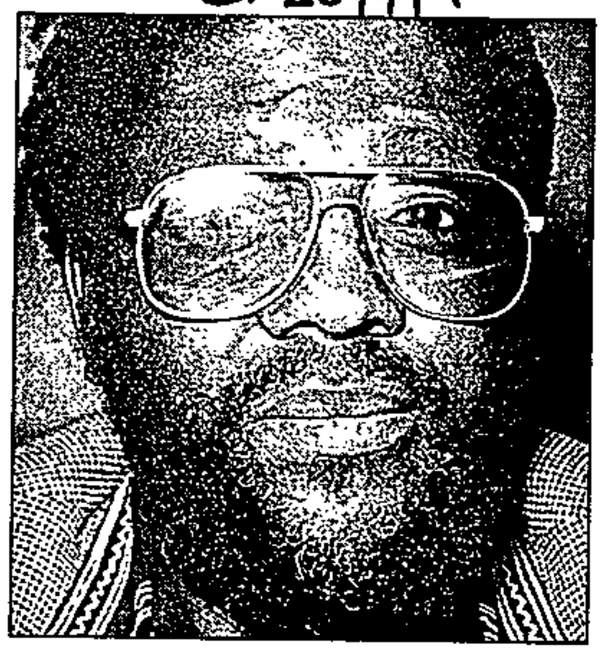
● Many have found the compromises required by caucus discipline difficult to accept. Before being elected, they could hold independent positions while supporting their party, but now they are forced to publicly defend positions they may not support.

On top of that, the artificial restriction on parliamentarians from retaining their seat if they resign from the party or are expelled from it has resulted in people remaining in a caucus just to survive. As they are effectively prevented from crossing the floor or leaving their party, they are forced to remain and be subject to the discipline — and whims — of party bosses.

One MP described this policy as "tyranny" while a National Party MP has said it made him feel "like a whore".

There seems little doubt that once the constitutional restriction on resigning is removed that a significant realignment will begin.





MOVING ON: Leon Wessels (left) and Moses Mayekiso who are among parliamentarians who have left or who will soon be leaving Parliament.

This seems unlikely to affect the ANC much, but the other parties, particularly the National Party and the Inkatha Freedom Party, could suffer nationally and in the provinces once these restrictions are removed.

But far and away the major causes for the disillusionment have been the financial pressures and the demands placed on them to be full-time politicians.

"Many of our fellows were simply quite ill-prepared," one ANC MP said.

Another commented: "Most of them knew nothing about dustbin politics — you know, when a voter phones and says: 'My dustbin is full and no one is emptying it.' You must make sure it is emptied."

A former Labour Party veteran said: "David Curry (former LP minister and now DP member) always used to say Aunt Sophie out there was his constituency and he never forgot her. That is what the nitty-gritty of politics is about and many of the people just don't appreciate it."

Many MPs had personal secretaries, even those who served in "struggle" organisations, before they were elected, but they have had to share secretarial personnel with other MPs, despite considerably increased pressures of work.

Without administrative and research backup, it is difficult, if not impossible, to cope. Although Parliament has taken steps to improve the situation, MPs say the demands on them are still great — and this is exacerbated by all the "dustbin politics" they are expected to do.

They also did not expect the financial strains which added to their relationship complications caused by active political life.

One long-standing MP said: "Ever since I have been in politics I have had a serious bank overdraft. Go and ask my bank manager. This idea of MPs and the gravy train is the biggest lot of rubbish.

"Only when I was paid a gratuity when the tricameral parliament was dissolved was I able to bring down my bank overdraft."

Many parliamentarians also feel they get little recognition for the work they are doing, although they will concede that some are coasting and not pulling their weight.

"I am working as hard as I ever have and yet we are still criticised and blamed for being on the gravy train, " one MP said.

It is accepted in all parties that some veteran politicians will retire soon because of old age or ill-health and because they feel tired; but the problem is that many younger MPs are also disillusioned and that could cause serious difficulties for all parties in the future.

One of the resigning MPs prepared to talk on the record, Jan van Eck, admitted he had discovered another attraction, Africa; he felt rewarded by being part of the international mediation effort to reduce tensions in Burundi.

"With my interest in conflict-resolution I felt I was committed to playing a role there.

"But disillusionment had settled in about my role in parliament. I never intended to be a professional politician.

"I was elected for a cause. I never wanted to be an administrator or a minister or a deputy minister," Van Eck said.

SA foreign policy must assure the world of its stability

The message of independence will have to be skilfully balanced, writes Tom Callahan

(304A) Star

At the conclusion of a visit to Libya last week, South Africa's Foreign Minister, Alfred Nzo, issued a two-page joint statement with his hosts in which he "expressed his solidarity and support for the position of the Libyan Arab people".

He was referring to United Nations Security Council sanctions on Libya for refusing to extradite the indicted bombers of Pan Am Flight 103.

The joint statement also advertised Libya's assertion (apparently accepted by Minister Nzo) that Libya is not actually building a bomb-proof chemical weapons production facility in the side of a mountain at Turnhays.

This somewhat provocative expression of solidarity with Libya against South Africa's western friends and the UN Security Council is the latest in a series of confusing signals from the Ministry of Foreign Affairs.

Some observers cite recent overtures to Cuba, Iran, China and Libya as signs that South Africa is taking a decidedly more radical, anti-western foreign policy. (That will certainly be the assessment of some of my former colleagues who staff as members and in committees of the US Congress.)

Such analyses, however, ignore the equally important pro-western signals such as the Gore-Mbeki bi-national commission, a moderate economic policy and highly successful visits from western leaders like Chancellor Kohl of Germany.

A more likely explanation is that South Africa, confronted with a host of crucial domestic issues that would tax even the most experienced government, has not given adequate thought to the substance, nuance and theme of its foreign policy.

This is not yet a disaster for South Africa's foreign relations, but it is a sad squandering of a rare opportunity. South Africa is uniquely situated to have a far greater influence on world events than its size and wealth would normally allow. To do so, however, it must decide upon the broad themes of its foreign policy, inventory the instruments available to execute those themes, and then carefully select the tool most appropriate for the occasion.

Michael Reisman, a scholar of international law at Yale University, employs a useful framework to describe how states influence one another. In this framework, states have four broad instruments at their disposal: the military, economic, information, and diplomatic instruments. Like any tool, they can be employed more or less skilfully to achieve a state's overall objectives.

And as with the components of any system, they are best utilised in a co-ordinated fashion rather than in contradiction to each other.

President Mandela has made it clear that South Africa will choose its own friends. This is an example of a foreign policy theme: non-aligned independence. It should then become the mission of the foreign ministry to choose how to utilise its diplomatic and information instruments to convey that message, ways that secure the greatest gain while causing the least damage to the nation's foreign relations.

For example, South Africa can assert its non-aligned independence in ways that do not make the foreign ministry appear a servant of Gaddafi's propaganda machine.

Furthermore, that message of independence should be skilfully balanced against other, equally important themes, such as political and economic stability, adherence to the rule of law, respect for human rights and general support for the resolutions of the United Nations Security Council.

In other words, themes which tell the rest of the world that South Africa is a sophisticated, stable place where one can be comfortable investing one's economic and diplomatic capital.

■ *Thomas J Callahan is SA Programme Director for the International Republican Institute (IRI), former director of African Affairs and chief counsel for the US Senate Committee on Foreign Relations. His views do not necessarily reflect those of the IRI or the Committee on Foreign Relations. – Independent Foreign News Service.*

23/4/96

'BIRTH CERTIFICATE OF A NATION'

Final lap for SA constitution

CT 24/4/96 (304A)

THE DRAFT CONSTITUTION, described as the birth certificate of the nation, went before its first reading debate yesterday. **BARRY STREEK** reports.

THE historic process of drawing up a constitution entered its final lap yesterday with a plenary debate — but the major political parties remain locked in dispute over key clauses.

Constitutional Assembly chairperson Mr Cyril Ramaphosa said the constitution should be dedicated to those who had died over several centuries for liberation. Their names should be inscribed on a constitutional scroll in a museum.

The constitution would serve as a healing balm and ensure that what had happened in the past did not occur again. In effect, it would be the birth certificate of the South African nation, Ramaphosa said.

The major conflicts over the Constitution of the Republic of South Africa Bill 1996 are centred on the Bill of Rights, particularly the economic and cultural clauses.

The opposition parties have said they are to table amendments. These have to be submitted by today.

The amendments will focus on the property clause, the call for the right to lock-out to be written into the constitution, the education provisions for state subsidies for mother-tongue schools, and the right to life, particularly where this applies to the death penalty and the right to choose an abortion.

Despite their differences, the major parties gave no indication of last-minute attempts to block the adoption of the constitution.

However, the PAC's Mrs Patricia de Lille said her organisation might not support it if "serious flaws" were not addressed.

The Constitutional Assembly is to meet at intervals over the next two weeks to discuss the bill. It is to be put to the vote on May 8.

Two years have been devoted to drafting the constitution, based on 34 principles negotiated at Kempton Park before the first democratic elections in April 1994.

During yesterday's first reading debate in the Constitutional Assembly, one of the ANC's constitutional experts, Minister of Water Affairs and Forestry Mr Kader Asmal, said the Bill of Rights was a guardian against "the savagery of chauvinism and the market".

It contained "sensible and just limitations based on the norms of what is reasonable and justifiable in an open and democratic society", he said.

"The Bill of Rights takes the fragile nature of our society into account in outlawing hatred based on race, ethnicity, gender or religion, but only in cases where it constitutes incitement to cause harm," Asmal said.

Deputy President Thabo Mbeki said adopting the new constitution would mean "the immense sacrifices of so many people for freedom were not in vain". It was not the product of the ANC, but "a South African constitution".

Deputy President F W de Klerk said it was crucial that security, room and space be created for all cultural groupings.

This would prevent the misuse of cultural identity as a smokescreen for racial discrimination or maintaining privilege.

Everyone had to realise that language and education could cause a return to conflict. South Africa would fail unless a language and education formula was found in which all languages were respected and all forms of racial discrimination prevented, De Klerk said.

Freedom Front leader General Constand Viljoen said the draft constitution was too Western, too individualistic and too libertarian. It did not provide for collective rights and self-determination — principles that would benefit not only Afrikaners.

Mr Colin Eglin of the Democratic Party said his party would propose amendments relating to the Bill of Rights, local government, provincial powers, administration of justice, and the reintroduction of constituency-based parliamentary representation.

African Christian Democratic Party leader Mr Kenneth Meshoe said the NP should insist that the preamble to the constitution be amended to "acknowledge Almighty God". If it did not see to it that this was done, it would have no future.

Government's media personnel resigning

By Karin Schimke
Political Staff

An increasing number of ministerial and departmental communications officers have left their government positions recently at what some have called an alarming rate.

This is in spite of efforts by Deputy President Thabo Mbeki to address the problems surrounding government communications and the establishment of a task group to investigate these and make proposals for improvements.

People whose names were familiar in the press as government spokesmen have left to join either the private sector or, since many are former journalists, to freelance. They have spoken openly of the pressures that led to their resignations. These are communications people considered to be competent, a government source told The Star.

The reasons most frequently cited for the resignations are a lack of infrastructure and support, long hours, overwork and the pressures on family life of commuting between Cape Town and Pretoria. Most of the people concerned also mentioned that the financial rewards of the job were unequal to the work involved.

Shareen Singh, who works in the Labour Ministry, said she might be leaving the Government at the end of June to pursue her studies. Stephen Laufer, formerly with the Housing Ministry and then with the Department of Housing, has joined a national daily newspaper after receiving "a very good offer".

Sue de Villiers, an ANC stalwart and formerly a spokesman for the Justice Ministry, is now working on a consultant basis for a project called Children at Risk.

Muff Andersson, who worked for the defence and the posts, telecommunications and broadcasting ministries, now produces a weekly television programme, *Between the Lines*. But these are not the only ones.

Andersson's comment on the frustrations of her government job was: "It was a case of the old guard desperately hanging on to their grey shoes. No matter what innovative and creative ideas we had, there would always be some reason we were prevented from executing them.

"You would be at your desk by 8.30am, work without stop until around 7pm and then get home to countless telephone calls that needed answering and journalists w[illegible] telephone until as late as m[illegible]ght. And you were always exp[illegible]cted to be on top of absolutely everything," Andersson said.

De Villiers also commented on the long, hard hours, saying her family life had suffered considerably during this period despite the family's constant support.

Val Pauquet, spokesman for the Task Group on Government Communications (Comtask), said the Government had inherited a communications system that was not suited to its new needs.

"Mbeki's concern about this has led to the development of Comtask which is made up of a range of people who can analyse this objectively.

"We have to produce a report on our findings in six months. But to do this we have to be aware of problems and specifics, and so we have sent questionnaires to all government officials," said Pauquet.

"If people are committed to the new South Africa this would really be the worst time for them to leave. Communications are one of the most important aspects of the new Government and to leave now would not be in the interest of an effective communications body in the future," she said.

(304A) Star 25/4/95

Thursday April 25 1996

Midrand in R400-m bid to be home of Parliament

(304A)

By Hopewell Radebe
City Reporter

Star 25/4/96

Midrand has unveiled a model of a grand parliamentary building which would cost R400-million to construct, in the latest salvo of its campaign to be the home of South Africa's Parliament.

Midrand is competing with Parliament's existing home in Cape Town – the Union Buildings in Pretoria and a proposal from Bloemfontein.

Addressing business delegates and MPs at Kyalami last night, North East Rand Metropolitan Council mayor Isaac Mahlangu said Midrand's parliamentary bid was not a bid for capital city status.

He said Midrand wanted to host Parliament by proclaiming a 30ha site as national parliamentary territory, which would be owned and administered directly by the state.

Erky Wood, director of architects Urban Designers, said Midrand was well positioned as the seat of Parliament because 76% of the country's population was within a 600km radius and about 370 of SA's 490 parliamentarians lived within this area.

Wood said Parliament should be accessible to the people it served and Midrand was accessible to 42% of the total population situated in Gauteng within a 200km radius while Cape Town was accessible to only 7,5% of the total population of the country.

"The Government is set to save about R614-million by siting parliament in Midrand," he said.

Mahlangu said Pretoria and Cape Town would always be associated with apartheid and its offspring such as the Group Areas Act and the Separate Amenities Act – laws which, he said, were enacted in Cape Town and ruthlessly enforced from Pretoria.

"Midrand is offering the country an opportunity of shedding the unfortunate historical baggage because it is still in its infancy," Mahlangu said. "Its economic development is by far the most dynamic and it is perfectly located to serve the Government's administration in Pretoria and Africa's financial giant, Johannesburg."

Greater Midrand Metropolitan Substructure executive chairman Alan Dawson said the substructure proposed to fund the R400-million construction with funds the Government was using to run Parliament in Cape Town – R100-million a year. Ordinary people would also be able to have shares in the ownership of Parliament.

ANC, NP REACH COMPROMISE

Constitution accord fails to avert strike

CT 29/4/96

(304A)

PRETORIA: Negotiators overcame most hurdles impeding the completion of the final constitution yesterday, setting the stage for last-minute talks today on tomorrow's Cosatu-led national strike.

THE ANC and National Party yesterday agreed in principle on three of the four main outstanding constitutional issues, including a formulation on a lock-out clause in the final constitution, but unionists insist tomorrow's national strike is still on.

ANC secretary-general Mr Cyril Ramaphosa and his NP counterpart Mr Roelf Meyer said after talks lasting more than 10 hours and attended by the country's top business, labour and government officials yesterday that they were confident the constitution-writing process would be completed by the May 8 deadline.

Yesterday's deadlock-breaking talks were convened by President Nelson Mandela and held at his Pretoria residence.

The meeting came after the rand reached an all-time low last week in a climate of constitutional uncertainty and in the shadow of tomorrow's looming national strike.

The strike itself, which Congress of SA Trade Unions secretary-general Mr Sam Shilowa had reiterated would go ahead, will again be discussed with Cosatu today, Ramaphosa said. Shilowa said earlier yesterday: "We remain convinced that we will find a way in which all of us can work together. But the strike continues."

Yesterday's talks also heralded last-ditch attempts to reach agreement on constitutional issues before the constitution is written into a bill tomorrow for tabling on May 8.

Ramaphosa said the parties had agreed on "broad formulations" on the lock-out clause, and on clauses relating to education and official languages.

The only point on which the parties are still deadlocked is the property clause, which Meyer said awaited further inputs from other parties which were to be consulted today.

Although the parties would not say what the agreements were until the ANC had met Cosatu in today's meeting and the NP had also met other parties aligned to it, Meyer said they had "formulations which all the parties can live with".

Ramaphosa said after yesterday's talks he no longer saw any obstacles in the way of South Africa's final constitution.

"I am more than a thousand percent sure that we are adopting the constitution on May 8," he said, adding that both parties would have further consultations in their own ranks on new formulations of some outstanding clauses.

After yesterday's talks had been in progress for four hours, Shilowa arrived to lobby ANC delegates against allowing employers the constitutional right to lock out striking workers from production plants.

Shilowa wore red socks reminiscent of those worn by his declared hero, former Housing Minister and SA Communist Party leader the late Joe Slovo. In an echo of times past, his fellow trade unionists countrywide were girding themselves for "rolling mass action" from tomorrow, a term coined in the run-up to the April 27 1994 election after the Boipatong massacre.

At the same time business leaders, including some of the richest, most powerful men in the land, arrived to negotiate.

The constitutional talks bore all the hallmarks of pre-April 27 negotiations. The two stars of that process, Ramaphosa and Meyer, were there, as were their political godfathers, Mandela and Deputy President F W de Klerk.

Two years after the World Trade Centre bargaining that delivered democracy to South Africa, the spectre of tired, worried politicians resurfaced as the deadline for bargaining on the final constitution neared.

And as before, a cold wind blew in from Kwazulu-Natal where Inkatha Freedom Party leader Chief Mangosuthu Buthelezi uttered a scathing attack on the final constitution.

He warned that it might herald large-scale nationalisation as the property clause was so weak, alleging that the interim constitution was "strongly inclined towards socialism" and had been further diluted by "eliminating" the protection of free enterprise in the final constitution.

Buthelezi claimed that the proposed new constitution was South Africa's recipe for a "totalitarian autocracy".

"The greatest danger to liberty in this country is the ANC's new national constitution," he told followers at an Empangeni local government election rally.

But he added that the IFP was prepared to rejoin the constitution-making process before the May 8 deadline.

"We are prepared to re-enter the constitutional process if the ANC will abide by the promise it made to us regarding international mediation."

Buthelezi also reiterated his view that the May 29 elections should go ahead as planned, despite recent ANC calls for a postponement.

He claimed the ANC would "continue to whip up an atmosphere in which violence flourishes, hoping to reach a point at which a state of emergency is declared ... (and) they can declare the (IFP-led) KwaZulu-Natal government incapable of governing". — Sapa

BOND RATE SET TO RISE

- Homeowners can expect the bond rate to increase today.
- 'Govt's admission of defeat'.

— See Page 13

WARNING: DON'T SMOKE NEAR CHILDREN

1 mg tar 0,1 mg nicotine As per Government agreed method

New MPs' code may jog Winnie

M+G 29/3-3/4/96 (304A)

With a code of conduct coming into existence, MPs will be compelled to disclose their financial interests. **Philippa Garson** reports

WINNIE MADIKIZELA-MANDELA'S mysterious financial circumstances will come under the spotlight when the code of conduct for parliamentarians comes into effect.

Her financial position has been the subject of intense speculation following disclosures in court records in the divorce proceedings with her former husband President Nelson Mandela last week that her monthly expenditure of R107 000 far exceeds her two after-tax salaries — as MP (R10 000) and African National Congress Women's League president — amounting to R16 000.

Now questions are being asked about whether she has additional income and if so, where it comes from. Or, if there is no additional income, whether she is indeed headed for financial ruin. The president is due to make an *ex gratia* settlement to her, but the amount is unknown.

A request was made for Madikizela-Mandela's financial position to be submitted to the court during the divorce proceedings; instead the court received a record of her salary and monthly expenditure. Although the information furnished was "unsatisfactory", as a member of Mandela's legal team put it, the dispute over assets was never heard and the matter was laid to rest. "There were a lot of technical issues that we could have taken up but we wanted to get the case over," he said.

More clarity on Madikizela-Mandela's financial position may be forthcoming once Parliament's Joint Rules Committee of Senate and the National Assembly reaches agreement on a code of ethics. This will compel MPs to disclose financial and other interests which could have a bearing on the way they perform their public duties.

Winnie Madikizela-Mandela

Such information will soon have to be disclosed in a register available for public scrutiny. Although agreement was expected to be reached on the code of conduct this week, some issues are still being debated by the parties. The Inkatha Freedom Party, National Party and the Democratic Party oppose the disclosure of the value of residential property ownership and state pensions, while the ANC and Pan African Congress are all for them.

The ANC has spearheaded the move for public disclosures of this kind, but over the months general consensus has emerged among the parties.

Other issues still to be agreed on are the extent to which disclosure extends to MPs' families and the mechanism for and composition of those in charge of enforcing the code. A consultant lawyer, Hugh Corder, was appointed this week by the committee to draw up the new rules.

Minister of Water Affairs and Forestry Kader Asmal, who headed the sub-committee which drafted the code, told the *Mail & Guardian* he was "acutely disappointed" at the delay in adopting the code.

Richard Calland, head of Parliamentary Information and Monitoring Service (Pims), said it was "frustrating that the code of conduct is still not finally resolved". The delay, said Calland, was partly due to the chairmanship of President of Senate Kobie Coetsee who "does not have a clear grasp of the issues of substance and was not effective in facilitating a speedy resolution of the issues".

On the question of Madikizela-Mandela, Calland said it was important to distinguish between "politics of envy and politics of accountability. Wealth in itself is not important. What is important are the sources of wealth and whether or not they affect the way in which public officials perform their duties."

The code of conduct, said Calland, was about "finding mechanisms to reduce a conflict of interests affecting the way that public officials perform their duties."

Mike Ellis, DP representative on the parliamentary Committee on Ethics, said Madikzela-Mandela's financial situation should be investigated. He said she was now under "extreme pressure to indicate where those sources of wealth come from to enable her to have the extraordinary lifestyle that she does".

Ellis said he doubted whether Mandela's financial transactions complied with the ANC's own strict code of conduct for its MPs.

According to the ANC's code, all its MPs must declare assets to the organisation and any other positions they occupy where financial gain is involved. They can be ordered to step down if they contravene the code.

"The secretary general of the ANC shall establish a register of financial interests which shall be accessible to members of the National Executive Committee. In addition, every elected member shall register any gift which exceeds the value of R200 in such a register," reads the code.

All ANC MPs were requested to disclose this information when they took office in Parliament. Assistant to ANC secretary general Cyril Ramaphosa, Donne Cooney, could not confirm whether Madikizela-Mandela had made disclosures to the NEC.

ANC representative Ronnie Mamoepa would not be drawn on whether he had signed. "I have no reason to believe that there were people who did not sign the assets register," he said.

Speaking in his capacity as chairman of the ANC's disciplinary committee, Asmal said action could only be taken against an MP when "a matter was referred to it by the NEC, the National Working Committee, officials or a province".

ANC deputy chief whip Naledi Pandor said the organisation's monitoring of its MPs had so far focused mainly on tightening up checks around overseas travel and that updated disclosures around finances and gifts contained an "element of voluntary declaration ... Maybe our machinery is not yet as tight as it should be," said Pandor.

Old censor board still snipping away

(243) (304LA)

M+G 29/3-3/4/96

A new structure will replace the archaic Publications Control Board, writes **Jacquie Golding-Duffy**

SOUTH AFRICA'S apartheid-era censor board is grinding along on taxpayers' money to the annual tune of R2,5-million, although censorship is in direct conflict with the government's interim Constitution.

The Directorate of Publications, commonly known as the Publications Control Board, will, however, be given the boot at the end of the year, according to the committee set up to scrutinise the new Films and Publications Bill.

Committee chairman Desmond Lockey says he was informed by the Department of Home Affairs director-general that the board would be dismantled and replaced by a new structure following the passing of the Bill.

Lockey says the board's activities, which include censoring and banning items its members find undesirable, "are in in direct conflict" with the constitution's right to privacy.

Lockey said although the board was abiding by the Publications Act of 1974, its powers were by default. The Act is still on the statute books and neither Parliament nor the committee can do anything until the new Bill is promulgated.

The Bill is to be rubber stamped by President Nelson Mandela at the end of June and will replace the current Act which provides the board with overwhelming and unaccountable power, such as being able to prohibit the production of undesirable publications.

Director of the board Dr Braam Coetzee argues that he is merely doing his job in accordance with the Act and the issue of being in conflict with the constitution is "old hat".

The Bill will in effect get rid of the board, which is the administrative body, and the committee, which is the decision-making body. Coetzee, director of the board for 15 years, will lose his job and nominations will be made for positions in the new structure.

The lastest item to suffer a blow from the board is a compact disc which a foreigner declared at Durban International Airport. The CD's lyrics were deemed "unsuitable" and its cover, featuring a naked woman covered in blood with the title *Blood and Pussy*, was found to be "upsetting".

Coetzee said the CD was confiscated together with a pack of playing cards featuring "pictures of erect genitals, sexual penetration and so forth".

The directorate then slapped a ban on the CD and cards. The CD was smacked with "prohibition on possession" and is now at the Publications Appeal Board, a body which ratifies the board's decisions. Coetzee said it was a mere formality and the ban would become legally binding.

However Lockey says the directorate's activities should be more pragmatic in the light of the new Bill being scrutinised. "The 1974 Publications Act which [the directorate] is working with is unconstitutional. The banning of CDs is ridiculous. How do you enforce it? Does it mean police will demand to look at peoples' CD racks?"

According to Lockey, the new Bill will enforce a distribution ban on child pornography, and a ban on the possesion of child pornography. The other categories not for distribution are bestiality, a crude mixture of sex and violence, extreme violence during sex, and a possible ban on material inciting the degradation of women.

"The directorate should concentrate on pursuing items featuring child pornography and bestiality, rather than banning CDs.

The directorate has, in the last eight months, banned one CD (*Blood and Pussy*), one film (*Erotique*) and heavily censored a second film (*The Doom Generation*). The film *Erotique* was deemed explicit, while *The Doom Generation* was found to border on blasphemy.

If the new Films and Publications Act is passed, explicit sexual material between two consenting adults will be permissible, but Lockey said the issue of pornography was being studied by various parties including the ANC's Womens League.

Dream of a volkstaat fades into a 'cultural council'

(304A) M+G 29/3-3/4/96

KILLING two birds with one stone, the African National Congress is hoping to satisfy both the *volkstaters'* and the National Party's demands for constitutional protection for Afrikaners by creating cultural councils, and writing them into the final Constitution.

Negotiations between the ANC and the Freedom Front (FF) on the one hand, and the ANC and the NP on the other, have developed over recent weeks, and are, according to the FF, reaching a head this week, with ANC members flying back to Johannesburg to check formulations for the final draft of the Constitution with their National Working Committee. Drafts are to be put before negotiators this weekend and discussed at the Arniston *bosberaad* next week.

The ANC is in a good position to play the FF and the NP off against each other because each party is negotiating a substantially different version of the cultural council with the ANC.

The FF's chief negotiator Corné Mulder was this week upbeat for the first time in months, saying his party was making progress with the ANC on the issue of Afrikaner self-determination, one of the most vexing disputes inherited from the interim Constitution.

"Cultural councils will be part of a whole package aimed at the protection of the Afrikaner. I am confident that we will be able to sell the package to our constituency," Mulder said this week.

Mulder said the cultural councils could operate on local, provincial and national government level. He said it was possible that through them, white Afrikaners could be given a voice in the new National Council of Provinces — which is to replace the Senate — and that the principle of self-determination could be enshrined and fleshed out in the Bill of Rights.

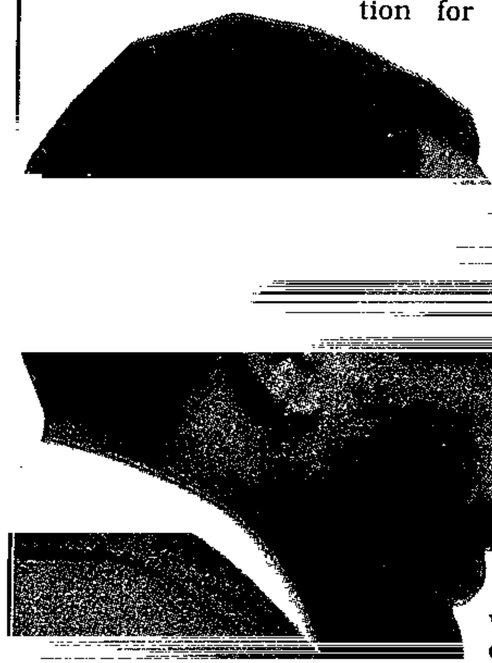
On the demand for a territorial homeland, Mulder said the FF realised it was premature to expect a Volkstaat right now, but it was working on consitutional provisions which could make a territorial *volkstaat* possible at a later stage.

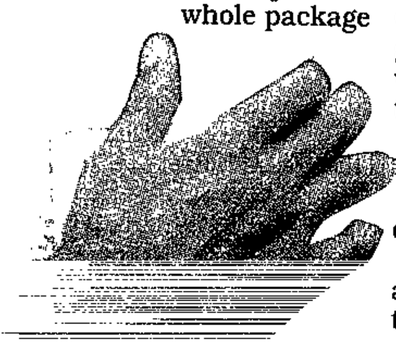
The NP has taken several steps out of the laager, demanding cultural councils not just for Afrikaans speakers, but for all language groups in South Africa where they are wanted. However, NP secretary general Roelf Meyer is tentative about progress in negotiations, saying that he was still waiting for a response from the ANC on proposals. In a submission to the Constitutional Assembly, the NP suggests a special commission that would promote the diversity of cultures in South Africa and liase with the cultural councils, which would be fixed by law into the fabric of South African society, at every level of government.

The cultural councils could insist, according to the proposal, on a right to have a major say in mother-tongue education at all levels, language issues generally, the fate of monuments, museums and cultural assets. It could also intervene on the state media and issues having an impact on the development of a cultural group. The councils would be partially state-funded, but would have the right to raise money from their members and to receive donations.

Meyer denies that the suggestion of cultural councils is a bid to protect Afrikaans culture in particular.

"We are not negotiating it with any special interest for Afrikaners. This is not a bid for preferential treatment for any specific language groups and must be seen in the context of equal treatment for all," he said. Special treatment for cultural groups flies in the face of the ANC's much-publicised ideology of "new patriotism", which prescribes a rainbow nation in which all are equal.





Chewing the fat: Constitutional Assembly chair Cyril Ramaphosa (left) chats to Freedom Front leader General Constand Viljoen (centre) and FF MP Corné Mulder

PHOTOGRAPH: RODGER BOSCH

Agreement on outstanding constitutional issues eludes negotiators

(3044A) BD 30/4/96

David Greybe

CAPE TOWN — Agreement continued to elude negotiators yesterday on the four main outstanding constitutional issues despite approval in principle on broad formulations at the weekend.

Constitutional Assembly chairman Cyril Ramaphosa said the ANC and NP were still "consulting" on a lockout provision, single-medium education, the use of official languages and a property clause after Sunday's talks.

The ANC secretary-general was confident that parties in the assembly "will finalise agreement on everything" today. However, Ramaphosa's now familiar optimism was not shared by the smaller parties — who charged they were being excluded from the process — and some fellow ANC negotiators.

There were indications too that a number of other constitutional issues — including provincial powers and the appointment of judges and a "super" attorney-general — were not resolved.

DP chief negotiator Colin Eglin said his party had obtained new legal opinion that the latest ANC-NP proposals on provincial powers were still incompatible with principles in the interim constitution. They would therefore be unlikely to gain the required approval of the Constitutional Court.

ANC sources said yesterday the NP and ANC were furthest apart on the ANC-Cosatu demand for the exclusion of a lockout provision. Cosatu's refusal to call off today's national strike indicated how far apart the two sides were.

Cosatu reportedly continues to reject a business proposal — backed by senior ANC negotiators — that the labour relations section of the Bill of Rights should stipulate that the exclusion of a lockout clause does not rule out employers' right to lock out under the Labour Relations Act.

Meanwhile, the ANC and NP were reportedly close to agreement on a property clause last night. A senior ANC negotiator said the latest draft was being amended to include more concerns of big business.

On the NP demand for the constitution to entrench single-medium education, the ANC has tabled an alternative "bottom line" proposal. It proposes that absence of entrenchment of single-language schools should not preclude the possibility where "reasonably applicable". The NP was yesterday consulting its constituency.

The ANC and NP were looking at a proposal that central and provincial governments choose two languages for official use. The NP was concerned that one would adversely affect Afrikaans.

Comment: Page 16

Constitution should embrace Africanism

BD 30/4/96 (BOLA)

Bennie Bunsie

THE PAC has been an active partner in the constitution-making process. On a whole range of issues it has voiced its view, most notably in strongly advocating abolition of the Senate and its replacement by a council of provinces. This was eventually adopted.

While the party has welcomed the constitution-making process, and the Bill of Rights, it has voiced deep differences over the nature of the constitution — in keeping with its own ideological positions.

The PAC's preamble to its Constitutional Assembly submission succinctly summarises these differences. It emphasises the pre-colonial nature of the country — when the land and country was in the hands of the African people.

The indigenous inhabitants were then "members of the sovereign kingdoms and chiefdoms that obtained land in this Republic before the advent of colonial land dispossessions". The preamble refers to the "Republic of Azania", a distinction in the conception of the nature of SA sovereignty and state.

It says: "... we hold that not until the land mass of the Republic of Azania has been equitably and economically redistributed shall the idea of freedom contain any substance".

To this it says : "following from the above, we are absolutely convinced that all the contradictions of history, politics and nationhood cannot be reconciled except through rigorous economic restructuring by way of economic redistribution that results in economic equity, the only basis on which political equality and enjoyment of human rights in a non-racial society can be firmly founded".

In a further submission, the PAC argued that "constitutions are products of political forces and reflect the emotions, prejudices, interests of dominant social forces in a particular society at a particular time". But the SA constitution should rise above this and reflect the interests of all the social forces and be seen to be a national document.

It therefore needed to "redefine our society and rewrite our history and the history of this country, so as to show that SA is not a European country which happens to be in Africa. It is an African country. Public institutions and processes must reflect the composition of our society."

It should not only limit governmental power but also "facilitate the use of that power in a social engineering mode".

It is from this point of view that the PAC opposes the preamble submitted by the ANC which says: "SA belongs to all who live in it."

It should now be common knowledge that the PAC is not asking whites or any other group to leave the country, but to declare their allegiance as Africans in an African country and to accept that African culture should be the foundations of the democratic and humanistic dispensation in the country.

This is not only from the point of view of demographic representation but, more deeply, from the content of that representation.

It is for this reason too that the PAC objects to the use of the word "protection" in the section referring to language and cultural rights as indicating private apartheid through the backdoor rather than an integration into African culture and civilisation and its value system.

The PAC does not object to the pursuit of the cultural rights of various groups, but a common nationhood must also be built on a common culture and language, and the primacy of African culture and civilisation in an African country must be duly accorded.

It is on this basis that it opposed the insertion of a property clause, which the ANC has now considerably watered down from its previous position. While accepting that private property can be safeguarded under common law, it rigorously opposes the monopolisation of land conquered from the African people. It also rejects a clause which will entrench the "same colonial property relations".

It advocates a constitutional entrenchment that will enable the state to redistribute land so as to correct the anomaly that 87% of the land is in the hands of 15% of the population, while also making it readily accessible to those subjected to land dispossession in the past.

It strongly argues for constitutional entrenchment of socioeconomic rights that goes beyond the protection of civil and political rights.

It therefore disagrees with the view that this cannot be incorporated into the constitution because its enforcement is impractical. For the PAC, the intent to redress the socioeconomic imbalances is also part of its view on the land and the national questions, and it refuses to draw any dividing line between the two.

This line of argument was carried further recently by the PAC when it made its final statement in the National Assembly. It expressed its concern that mainly urbanised groups made an input, and that most of this, on an intellectual level, came from white groups. Thus, while it praises the draft constitution for many commendable features the party criticises it for representing a "classical Western liberal constitutional order and value system".

All this accords with its rejection of the argument against horizontally. It does not see the purpose of the Bill of Rights as merely a safeguard of the rights of citizens against the state.

While it accepts that specific legislation can ameliorate the situation, there is no reason for horizontality not to be constitutionally established in a society like ours where institutional racism still exists. It supports the Human Rights Commission and its power to monitor human rights juristically with legal powers.

It is on this "macro plank" of the primacy of African culture and civilisation, and the integration of socioeconomic rights embracing the land and national question, that the PAC positioned its stand on the Constitution and the Bill of Rights.

□ Bunsie is an adviser to the PAC parliamentary caucus and a senior administrative officer in the party.

COSATU

Strike today 'just the beginni

(304A) Star 30/1/96

ANC alliance holds meeting on lockout clause and the constitutional committee races against the clock on the final draft of the constitution

By Patrick Bulger and Justice Malala
Political Staff

The nationwide strike called for today by the Congress of SA Trade Unions' is just the beginning of mass action if a lockout clause appears in any form in the final constitution, union leaders warned yesterday.

"We do not have a mandate to agree to a formulation that will allow the lockout clause through the back door. The mandate is to fight, fight and fight until we achieve victory," Cosatu assistant general secretary Zwelinzima Vavi said.

Cosatu's hardline stance was taken while tough talks on the constitution were being held in Parliament on outstanding issues.

The constitutional committee was due to resume this morning, determined to complete the final draft so it can be put it up for debate and adoption next week.

The committee met until shortly before midnight and will today hear reports on education, the lockout and property clauses in the Bill of Rights.

Deputy President Thabo Mbeki yesterday chaired a meeting of the ANC and its alliance partners, Cosatu and the SACP, to try to find a common position on the lockout clause.

The meetings followed weekend talks between President Nelson Mandela and Deputy President F W de Klerk, and Cosatu's decision to go ahead with today's national strike aimed at pressuring the NP and the DP to accept Cosatu's constitutional proposals.

Pressure on NP and DP to accept proposals

Cosatu leader Sam Shilowa told a media conference that Cosatu was still insistent that the employers' right to lock striking workers out of production plants be dropped from the constitution. The federation's intransigence on the issue comes as the country begins to tot up its losses in the wake of today's strike, which will be coupled with tomorrow's public holiday to bring the country to a standstill for two days.

Although the cost of the strike will be known only later, the Building Industries Federation of SA said yesterday the building industry alone stood to lose R200-million in lost production over the two days of no work.

Cosatu has organised marches in Johannesburg, Pretoria, Cape Town, Klerksdorp, Mafikeng, Kimberley, Bloemfontein, Pietersburg and Rustenburg. There will be no marches in KwaZulu Natal.

The national strike continued to provoke controversy, resulting in another clash between CA chairman Cyril Ramaphosa and the DP leader Tony Leon.

Leon said his party had obtained legal opinion that the strike was unprocedural in terms of the Labour Relations Act.

Ramaphosa overruled Leon's attempt to have the opinion discussed in the CA. Leon then described Ramaphosa's decision "a startling abuse of power".

Panic stations ... residents of Alexandra's Far East Bank flee after police open fire with buckshot to disperse a crowd that had gathered to try to prevent

Tutu lauds father of bomb-blast victim

By Robert Brand

An Afrikaner from Pretoria whose 8-year-old son was killed in a shopping centre bomb blast told the Truth and Reconciliation Commission yesterday he regarded his son as a hero because he had died in a legitimate struggle for freedom by an oppressed people.

His testimony, commission chairman Desmond Tutu said, inspired renewed hope that the commission could succeed in its task of nation-building and reconciliation.

Cornio Smit was on holiday with his grandmother in 1985 when two bombs exploded in the crowded Sanlam Centre in Amanzimtoti, killing him and four other people and injuring 61.

Cornio's father, Johan Smit, told the commission in Afrikaans he had met the parents of Andrew Zondo, the youth who was convicted of the blast and hanged, and bore no grudges against them because he could understand what had driven Zondo to commit the deed.

"It was rebellion, it was war ... I thought that if I placed myself in (his) shoes, would I have liked it not to have any rights? I realised I would not have liked it," Smit said.

He said that after his son's death he had called for negotiations between the NP government and the ANC, and was ostracised by his family and friends for his views.

Responding to Smit's testimony, Tutu said: "The reason why we still have hope that reconciliation will triumph in the end is because of people like you."

Smit's testimony came at the end of the first day of public hearings by the commission's human rights violations committee at the Central Methodist Church in Johannesburg.

The committee heard 11 witnesses on human rights violations, ranging from deaths in detention, torture and taxi violence to the Church Street and Amanzimtoti bomb blasts.

▶ Truth Commission – reports and pictures ... Page 3

Pik Botha's wife Helena (64) dies at Cape home

By Patrick Bulger

Cape Town – Helena Botha (64), wife of Mineral and Energy Affairs Minister Pik Botha, died at their official residence in Newlands yesterday.

Botha's office announced that having become aware that his wife's breathing had become shallower during the night had summoned a doctor who visited the house but was unable to provide any further assistance. Botha, their daughter Lien and a dominee remained at her bedside until she died.

Helena Botha

Helena Bosman was born in Kimberley in 1932, and married Botha in 1953. Her husband went on to become foreign minister in the former government.

Helena Botha suffered a whiplash injury as the result of a freak fall in 1991 and received extensive treatment in Taiwan and in Israel. She never recovered any significant movement in her lower body.

The couple had ...

Springbok Sinclair dies in shooting accident

Rugby Springbok Des Sinclair has died in a shooting accident. He was 68.

Sinclair, a chiropractor who treated sportsmen in particular, died when an old firearm he was cleaning went off and shot him in the stomach.

The accident occurred at his Northcliff, Johannesburg, home-cum-doctor's rooms.

The funeral service will be ...

Lomu drops ball and burger for Tanya

By Trove Lund

Rugby bosses and sponsors have temporarily put on ice their plans for Jonah Lomu because the All Black rugby superstar has taken leave to visit his wife, whom he says is ill in South Africa.

Lomu (20) suddenly withdrew from tomorrow's Auckland Blues Super 12 match against New South Wales after announcing ... launch this week in New Zealand of a burger which his sponsor, McDonald's, has named after him.

Auckland rugby chief Peter Scutts said Lomu had withdrawn on compassionate grounds because his wife, Tanya, had become ill with a kidney problem on arriving in SA on Friday.

Tanya, who had not been admitted to hospital, said she was feeling much better. She refused ...

No agreement yet

Many people wonder if the May 8 deadline will be reached since there are still contentious issues in the Constitution. It seems negotiating parties are not yet close to reaching consensus, reports **Rafiq Rohan** ...

(30419) Sowetan 11/5/96

POLITICAL PARTIES HAVE locked horns on a handful of contentious issues that have left everybody wondering if South Africa will indeed be having the promised party to celebrate a new Constitution next week.

The May 8 deadline is now only a matter of days away. Yet even after a midnight gathering this week, reminiscent of the Kempton Park talks, consensus has not been reached around the clauses that have led to the division.

What are the specific clauses that have caused the anger and controversy?

The first issue revolves around the lockout provision that led to yesterday's strike and threats of further mass action.

Under Chapter Two in the Bill of Rights, Clause 23 covers matters relating to labour relations. The first three sub-clauses read:

- Everyone has the right to fair labour practices;
- Every worker has the right to form and join a trade union;
- To participate in the activities and programmes of a trade union and
- To strike;
- Every employer has the right to form and join an employers' organisation and
- To participate in the activities and programmes of an employers' organisation.

Offended unions

The clause on the lockout has offended unions and the African National Congress, the majority party in the Government. Unions say the bosses do not require the protection of the Constitution because they are already covered by the Labour Relations Act.

The two main parties vociferously defending the rights of employers are the National Party and the Democratic Party.

By midnight on Monday, the parties were no closer to reaching agreement and continued to be locked in battle for the rest of yesterday around the issue.

Clause 29 on education in the Bill of Rights has also been another bugbear that has stalled the progress of the writers of the Constitution.

It reads:

- Everyone has the right to a basic education, including adult basic education, in a state or state-aided institution;
- To further education, which the state must take reasonable and progressive legislative and other measures to make generally available and accessible and
- To choose instruction in any language where instruction in that language can be reasonably provided at state or state-aided institutions.
- Everyone has the right to establish and maintain, at their own expense, private educational institutions that;
- Do not discriminate on the basis of race;
- Are registered with the state and
- Maintain standards that are not inferior to standards at comparable state-aided educational institutions.

Constitutional Assembly chairman Cyril Ramaphosa ... a handful of contentious issues is holding up the progress.

Racially exclusive schools

The ANC's fears around the single-medium education system is that it could see a return to racially exclusive schools, particularly if they were based purely on Afrikaner principles.

One of the other issues that has been a bone of contention is the clause on the use of official languages. Under "Language and Culture," Clause 30 reads: "Everyone has the right to use the language and to participate in the cultural life of their choice but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights."

The contention here is how to define a language or cultural practice that might not be offensive to other cultural groupings. If for instance, you set up an exclusive park and say it is in accordance with a particular cultural norm, that too could be interpreted as preserving racial exclusivity.

The Freedom Front has been particularly vocal on the issue, but experts say that this issue is one that will be resolved without too much bloodletting.

The property clause has also come up for much debate and served as a hindrance to the smooth construction of the Constitution.

Parts of Clause 25 read:

- No one may be deprived of property except in terms of law of general application and no law may permit arbitrary deprivation of property.
- Property may be expropriated only in terms of law of general application;
- For public purposes or in the public interest and
- Subject to compensation, the amount, timing and manner of which must be agreed or decided by a court.

Equitable balance

- The amount, timing and manner of compensation must be just and equitable, reflecting an equitable balance between the public interest and the interests of those affected, having regard to all factors, including:
- The current use of the property;
- The history of the acquisition and use of the property;
- The market value of the property;
- The extent of state investment and subsidy in the acquisition and beneficial improvement of the property and
- The purpose of the expropriation.
- The public interest includes the nation's commitment to land reform and to reforms to bring about equitable access to all South Africa's natural resources.
- The state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis.
- A person or community whose tenure of land is legally insecure as a result of past racially discriminatory law or practice is entitled either to tenure which is legally secure, or to comparable redress.
- A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory law or practice is entitled either to restitution of that property, or to equitable redress.

Talks to continue until May 8

(304A)

Negotiators miss deadline for constitution

BD 2/5/96

David Greybe

CAPE TOWN — Negotiators yesterday failed to meet their deadline for finalisation of the constitution, but said they would continue cutting deals up until adoption day on May 8.

Two major issues — competencies and education — dominated negotiations during the past 48 hours as party representatives worked feverishly to conclude the new constitution.

They had been expected to complete their work yesterday, to meet the printing deadline before the third and final reading of the Constitution of the RSA Bill 1996 starts tomorrow.

After the ANC on Tuesday night agreed to provinces being granted exclusive powers, the NP angered the smaller parties and some educationalists with its tough stance on mother-tongue schooling.

One senior negotiator said there were fears the NP's hardline position "could still wreck the constitution-making process".

The ANC's about-face on powers took place after the Constitutional Assembly's panel of experts produced an "opinion" document which said the latest ANC/NP proposals fell foul of principles for the new constitution.

The expert ruling was seen as vindicating the DP position, based on legal opinion, that the ANC/NP deal on provincial and central government powers could be struck down by the Constitutional Court.

DP chief negotiator Colin Eglin said the new ANC position was a "major achievement" because it limited central government overrides over provinces, plus the overrides had to be "completely justiciable". While he doubted the IFP would be enticed back to negotiations at this late stage, it would make "political sense" for it to return and fight for the maximum exclusive provincial powers it wanted.

Parties were yesterday still negotiating the precise contents of the list of exclusive powers.

They were confident they had all but wrapped up agreement on three major outstanding issues: property, lockout and application of languages.

A source said the ANC had yielded "slightly" on the property clause towards big business concerns.

On the lockout issue, parties were expected to conclude a clause in the Bill of Rights which excluded a lockout provision, as demanded by the ANC and Cosatu, but which would not interfere with employers' right to lock out under the Labour Relations Act.

The deal on languages was based on the rider that central and provincial governments had to make use of at least two of the 11 official languages "for the purpose of government".

CONSTITUTION COMMITTEE 'CONFIDENT'

ANC compromises aid property clause accord

CT 3/5/96

(304R)

WITH THE ANC under pressure to promote land reform and give minimal, if any, protection for property rights, the compromise deal which is likely to be agreed upon today is probably the best that property owners could hope for, writes **BARRY STREEK.**

AS a result of significant ANC compromises, the political parties in the Constitutional Assembly have almost clinched a deal on the property clause in the new Bill of Rights.

And the deal may well be closed this morning when the Constitutional Committee meets again.

The potential agreement was outlined yesterday by ANC caucus spokesperson Mr Carl Niehaus, who said he was "quite confident" the property clause would be settled.

"It is not a make or break situation. We will probably sort it out," he said.

Two ANC compromises have made this possible. At first, the ANC did not want a property clause in the constitution at all. Now all parties, except the PAC, have agreed that property rights do need to be enshrined in the constitution.

Then, the ANC proposed that the power of the government to expropriate land, particularly for land reform, should not necessarily be dependent on the state's ability to pay market-related compensation. Land lobby groups and the ANC felt the urgent need for land reform should not be subject to such a major restriction.

This clause has, however, been dropped from the draft constitution.

Yesterday, the parties were still haggling about the wording of a clause which says a person or community "dispossessed of property after 19 June 1913 as a result of past racially discriminatory law or practice" would be entitled by law to either "restitution" of the property or to "equitable redress".

The principle is not at issue, and is in any event incorporated into the legislation which established the Commission for the Restitution of Land Rights. In short, the issue should be resolved, probably by the time of this morning's meeting.

Land and property have always been controversial issues in South Africa, and this has been reflected by lengthy and often heated debate over the property clause.

The ANC had to remember that most South Africans, and the majority of ANC supporters, had not had free access to property. Whites could usually buy land where they wanted to, but blacks had been denied this and millions had had their land taken away from them.

For the ANC, there is a need to balance the protection of property rights against the necessity of land reform taking place. It was also argued that the property clause in the interim constitution may have impeded land reform and been used to block reform.

The ANC has accused the National and Democratic Parties of wanting to perpetuate existing property relations, but under the current provisions there is no question of land being expropriated without compensation.

Sub-clause three on property says the amount, timing and manner of compensation "must be just and equitable, reflecting an equitable balance between the public interest and the interests of those affected having regard to all relevant factors".

The provisions of the property clause must not "unreasonably impede" the state from taking such steps to achieve land reform and "redress the results of past racial discrimination".

The NP and DP would have preferred more explicit provisions about existing property owners, while the land lobby groups favoured far less explicit provisions.

But the ANC has compromised in a way that should satisfy the needs of property owners and the property market while promoting land reform.

With the ANC under pressure to promote land reform and give minimal, if any, protection for property rights, the compromise deal is probably the best property owners could hope for.

PRE-DAWN SMILES: Chairperson of the Constitutional Assembly Mr Cyril Ramaphosa, left, with the National Party's Mr Roelf Meyer, during a break in negotiations early yesterday. All-night talks on resolving outstanding issues on the new constitution are deadlocked and negotiators from most parties have been working to resolve them. Talks continued last night in the hopes of avoiding the declaration of a formal deadlock today. *PICTURE: AP*

Schools issue may derail talks

(304A)

BARRY STREEK

CT 3/5/96

THE NP's demand for single-medium schools, thereby making provision for Afrikaans-only schools, could still derail the two-year negotiations for a new constitution.

The ANC and NP are deadlocked on three key clauses of the bill of rights — education, property and lockouts — but the crunch issue is the NP's stand on single-medium schooling.

Both parties indicated that compromises could be reached on the property and lockout clauses, but education was the "critical" issue, ANC caucus spokesperson Mr Carl Niehaus said yesterday.

However, Deputy Minister of Provincial Affairs and Constitutional Development Mr Valli Moosa said he was confident the deadlock-breaking mechanisms would not have to be invoked "simply because all parties can gain through a settlement, rather than through a referendum".

He also said: "What the NP is saying to the public is that we are in favour of change, but please do not touch privilege."

The NP's secretary-general, Mr Roelf Meyer, said the party's MPs and MPLs had taken cognisance of the progress in the negotiations. However, the NP would seek solutions for the outstanding problems "without deviating from the core values on which the party has based its negotiations".

● See Page 7

Pretoria to continue with its bid for Parliament

(304A) CT 3/5/96

OWN CORRESPONDENT

PRETORIA: The city is forging ahead with its bid for Parliament after the constitutional negotiators decided that the siting of Parliament could be changed by a simple majority of MPs.

Both the Pretoria Capital Initiative (PCI) and Cape Town-based Citizens' Alliance for Parliament welcomed the decision yesterday.

Ms Martie Meiring, spokeswoman for the PCI, described it as good news, saying the PCI's campaign to get Parliament located in Pretoria would start afresh after the Cape local government elections. Business in Pretoria would do their part to keep the campaign alive.

Coloured fears 'exploited to aid white privilege'

(304A)

Rasool tells of disquiet over what new SA will bring

ARG 3/5/96

ANDREA WEISS
Metro Reporter

COLOURED people's fears of what the new South Africa will bring them are being exploited to entrench "white privilege".

This was the view of health MEC Ebrahim Rasool at the launch of an Institute for a Democratic South Africa (Idasa) book, *Now That We Are Free: Coloured Communities In A Democratic South Africa.*, at the Hewat College of Education, Athlone.

He shared the platform with provincial Police Minister Gerald Morkel, Democratic Party member of the provincial legislature Richard van der Ross and Jakes Gerwel, cabinet secretary and Idasa board chairman.

Mr Rasool said he did not believe it was a good idea to debate the issue of coloured identity at a time when coloured people "face choices about where to put their crosses".

These pre-election periods tended to be "crowded by moments of angst".

He added: "We have got to recognise that a coloured disquiet is based largely on the fear of the unknown, which has taken on the form and language of ethnicity."

Mr Rasool said coloured communities feared non-racialism and equality because they were having to compete on an equal basis, thereby losing a "preferential spot on the apartheid ladder".

He described this angst as the "heart of fear" which was being exploited to protect "white power and privilege" but which was translated into the "language of assertion".

Mr Rasool said many of the preoccupations of coloured communities, such as mother-tongue education and federalism, had never historically enjoyed priority.

The education debate had effectively captured the "heart of fear" and given it a direction which was also frightening while white education remained untouched because it was largely privatised.

Mr Rasool expressed the hope that after the election, when things were "calmer", the real answer to addressing the fear would be through the social upliftment of coloured communities.

Mr Morkel described affirmative action within the new South Africa as being "too elitist and perceived to be as nepotism never seen before in the old South Africa".

He said affirmative action would be an asset to South Africa only if it improved the country's competitiveness on the open market because the world was rapidly losing interest in South Africa.

Racial equity had to be promoted through the acceptance of interdependence, he said.

Dr Van der Ross drew a distinction between race and racism, saying race was a fact of nature while racism was the use of race to entrench injustices.

He said the function of a democracy was to "protect minorities from the assault on their rights by larger groups".

Dr Gerwel said that coloured communities might be in the same need of "persuasion" as white Afrikaners had been during the 1980s.

He said there was an urgent necessity to reshape the debate on coloured communities within a changed social context to build an "overarching nationhood amidst national diversity".

TIME-OUT: Parliamentarians take a break, above, in the early hours of the morning at the Constitutional Assembly as talks on resolving outstanding issues remained deadlocked.

TIRING WORK: Frene Ginwala, left, Speaker of the National Assembly, yawns as Constitutional Assembly negotiations drag on.

Leon says he won't lay charges over assault at rally

DEMOCRATIC Party leader Tony Leon said he would not file charges against the trade union marshal who assaulted him during a Cosatu march in Cape Town on Tuesday.

Mr Leon said he had photographic and video evidence of the incident, but would not lay a charge as this would take him from his parliamentary duties. – Sapa.

Games decision by cabinet likely only at end of May

ANDREA WEISS
Metro Reporter

THE CABINET is only likely to make a final decision on Cape Town's Olympic bid towards the end of May because the government is preoccupied with finalising the constitution.

This was reported to the Cape Town City Council's economic development committee by the bid company's financial director Michael Fuller.

Mr Fuller said yesterday that the bid committee had made its final submission to the cabinet sub-committee, and had been told it would probably be discussed on May 22.

He said indications from within the cabinet were positive, but the bid company was "waiting for final approval".

Figures provided to the cabinet were that Olympic facilities would cost R1,8 billion to build. Bulk services such as water, sewerage and electricity would cost a further R570 million.

The Organising Committee for the Olympic Games (OCOG) would pay for 43 percent of these costs through money raised from television revenue, while 23 percent of the costs would be derived from the private sector.

The remaining amount would be funded by the various levels of government, he said.

In addition, the OCOG would put up R100 million towards a maintenance fund for the facilities, and R150 million into a housing reserve.

Mr Fuller said it was anticipated that the additional accelerated capital expenditure for transport infrastructure – based on a calculation of what would normally have been spent after 2004 until 2010 – was R900 million. He did not elaborate on the details of what infrastructure was included in this budget.

An economic impact study commissioned by the government had not yet been made available to the bid company, but indications were that government would earn more than R7 billion in tax from the bid between 1998 and 2010, he added.

Deputy city treasurer Peter Lever reported that the outgoing Cape Town City Council was likely to consider a cost-sharing proposal at its final meeting on May 15 to decide how the public sector costs would be divided.

ANC objects to reports

THE African National Congress has expressed concern about "ill-informed statements" in the foreign media about its "inability to govern".

It said in a statement that reports in the British Guardian and The Telegraph newspapers used this week's strike by the Congress of SA Trade Unions to justify their opinion – "notably an incident involving Democratic Party leader Tony Leon" in which Mr Leon was punched by Cosatu protesters.

"The ANC and Cosatu have stated that we do not condone violence of any kind at protest meetings. The strike called by Cosatu went off exceptionally peacefully, despite negative publicity."– Sapa.

Nats 'sold out Cape Town'

(304A)

ARG 3/5/96

CLIVE SAWYER
Political Correspondent

THE National Party has been accused of selling out Cape Town.

This follows the NP's concession this week in the constitutional assembly to allow parliament to be moved from Cape Town by the decision of an ordinary majority of the national assembly.

This climbdown could damage the Nats in this month's local government elections.

The NP this week backed down on its earlier demand that a change to the seat of parliament would have to be approved by a two-thirds majority.

HENNIE BESTER

The clause as agreed to now reads: "The seat of the national assembly is Cape Town, but an act of parliament passed by a vote supported by a majority of the members of the assembly may determine that the seat of the assembly is elsewhere.

"Sittings at other places are permitted only on the grounds of public interest, security or convenience, and if provided for in the rules and orders of the assembly".

Democratic Party provincial leader Hennie Bester, whose party was the first to nail its colours to Cape Town's mast, labelled the NP backdown as a "ridiculous concession" and said the DP would exploit it in its municipal election campaign.

He could not understand why the NP had "sold out" Cape Town.

"To entirely give it away to the ANC caucus is ludicrous."

Campaigners for keeping parliament in Cape Town have said the loss of the national legislature would be a significant economic blow to the province.

The DP has argued that the costs of the two-capital system could be alleviated by computer and telecommunications technology and the effective management of transporting personnel.

The Argus Correspondent reports from Pretoria that lobbyists for moving parliament to that city described the clause as good news, and said the campaign would start afresh when the Cape Town local elections were over.

However, the Citizens Alliance for Parliament (CAP), the pro-Cape Town lobby group, has also claimed the clause as a victory.

It said the negotiators' decision gave Cape Town the protection of 51 percent of all MPs, not merely the members in the House on a particular day.

CAP said this would ensure parliament would remain in Cape Town for at least 10 years.

Sources close to negotiations on the issue indicated there had been no trade-off.

Although negotiators from the two largest parties were prepared for a confrontation on issues like the property, labour and education clauses, it was "realpolitik" that a party would not be prepared to insist on a two-thirds majority to the constitution solely on the seat of parliament issue.

This had eased the way to a compromise.

The initial ANC demand on the seat of parliament was that it should not be included in the constitution at all, while the NP and DP had wanted Cape Town's status protected by requiring a change to be approved by a two-thirds majority.

A change to the clause took place in multilateral talks when it was agreed to move parliament only with the approval of a majority of members, rather than a majority of those present.

Mandela increases his support base

PRESIDENT Nelson Mandela is the only SA politician who increased his support base over the last six months.

The results of a Markinor Gallup poll released yesterday showed his support went up from 8 to 8,1 out of 10, with Deputy President Thabo Mbeki second on 6,2. The poll, on six political leaders, was conducted among 3 500 people around the country, including remote rural areas.

In third place was Deputy President FW de Klerk, whose support dropped from 5,1 to 4,3. PAC president Clarence Makwetu, included in the survey for the first time, was fourth on 3,1. Fifth was IFP leader Mangosuthu Buthelezi (2,2) with the Freedom Front's Constand Viljoen last (2,0). Support for both of them dipped slightly, said Markinor.

Markinor alternate director Mari Harris said: "While Mandela enjoys overwhelming support this is not doing the ANC any good. It is Mbeki, not Mandela, who is going to be standing in the next national election. Mbeki has to increase his support." For the first time the poll also gauged support, on a percentage basis, for how provincial premiers were leading their provinces.

Free State premier Patrick Lekota was first on 65% with Tokyo Sexwale (Gauteng) second on 61%. Other results were: Manne Dipico (Northern Cape, 58%), Ngoako Ramathlodi (Northern Province, 46%), Popo Molefe (Northwest, 44%), Mathews Phosa (Mpumalanga, 39%), Raymond Mhlaba (Eastern Cape, 38%), Hernus Kriel (Western Cape, 36%), and Frank Mdlalose (KwaZulu-Natal, 23%). — Sapa.

(304A) BD 3/5/96

NP: Sell-out slur 'utter nonsense'

ARG 4/5/96

GLYNNIS UNDERHILL
Staff Reporter

(304A)

The leader of the National Party of the Western Cape Dawie de Villiers has described as "utter nonsense" claims by Democratic Party provincial leader Hennie Bester that the NP had "sold out" Cape Town in its bid to hold onto the parliamentary seat.

Dr De Villiers reaffirmed the NP's commitment to keeping parliament in Cape Town.

"The fact that the seat of parliament has been written into the new constitution – which was never a sure-fire bet – must be seen as victory for Cape Town and the Citizens' Alliance for parliament.

In terms of the new constitution, an Act of parliament will be required to move parliament.

This was a significant improvement on the interim constitution, which just left a blank space where the seat of parliament should be, said Dr De Villiers.

Dr De Villiers was reacting to remarks made by Mr Bester on what has been seen this week as the NP's concession in the Constitutional Assembly to allow parliament to be moved from Cape Town by the decision of an ordinary majority of the national assembly.

The NP backed down on its earlier demand that a change to the seat of parliament would have to be approved by a two-thirds majority.

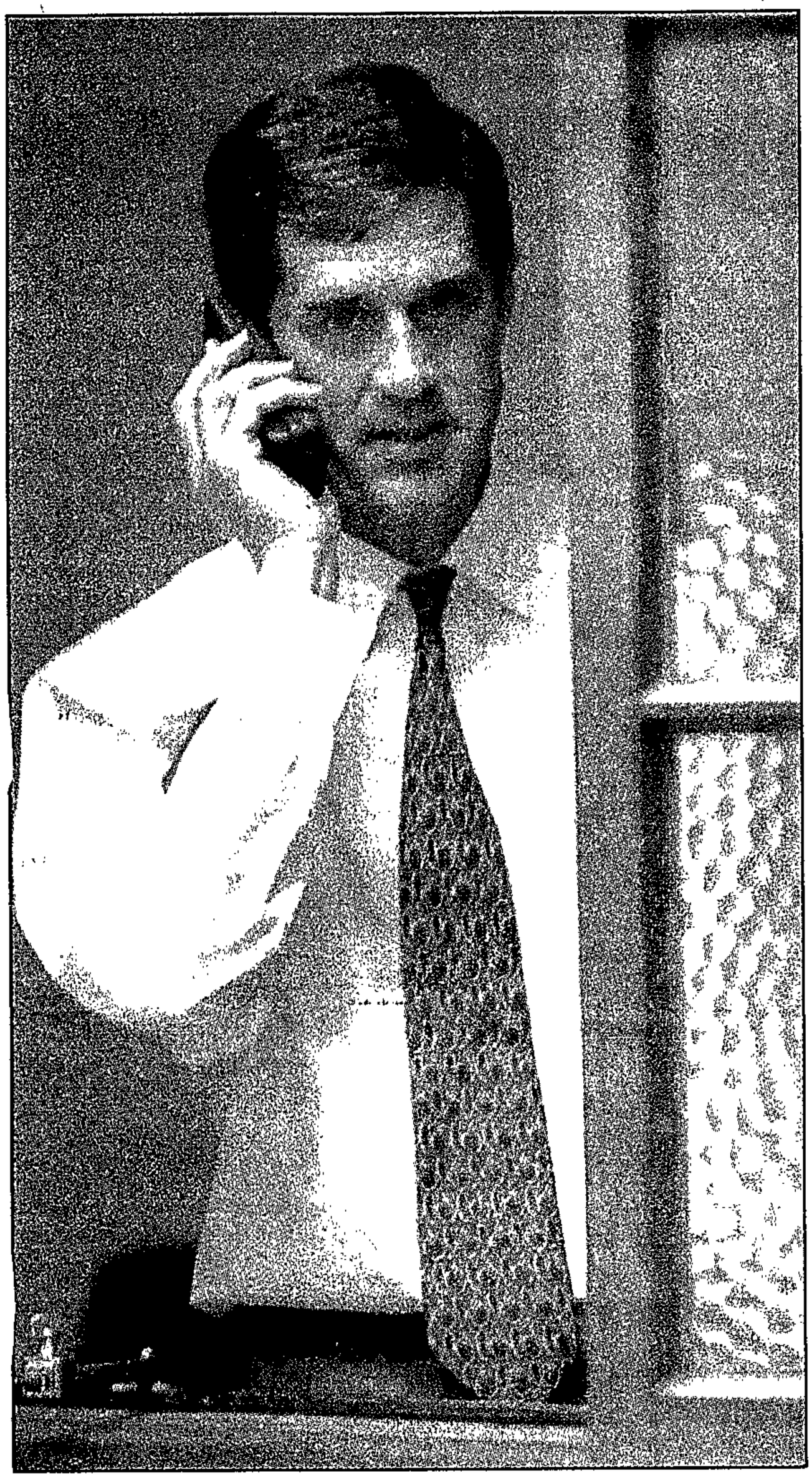
Mr Bester labelled the NP back-down as a "ridiculous concession" and said the DP would exploit it in its municipal election campaign. He could not understand why the NP had "sold out" Cape Town, he said. "To give it away to the ANC caucus is ludicrous," said Mr Bester.

But Dr De Villiers said Mr Bester was "obviously confused."

ANC CRACK

(304A) ARG 4/5/96

Controversial education clause forced thro



❒ **TENSE MOMENTS:** Top Nat negotiator Roelf Meyer has a chat on his cellular phone during a break in negotiations on constitutional issues.

■ The ANC has used its majority to force through the important education clause in the constitution.

CLIVE SAWYER
Political Correspondent

THE African National Congress has forced the education clause into the Constitution Bill after it failed to get agreement with the National Party.

Now the bill is at risk of not being passed by the two-thirds majority required.

The move took place at a late-night meeting of the constitutional committee, at which it was expected the ANC would also force through the lockout and property clauses.

If the new constitution does not secure a two-thirds majority it could culminate in a costly and divisive referendum.

The constitution is expected to be put to the vote in the Constitutional Assembly on Wednesday. It was expected talks would take place this weekend to try to resolve the impasse.

The NP leader, F W de Klerk, reaffirmed his party's hard line on its demands on the three issues, and indicated that while the party would try to avoid a referendum, it would not shy away from one if it became necessary.

Failure to secure agreement on education, property and labour law clauses has pushed negotiations beyond deadline.

The two parties are close to broad agreement on the property and labour clauses, sources said. But the stalemate on education persists, with the NP unwilling to back down on its demand for guarantees for state-funded single-medium education.

Progress became impossible when the NP made it a pre-condition of finalising the labour and property clauses that there first be a deal on education, sources indicated.

The NP proposed an amendment to the ANC proposal on education at a constitutional committee last night as a further, but probably futile, strategy to achieve its goal.

But with the ANC having condemned that goal as the preservation of Verwoerdian-apartheid style education, the possibility of common ground on the issue is slim at best.

There were better chances of agreement on the property clause and labour laws, although negotiators warned that any settlement on the latter was likely to be one which would ire both labour and business.

As negotiations continued into the evening last night, ANC chief negotiator Valli Moosa said there were indications that agreements could be reached on the three outstanding issues.

Yesterday was the "absolute last" day on which there was room for consensus-seeking, he said. When the stalemate continued, the ANC resorted to using its majority.

'S THE WHIP

after constitution deadlock

(304A) ARG 4/5/96

But failure to secure consensus on any or all of the unresolved issues would mean that the ANC would insist that the bill be finalised.

Voting on the bill ensured that ANC-endorsed clauses would go into it, giving the ANC the opportunity to use the Constitutional Assembly floor to try to persuade the NP to agree to its formulations.

In terms of the rules of the Constitutional Assembly, no amendments may be moved during the next reading stage of the bill.

However, other sources indicated that the possibility was being entertained of further talks over the weekend if any issue remained unresolved.

Another attempt at resolving the issue by convening a formal meeting of ANC and NP party leaders was regarded as unlikely.

Mr De Klerk told reporters his party was determined to secure a negotiated solution, but unless "certain minimum requirements" were met, it would not shrink back from allowing the country to go to a referendum.

Failure of the referendum to produce a decisive result – an unlikely scenario – will mean that parliament will have to be dissolved and a fresh one elected to finalise the constitution.

Clause banning defections to remain in final constitution

CT 6/5/96 (304A)

POLITICAL WRITER

THE controversial anti-defection clause in the interim constitution, in terms of which parliamentarians lose their seats if they resign or are expelled from their party, has been reinstated in the new constitution.

Clause 43(b) of the interim constitution has been strongly criticised as being anti-democratic because it effectively prevents MPs from the crossing the floor and concentrates political power in the hands of party bosses.

When the first drafts of the new constitution were published, the anti-defection clauses were quietly dropped, although a date for the implementation of the scrapping had not been finalised.

But some ANC and NP negotiators argued that the provision should be retained because people had voted for parties rather than individual candidates in 1994 and because it was necessary to maintain the existing ratios of representation until 1999.

On Friday, however, the NP and the DP argued against the retention of a clause similar to 43(b) in the new constitution.

Eventually, it was agreed that the clause would be reinstated in the constitution, but that legislation could be accepted within "a reasonable period" scrapping the provision.

The understanding is that the anti-defection provisions will go before the 1999 elections, although a DP proposal that it would automatically not be valid after 1999 was not accepted.

Bid for 11th-hour deal on new SA

ARG 6/5/96

(30HA)

Ramaphosa talks of 'miracle' breakthrough on constitution

REUTER

NEGOTIATORS hoping for a miracle to avert a divisive national referendum on South Africa's new constitution drew up rules today to deal with a possible concession in last-minute talks.

"I think there is a whiff of something in the air ... a miracle could happen," constitutional assembly chairman Cyril Ramaphosa told his management committee.

Mr Ramaphosa, who is also African National Congress secretary-general, said in an interview he and National Party negotiator Roelf Meyer would resume the search for a compromise on single-medium schools later today.

Mr Ramaphosa won all-party support for a proposal to be put to the assembly later today to bend its rules to allow for a deadlock-breaking amendment any time before Wednesday's 11am vote on a final blueprint for post-apartheid rule.

As the two-year constitution-writing process entered its final 48 hours, President Mandela's cabinet was also scheduled to rule on an African National Congress call to postpone municipal elections in KwaZulu-Natal over mounting political violence involving the ANC and Inkatha Freedom Party in the province

Mr Mandela, due back from a half-day visit to Mozambique this afternoon, scheduled a special cabinet meeting to decide whether to postpone or stagger the May 29 vote.

Inkatha has boycotted most of the negotiations on the draft Constitution Bill published today and due to be formally presented for debate at 4pm.

Although most of the text has clear majority support from the six parties that did take part in the negotiations, the draft includes three clauses unacceptable to some or most of the opposition.

The disputes cover NP-led demands on the protection of single-language schools, employer rights in a labour dispute and protection of property rights accrued under white rule.

Sources in the ANC and the NP said that if there was agreement on education, the other outstanding issues could also be resolved.

The executive committee of the NP met in Cape Town today to decide whether to oppose the constitution on Wednesday.

With Inkatha absent, it is unlikely that the ANC can win the required two-thirds majority without NP support.

Talks between the ANC and the NP broke down in the early hours of Saturday, raising the prospect of an NP "no" vote.

If the vote fails, a deadlock-breaking mechanism takes over that would probably require a referendum and could lead to a new general election.

Mr Ramaphosa and Deputy President Thabo Mbeki met Deputy President F W de Klerk and chief NP negotiator Roelf Meyer on Sunday to explore settlement options, but declined to give details of the talks.

"The meeting was very cordial. The discussions are continuing," Mr Ramaphosa said.

● See Page 5

MPs 'fear for lives' as police protection ends

Protection service decides to withdraw home guards to save taxpayers' money amid Popcru accusations of racism

Star 7/5/96 (3044)

Staff Reporter
Cape Town

Members of Parliament say they fear for their lives after a decision to withdraw police protection from their government-owned homes in Cape Town.

MPs living in housing compounds at Laboria Park in Belhar, Pelican Park in Grassy Park and Acacia Park in Goodwood are furious about the police decision to remove police protection from the complexes. They say the issue will be raised in Parliament this week.

The National Protection Services (NPS) has decided that providing about 250 MPs with 24-hour protection by about 110 policemen is a waste of taxpayers' money.

Confrontation is also looming between the Police and Prisons Civil Rights Union (Popcru) and the provincial police head office, with Popcru alleging that white racism is behind the move.

Defending the decision, police spokesman Wicus Holtzhausen said the NPS had a manpower shortage. The formation of three president's guard units soon meant it was necessary to withdraw police from the MPs' complexes.

The new guard units will be stationed at Parliament and the Groote Schuur estate in Rondebosch, which includes the official residences of President Nelson Mandela, his two deputies and cabinet ministers.

It is understood that private security guards may be contracted to guard the three MPs complexes from June 1.

MPs not consulted, says ANC senator

Acacia, Laboria and Pelican parks have until now been protected day and night by armed police who control access and operate regular patrols.

Siyabonga Cwele, ANC senator and leader of the residents' interim committee in Laboria Park said the MPs had not been consulted on the matter.

Dr Cwele said: "The views of the MPs were not considered and because of this people here are generally unhappy."

He said the police guard units were specially trained to protect the sites and that private security guards were not adequately trained to do the job.

"Our lives will be threatened without police protection. Parliament should assist us in this matter," he said.

Popcru spokesman Sidney Wentzel said police officers had no objection to the withdrawal of police from the three complexes, but were against the "manner in which it was done".

Sgt Wentzel said the NPS actions were as autocratic as in previous years. Policemen would decide themselves "where to go" and would not allow themselves to be transferred to a unit they did not want to be in, he said.

He said there was a rift between policemen on the ground and officers in the management services. "It all boils down to racism on the part of white officers who gang up in one corner and create posts for themselves," Sgt Wentzel said.

Policemen said the top structure of the NPS in Cape Town "is predominantly white".

ANC needs 15 votes to adopt constitution

CT 7/5/96

(304A)

THE ANC only needs a magical extra 15 votes tomorrow morning to achieve a two-thirds majority to adopt the draft constitution — provided all its MPs and senators are present.

And it has virtually secured five of those votes already. The PAC's Mrs Patricia de Lille yesterday warmly praised the new constitution, although she stopped short of formally committing her party's votes tomorrow.

Meanwhile, a neat compromise, without reference to any right to lockouts, has been inserted in the draft constitution to remove the long-standing dispute on the issue. It reads: "The provisions of the Bill of Rights do not prevent legislation recognising union security arrangements contained in collective agreements." — Political Writer

● See Page 7

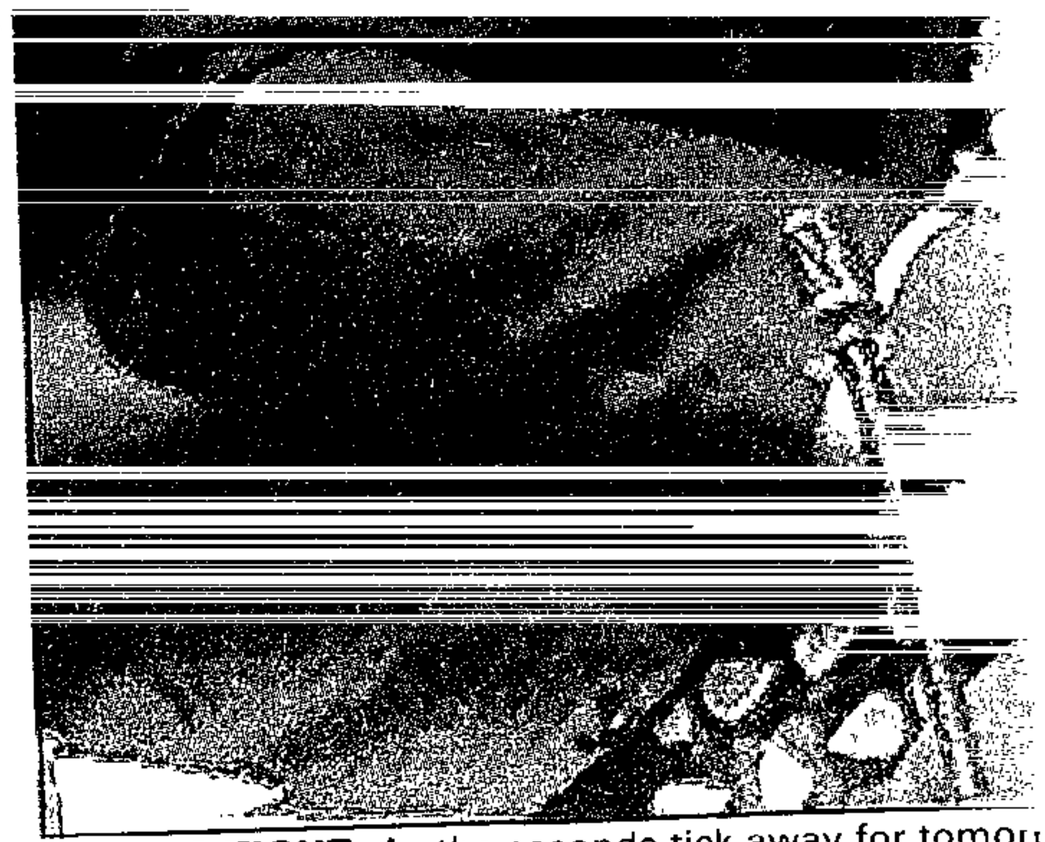
771016 394001

INDEX

Make-or-break for constitution tonight

It's the final hour

(304A)
ARG 7/5/96



TIME IS TIGHT: As the seconds tick away for tomor

CLIVE SAWYER and TYRONE SEALE
Political Staff

OPTIMISM surged today that the African National Congress and National Party would strike a deal as the last few minutes ticked away to the final deadline for amendments to the Constitution Bill.

"There is no final breakthrough yet but things are looking fine," an NP source said, as talks between top-level delegations continued this morning.

It is understood there was progress on all three issues - education, the property clause and labour laws - on which the NP and ANC have thus far stalemated.

ANC spokesman Ronnie Mamoepa, speaking after yesterday's late-night round of bilateral talks, said progress had been made and there would be further consultations with principals this morning.

A special meeting of the constitutional committee was to start at noon to allow amendments to be tabled. It was expected to last until 3pm, after which debate would resume in the 490-member constitutional assembly.

However, as hope rose about the outcome of this morning's talks, there was speculation that the committee meeting would be postponed to accommodate the fruits of a deal.

Unless a settlement was reached by the end of the committee meeting, the present version of the bill, with the three clauses on which the ANC and NP are deadlocked, is the one on which parties will vote.

Voting is scheduled for tomorrow morning. The bill must secure a two-thirds majority to be approved, after which deadlock-breaking mechanisms, which could culminate in a referendum, will come into force.

Yesterday both parties were firing shots across each other's bows.

ARG 7/5/98 (304A)

w's constitutional deadline, Assembly chairman Cyril Ramaphosa talks time with his deputy Leon Wessels.

NP leader F W de Klerk told a rally in Elim last night that his party would not back down on the education issue.

The NP is insisting on a constitutional entrenchment of the right to state-funded single-medium education, while the ANC says a decision on whether schools should be single or multimedium should be left to educational authorities and school communities.

Mr De Klerk said: "The NP is fighting its arms to stumps so that you aren't told your school must change and education is misused for political gain."

ANC senior negotiator Valli Moosa warned yesterday that his party, if the crisis resulted in a referendum, would consider putting its own version of the constitution to the vote.

Approval of a draft in a referendum would require a 60 percent majority of those taking part, which the ANC is confident of securing.

If the last-ditch talks between the ANC and NP today failed, there was a slim chance of the constitution being passed by another route.

If the Democratic Party and Freedom Front chose to support it, this would provide enough votes for the two-thirds majority required.

For the bill to be acceptable to the DP, there would have to be concessions by the ANC to strengthen the rights in the property and labour law clauses. The controversy over the education clause is not as significant for the DP as it was for the NP.

The FF's support might prove as difficult to woo as that of the NP, after indications that it would also vote against the constitution unless there was some movement on the education clause.

● **More reports on page 6.**

ve done it!'

(304A) CT 8/5/96

CONSTITUTIONAL negotiators emerged smiling from 11th-hour talks last night and South Africa should have a new constitution today, **BARRY STREEK** reports.

TODAY is the historical date on which South Africa adopts its first democratic constitution, drawn up by a multiracial assembly. The chief negotiators — Mr Roelf Meyer of the National Party and the ANC's Mr Cyril Ramaphosa, who chairs the Constitutional Assembly, were highly optimistic after a day of talks to bridge their differences.

After weeks of wrangling, most political parties agreed to compromise proposals on the lockout, the property and education clauses in the Bill of Rights.

A visibly tired but elated Ramaphosa announced last night: "We have reached a settlement on all these matters."

"We have a settlement — we have done it," an exhausted but enthusiastic Meyer said.

A last-minute hitch, what Ramaphosa called a "new matter" over pensions to political office-bearers, delayed agreement on the final deal for more than an hour. The problem concerned pension payments to apartheid-era politicians as well as special pensions for veterans of the anti-apartheid struggle.

One source said the NP had raised the issue late on Monday night during the negotiations for compromise on the three contentious clauses. "The NP has sold out their principles for gravy," he added.

Another parliamentarian said: "This is the beginning of the end for the NP."

But the problem was solved and shortly after midnight, negotiators ratified a number of amendments.

The agreement paves the way for the adoption of the constitution by a two-thirds majority, despite the Inkatha Freedom Party's boycott of the proceedings.

The DP and Freedom Front would not declare their positions until they had seen the text of the agreements between the ANC and NP, but the PAC said it would vote for the constitution.

The agreement, which will rule out a referendum and even an election if the assembly had failed to adopt the constitution, involved a package deal between the ANC and NP on the three contentious clauses in the bill.

The NP had been threatening to vote against the constitution, and possibly deny a two-thirds majority, unless the ANC agreed to a clause guaranteeing state support for single language schools.

Last night, the constitutional committee agreed to a DP amendment which "does not preclude state subsidies for independent or private schools". The compromise means single-medium schools will be an option the state will have to consider in determining education policy.

Cosatu secretary-general Mr Sam Shilowa, who attended last night's debate, said the controversial labour clause, which excludes a special right to lockout, meant there was "no need for further industrial action" in the immediate future.

the DP would take the clause to the Constitutional Court.

The compromise clause does not contain any direct reference to lockouts, but only refers to existing labour legislation which provides employers with a right to lockout.

The property clause guarantees existing property rights as well as endorsing the government's power to proceed with land reform measures.

DP MPs last night accused the NP of selling out on the property clause to get a deal on education. Ms Dene Smuts said property rights had been "eroded".

The assembly also agreed to an amendment to the draft constitution which could entrench Cape Town's status as the legislative capital.

The amendment stipulates that the seat of Parliament is Cape Town and this cannot be changed unless the Council of Provinces, the new upper house, determines that it should be elsewhere. This has to be approved by a majority of the National Assembly.

DON'T MISS YOUR CONSTITUTION CELEBRATION SOUVENIR IN THE CAPE TIMES TOMORROW

The compromise was negotiated after President Nelson Mandela said in Johannesburg yesterday morning that if the opposition parties did not agree to the draft constitution, the ANC would write the constitution on its own.

"I am confident we will be able to pass a constitution which has been agreed to by all parties.

"If not, it will be regrettable because the ANC will write its own constitution. We have a mandate to bring about change, transformation from an apartheid system to one that is fully democratic and legitimate. We cannot let our people down," Mandela said.

The IFP announced that it would challenge the new constitution before the Constitutional Court. Analysis of the bill showed that it breached a provision entrenched in the interim constitution that the new basic law should not substantially reduce the powers of provinces.

Mr Peter Smith, MP, said the IFP objected in particular to the weakness of the new Council of Provinces, and to the increased authority the constitution will give the national legislature.

However, Senator David Malatsi, deputy secretary-general of the NP, said: "I hope all of us are going to hold hands together today and vote for the constitution. I hope it will be adopted by consensus.

"I hope today will be our day. All of us."

● See Page 4

CT 8/5/96

(304A)

Assembly members gathered
/ de Klerk and Thabo Mbeki,
PICTURE: BENNY GOOL

He said that agreed provisions had been "a vindication of Cosatu's position", echoing the position of the DP leader Mr Tony Leon who described the clause as "an out and out victory for Cosatu".

Leon, who was jeered by ANC members who accused him of staging "a nice media stunt", said

CLASS OF 96: There was an air of celebration on the Senate steps yesterday as Constitutional for an official photograph. In the front row are President Nelson Mandela, Deputy Presidents F.W CA chairperson Cyril Ramaphosa, deputy chairperson Leon Wessels and party leaders.

Constitution to be adopted today

Compromise agreement ends deadlock

BD 8/5/96

(304A)

David Greybe

CAPE TOWN — The ANC and NP struck a compromise agreement last night on the property, education and labour clauses, paving the way for the adoption of the new constitution today.

"I am ecstatic," said Constitutional Assembly chairman and ANC secretary-general Cyril Ramaphosa as he emerged from a meeting with his NP counterpart Roelf Meyer at which the agreement was sealed. A meeting of the smaller constitutional committee was then called to ratify the agreement, for voting to go ahead today.

Senior ANC and NP negotiators said the deal was secured after both parties compromised: the NP on education and labour and the ANC on property. The NP dropped its insistence on the entrenchment of mother tongue schooling, and its demand for a tougher labour relations clause regarding an employer's right to lock out workers under the Labour Relations Act. The ANC agreed, despite opposition from the so-called land lobby, to stronger private property guarantees under a reformulated property clause.

President Nelson Mandela said after being briefed by Ramaphosa and other ANC negotiators , he was satisfied the ANC had stuck to its "well considered bottom lines" on the three outstanding issues, despite making "countless concessions".

ANC senior negotiator Pravin Gordhan said: "At the end of the day the ANC has emerged with a package which ... is compatible with the kind of democracy that we have."

The NP was unable to secure its controversial demand for the constitutional right to state-funded single-medium education. Gordhan charged the NP had "caved in" on the issue. What the NP did achieve was the mention of single medium education as an option, plus the assertion that the clause did not "preclude" the state from granting subsidies to so-called independent own schools.

A last-minute fallout between the ANC and NP over the labour relations clause, according to a senior NP source,

Continued on Page 2

Constitution (304A)

Continued from Page 1

BD 8/5/96

almost scuppered the "three-pack" deal. The NP said the ANC agreed on Monday night that labour legislation, including the lockout, could be altered only through Nedlac negotiations. But the NP said the ANC withdrew its agreement after Cosatu objected.

Ramaphosa and Cosatu negotiators disputed the NP version of events. Ramaphosa said Monday's compromise was an unmandated proposal drafted by a lawyer working for the ANC. The ANC eventually offered to "constitutionalise consultation" under the clause. He said the NP was still unhappy but had assured the ANC it would not vote against the constitution today. Big business was reportedly equally unhappy.

On property, the ANC agreed to make a direct link between the paragraph which states no part "may impede the state from taking legislative and other measures to achieve land and water and related reforms, in order to redress the results of past racial discrimination..." and the limitations provision in the Bill of Rights.

The upshot was to put the onus on the state to ensure land reform was reasonable and justified.

Gravy train an utter myth, says Asmal

(304A)

HENRY LUDSKI
POLITICAL WRITER

CT 8/5/96

THE inquiry into MPs' pay and allowances began yesterday with Water Affairs and Forestry Minister Kader Asmal trying to dispel "the utter myth of a parliamentary gravy train".

He told the Steyn Commission on Remuneration of Representatives he found talk of the gravy train "offensive, hurtful and inaccurate".

"There is no gravy train", he added emphatically.

Asmal said that the commission had to redefine the conditions under which MPs became parliamentarians so as to ensure that "a university professor, a peasant from the Northern Province, a houseperson and a businessman would find it sufficiently attractive to come here (to Parliament) for the rest of their lives".

Asmal, who gave evidence in his capacity as chairperson of the ethics committee, sketched the difference between new MPs and the "old troopers", who had derived considerable benefits under the old system. New MPs who came from backgrounds of exile or imprisonment often had no pensions, no major savings or capital accumulation, he said.

The commission, headed by Mr Justice Jan Steyn, also heard evidence from a range of interest groups on what MPs and other public figures should earn. The commission has to submit its report by the end of the year.

row damage

Newly adopted constitution 'is the real birth certificate of our Rainbow Nation'

(304A) ARG 8/5/96

CLIVE SAWYER
Political Correspondent

A HUGE majority of 85 percent of the Constitutional Assembly today ushered South Africa's new constitution into law.

The historic document was described by constitutional assembly chairman Cyril Ramaphosa as the "birth certificate of the rainbow nation".

It took two attempts, after a flaw in the electronic voting system meant the constitutional assembly had to cast its ballots again, but this did not dampen the jubilation of those who saw their two years of labour bear fruit.

Approval was secured after an 11th-hour agreement between the African National Congress and National Party on the key education, labour and property clauses.

As the result of the first round of voting was announced, African National Congress members swept to their feet, chanting "ANC, ANC" and filling the chamber to the rafters with a freedom song.

The welcome given the result by those who had agreed to submerge their misgivings about the bill and vote in favour was more restrained.

"Now it is universally acknowledged that unity and reconciliation are written in the hearts of millions of South Africans," said President Mandela, moments after the bill was passed.

"They are the glowing fire of the new patriotism."

The bill was approved following votes in favour of it cast by the ANC, NP, the Democratic Party and the Pan Africanist Congress.

The African Christian Democratic Party voted against and the Freedom Front abstained.

The Inkatha Freedom Party maintained its boycott of the constitutional assembly to the last.

The final result was 421 in favour, two against and 10 abstentions.

The constitutional assembly, made up of all senators and members of the national assembly, has 490 members.

"Today we have acquired the birth certificate of the new South Africa – one country, one constitution, one law for one nation," was the cry of the praise-singer who led the procession of the president, deputy president and presiding officers at the start of today's formal adoption of the constitution.

Mr Ramaphosa labelled today "a day of joy" and paid tribute to the team of 43 million South Africans who worked on producing the constitution.

On a solemn note, he dedicated his speech to three people who died before they could witness the new constitution: former ANC president Oliver Tambo, murdered SA Communist Party secretary-general Chris Hani and former SACP leader and Housing Minister Joe Slovo.

Mr Ramaphosa said the new constitution was a mirror of South African society, reflecting its past and its commitment to a future of the rule of law, human rights, human dignity, equality and freedom.

It was good for investors and good for the rand, he said.

Speaking for the ANC, Deputy President Thabo Mbeki delivered a lyrical speech which spelt out the roots and meaning of being African.

"Today it feels good to be African," Mr Mbeki said, affirming that the continent, however improbable this might seem to sceptics, would prosper.

The constitution would create a law-governed society inimical to arbitrary rule.

Deputy President and National Party leader F W de Klerk said that, like Mr Mbeki, he was an African, and had become one through the freedom struggle of his ancestors and others who had helped to build the country.

He said it had been a difficult decision, but his party would support the constitution, even though it was in total disagreement with a number of its provisions.

The new constitution was the "final starting-point for the new South Africa".

All must be winners cautions Mandela

TYRONE SEALE
Political Staff

PRESIDENT Mandela has cautioned the African National Congress against a winner-take-all attitude after the adoption today of the new constitution.

But, he also warned other parties that the ANC had a mandate from the overwhelming majority of South Africans and that anyone blocking the ANC from meeting this mandate would be reduced to "a voice in the wilderness".

Mr Mandela's admonitions followed the end of his prepared speech to the constitutional assembly, in which he said the new constitution represented South Africa's rebirth, cleansed of a horrible past.

He said the ANC's principled approach to the writing of the new constitution and its role in the government of national unity had been that there should be neither winners nor losers.

"South Africa as a whole must be the winner."

He said the principle had been that the majority party should not abuse its power to reduce other political parties to mere rubber stamps.

At the same time, he said, everybody would understand that the ANC had a mandate from the overwhelming majority of South Africans to transform this country from an apartheid state to a non-racial state.

"Anybody who tries to block us from carrying out our mandate is like a voice crying in the wilderness, because we are going to use that mandate in order to better the lives of all people in South Africa."

Mr Mandela called on whites and blacks to forsake a tendency to see themselves as the only groups in the country and to rise above ethnic differences.

"We want men and women who can rise above [ethnicity] and think in terms of South Africa as a whole."

He said the adoption of the new constitution did not mean that the concerns of minorities would be ignored.

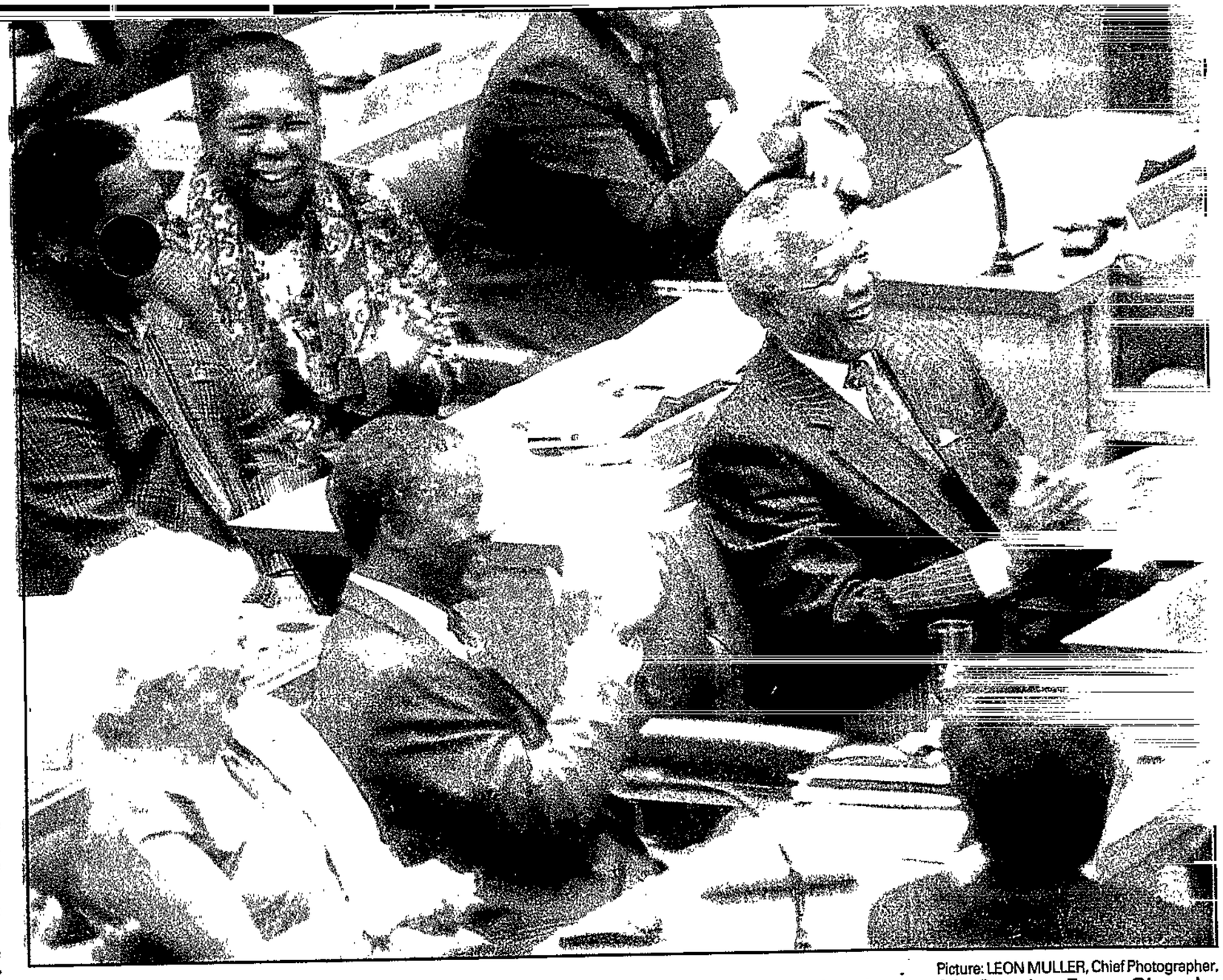
"We will continue searching for solutions because we want everybody to feel they are part and parcel of our efforts to solve the problems of South Africa. That is the position, and the adoption of this constitution is the beginning of our efforts to resolve the problems of this country."

Earlier, Mr Mandela had told the assembly that the newly democratic country had matured after a tentative beginning and was reaching out to the future with confidence.

It had teetered in a knife edge over the past few days with reports of intractable deadlocks and of an abyss-in-waiting.

"But, aren't South Africans a wonderful people, to whom the words 'deadlock' and 'miracle' have come to nestle in comfortable proximity and, alternately, to grip the national imagination like the plague?"

He hailed the new constitution as South Africa's humble submission to democracy and the culture of human rights worldwide.



Picture: LEON MULLER, Chief Photographer.

ROUSING APPLAUSE: President Mandela, his deputy Thabo Mbeki and national assembly Speaker Frene Ginwala, all in the front bench, lead the applause after the constitutional assembly adopted the new constitution.

"It is our pledge to humanity that nothing will steer us from this course."

He said South Africa had taken the historic step beyond the transitory arrangements which had obliged its representatives, by dint of law, to work together across the racial and political divide.

"And thus, we strike out along a new road, in which the preoccupation of elected representatives, at all levels of government, will be how to co-operate in the service of the people, rather than competing for power which otherwise belongs not to us, but to the people."

The new and higher national consensus showed South Africa was at last maturing to become a normal society, founded on mutual trust, bonded by mutual aspirations, and shaped by the reality of diversity rather than the culmination of a warped imagination.

"In our racial, language, religious and sectoral diversity, as the weak and the mighty, we are one people with one destiny." The new constitution reaffirmed a commitment to the rights of citizens, he said.

● See pages 3 and 25

Signed and sealed

ARG 8/5/96

3041A

'Regrettable' if Nats quit GNU – Mandela

(304A) Star 9/5/96

NP executive will meet on Tuesday to review party's position in government: rand tumbles against dollar after currency markets digest the implications

By Patrick Bulger
Cape Town

President Mandela adopted a cautious approach today to Deputy President F W de Klerk's threat to leave the Government of National Unity, saying it would be "regrettable" if the National Party leader did so.

De Klerk said last night the NP's federal executive was meeting next week to consider a possible withdrawal from the GNU.

Mandela, speaking at a Cape Town Press Club breakfast, said De Klerk did not know which way the NP's executive would go on the issue.

"I hope that wiser counsel will prevail and that they remain in the GNU," the president said.

Shadow is cast over Constitution celebrations

De Klerk last night edged the NP towards quitting the GNU, casting a shadow over yesterday's adoption of the new constitution and sending the rand into a new downward spiral.

The rand fell from R4,34 to R4,46/49 to the US dollar as news spread that the NP federal executive would meet on Tuesday to decide whether or not to stay in the GNU.

ANC sources said they thought De Klerk and the NP would remain in the GNU for now, and labelled his performance a repeat of the opening of the first Parliament in 1994.

Then De Klerk had cast a shadow over the proceedings by threatening to leave the GNU because his party had not been allocated any chairmanships of portfolio committees.

In a statement last night De Klerk – clearly stung by NP defeats in its talks with the ANC leading up to the constitutional compromise earlier this week – said "no decision whatsoever" had been taken about the NP's withdrawal.

"A broad discussion was indeed considered during NP meetings during the past few days on the question of whether withdrawal should not now be considered.

"This is a logical question against the background of the fact that the new constitution makes no provision in any manner for continued joint decision-making in the executive branch of government.

"Many people inside and outside the NP ask: if the GNU is in any case going to be dispensed with, why not now?"

The new constitution guarantees the continued existence of the GNU until April 1999, even if other parts of the new constitution are promulgated before then.

One NP source said there was pressure from within the NP caucus for De Klerk to pull out.

He said De Klerk had never expressed himself in favour of the new constitution.

Caucus members were unhappy with the NP's showing in the constitutional talks and NP chief negotiator and secretary-general Roelf Meyer had come under attack when trying to seal compromises needed to make a deal with the ANC.

The first hint that De Klerk was considering his shock move came during an address to the CA at which he committed the NP to supporting the new constitution, but with reservations.

Result of talks '2-1 in favour of the NP'

The NP voted for the constitution alongside the ANC, the Democratic Party and the Pan Africanist Congress. The Freedom Front abstained and the African Christian Democratic Party voted against.

The Constitution Bill was passed by 421 votes to two, with 10 abstentions.

No sooner had the new constitution been passed, than the currency markets apparently reacted to De Klerk's statement that the "federal council of the NP is to meet next week to consider the implications" of voting in favour of the constitution in spite of having reservations about some of its provisions.

De Klerk criticised the dilution of enforced coalition. However, he said a vote against the constitution "would carry such a serious risk that much of that which is positive would have been put in jeopardy by Dutch tive vote" from the NP.

He said a long, drawn-out period of uncertainty and an inevitably confrontational referendum would have damaged South Africa's interests irreparably. In his statement, De Klerk said the NP takes "no pleasure" in the fact that speculation regarding our future plans may be a factor that is seriously affecting the economy".

He characterised the NP's performance in its talks with the ANC as a "2-1 win for the NP" which Africa claimed, had got its way on the education and property articles but which had lost out on the sunset clause.

Although DP leader Tony Leon was also critical of the lockout, he said De Klerk was almost alone in his criticism. Even the Freedom Front's Constand Viljoen was more understanding of the constitution, which he described as having "so many other aspects".

▶ Constitution reports ... Pages 3, 14, 20 and 2

STAR 9/5/96 (30 4A)

Jubilant ... Finance Minister Trevor Manuel (right) lives it up with an unidentified partner at last night's celebrations.

like a further response in respect of what she has just said. If a whole process is being set in motion now for another enquiry with regard to farmworkers, we as a farming community are worried that it is going to take another three to five years before we can start building houses. With this whole rural scheme, does the hon the Minister not think that the farmworkers will fall by the wayside so that eventually they will not be participating in the scheme as they should have been participating?

The MINISTER: Mr President, I do not think our policy will enable us to do that, because we are now providing housing for all citizens within a particular income bracket who need it. There is no way in which we will ignore them. We have already started providing housing in the rural areas, where the facilitation process has been completed in terms of proclamation of the land and the availability of land for the occupants, but also in terms of the National Housing Board being able to provide subsidies. We have rural projects in Wingerville, where it will be possible to allow people to move into their houses. It is within the rural housing policy, so there is no way in which we can ignore rural farmworkers.

The MINISTER OF AGRICULTURE: Mr President, since I have been drawn into this argument, I have a further question arising from the hon the Minister's reply. Since the funds from Agriculture were not transferred to the Ministry of Housing, were any requirements set by the Department of Agriculture; if so, when were they set and how? Were those requirements set by the Department of Agriculture for the transfer of the funds complied with? [Interjections.]

The MINISTER OF HOUSING: Mr President, I find it very inappropriate for one colleague to set up guidelines for another colleague. The fund is going to be operated within the framework and the requirements of State Expenditure or Finance. This also applies to housing. I do not see how can I relate to agricultural terms rather than housing terms, because I think that would create a lot of problems. What we are saying is that in the past housing was provided for the different sectors of our population in a discriminatory manner.

We now have one national housing policy to provide for all citizens who require housing and who qualify within the requirements of the policy, and that is what we are going to act upon. We are not going to discriminate or set special terms and references for a particular sector in our community.

However, because of our history, farmworkers have been subjected to unacceptable conditions. We are going to go back to them and tell them that this Government is ready to provide housing for them, and ask for their input as to the kind of housing that they want. I think that is within the framework, because even in urban areas and other rural areas, outside the farming areas, we go back to the communities and ask for their input as to the kind of housing they would like to have.

The MINISTER OF AGRICULTURE: Mr President, arising out of the hon the Minister's reply, I would like to know the answers to the following questions. Were the conditions set by agriculture of such a nature that the hon the Minister could not comply with them, because if she could have complied with them, the money would have been handed over?

The MINISTER OF HOUSING: Could the hon the Minister tell me about those conditions, because I am not aware of any special conditions that we have to respond to? All we need to know is that a decision was taken in 1994 that all housing should be administered and managed under the Ministry of Housing, and this is what we are about to do. What we need is for the Ministry of Agriculture to transfer the funds. That will be accounted for, and we will put the funds into a common coffer that will be managed by the National Finance Corporation, as it is going for all housing finance needs. [Interjections.] I think the hon the Minister is just dilly-dallying on the fund, that is all.

The PRESIDENT OF THE SENATE: Order! I will allow follow-up questions. Does Senator Mashamba have a follow-up question? He may raise a point of order or rise on a point of personal explanation, but not otherwise.

Senator T G G MASHAMBA: Mr President, on a point of order: I just wonder whether the hon Ministers could not spare us this and discuss the issue in the Cabinet, because right now I am a bit concerned, Mr President.

The PRESIDENT OF THE SENATE: Thank you, Senator Mashamba. I do not think that is a point of order, but you have said your piece. [Laughter.] Does Senator Redcliffe have a genuine point of order or a genuine follow-up question?

Senator C R REDCLIFFE: Mr President, arising out of the hon the Minister's reply, I just want to find out whether, in view of the fall of the rand, in terms of that R15 million

benchmark that she was talking about, any adjustment has been made in terms of that figure.

The MINISTER OF HOUSING: I think we will keep on adjusting until we adjust no more, because the rand will continue to fall and rise. So I do not think it is an appropriate question.

The PRESIDENT OF THE SENATE: I am not going to allow gender issues to creep into the debate just yet. We are not going to pre-empt the Bill. Hence I have to see Senator Taunyane, and then I will see the chairperson of the housing committee.

Senator D P TAUNYANE: Mr President, the Minister of Housing has already covered what I wanted to say.

The PRESIDENT OF THE SENATE: That is a very good point you have made! [Laughter.]

Senator J L KGOALI: Mr President, on a genuine point of order: The hon senator is out of order as regards what he is asking the hon the Minister. That, to me, is quite genuine. It has nothing to do with the fall of the rand. We are discussing issues related to housing. If they want to ask follow-up questions together with Senator Van Niekerk, they must go to the Cabinet and discuss the matter as colleagues and not do so here. We have business to attend to.

The PRESIDENT OF THE SENATE: Order! That is not a point of order, but I think the hon chairperson has fulfilled her duty to protect the minister, and she has done so properly.

(3049)

Browde Commission: investigation into corruption

*6. Sen C R REDCLIFFE asked the Minister for the Public Service and Administration:†

(1) Whether the Browde Commission has made any allegations that the State is obstructing its investigation into corruption in the former homelands; if not, what is the position in this regard, if so, what are the relevant details;

(2) whether investigating officers of the Browde Commission have been refused entry to government offices in Umtata; if not, what is the position in this regard; if so, (a) why and (b) who gave the instruction that such investigating officers be refused entry;

(3) whether he intends taking any steps with a view to imparting transparency and openness to the commission's investigation; if not, why not; if so, what steps?

S150E

The DEPUTY MINISTER OF DEFENCE *(for the Minister for the Public Service and Administration):* Mr President, I have a genuine apology from the Minister who unfortunately has had to travel abroad. He requested that the question either stand over or that I, on his behalf, give his genuine reply.

The PRESIDENT OF THE SENATE: Order! I think that that may be of public importance. The hon member is here and the hon the Minister is mandated to exercise his discretion. He may use that discretion in favour of responding publicly to the question.

The DEPUTY MINISTER: Thank you, Mr President.

(1) No, according to the Browde Commission it had not made allegations that the State had obstructed its investigations. The Commission indicated in its report that a lack of a sufficient number of investigators to investigate cases submitted to the Commission, had hampered the progress of the Commission;

(2) (a) and (b) yes, according to the Browde Commission an investigating officer of the Commission was on one specific occasion instructed by a so-called "Crisis Committee" to leave the government office in Umtata in which he was working. The office was found locked upon his return the next day. The Commission confirmed that no official instruction had been given to this effect and that it was an illegal obstruction conducted by certain members of the Department of Justice in the Eastern Cape. The Commission indicated that the action by the "Crisis Committee" stems from the fact that it was of the opinion that the Browde Commission did not have jurisdiction in the matter being investigated, because the com-

plaint had been lodged by the Member of the Executive Council for Finance and Expenditure of the Eastern Cape and not the Minister of Justice under whose jurisdiction the personnel under investigation falls. According to the Commission, acting Judge Browde had, however, ruled that as long as a complaint was made by a Minister of the Cabinet or a member of the Executive Council of Province, the Commission would consider it without reference as to whether or not it concerns that particular Minister's or MEC's department. In the opinion of the Commission the investigation had therefore been legally conducted on a proper complaint by the above-mentioned MEC;

(3) no, transparency and openness to the Commission's investigations are already provided for in the fact that hearings take place before the Commission. The Commission also indicated that it has no objection to informing any interested party on the state and extent of investigations which have been, or are being undertaken into any matter.

New questions;

*1. Sen C R REDCLIFFE—Health. [Question standing over.]

Erection of electrified fences around SANDF bases

*2. Sen J SELFE asked the Minister of Defence:

Whether the South African National Defence Force intends erecting electrified fences around any SANDF bases in the Republic; if so, (a) around which bases, (b) why, (c) when and (d) what will be the estimated cost of erecting such fences?

S210E

The DEPUTY MINISTER OF DEFENCE:

Electrified fences can be used in two ways to protect military bases or installations.

First, they can be used to prevent intrusions by making use of the lethal characteristics of electric current. No South African National Defence Force bases or installations are protected in this way, nor is it intended to use this lethal mode in the future.

Second, the shock caused by an electrified fence when in non-lethal mode is used as a deterrent. This non-lethal mode is also used to operate alarm systems. The current is used to activate detection sensors thereby alerting guards. Various bases and installations are already protected in this manner and it is planned to extend this non-lethal system to other Army bases.

(a) The South African National Defence Force has the following number of bases protected by non-lethal electrified fences.

South African Army	13 bases
South African Air Force	1 base
South African Navy	2 bases

It is planned that the system will be extended to the following Army bases in the short term.

— 83 Technical Store Depot

— 1 SA Infantry Battalion

— 4 SA Infantry Battalion

— 8 SA Infantry Battalion

— 91 Ammunition Depot

— 5 Base Ordinance Depot

Long term planning includes a further 41 bases.

(b) The primary reason why electrified fences are used for the protection and safeguarding of National Defence Force equipment and interests is to deter would-be transgressors from accessing NDF property. By proclaiming the use of electrified fences by warning signs, fewer guards are required to protect NDF facilities. It therefore releases soldiers to perform their primary function of securing the sovereignty of South Africa and their secondary function of supporting the South African Police Services to maintain law and order.

(c) The timescales to implement electrified fences on the remaining installations are as follows:

— Short term phase to be completed in 1997/98 financial year.

— Long term phase to be completed in 2001/2002 financial year.

(d) The estimated cost of this Army project is R47 million for the short term phase and R40 million for the long term phase.

Senator J SELFE: Mr President, unfortunately Senator Moorcroft has been called away on urgent constituency business, and I ask that questions three and four stand over until next week.

The MINISTER OF TRANSPORT: Mr President, I have been requested by the Minister of Environmental Affairs and Tourism to answer the question on his behalf. I have come here with the prepared answer. I assure you that the request has nothing to do with any events outside this room today.

The PRESIDENT OF THE SENATE: Order! It sounds very interesting. I think we should allow the hon the Minister to respond. [Laughter.]

The MINISTER: Mr President, it is a very short answer.

Fire at AECI factory: commission of enquiry

*3. Sen E K MOORCROFT asked the Minister of Environmental Affairs and Tourism:

Whether he intends requesting the appointment of a commission of enquiry into the fire at the AECI factory at Macassar in December 1995; if not, why not; if so, when?

S212E

The MINISTER OF TRANSPORT *(for the Minister of Environmental Affairs and Tourism):*

A meeting during which this issue was discussed with the interested parties took place on 23 April 1996 in Cape Town under the chairmanship of Deputy Minister H B Holomisa. It was the view of this meeting that a Commission of Inquiry should be appointed and proposed terms of reference were therefore also formulated.

This proposal will be submitted for consideration to Cabinet as the Cabinet has to advise the President on the appointment of such a commission.

The PRESIDENT OF THE SENATE: Order! The hon the Deputy Minister is with us, and I would like to welcome the hon the Deputy Minister on her first appearance in the Senate. I am sure it is definitely going to be followed by more successful appearances here. [Applause.] The hon the Deputy Minister has a choice as to whether she wants to respond to this question or not. It seems to me the hon the Deputy Minister is eager and very willing to do so.

The DEPUTY MINISTER OF MINERAL AND ENERGY AFFAIRS: Mr President, it is true that I am eager and willing to answer the question, since we have prepared the answer to the question.

Building of oil refinery in Saldanha/Vredenburg area

*4. Sen E K MOORCROFT asked the Minister of Mineral and Energy Affairs:

Whether his Department has been approached by any company wishing to build an oil refinery in the Saldanha/Vredenburg area; if so, (a) by which company, (b) what was the nationality of the company, (c) when was the approach made and (d) what was his or his Department's response thereto?

Hansard 9/5/96

S213E

The DEPUTY MINISTER OF MINERAL AND ENERGY AFFAIRS:

(a), (b), (c) and (d) On the basis of information available to me, neither the Department nor any of the state corporations in the CEF group of companies has ever been approached by any company wishing to build an oil refinery in the Saldanha/Vredenburg area. Nobody has approached SFF even to store or procure crude oil on behalf of any company intending to build a refinery in the area.

Value of cargo stolen from airport container depots

*5. Sen W F MNISI asked the Minister of Transport:

(1) What was the total value of cargo stolen from airport container depots in (a) 1994 and (b) 1995;

(2) whether any efforts are being made to reduce such thefts; if not, why not; if so, what efforts?

S214E

The MINISTER OF TRANSPORT:

(1) The securing of cargo at airports is an airline responsibility and the Department of Transport does not hold statistics on the value of cargo stolen from airport con-

Unions welcome the Constitution

Sowetan 9/5/96 (304A)

Cosatu and Nactu give a qualified thumbs-up to the final version

THE CONGRESS OF SOUTH African Trade Unions and National Council of Trade Unions have welcomed the adoption of the country's new Constitution by Parliament.

However, Cosatu said it would monitor the application of the property clause in the Constitution, while the Nactu said it was neither a "winner nor a loser Constitution".

Cosatu general secretary Mr Sam Shilowa said the federation would monitor how the property clause was applied to prevent it being misused.

Briefing the media after the adoption of the Constitution, Shilowa said it was possible that mine owners, for example, could use the clause to inhibit the process of transformation.

Cosatu was satisfied that it had achieved the goals it had set itself and the Constitution represented a victory for workers which advanced their rights.

Regarding the lockout clause, Shilowa said it was a tribute to the liberation movements and he hoped it was a victory workers would be willing to defend.

Dragged along

He welcomed the fact that the National Party and Democratic Party had voted for the Constitution, despite the fact that they had to be "dragged along kicking and screaming".

Referring to DP leader Tony Leon's statement that Cosatu had been given the power to make or unmake governments, Shilowa said in an open democracy changes in government were brought about by the vote, not strike action. Cosatu wanted to be involved in participatory democracy.

The final Constitution represented the general aspirations of South African society and guaranteed people's rights and the rule of law, Nactu said in their statement.

Nactu general-secretary Cunningham Ngcukana said it was a victory for all South African citizens.

"What is needed is not to weaken its strength, but to strengthen its weakness. We are particularly pleased with the exclusion of the lockout clause and the compromise reached on the property clause." – *Sapa.*

A document to be proud of

CT 9/5/96 (304A)

HISTORY is sometimes lost on those who live it. Those able to be present in Parliament or watch the moving proceedings on their TV screens, however, can claim testimony to the adoption of a founding document many succeeding generations of South Africans will have to abide by and refer to. It is a document that will hopefully serve our nation for centuries to come and, to echo Leon Wessels, may there never be reason again for the Constitutional Assembly to meet.

While our different political parties could not reach full consensus on all its clauses, the new Constitution is nevertheless a document all South Africans can be proud of.

In terms of its crafting and entrenchment of basic democracy, it is considered the best in the world. From whence we came as a society, it is appropriate that human rights underpin the philosophy of the new Constitution.

The drama that surrounded the final negotiations on the draft is perhaps typical of a society that seems to have a penchant for living on the edge. It was, however, gratifying to see the National Party, the Democratic Party and the Pan Africanist Congress put aside their reservations and rise to the occasion. That there was sympathy and understanding for the Freedom Front's decision to abstain speaks loudly for the bonding value of the constitution-making process since Kempton Park.

But there are many obstacles ahead. Several sections and clauses of the new Constitution will be challenged in the Constitutional Court.

It was ironic, and somewhat disturbing, that the Inkatha Freedom Party was not mentioned in any of the speeches of party leaders. It seemed as if a niggling and vexing problem was simply being wished away.

President Nelson Mandela spoke about fulfilling the mandate given by the majority of South Africans but hinted that the new Constitution does not shut the door on dealing with the fears and aspirations of the smaller parties and minority groups. We must hope and pray that the magnanimity and humanity of Mandela and the accommodating spirit of the ANC will imbue the Constitution in the decades to come.

The Editor

Constitution reflects ANC's concerns

ET 9/5/96 (304A)

PATRICK BULGER traces the key differences between the interim and final constitutions.

SOUTH AFRICA'S new constitution marks a fundamental break from the interim constitution negotiated at the Kempton Park talks in 1993.

The differences fall into three different categories. They are, broadly, the chapter on the Bill of Rights, the chapter on the national executive and the chapter on provincial government.

While the new Bill of Rights contains much that is contained in the Kempton Park Bill of Rights, there are significant innovations.

Those which have attracted the most attention are the clauses on labour relations, the property clause and the education clause.

Where the interim constitution conferred on employers a right to lock-out striking workers from production plants, this right has been considerably watered down under pressure from Cosatu. As a sop to the NP and DP which worked closely with big business to salvage a semblance of the right, a new clause has been inserted which refers to existing labour legislation which in itself makes provision for lock-outs. The law may not be changed unless labour and business are consulted.

The property clause is also new and weighs much more heavily towards empowering the State to undertake land redistribution and land reform. Whereas the interim constitution provided a strong positive right to property, the new clause allows expropriation for the purposes of "public interest" which includes the nation's commitment to land reform.

The education clause also differs but it actually confers more rights in respect of "single medium" schools than did the interim constitution. Finally, the introduction of socio-economic rights and the application of the principle of "horizontality" (the enforcement of rights between individuals and juristic persons, not just the State and individuals) are significant departures.

The second broad area of difference involves the executive, namely the president and the Cabinet. Here the differences are fundamental, the most obvious of them being a departure from the principle of power-sharing which gave South Africa its government of national unity.

The new constitution unashamedly introduces the principle of majority rule, in that the majority party makes up the executive. The majority party is also able to co-opt other parties into the executive on a voluntary basis but there is no longer any constitutional injunction to include the minority parties.

Also out is the idea of having two executive deputy presidents. Instead, the president is given powers to select a deputy president from among the members of the National Assembly.

The third area of difference relates to provincial government and the role of the Senate as the central legislative representative of the provinces.

The demarcation of the country into nine separate provinces and the winning of two of those provinces by the IFP and NP as well as the ambitions of some of the ANC premiers produced a scenario of competitive federalism that the constitution-makers were determined to reverse. At the same time, they had to be careful not to substantially reduce provincial powers at the expense of the centre.

The compromise devised is that of "co-operative governance" in terms of which all three tiers of government are bound to co-operate with each other. The ANC also attempted to broaden the scope of the "overrides" in terms of which central government is entitled to overrule provincial government decisions. Partly to lessen this blow, the ANC at a late stage in the negotiations introduced "exclusive powers" for the provinces in several functional areas of government. At the same time the parties agreed to remove policing powers from the ambit of the provinces.

Another change affecting provincial powers is the dissolution of the 90-member Senate. In its place is a National Council of Provinces consisting of 10 delegates from each province.

There are also changes other aspects, including the replacement of attorneys-general by directors of public prosecutions, of the Reserve Bank by a central bank and so forth.

Where the negotiated interim constitution reflected, in the main, the concerns of the outgoing government party, the NP, the final constitution reflects in the main the concerns of the majority ANC.

❑ Patrick Bulger is the Political Correspondent of the Star.

Making history — and a possible last hurrah

CT 9/5/96 (30LA)

DOUGLAS HAMILTON

A BURST of sheer pride filled South Africa's parliament yesterday as it gave birth to the country's first truly democratic constitution.

In a weird blend of grey-suited restraint and irrepressible African gaiety, the whole house stood to applaud when the bill was passed by 421 votes to two, and in an instant the chamber was rocking to joyful black singing.

The good-humoured appeal from the podium for "Order! We are engaged in the process of making history!" only prompted more gusts of laughter.

South Africa's politicians were almost giddy with relief that the long constitutional process, which culminated in nail-biting last-minute negotiations, was finally over, with a grudging consensus achieved at the very last gasp.

"The nation teetered on a knife edge," said President Nelson Mandela, recalling deadlock that kept South Africa guessing until late on Tuesday.

Now, "in a fleeting moment" as electronic votes were totalled, South Africa was undergoing a rebirth, cleansed of a horrible past and reaching to the future with confidence.

The packed benches of Mandela's majority African National Congress were lit up by brilliant African cloth of chrome yellow and emerald green, studded here and there with traditional head-dresses and starched white Muslim caps.

It was the ANC's long struggle which toppled the apartheid system of white minority rule, and it was clearly their day.

Mandela wore a suave, three-piece pinstripe for the occasion, in charcoal grey. A few yards away on the back benches, his ex-wife Winnie sported a Michael Jackson confection of scarlet, black and big gold buttons. Telecommunications minister Jay Naidoo, sporting a silky black goatee and Asian shirt, gazed on with eyes shining.

But from the cooler ranks of the white-led parties, looking self-contained in suits and blazers, came an air of reserved indulgence, betraying their heartfelt misgivings over the constitution they only reluctantly agreed to.

The National Party, South Africa's former rulers, uttered murmurs of dissent when Mandela said too many whites ignored the existence of millions of blacks.

A moment later they had to applaud the nation's premier statesman when, with characteristic fairness, he said blacks made the same mistake, thinking transition was the result of a victory which left whites "begging for mercy".

FW de Klerk, the reformist who won the Nobel Peace Prize with Mandela for putting apartheid out of its misery, smilingly played his full part in the Rainbow Nation's big day.

But members of his National Party said it could be the last hurrah for the government of national unity that has ruled through two years of transition since 1994's all-race elections.

The "Nats", they hinted, may have already made up their minds that it is time for them to bow out of the coalition, so that they can sharpen their profile as a full-blooded opposition to the ANC ahead of the next general election in April, 1999.

Ominously empty on Constitution Day was the brown leather wedge of seats usually occupied by the Zulu people's Inkatha Freedom Party, which boycotted the entire process.

Violence between Inkatha and Mandela's ANC has prevented local government elections in the Zulu heartland province.

On Wednesday it was the ghost at the feast of South Africa's hopeful new democracy.

RAND PLUNGES AMID RUMOURS

FW hints at split in unity govt

(304A) CT 9/5/96

'ARTING OF THE WAYS? President Nelson Mandela and Deputy President F W de Klerk greet the crowd of several thousand school children, tourists, foreign dignitaries and members of the public who had gathered there to celebrate the new Constitution. De Klerk announced after the voting that the National Party would meet next week to discuss its ontinued participation in the government of national unity.

PICTURE : AP

THE National Party's federal council is to meet next Tuesday to consider whether it should remain in the government, writes **BARRY STREEK.**

SPECULATION that the National Party was considering quitting the government was effectively confirmed last night by Deputy President F W de Klerk.

The speculation, which was instrumental in an 11-cent decline in the value of the rand yesterday, put a damper on celebrations for the adoption of the new Constitution, which the NP in fact supported.

De Klerk said many people inside and outside the NP were asking, if the government of national unity was in any case going to be dispensed with: "Why not now?"

"Together with this, people ask whether it would not now be appropriate, at the beginning of a new phase, for the National Party rather to play to the full the role of a dynamic but responsible opposition."

NP deputy secretary-general Senator David Malatsi said there was a 50/50 chance the party would decide at its Tuesday meeting to leave the government.

After negotiations continued into the early hours of yesterday morning, the Constitution was supported by the ANC, the National Party, the Democratic Party and the PAC, while the African Christian Democratic Party's two MPs voted against it. The IFP boycott of the Constitutional Assembly and the Freedom Front's decision to abstain were effectively votes against the Constitution.

Constitutional Assembly chairperson Mr Cyril Ramaphosa sounded a warning to the IFP last night, saying it should respect the new Constitution.

Speaking on the SABC television programme Focus, he said the party, which boycotted negotiations on the Constitution, had excluded itself from a history-making process.

"My heart goes out to them," Ramaphosa said.

He did not think anyone should seek to challenge the Constitution once it had been certified and become the supreme law of the land.

However, Ramaphosa said he welcomed the intention of other parties, including the Democratic Party, to challenge particular clauses in the Constitutional Court.

This meant that when the judges eventually certified the document "they and all of us will be certain we have a good constitution".

Not everyone welcomed the new Constitution and the compromises that led to it.

The National Party had abandoned the parents and children of South Africa in agreeing to the education clause in the new constitution, Freedom Front education

❑ Turn to Page 5

Constitutional joy tempered by opposition

(304A)

CT 9/5/96

From Page 1

spokesman Dr J C H Landman said.

The clause which the NP had agreed on allowed the state only to consider single medium schools and had taken away the rights of Afrikaners to self-determination in education, he said.

Last night President Nelson Mandela said the Constitution reconciled aspirations for majority rule with the rights of individuals and communities.

The Constitution was not about only the balance of majority rule with the rights of minorities, but also about balances between national and provincial government, between provincial governments and local authorities and between the protection of employees and the protection of employers.

Referring to minority group concerns about certain provisions in the Constitution, he again emphasised the adoption of the Constitution was "not the end of the negotiation process".

"We will continue talking to any concerned group to ensure that any fears that they might have are addressed," he said.

One of these was the President's power to decide on a national anthem "if and when it becomes necessary".

"If any change is envisaged... I want to give the firm assurance that this will be done in full consultation with all parties, taking into account... minority feelings".

Mandela also paid tribute to Ramaphosa and his deputy Mr Leon Wessels: "With their negotiating skills, sensitivity and single-minded purpose... they guided the Constitution through this difficult process."

"Comrade Leon, it was an excellent performance," he said in Afrikaans.

Introducing Mandela to dinner guests, Ramaphosa said: "This is a night to celebrate. It is a night to drink. Wine must flow. It is a night to smile, especially the constitutional smile."

Referring to his wearing of a red rose, Ramaphosa said it was to mark the agreement.

He had worn a red and a pink rose to a Constitutional Committee meeting last week when "it seemed like we were not going to reach agreement".

"I concluded that I was trying to brighten my mood because we were getting into a situation where I thought we would not reach agreement."

South Africa had a "revolutionary constitution", he said.

● The ANC expressed strong disapproval that the only premier not present at the adoption ceremony was Western Cape NP Premier Hernus Kriel.

● See Pages 6, 13

Overwhelming vote for new constitution

NP may leave unity government

BD 9/5/96 (304A)

David Greybe

CAPE TOWN — SA's new constitution was overwhelmingly adopted by the Constitutional Assembly yesterday as it emerged that the NP was seriously considering pulling out of the government of national unity.

NP leader FW de Klerk branded the constitution as flawed because it marked, among other things, an end to power sharing.

The constitution Bill was passed by 421 votes to two, with 10 abstentions. The ANC, NP, DP and PAC voted in favour of the constitution. Only the African Christian Democratic Party voted against it while the Freedom Front abstained. The IFP, which boycotted negotiations, was absent.

President Nelson Mandela told the assembly after the adoption of the constitution that the historic occasion marked SA's rebirth from a "horrible past" to a "normal country". Assembly chairman and ANC secretary-general Cyril Ramaphosa said: "Through this constitution we are free. It proclaims to the world we are a society committed to democracy, the rule of law and the protection of human rights."

Outside, on the steps of Parliament, thousands of onlookers joined in the festivities. A praise singer blessed the country's first democratic constitution before a Guguletu choir sang Shosholoza and other freedom songs until MPs and senators appeared. Mandela later unveiled a mural which will overlook the parliamentary precinct.

President Nelson Mandela surrounded by Constitutional Assembly members outside Parliament yesterday after the adoption of the constitution. Picture: AP

Inside the assembly, Mandela said the negotiations on SA's supreme law were guided by principles that there should be neither winners nor losers: SA as a whole should be the victor. While the majority party should not abuse its power, he said the ANC-led government was obliged to meet its promises on improving people's lives, and nothing would get in its way.

Meanwhile, senior NP sources predicted that Deputy President FW de Klerk would announce the NP's withdrawal from the ANC-led government next Tuesday after a specially convened meeting of the NP federal council in Cape Town. One source described the threat to walk out of the unity government as very serious "because it is being driven by ... De Klerk himself".

De Klerk expressed strong reservations yesterday about the scheduled end to power sharing (after the 1999 general election), a labour relations clause which he said favoured workers, and the exclusion of the death penalty.

"This new constitution rings the death knell of multiparty participation in decision making at executive level. Instead we now have a majority dom-

Continued on Page 2

Constitution

(304A)

Continued from Page 1

BD 9/5/96

ination model. That is a mistake."

De Klerk said the NP did not believe the labour clause met the requirements of the principles contained in the interim constitution. It would ask the Constitutional Court to look at this carefully during the certification process, which was starting soon.

The court has to certify that the constitution complies with the 34 principles in the interim constitution.

De Klerk said last night there were many people asking whether, in light of the eventual scrapping of the unity government, it should not happen now. "People ask whether it would not now be appropriate, at the start of a new phase, for the NP rather to play to the full the role of a dynamic, but responsible opposition."

Referring to the rand's poor performance yesterday, he said the NP took no pleasure from the fact that speculation on party plans "may be a factor that is negatively affecting our economy". For this reason the NP would reach a decision as soon as possible.

DP leader Tony Leon told the assembly his party supported the constitution despite its misgivings on individual clauses. He gave notice that the DP would contest the labour clause in the Constitutional Court because it negated the "promise of the constitutional principles of equal protection and parity for labour and business".

He said the constitution conferred enough power on Cosatu to "make and unmake governments" and to break the economy. The labour relations clause put organised labour in a privileged position above the reach of the legislature and economic constraints.

Freedom Front leader Constand Viljoen said the constitution contained so many positive aspects it was impossible to vote against it. However, the front had problems with the clauses dealing with protection of culture and the issue of self-determination, and had decided to abstain from voting.

The front would nevertheless respect the new constitution because, although not perfect, it had been written "by the majority for the majority".

PAC leader Clarence Makwetu said the constitution was a considerable improvement on the interim one. It created a fair constitutional order, a constitutional state and a working system of government. The PAC therefore supported it despite some serious flaws.

The African Christian Democratic Party's Kenneth Meshoe said his party found the subjection of biblical law to the constitution unacceptable. It violated the principle of the word of God.

Comment: Page 16

Political fears send rand reeling and raise spectre of another rate hike

(3044) BD 9/5/96

Greta Steyn and Nicola Jenvey

FEARS that the NP would quit government unleashed the bears in the financial markets yesterday, sending the rand reeling again and raising the spectre of another rise in Bank rate.

Dealers said money market interest rates were perilously close to forcing Reserve Bank governor Chris Stals to act again — a move that would be a major blow to economic growth.

However, Stals displayed reluctance yesterday to increase interest rates, despite three-month interest rates surging about 50 points as the cash crunch continued.

The rand threatened to crash through the R4,50 level in late trade after a brief respite at R4,3425 following the deal on the constitution, but this was short lived as Deputy President FW de Klerk signalled his dislike of the Bill.

While dealers agreed the NP's departure from government would probably not have any discernible effect on economic policy, they said it would add to perceptions of instability. "SA has just become far too unpredictable," a foreign banker said.

Gloomy traders feared the currency would tumble to R4,55 and worried that it might go beyond the R4,58 low hit last month. Concerns surfaced again that inflation would hurtle past 10% while economic growth stagnated.

Stals said the recent Bank rate adjustment had been sufficient to introduce a level of stability to the markets, but he would be watching foreign reserves and capital outflows "very closely" in the next two months. Interest rates had to be guided by what was happening in the markets.

However, pressure on interest rates had eased marginally with the decrease in the money market shortage.

Paul Vecchiatto reports that long bonds took their cue from the rand, plummeting to their weakest levels in 10 months to close at a yield of 16,59% against Tuesday's 16,34% close. The JSE's industrial and all share indices lost 203,6 and 80,5 points respectively while the June '96 all share and industrial indices crashed 180 and 280 points respectively.

Lukanyo Mnyanda reports business criticised the constitution, saying labour had come out on top at the expense of industry.

Spokesmen expressed disappointment over the failure to ensure balance between the right to strike and employers' right to lock out strikers, and slammed the property clause as "vague" and unconducive to business confidence.

Market turmoil hastened NP exit

Economic policy 'will not change'

(3044A)

BD 10/5/96

Wyndham Hartley

CAPE TOWN — President Nelson Mandela and the ANC moved swiftly yesterday to reassure the world that government policy, particularly on the economy, would remain unchanged following the withdrawal of the NP from the government of national unity.

The NP's withdrawal — rumours of which threw financial markets into turmoil on Wednesday — raised the question of when Inkatha leader Mangosuthu Buthelezi would follow suit, leaving the ANC to govern alone until the next general election in 1999.

Mandela, at a news conference about three hours after NP leader and Deputy President FW de Klerk had told him of the NP's decision, said government's policies were based on the needs of the people and would not change. Flanked by Finance Minister Trevor Manuel and Deputy President Thabo Mbeki, he was clearly referring to economic policy and the fiscal discipline which the NP has claimed credit for in the unity government.

He thanked De Klerk for his contribution to the transition to democracy, saying he would have preferred to have worked with the NP until 1999. De Klerk's contribution to the transition was too great to say "good riddance".

De Klerk said the NP would withdraw from the government at the end of June. The decision was based on a desire to serve the national interest better.

The decision came amid rumours that a leadership challenge forced De Klerk's hand. He strenuously denied that there was division in the party over the decision.

The decision to leave government, which was to have been taken at a meeting of the party's federal council next Tuesday, was apparently hastened by the hammering which the markets took as a result of speculation on Wednesday. Delay could have meant further damage and the decision to leave was taken by the party's federal executive and ratified by a caucus meeting yesterday morning.

De Klerk and Mandela said the decision was a positive step in the growth of democracy in SA. De Klerk said the development of a strong and vigilant opposition was the only way to preserve "genuine" multiparty democracy in SA. Because the new constitution, adopted on Wednesday, did not include provision for a unity government or any other form of joint decision making, "we have decided that the time has come for us to play our full role as the main opposition party". He said the time had come for the ANC to take responsibility for governing the country.

Continued on Page 2

Deputy President and NP leader FW de Klerk, flanked by NP general secretary Roelf Meyer, announces his party's resignation from the government of national unity in Cape Town yesterday. Picture: AP

NP exit (304A)

Continued from Page 1

BD 10/5/96

Constitutional negotiations saw the NP fail to achieve a "power sharing" model of any kind at executive level. The NP decision simply removes the party from a Cabinet where, by De Klerk's own admission, it was having less and less influence.

De Klerk also moved to reassure the markets, saying the policies adopted by the unity government were sound and he was confident that the NP's absence would not cause the ANC to divert from them. He thanked Mandela and the ANC in Cabinet for their co-operation in the decision making process. He said that Mandela, when told of the NP decision, was "his usual friendly self".

De Klerk and Mandela stressed that this did not mean an end to co-operation between the parties.

Last night Inkatha reaffirmed its decision to participate in the unity government saying it would withdraw only if the ANC made it impossible to continue. IFP secretary-general Ziba Jiyane said the IFP's national council would discuss the matter. He remarked that the NP had finally woken up to the political realities which caused the IFP to walk out of the Constitutional Assembly.

The Freedom Front said the new opposition role for the NP was illogical because it had not been able to achieve that in the past. Leader Constand Viljoen said it was a measure aimed at the local government elections.

Ingrid Salgado reports that the NP had not yet decided whether it should withdraw from provincial unity governments. A decision would be made at a meeting on Tuesday, Gauteng public transport and roads MEC Olaus van Zyl said. The meeting would examine the different roles played by the NP in the nine provinces.

He claimed some business leaders had welcomed the NP's move towards becoming an opposition party.

Gauteng DP leader Peter Leon said the NP's withdrawal from national government made a mockery of its insistence earlier that power sharing was a necessity. He said SA was heading for "serious trouble" with further falls in the rand, another interest rate hike and leaks from "reliable sources" that Reserve Bank governor Chris Stals was "on the verge of resigning".

He accused the ANC of blackmailing the NP into accepting disputed constitutional clauses by threatening that it would hold a referendum. The constitution had been written "by the ANC, for the ANC".

The ANC in the legislature said the NP's move did not express a lack of confidence in SA's multiparty democracy. It merely testified that democracy in SA had come of age.

Farouk Chothia reports from Durban that IFP leader Mangosuthu Buthelezi said the IFP national council would have to decide whether to pull out of the Cabinet, but he would hate to see the IFP take its cue from the NP.

Buthelezi said he was scheduled to meet Deputy President Thabo Mbeki next week, but he did not expect the IFP's allocation of Cabinet seats to be increased.

The IFP had always played the role of an opposition to the ANC, even in the Cabinet.

The NP's decision came as a surprise and was illogical. It gave the ANC a two-thirds majority for a constitution, and its decision was like closing the stable door after the horse had bolted, Buthelezi said.

behind shock announcement

Star 10/5/96 (304A)

emocracy, says leader of party whose influence in the GNU has been declining

TOIT

SAPA
Cape Town

Here is the full text of Deputy President F W de Klerk's announcement that the National Party is to withdraw from the Government of National Unity on June 30:

"The National Party decided at a meeting of its federal executive committee on Thursday morning to withdraw from the Government of National Unity with effect from June 30 1996. It reached this decision, after careful consideration, for the following reasons:

■ Our decision should be seen as an important step in the growing maturity and normalisation of our young democracy.

■ We believe that the development of a strong and vigilant opposition is essential for the maintenance and promotion of a genuine multiparty democracy. Since the new constitution does not provide for the continuation of any form of joint decision-making in the executive branch of government, we have decided that the time has come for us to play our full role as the main opposition party.

■ Continued participation in the Government of National Unity would complicate and impede our ability to work towards the realisation of the vision that our party adopted on February 2 1996.

■ The NP has, since the inception of the negotiating process, attached the greater importance to power-sharing. The new constitution contains no provisions for the continuation of any form of joint decision-making in the executive branch of government. I told President Mandela during the negotiating process that the failure to include any such provision in the new constitution could lead to our withdrawal from the government. Mr Roelf Meyer also conveyed the same message on a number of occasions to Mr Ramaphosa. Now that the ANC has opted for a simple form of majority rule – despite the complexities of our society – we have reached a natural watershed in the transformation of our society. It would be unnatural to continue in the GNU while everybody knows that the principles on which it rests have already been discarded in the new constitution.

■ The National Party has felt for some time now that our influence within the Government of National Unity has been declining. The ANC is acting more and more as if they no longer need multiparty government.

■ Although we reached broad agreement on the new constitution, it nonetheless failed to bridge the fundamental differences that exist between us and the ANC-SACP-Cosatu alliance on a number of important questions. These questions include the role of the trade unions; abortion and the death penalty; and the unqualified protection of private property.

■ The National Party's dual role as partner in the Government of National unity and as the main opposition party has been difficult to sustain. We have done so thus far in the interest of the country. We feel that the stage has now been reached where we will be able to serve the national interest more effectively by concentrating fully on a responsible opposition role, untrammelled by co-responsibility within the Government of National Unity.

> **"NP's dual role has been difficult to sustain"**

I should like to make the following comment regarding the timing of the NP's decision:

■ We are proud of the role we have played in facilitating the transition and promoting reconciliation. We remain as dedicated to that and nation-building as ever. The time has come, however, for us to reassert our own identity as a strong and vigorous party in our own right.

■ The GNU is now functioning effectively. Its ANC members are now established in their portfolios and believe that they have the experience and confidence to continue on their own. The three years that now lie ahead will give us, on the one hand, and the ANC-SACP-Cosatu alliance on the other, the opportunity to develop clear alternative identities and platforms before the elections. It also means that the ANC will have to assume full and sole responsibility for their policies and actions.

■ We do not intend to leave the Government precipitately. We have decided that our withdrawal should take effect at midnight on June 30. This will provide President Mandela with adequate time to appoint successors and for our ministers to hand over their portfolios in good order.

It will also allow us to deal with our budget votes in Parliament before the winter recess and to make the necessary arrangements for the closure of our offices and the redeployment of our personnel.

■ I am distressed that rumours of our withdrawal have had such a negative effect on the value of the rand. I should like to give the international and domestic business and banking communities the following assurances:

■ The basic economic policies of the GNU are sound. We have no reason to believe that the ANC has any intention of deviating from the course that they themselves have been co-instrumental in charting.

■ We have reached the point where we will be able to exercise greater influence on the economic policies of the Government by publicly adopting a vigilant and critical role than by exercising our diminishing influence behind the scenes within the GNU.

■ The framework of economic realities within which any government in South Africa would have to operate will not change as a result of our withdrawal. The "amorphous entity" of the market will continue to make its presence felt. Whether or not we or the ANC alliance like it, the market will continue to pass its judgments on our management of the economy. No government can afford to ignore these judgments.

I am, accordingly, confident that a more realistic view of our economic prospects and the basic stability of our economy will soon be restored.

Although we intend to play a vigorous opposition role on issues where we disagree with the Government, it will be a responsible role. In particular, we will continue to give our wholehearted support to the Government's efforts to promote economic growth; to alleviate the plight of the poor, the deprived and the unemployed; and to build a strong and united nation.

I should also like to take this opportunity to thank President Mandela and our ANC and IFP colleagues within the GNU for the manner in which we were able to co-operate in the decision-making process. This was a positive approach and served the best interests of South Africa.

> **"We will eventually become the country's biggest party"**

We need a strong and confident opposition. We intend to supply it – and we intend to work towards the vision that I sketched for our party in February this year.

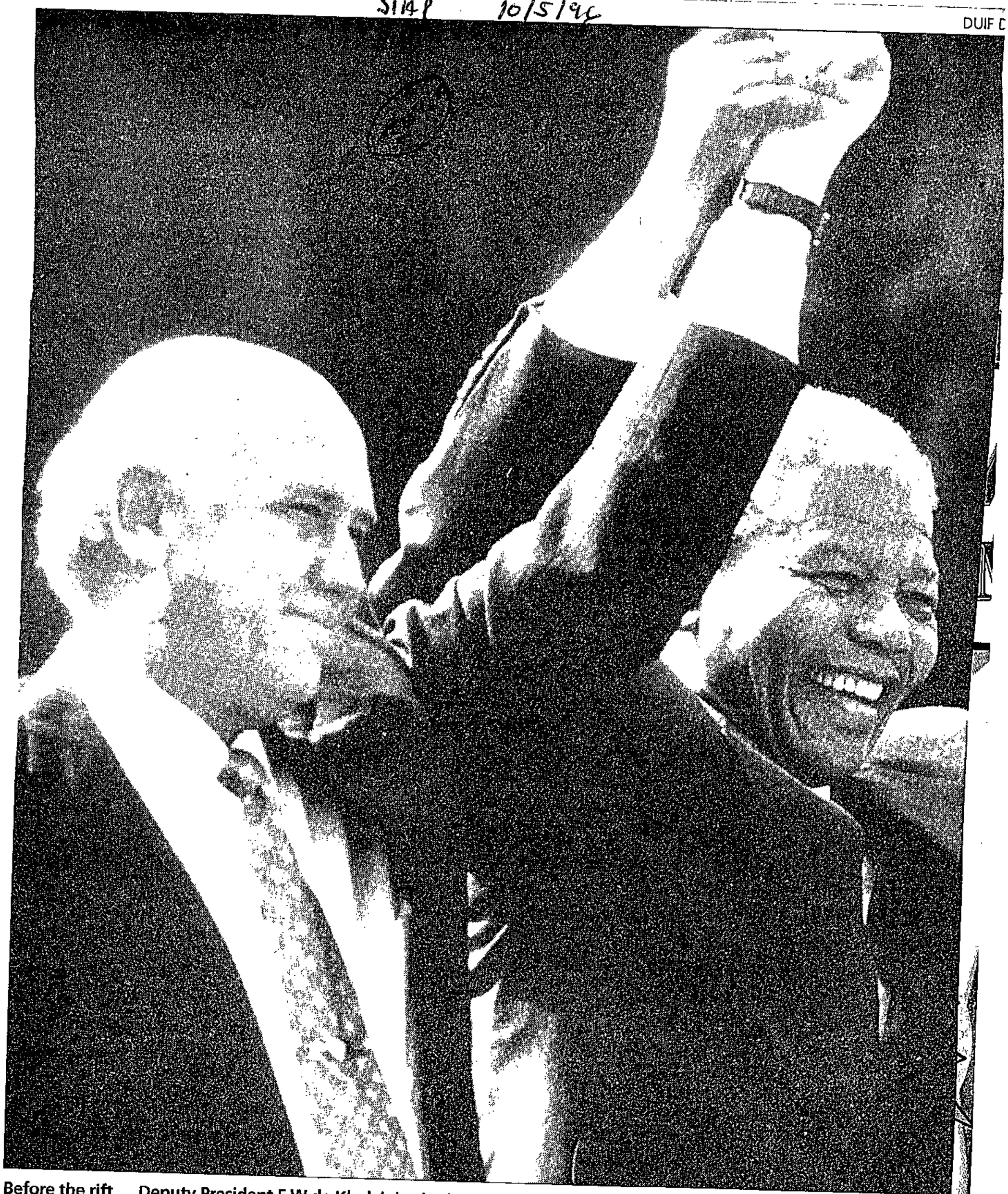
We will further consolidate our position as a party based on values rather than ethnic affiliation; we will expand our support among all South Africans and particularly among black South Africans; and we will eventually become the largest party in South Africa."

De Klerk spells out thinking

Strong and vigilant opposition necessary for promotion of genuine multiparty c

STAR 10/5/96

DUIF D



Before the rift ... Deputy President F W de Klerk joins in the celebration of the inauguration of Nelson Mandela as preside Union Buildings in Pretoria exactly two years ago.

Comment

It had to happen

Sooner or later it was going to happen.

The NP was always going to leave the GNU, for the coalition government itself had a shelf life set to expire in May 1999.

The NP has decided to quit the marriage of convenience. Frankly, the NP could only lose by delaying the divorce. Its constituency was already leaving in annoyance at its reduced powers.

De Klerk, upset because the ANC had turned down NP proposals for a continuation beyond 1999 of power-sharing in some form, chose yesterday to announce that his party will leave the coalition on June 30 to go into opposition. Predictably, markets reacted negatively, the rand continued its downward slide, and foreign governments and potential investors expressed concern.

That reaction is understandable, for there are people to whom the NP's presence in the GNU represented stability.

Some in the civil service and the security forces slept better at night knowing the NP was at least part of the Government.

There is no need to panic. As De Klerk himself pointed out, the basic economic policies of the Government are sound; fiscal discipline is a gospel and the ANC is blessed with considerable talent to lead the country into the future. We agree with De Klerk that the NP will "serve the

How FW stunned NP caucus

(304A) Star 10/5/96

JACK LESTADE

Day of destiny ... Deputy President FW de Klerk, seated next to NP secretary general and chief constitutional negotiator Roelf Meyer, is applauded by members of the NP caucus after announcing th decision to withdraw from the Government of National Unity yesterday. The vote followed months of dissent inside the NP over its future role.

By Kaizer Nyatsumba
Political Editor

When De Klerk announced the withdrawal from the GNU, the caucus was shocked at the speed of the decision

foreign governments and potential investors expressed concern.

That reaction is understandable, for there are people to whom the NP's presence in the GNU represented stability.

Some in the civil service and the security forces slept better at night knowing the NP was at least part of the Government.

There is no need to panic. As De Klerk himself pointed out, the basic economic policies of the Government are sound; fiscal discipline is a gospel and the ANC is blessed with considerable talent to lead the country into the future. We agree with De Klerk that the NP will "serve the national interest more effectively by concentrating fully on a responsible opposition role, untramelled by co-responsibility within the GNU".

The timing of the NP's announcement might be unfortunate, coming as it does a day after the adoption of the final constitution and when the rand is depreciating. But it is too easy to claim the party is being petulant. This decision was important for the NP itself, and was not taken in a fit of pique.

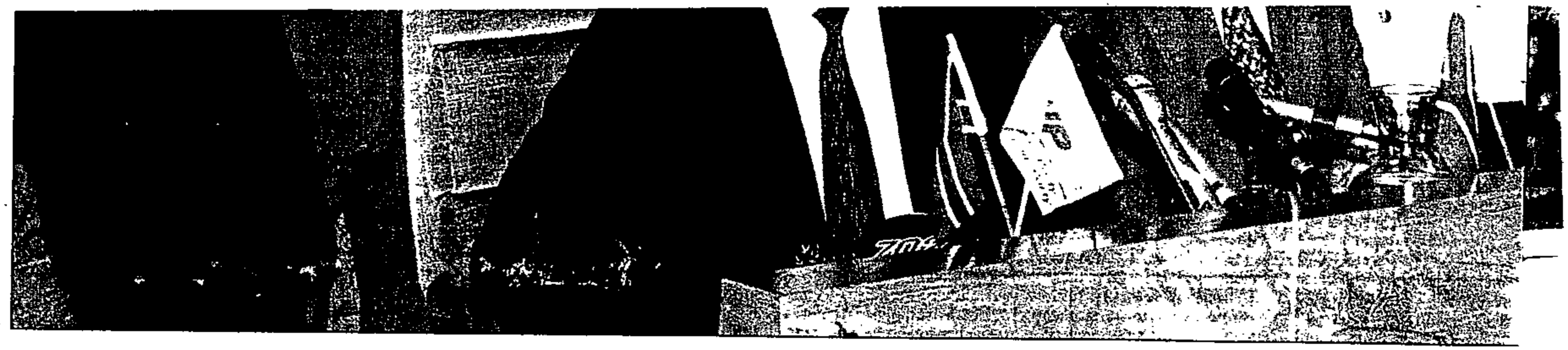
To paraphrase Cosatu's Sam Shilowa, we cannot have our politics held ransom by foreign jitters or pessimistic market speculators.

It is not often this newspaper carries its editorial opinion on its front page. This week we have done it twice, on two matters of national importance.

We applauded the birth of the constitution on Wednesday. Today we congratulate the NP for a tough decision taken well ahead of the 1999 general election.

Having agreed on the rules of the game, it is wise to get the real play under way.

THE EDITOR



Day of destiny ... Deputy President FW de Klerk, seated next to NP secretary general and chief constitutional negotiator Roelf Meyer, is applauded by members of the NP caucus after announcing th decision to withdraw from the Government of National Unity yesterday. The vote followed months of dissent inside the NP over its future role.

When De Klerk announced the withdrawal from the GNU, the caucus was shocked at the speed of the decision

BY KAIZER NYATSUMBA
Political Editor

Outgoing Deputy President FW de Klerk stunned members of his party's parliamentary caucus when he told them, a few minutes after he had walked into a caucus meeting shortly after 10.35 yesterday morning, that the National Party's federal executive council had decided earlier in the day that the NP should withdraw from the Government of National Unity.

Well-placed NP sources said although the possibility of withdrawal from the GNU had been discussed over the past two weeks, most NP MPs and senators did not expect a decision to be taken on the matter until around August.

"They were shocked. They could not say anything. They were not expecting it," said the source, a member of the the federal executive council, the party's highest decision-making body.

The Star was also told that the NP was divided along racial lines over whether to vote in favour of the final constitution adopted on Wednesday. Most white NP MPs were against it, "but blacks felt they could not vote against so fundamental a document as the new constitution", said the source.

The blacks won out and the NP joined the ANC and PAC in voting in favour of the constitution. The big decision on the NP's future in the GNU was left in abeyance.

The source said the decision to quit the GNU was taken by the NP's 23-member federal council when it met early yesterday morning, without the knowledge of most NP MPs "because we did not want to alert the media".

When De Klerk moved that the NP should leave the GNU, the council was almost divided down the middle, with 10 members – including most of the NP's six ministers and three deputy ministers – opposed. The other 13 members of the council, including De Klerk, favoured a withdrawal.

Once the decision had been taken, De Klerk and his federal executive colleagues went to the caucus meeting, which starts at 10.30am on Thursdays, the source said.

"We walked in at about 10.35. Caucus members suspected there was something wrong because we were late. Everybody sat down. When the chairman, Myburgh Streicher, said we were not going to hold a usual caucus meeting and that he was going to call on the party leader to talk to us, people were more tense.

"De Klerk started explaining that we will have to do it (leave the GNU) now or wait until 1999. He told them about the federal council's decision and there was shock. He said that from the caucus he was going to tell President Mandela about our decision and then hold a media conference.

"Because we did not want a leak, everybody stayed put. We waited until 12.30 when De Klerk began addressing the conference," the source said.

Mandela will consult ANC allies on his cabinet options

BY KAIZER NYATSUMBA AND PATRICK BULGER

President Nelson Mandela will soon be consulting the ANC-led tripartite alliance about the implications of the NP's surprise withdrawal from the Government of National Unity before deciding on people to replace NP ministers and deputy ministers who will leave their positions on June 30.

The NP's move will strengthen the president's hand when it comes to appointing more ANC members, especially women, into his cabinet. It may even pave the way for the return of Dr Pallo Jordan, axed as posts, telecommunications and broadcasting minister last month after Chris Liebenberg's resignation as finance minister.

Also a possibility for the president is to offer a cabinet position to the Freedom Front and the Democratic Party, or even to try to placate IFP leader Mangosuthu Buthelezi by increasing his party's cabinet representation.

Outgoing Deputy President FW de Klerk said yesterday the NP believed it would be able to exert greater influence on economic policies from outside of government. "We believe the development of a strong and vigilant opposition is essential for the maintenance and promotion of a genuine multiparty democracy."

On July 1 De Klerk will step down and his six cabinet ministers and three deputy ministers will quit their posts.

The reasons behind the NP's move include the inability to bridge differences between the NP and the ANC-SACP-Cosatu alliance on trade unions, abortion and the death penalty, and the unqualified protection of private property.

Mandela said he would not offer the deputy presidency to Buthelezi. He said the pullout "reflects the fact that the National Party recognises that our young democracy has come of age".

Nats pull plug

(Boka) 10/5/96

Value of rand picks up slightly after pullout

By Rafiq Rohan
Political Correspondent

NOTHING the National Party can do will destroy the foundation that has been built by the Government so far, President Nelson Mandela said confidently after the NP's shock withdrawal from the Government of National Unity yesterday.

And, contrary to the fears expressed earlier in the day about the falling rand, the rand in fact recovered marginally after the announcement.

"It would have been better if we continued to work together in government," Mandela said a few hours after the announcement.

"In that way we would be able to build the consciousness and go a long way in uniting the country. We have laid the foundation and nothing the NP can do can destroy that," he said.

Not a surprise

Mandela said the announcement did not come as a surprise to him because throughout the last two years De Klerk had often indicated to him that he wanted to leave the GNU.

The President was philosophical about the NP's decision, saying that a vigorous opposition was necessary for South Africa's democracy.

"We respect their judgment on this matter," he said, but issued a warning: "We hope that their decision to play a more active role as an opposition party does not mean obstructing the process of transformation or defending apartheid privilege."

The Democratic Party was less generous in its reading of the NP decision. Mr Tony Leon said the decision was "politically expedient and petulant".

"The NP has played its last card from a very weak hand," he said.

President Nelson Mandela and Deputy President and National Party leader FW de Klerk pictured on Wednesday shortly after the adoption of the country's first democratic Constitution. It was a different picture yesterday when De Klerk dropped a bombshell that the NP was withdrawing from the Government.

Earlier in the day indications were that the NP was in a state of disarray and on the point of collapse after failing to achieve what it set out to.

The Freedom Front's General Constand Viljoen said the NP was "deeply divided". But this was denied by its leader, De Klerk, who said his party was never more united.

He announced that he would be engaging in a drive to recruit more black members to his party.

And a start to this campaign was made at the dramatic Press conference at Parliament to announce the withdrawal. The NP made sure that every black member in its ranks stood just behind its leader while the white members, described as the real power, were shunted to the left.

The major implication of the withdrawal, which comes into effect at the end of June, is that the Cabinet will have to be reshuffled to replace the NP ministers and deputy ministers.

President Mandela will have to take some decisive action to prevent the Government of National Unity from falling into complete disarray. Although he is entitled to, Mandela will probably not replace the vacant seats with ANC members only.

Already, earlier in the week and anticipating the NP move, he said that the ANC would not emasculate the smaller groupings in Government. He might just use the opportunity to reward loyal opposition leaders like Constand Viljoen and someone like the DP's Colin Eglin with one of the soon-to-be vacant portfolios.

The move, with De Klerk out as deputy president, means that the country will only have one deputy, a position currently occupied by Mr Thabo Mbeki.

Abandoning ship

The Nats were like rats abandoning ship, Viljoen said yesterday.

The party was putting its own interests above those of the nation, he said in reaction to the news that they would quit the GNU.

The whole concept of a GNU, to which the FF had been opposed, had one value: it was a good transitional mechanism and could help the country over difficult times.

Now, in a difficult economic period, the NP was abandoning ship. "This is worrying," he said.

The NP's action was illogical. On Wednesday its leader, De Klerk, told the National Assembly that parties should participate in the Government. Yet he has now suddenly decided otherwise, Viljoen said.

The NP's withdrawal from the GNU did not affect the FF, which was an independent party. "We will just continue on our own," he said.

DONATION MADE TO DP

Nasionale Pers deserts NP

CT 10/5/96 (304A) (243)

IN A MAJOR blow to the National Party, Nasionale Pers, long regarded at the party's official mouthpiece, has told Deputy President F W de Klerk that the NP could no longer rely on the company's support, writes **BARRY STREEK.**

THE former National Party-supporting Afrikaans publishing house, Nasionale Pers, has made a significant donation to the Democratic Party.

Nasionale Pers and the National Party were for years virtually synonymous and its newspapers used to be the official mouthpiece of the party.

The Cape Town daily, Die Burger, was particularly close to the NP establishment and its editorials and columns used to be quoted as if they were the voice of the government.

The party, in turn, regularly rewarded Die Burger, its editors and its political writers with service awards and passed laudatory resolutions at its Cape congresses.

Nasionale Pers' move is a major blow to the NP as it tries to reposition itself as an opposition party, indicating that its support base is declining.

It is understood, however, that Die Burger editor Mr Ebbe Domisse informed De Klerk about a month ago that the links between the NP and Nasionale Pers were now over and that its publications would now be completely independent of the party.

In the latest issue of Millennium, released today, Nasionale Pers' executive chairman Mr Ton Vosloo confirmed that the company's board of directors had taken a decision, in the interests of promoting "multi-racial democracy", to make a "modest" cash donation to the DP.

Ms Ingrid Uys, who wrote the article said: "Millennium understands that the donation was not all that modest".

Vosloo told the magazine that the newspaper group had adopted a "value approach" towards party politics.

The article continued: "It has decided that it will contribute to a multi-party democracy to which everyone could subscribe, and not just NP supporters.

"The Afrikaans newspapers had learnt that being too close to a political party was no longer 'expedient'."

Uys said that on at least two occasions Die Burger had criticised the NP and praised the DP and she quoted a column by the newspaper's Dawie which said: "Alas, it seems sometimes as if the cloak of freedom and democracy lies uneasily on the NP's shoulders.

"This is in contrast to the DP, which fights like fury for a proper democracy — someone who can lighten the heavy hand of authority more meaningfully and create more space for a civil society."

Recently, South Africa's former ambassador to Denmark Mr Conrad Sidego was appointed to a senior position at Nasionale Pers to lead the company's strategic planning for the future.

Sidego is the first black person to hold a senior management position with the company.

Nasionale Pers recently announced it would sell most of its shareholding in its Sunday newspaper, City Press, to a black-owned company.

Cabinet posts up for grabs

(304A) CT 10/5/96

WOMEN ARE EXPECTED to be among the leading contenders for cabinet posts in the shake-up that is likely to follow the exodus of the National Party from the cabinet, write Political Editor **ANTHONY JOHNSON** and Political Writer **BARRY STREEK**.

A BIG shake-up is expected in the cabinet following the National Party's surprise decision yesterday to quit the government of national unity, which has left six ministerial and three deputy ministers' posts up for grabs when the positions become available at the end of next month.

In ANC circles, it is expected that many of the vacancies will be filled by women, who are under-represented in the cabinet.

They include Ms Geraldine Fraser-Moleketi, now deputy minister, in line for the Welfare portfolio, and Deputy Agriculture Minister Thoko Didiza-Msane, who could take over as minister. Deputy Arts, Culture, Science and Technology Minister Brigitte Mabandla and the ANC caucus chairperson Ms Baleka Kgotisila are also in line for promotion to the cabinet.

Deputy Provincial Affairs and Constitutional Development Minister Valli Moosa and the chairperson of the National Assembly's Portfolio Committee on Mineral and Energy, Mr Marcel Golding, could also be promoted.

Others include former journalist Ms Thenjiwe Mtintso, Ms Pregs Govender, Dr Blade Nzimande, Ms Naledi Pandoor and Ms Janet Love, while Senators Mohseen Moosa, Mohammed Bhabha and Bulelani Ngcuka could also be considered for promotion.

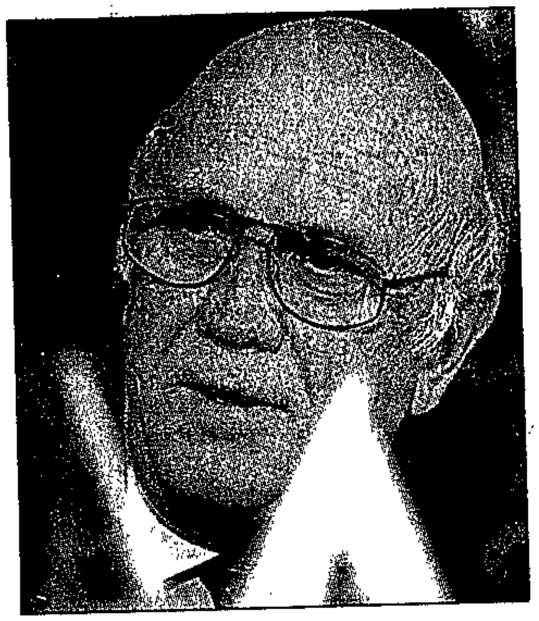
The Inkatha Freedom Party will be constitutionally entitled to one of the cabinet spots.

It appears that the NP's decision to operate as a full-blown opposition party is aimed at healing serious divisions in its ranks.

The announcement yesterday led the rand to plunge to R4,54 against the dollar, but it steadied later and closed trading at R4,51.

Deputy President F W de Klerk said he believed the announcement would steady the market by putting an end to speculation.

President Nelson Mandela, who met the ANC's national working committee last night to weigh up the majority party's options, said an announcement on who would fill the vacancies would be made "in due course".



FAREWELL: Deputy President F W de Klerk announces that the NP is to leave the government of national unity. *PICTURE: BENNY GOOL*

Tuynhuys officials said decisions on the cabinet reshuffle would probably be delayed until it had become clear whether the IFP would follow the NP's example.

But both IFP chief negotiator Mr Walter Felgate and secretary-general Dr Ziba Jiyane said the party planned to remain part of the government for the time being.

However, IFP leader Chief Mangosuthu Buthelezi said he would have to consult his party about what to do.

De Klerk said any speculation that the decision was due to undercurrents of ideological differences was misplaced.

"We are united as one on this issue," he told a hastily convened press conference.

But party insiders conceded last night that turmoil in the party after the contentious decision to vote for what many regarded as a flawed constitution, had forced a trade-off.

"A trade-off deal had to be struck to rescue party unity and appease disgruntled members opposed to the constitution," said one.

De Klerk said that opting to become "a strong and vigilant opposition" would pave the way for the party "eventually to become the largest party in South Africa".

NP secretary-general Mr Roelf Meyer denied the timing of the decision was linked to the local government elections in the Western Cape and KwaZulu-Natal.

But NP sources conceded this would be a risky strategy because its market research showed that the party had gained respect among black people as a partner in nation-building with the ANC.

Adopting a narrow opposition role as spoiler would stunt its potential for growth among Africans, who were 75% of the electorate.

President Nelson Mandela said he was not surprised by the NP move and respected its decision as well as "the party political considerations" that precipitated it.

Mandela added: "We hope that their decision to play a more active role as an opposition party does not mean obstructing the process of transformation or defending apartheid privilege."

DP leader Mr Tony Leon said the step had been necessitated by divisions in the NP caucus over its support for the constitution" and would only serve "as a temporary dressing for the wounds that divide it".

Freedom Front leader General Constand Viljoen said the deeply divided NP had to pay this price to secure unity.

- De Klerk said yesterday that NP ministers and their deputies would have to surrender their perks and ministerial benefits.

The ministers packages will drop from R424 000 a year and deputy ministers from R345 000 a year to R192 000 a year.

- The Western Cape government of provincial unity will almost certainly remain intact, despite the NP's decision to withdraw from the national cabinet.

Both the ANC leader in the Western Cape, Mr Chris Nissen, and senior NP MEC Mr Gerald Morkel said yesterday the provincial cabinet was working well and there was no reason to break it up.

EXIT MOVE: National Party members applaud their leader, Deputy President F W de Klerk, shortly after his announcement that the NP would leave the government by June 30 for the role of official opposition. On the far left is Minister of Welfare and Population Development Mr Patrick McKenzie. *PICTURE: BENNY GOOL*

NP minister shrugs off loss of perks

CT 10/5/96 (304A)

JACKIE CAMERON

DESPITE taking a substantial salary cut and losing all the perks that go with being a cabinet minister, the NP's Mr Patrick McKenzie is optimistic about his future.

"Luckily I travel light," a remarkably cheerful McKenzie, who was national Minister of Welfare and Population Development for less than two months, said after the NP announced their withdrawal from the government.

McKenzie took over from party colleague Mr Abe Williams, who was implicated in a corruption scandal, after holding the post of Western Cape Police Services MEC.

He has not yet had time to unpack all his belongings in his luxurious ministerial suite near Parliament — and will now have to move again at the end of June.

This time he's moving down the ladder — like his NP ministerial colleagues — to become an MP. He admits "it will be a sacrifice for all of us", both financially and in terms of prestige.

"I won't have to move. I never moved into a ministerial residence. I stayed in my own house."

McKenzie said he did not regret his decision, in retrospect, to leave his plum provincial job because a politician must always be prepared for new challenges.

He had warned his family and his staff earlier this week of the possible development.

About 120 people who work for NP ministers and Deputy President F W de Klerk stand to lose their jobs now, but McKenzie said he would see to it that his staff found alternative positions.

"This is a new phase in my political life. I am ready for it and I have no hard feelings. I will give my new position my best and will play more of a watchdog role."

"We began to smell like them (the ANC), and look like them. Now we can say to our supporters that they (the ANC) believe in that, and we believe in this.

"I will tackle affirmative action.

"In terms of policies that the ANC has, we (people of colour) are too white.

"My community is beginning to feel marginalised.

"People have forgotten the sacrifices that were made by our communities, such as in District Six, Mowbray and Constantia," McKenzie said.

ANC deputy ministers likely to be promoted in wake of NP move

BD 10/5/96

(304A)

Alan Fine and Wyndham Hartley

SEVERAL ANC deputy ministers are likely to find themselves elevated to full Cabinet status upon the departure of the NP on June 30.

Sources close to President Nelson Mandela say he is likely to attend to increasing the number of women in the executive — the name of former ANC Women's League leader Baleka Kgositsile was mentioned — but he may consider inviting members of other minority parties into the Cabinet. He may also consider changes in Cabinet posts.

Most probable is the elimination of the now obsolete constitutional development portfolio which has, until now, been shared with provincial affairs — the ministry being vacated by Chris Fismer. However, responsibility for local government — until now not a Cabinet responsibility — may be added to the incoming minister's portfolio.

He may also eliminate a post, according to ANC caucus sources. General services, occupied by the NP's John Mavuso, may suffer that fate.

Valli Moosa, Fismer's deputy, is considered a strong candidate for the provincial and local government affairs post. However, a source close to Constitutional Assembly chairman Cyril Ramaphosa said that would depend on Moosa's association with Ramaphosa not counting against him.

Some ANC caucus members have suggested this was a factor in the previous Cabinet reshuffle. A possible replacement for Moosa as deputy could be former SA National Civic Organisation chief Lechesa Tsenoli, a source said.

The same consideration could apply to Ramaphosa's former NUM colleague Marcel Golding. Some consider Golding, chairman of the mineral and energy affairs portfolio committee, the "natural choice" for Pik Botha's position. Susan Shabangu was appointed deputy minister only a few weeks ago.

Deputy Agriculture Minister Thoko Msane is seen as a likely replacement for minister Kraai van Niekerk. Similarly, Geraldine Fraser-Moleketi seems certain to replace Patrick McKenzie as welfare minister just two months after he joined the Cabinet following the departure of Abe Williams.

Controversial Deputy Environment Affairs and Tourism Minister Bantu Holomisa could be appointed minister in place of Dawie de Villiers despite previous brushes with Mandela over party discipline.

"Holomisa remains popular in the former Transkei and Mandela would probably seek to avoid doing anything that would destabilise ANC structures in the area," said a caucus member.

After 48 years, the Nats are out

M+G 10-16/5/96 (304A)

The National Party has announced it is to quit the Government of National Unity, reports **Gaye Davis**

THE Mandela-De Klerk era ended at noon on Thursday. The National Party announced it is to quit the Government of National Unity, ending its 48-year stretch in the executive.

National Party leader FW de Klerk said yesterday the decision to quit the GNU did not mean an end to good co-operation, but it has left President Nelson Mandela faced with finding six Cabinet ministers and three deputies by June 30, when the withdrawal takes effect.

The decision was taken at an emergency meeting of the party's federal executive committee Thursday morning and later endorsed by the NP's parliamentary caucus.

The decision was due to have been taken at a meeting of the NP's federal council this coming Tuesday. Instead, as the rand went spiralling downwards in the wake of De Klerk's remarks during the adoption of the new Constitution on Wednesday that the NP was seriously considering withdrawing from the GNU, provincial leaders were urgently summoned to Cape Town for yesterday's meeting.

Mandela, on a walkabout in Mitchell's Plain, was informed of the decision by De Klerk by phone shortly before the NP leader faced the press.

De Klerk said Mandela's reaction was "cool"; he took notes and "did not try to discuss the merits with me". De Klerk thanked Mandela for the "good working relationship we could have enjoyed".

Party insiders said De Klerk had made up his mind some time ago that he wanted to quit the GNU but faced opposition from within the party.

Behind De Klerk's thinking lay the realisation that the new Constitution marked a fresh phase in politics and a strategically opportune moment to quit the GNU, rather than wait for its formal expiry in 1999.

This would allow the party to focus on being an effective opposition without the hindrance of being party to decisions at executive level. It would also smooth internal rifts over the NP's lack of opposition profile and continued particpation in the GNU.

The opposing view — held by party secretary general Roelf Meyer, was that it would be better to make the most of the last few years of power — sharing and remain an influence in government. De Klerk was understood to be keen to take a quick decision and put an end to uncertainty.

Debate within the party over the issue came to a head this week as it faced up to voting in favour of a Constitution which it felt to be flawed. It was time for the debate to come out into the open. Being the junior partner in government and an effective opposition is very difficult. Now we are in a transitional moment it is the time to do this, a NP source said.

GNU: Nat MPs felt powerless

(304A)

ARG 11/5/96

'We talked, they heard, but they didn't listen'

CLIVE SAWYER
Political Correspondent

BEHIND the decision by the National Party to leave the government of national unity was an increasing feeling of powerlessness by its ministers at cabinet meetings.

The final straw was approval of the constitution, which issued a death warrant for enforced coalition rule.

Among incidents which helped to heighten disillusionment among Nats in the past few months was the appointment of Trevor Manuel, the first post-election Finance Minister from the African National Congress.

National Party secretary-general Roelf Meyer said his party had not based its objection against Mr Manuel personally, but believed the finance portfolio should go to an expert drawn from outside politics.

But when the decision was made President Nelson Mandela did not consult his NP deputy, FW de Klerk. He merely informed him.

This hit home the message that the ANC was increasingly exerting its authority on the executive, confident of its support among the majority of the electorate, and girding itself for a future of unfettered majority rule.

Another issue which made the NP increasingly uncomfortable within the government was foreign policy.

South Africa's increasing closeness to Cuba and Libya was the wrong signal to be sending to the most powerful economies of the northern hemisphere, as far as the NP was concerned, but the ANC declined to heed them.

As one NP cabinet minister, frustrated by his party's inability to have any impact on policy, was quoted as saying this week: "We talked and they heard, but they didn't listen".

In the two years between the inauguration and the split of the unity cabinet, the NP never succeeded in striking a balance between being an opposition and publicly having to be accountable collectively for cabinet decision

At the public announcement of his party's decision, Mr De Klerk gave a glimpse of the deep-rootedness of the frustration of being a voice in the wilderness in a corner of the cabinet room.

"We felt for some time now that our influence in the government of national unity has been declining.

■ The approval of the constitution, which sounded the death knell for enforced coalition rule, was the final straw as far as the Nationalist Party was concerned.

"The ANC was acting more and more as if they no longer needed a multiparty government.

For the ANC there was no doubt that its sense of accomplishment with the finalisation of the constitution was sweetened by the departure of the Nats from government.

ANC MPs this week had a spring in their step, both at the departure of a party viewed as a brake to reconstruction and at the affirmation of political maturity signalled by the NP withdrawal.

President Nelson Mandela said the move marked the coming of age of the post-election system, although he noted he would have preferred the Nats to stay on in partnership for the allotted span of the interim constitution.

By the weekend it was clear that no significant observer viewed the NP decision as likely to cripple the government.

Spokesmen for business viewed it as a normal, positive and inevitable political development.

Deputy President Thabo Mbeki told an ANC Press conference that he was confident that business confidence would improve, and even speed up, in the coming years of normalisation.

South Africa's move to universally accepted democratic norms should be welcomed, Mr Mbeki said.

"The government remains on course and will pursue the programme it was elected to implement with even greater vigour, unencumbered by the sensibilities of the party that gave birth to apartheid."

Meanwhile, top staff of the offices of NP ministers and deputy ministers are worried about their future after June 30, the day that NP participation in government officially ends.

About 140 staff are employed by NP-controlled ministries.

These include private and administrative secretaries, media liaison officials, typists and other staff.

Particularly those who have relatively high-profile identification with Nationalist ministers could face an uncertain future.

□ BUTTONED UP: A "sound founding document" is approved without hesitation.

■ Not without flaws, but, on balance, a sound founding document – this, in broad outline, is the consensus on the Constitution of the Republic of South Africa Bill of 1996, the final clauses of which were forged under intense pressure this week. **MICHAEL MORRIS** reports.

HISTORIANS may well conclude that the single most telling plaudit earned by the constitution in this hectic week was the departure from the government of the second most powerful party in the country. The conditions under which it goes confidently into opposition are essentially those established by the new constitution. It is a document, which, as outspoken Democratic Party leader Tony Leon put its, "does undoubtedly promote democracy, contains greater promise of greater federalism than the interim constitution and will promote accountability and transparency". He gives it "very high marks".

Yet, it is also widely acknowledged as being imperfect, and, in a sense, incomplete. Wilmot James, executive director of the Institute for Democracy in South Africa, foresees a range of legislative measures – and predicts that the Constitutional Court will be "busy" – as politicians and citizens seek to clarify an instrument that was "put together essentially through effective party bargaining, and under great pressure".

Leon Louw, director of the Free

close to each other. --- Well, let me remind myself what I

Constitution: How the experts see it

ARG 11/5/96

(304A)

the ill-defined girth of some clauses and fears that one of the consequences will be that the country becomes as litigious as the United States, with the Constitutional Court having to contend with an impossible burden of test cases. But, like Willie Hofmeyr, African National Congress member of parliament and a key negotiator in the Constitutional Assembly, they are all at one in acknowledging that, on balance, the new constitution is a sound one.

Dr James, who applauds the constitution, in spite of its flaws, as "a very good foundation on which to build a constitutional state", argues that the consequence of there having to be "many things referred to the Constitutional Court, the need for constitutional amendments on a reasonably regular basis and legislation to give effect to certain clauses ... must be seen as a cost of having done this so quickly and under such pressure".

"This is simply the cost we will have to bear."

He adds: "My sense is that it's a good constitution, and that the negotiators have worked very hard to get many things right. "I am particularly happy with the Council of Provinces, which makes for much better co-operative governance, and I think, overall, it is a decent founding document for this country, in part because of the extent to which it embraces the values and principles and institutional framework of governance that people can live with, be happy with and identify with, and the extent to which it is flexible enough to survive the course of history".

On a score of one to 10, Leon Louw gives the constitution a fair seven.

But he laments the fact that "it deals too much with socio-economic and other issues of today, so that it is not enduring, and basically has a shelf-life of only a few decades. It does not speak across the centuries, as it ought to."

Even so, he believes "its great strengths are its main structural provisions, administrative structures, the creation of independent courts and an independent Reserve Bank, and the first generation component of the Bill of Rights. "The limitation clause is a good one by international standards, and the reference to an open society is unique and important."

He is critical of the labour clause – "it's current policy and shouldn't be in the constitution at all" – and the inclusion of "wish list" second and third generation rights, "which should merely be in the preamble".

"The bad consequence of this is that it makes the constitution unstable, not enduring.

"The error was the inability of the negotiators to have a vision of a normalised South Africa. They were completely locked into the present transitional South Africa and this has led to stuff we will regret, and that will have to be changed.

"Our constitution will not be relevant in 100 years, and I think for that it must lose some marks."

He also counts as a flaw the fact that constitutional issues cannot be tested in every court, from magistrate's courts to the Constitutional Court itself. While he believes the much fought over property clause "is really quite good", he regards the inclusion of horizontal rights (applicable to relationships in society generally, as opposed to vertical rights applicable to relations between state and citizens) as "the most serious flaw... which detracts from the purpose of the constitution, and will lead to all sorts of legal uncertainty and unforeseeable legal consequences".

"This will be the thing that will be most regretted because it will lead to our becoming as litigious as the United States. My advice to every lawyer is to become a constitutional lawyer, because there's going to be a bonanza. In every possible arena of life, people will be going to court."

Tony Leon also regards horizontal rights as a "negative aspect" that could turn the constitution "into a kind of battering ram in society".

But "in the realm of rights, the Bill of Rights is very progressive and one that any liberal would be proud to support".

He would have preferred a better provision for the right to privacy, but believes it is "not as bad it was".

"All the watchdog mechanisms that hold government to account are necessary and worth while, but are flawed by the ease with which the majority party can appoint its own people. So what should be a steel girdle around government is rather a barrier of papier mache.

"Any constitutional instrument is going to work only if other barriers are in place... independent judges, robust civil society and confident citizens. We have these things, but they are not embedded yet, and we need to ensure that they are sustained.

"The constitution has the potential for these elements, but it is not up to the constitution to deliver them.

"So it's a mixed bag, but on balance, we need to unify on the concept of constitutional government and democracy."

The DP, he points out, will be seeking to use the constitutional certification process "to make some further changes".

Overall, Willie Hofmeyr believes the constitution is a very good one.

"It is not ideal, nor does it contain everything that the ANC would have liked, but I think it must be a reflection of the concerns of all South Africans, and it is."

He feels the Bill of Rights "turned out very well in the end" and that reasonable compromises were achieved on the education and property clauses. "We did perhaps have to give a little more than we would have liked to on property rights, but I think overall that the clause is a significant improvement on what's in the interim constitution and will hopefully be able to address some of the problems that have arisen in the past two years in land reform.

"We also spent quite a lot of time agonising over the new rights – the right to information and the right to just administrative action – which one does not find in any other constitutions in the world. We are leading the world on this, but they are the kind of rights that can create a huge financial and administrative burden for the state.

"We battled to find a formula to create a balance, and we feel that the idea of creating a right, but saying it must be given effect in legislation, is a good solution. The problem with rights in the Bill of Rights is that the courts do not accept that you can limit them for cost reasons. We had to try to find some balance."

Going, going, gone!

CP 12/5/96 (304A)

By CHIARA CARTER

THE National Party pull-out from the government of national unity was motivated by a feeling of increasing powerlessness at Cabinet level coupled with internal tensions over the party's direction.

The withdrawal has cemented the position of NP leader FW de Klerk, who was the main motivator for the withdrawal.

Leading Nats, including De Klerk and secretary general Roelf Meyer, this week said their influence at Cabinet level had been declining for some time and it had become clear the ANC no longer needed a multi-party government.

Incidents included:

☐ The decision not to include enforced coalitions in the new constitution. Meyer said the new constitution would be operating by the end of the year and the NP felt "a moral imperative" to withdraw;

☐ Unhappiness with the appointment of Finance Minister Trevor Manuel. While the NP did not have a problem with Manuel personally, the party wanted the finance portfolio to go to a neutral expert.

They were unhappy that President Mandela did not consult De Klerk before deciding to appoint Manuel;

☐ Decisions taken by the cabinet with little regard to NP policy;

☐ Discomfort with foreign policy which saw South Africa close to Cuba and Libya; and

☐ Difficulties experienced by Nats in government who had to support policy and defend it although they often did not really agree.

Meyer said the decision to pull out of the government of national unity had been a long time coming and was not a trade-off for acceptance for the new constitution.

Both he and De Klerk had raised the issue previously with the ANC.

Last week, as negotiators haggled over the constitution, NP members said there was growing pressure in the party to withdraw from the government. This week De Klerk was unanimously supported by the party's executive and caucus, although not all NP members agreed with the decision.

The party's position in regional government will be discussed this week, but it seems likely a similar withdrawal will occur in provinces where the ANC is the majority party.

NP sources said there had been growing unhappiness in their ranks after it became clear powersharing would not be written into the new constitution. The decision to withdraw had been taken in the interest of maintaining party unity. The NP would now reposition itself as an opposition party.

But some Nats are concerned the withdrawal might make it more difficult for the NP to attract middle class black support because it no longer has the stature of working in the government of national unity.

Meyer, who is understood to hold this view, said the NP wanted a realignment of party politics and hoped to attract ANC supporters.

The ANC was upbeat about the NP pull-out. Mandela said the withdrawal was a move towards normalising South African politics.

Deputy President Thabo Mbeki said the NP's departure did not mean a change in government policy and he was sure investor confidence would improve. He hoped the NP would be a loyal opposition.

Business leaders said the development was normal and inevitable and there was no reason to think it would adversely affect the economy.

'It's a whole new ball game for the NP'

CP CORRESPONDENT

THE NATIONAL Party had a vision of becoming a truly non-racial party – and it would change its name if necessary, Deputy President FW de Klerk said in an interview.

"The NP no longer has any right-wingers in its ranks. The right-wingers have all joined either the Conservative Party or the Freedom Front. Everyone in the NP, of all population groups, is excited by our vision and we will become a truly non-racial party of people who belong with each other on the grounds of the values which they espouse and in which they believe."

De Klerk said the NP had since Friday been inundated with faxes and telephone calls, "also from Soweto", in which people expressed their joy at the party's decision to pull out from the government of national unity.

He had no need to make peace with the fact that he would be sitting in the opposition benches in Parliament in future, said De Klerk.

"I am deeply convinced that this is what has to happen at this stage and that the National Party and I as its leader can serve the best interests of South Africa better in this way at the moment than by remaining in the government of national unity."

It will be the first time in about 48 years that the NP finds itself in this position.

"We want to move away from the situation in which, if you are black, you will vote for this party, and if you are white, you will vote for that party. We want to reach a point where politics in South Africa are driven by values."

He was satisfied that the NP had had a considerable influence on fundamental government policy, especially during the first 18 months of the government of national unity, said De Klerk.

Although there had been differences, the NP "is not leaving the government with bitterness", he said. "We are not sour. In fact, we are leaving at a time when there is no tension. We are leaving because it's the right time to switch over to a new situation. The country needs an effective opposition if we want a multi-party democracy."

cp 12/05/96

AND NOW WE'LL PART OUR WAYS . . . President Nelson Mandela and Deputy President FW de Klerk chat outside Parliament after the approval of South Africa's new constitution. The following day De Klerk announced that his party was leaving the GNU

■ Pic: AP

304A

Nats will follow the path of constructive opposition - FW

(304A) ST 12/5/96

By RAY HARTLEY
Political Correspondent

THE leader of the National Party, F W de Klerk, has identified the management of government as the key feature of South Africa's new political battleground.

In an interview with the Sunday Times two days after announcing the NP's intention to withdraw from the government of national unity at the end of June, Mr de Klerk committed his party to "constructive opposition".

But he said he was concerned by the ANC's tardiness in getting government going. "Unless they get their management sorted out, their delaying on big issues will continue to be a problem," he said.

Among areas that concerned him were:

- "Unbalanced affirmative action" appointments by some ANC ministers, leading to key government departments being run by inexperienced people;
- The slow pace at which a crime-prevention strategy was being formulated;
- The need for a more detailed growth strategy; and
- A lack of action on areas requiring speedy attention, such as privatisation.

Reflecting on his experience as chairman of the cabinet committee charged with fighting crime, he said: "We, as well as very senior ANC members, were very disappointed by the lack of completion of the crime-prevention plan."

During a week of high political drama, Mr de Klerk led his party in voting yes for the Constitution on Wednesday, then announced on Thursday that he was quitting the government of national unity.

The decision to quit represented a victory for NP hard-liners such as Kwazulu Natal leader Danie Schutte and Western Cape Premier Hernus Kriel, who have argued that the party should pull out of government to take up a full-time opposition role.

NP secretary general Roelf Meyer, Constitutional Assembly deputy chairman Leon Wessels, and black NP members such as David Chuenyane are believed to have favoured continuing the party's participation in government for at least another year.

The conflict apparently came to a head in the party's caucus this week, with a compromise eventually being reached that the NP would vote for the Constitution, then withdraw from government.

On constructive opposition, Mr de Klerk said: "We will focus our criticism according to where they go wrong. When they do the right thing, we will be co-operative and supportive.

"The (economic) policy framework, which we helped formulate, is a good one. It contains all the conventional wisdom which has succeeded across the world, but we'll be pressing for the next step."

But he also warned that the NP would have greater freedom to criticise once it was out of government.

He said he hoped the NP could one day become part of "a new political movement, a realignment in South African politics".

"Our vision is to get together a majority of people on the basis of values in a non-racial party," he said.

Mr de Klerk rejected the suggestion that the NP's growth among black South Africans was inhibited by its need to serve the interests of its traditional Afrikaner constituency.

● See Page 27

Liberating act for all

'The departure of the Nationalist Party from the Government of National Unity last week presents the ANC with both challenges and opportunities, explains Political Editor **Mathatha Tsedu**...

(304A)
Sowetan 13/5/96

THE sudden departure of the National Party from the Government of National Unity last Thursday is a liberating act for both that party and the African National Congress.

NP leader FW de Klerk will be able to function as the opposition leader that he has been all along, a function that was confused by his dual role as deputy president of the country.

For the ANC, it is in a sense an empowering act, that removes from its arsenal of excuses for lack of delivery on promises for a better life, the often heard complaint that the Nats were holding back progress.

Although De Klerk argues that the move out of the Government will also enable the party to make inroads within black communities, reality might be different.

White Afrikaner base

The withdrawal was a *quid pro quo* deal between the rightwing forces within the party who want it to remain ensconced within a white Afrikaner base, and the *verligtes* who want it to become a party of all people of this country.

The rightwingers wanted the party to vote against the new constitution because of the education, lock out and property clauses

In the end, the right wing lost the battle against the new constitution, which is essentially a document that the party has much in common with save for a few points here and there. This round went to the *verligtes*.

But the right wing won the other battle, to move the party out of the GNU and make it an opposition party now. This move is necessitated by a desire of the rightwing within the NP to consolidate its hold on the one white bird in the hand instead of trying for two black birds in the bush.

Rightwing perspective

Sowetan understands that De Klerk himself led the call to quit the GNU. The *verlig* white members and their black counterparts now face a future as an opposition party that will have to argue its cause from a very rightwing perspective

If the ANC and IFP GNU want to implement affirmative action or deliver more quickly on RDP promises and projects, what will the NP's opposition platform be save to say whites are being ignored for jobs, and that more resources are being spent in areas that they (the Nats) ignored during over forty years of white rule.

Such arguments will be easy for the NP to make now that they are out of government, but they are arguments that are unlikely to appeal to the black masses that the party wants to lure to its ranks now.

FW de Klerk ... now he can concentrate on being the opposition leader.

President Nelson Mandela, on the other hand, faces his own challenges. What is he to do with the six Cabinet posts now to be vacated by the Nats. Sources say while he will have to fill some of the critical ones, he might also use the opportunity to scale down the Cabinet.

Deputy ministers and women are seen as the most likely to benefit from the appointments, while others say this might be the opportunity to get dismissed Telecommunications Minister Pallo Jordan back into the groove.

Positions that need to be filled include Welfare, where Mrs Geraldine Fraser-Moleketi stands a good chance to move in, and Agriculture, which might go to Deputy Minister Thoko Diliza-Msane.

A must for a position is Deputy Minister of Constitutional Development and Planning, Valli Moosa, who, having successfully negotiated the new Constitution, has ironically also negotiated himself out of a job.

ANC insiders say there is heavy jockeying for the posts, with strong lobbying for blacks to get promoted instead of whites and Indians.

The withdrawal of the Nats also means the end of an era for Mineral and Energy Minister Pik Botha, who until 1994 was the world's longest-serving foreign minister.

His replacement might be portfolio committee chairman Marcel Golding.

The position of General Affairs Minister, which was given to John Mavuso a month ago, is seen as dispensable and might not be retained.

Although the Nats will only move out of office at the end of June, it is likely that Mandela may announce the replacements before then to allow for understudying to take place.

However such an announcement may only come after the Inkatha Freedom Party has taken a firm stand on its own participation in the GNU.

Unlikely to leave

Although the IFP has said it will remain, party leader Mangosuthu Buthelezi has said a decision will still have to be taken.

Many insiders say the party is unlikely to move out now, firstly because they would not want to be seen to be following the NP lead, and more importantly because of internal pressures.

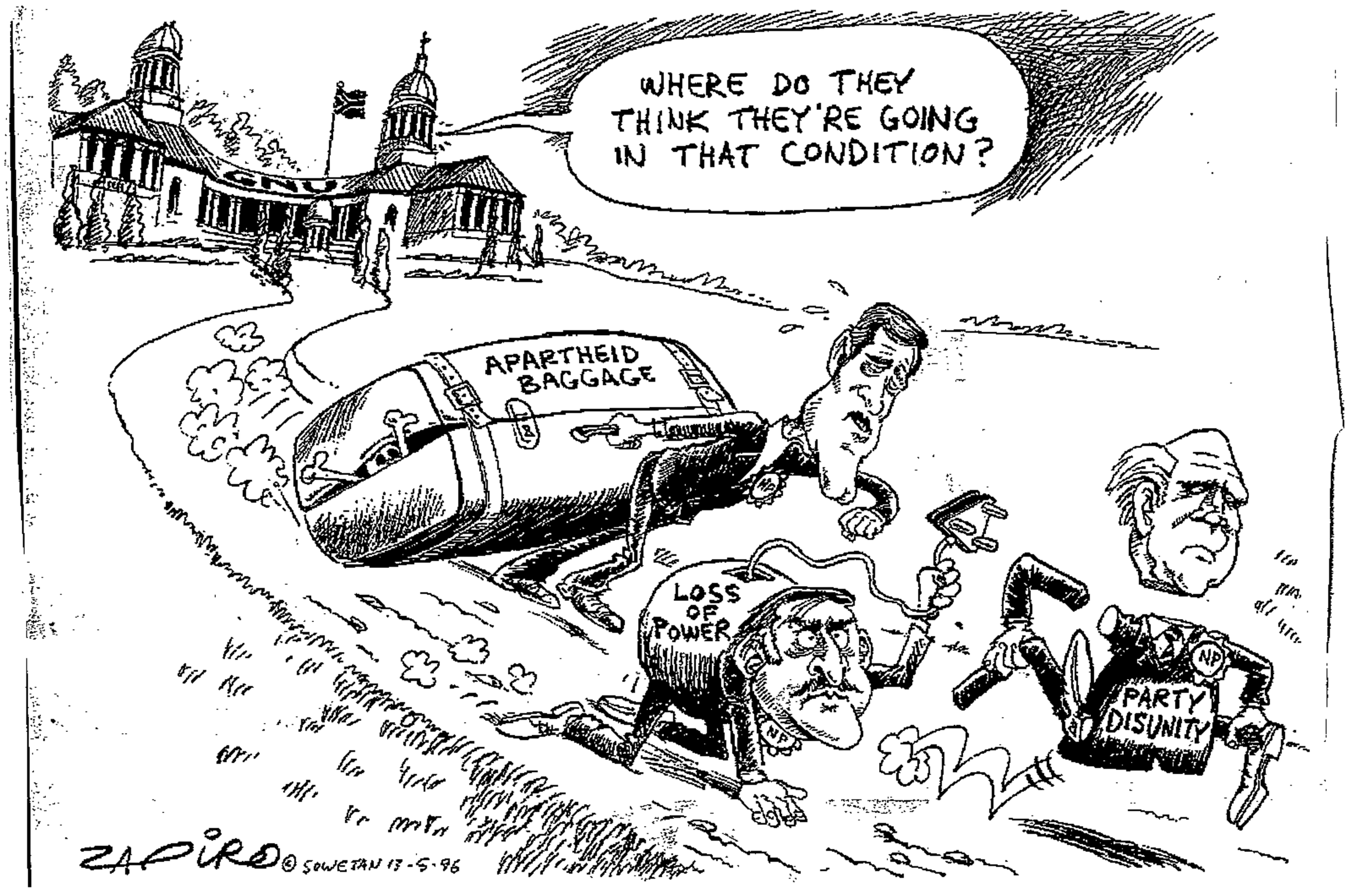
Sowetan has reliably learnt that ministers such as Dr Ben Ngubane and Mr Sipho Mzimela as well as Deputy Ministers Mr Joe Matthews and Mrs EEN Shandu would not go along with a decision to withdraw from Government as this would affect their incomes.

The ANC held an NEC meeting in Cape Town over the weekend where these developments were discussed.

While the outcome was unknown at the time of writing, there is no doubt that plans will have been formulated to deal with the new situation.

A situation which presents the ANC with a challenge, to rule and do so effectively on its own, or fail and be seen to do so, with no Nats around to pick on or share the blame.

SOWETAN 13/05/96



(304A)

Star 14/5/96

Nats' next decision could alter the face of all but one province

(304A)

By Karin Schimke
Political Staff

While the fate of National Party members of provincial executives hangs in the balance until a decision is taken today about their future in provincial politics, the one NP seat in KwaZulu Natal will not be relinquished because a government of national unity is guaranteed under the province's own constitution.

Meanwhile, the ANC said it would not withdraw as a partner from the Western Cape provincial government where the NP holds six out of 10 portfolios.

An indication given last week by the NP that it would remove its members from executive positions in provincial governments will affect the running of all but one province. A final decision will be taken at today's meeting of the NP's federal council.

NP MECs serve on all provincial governments with the exception of Northern Province, the only region where the ANC won the 1994 elections with more than 90% of the province's votes.

Of the 10 executive positions in the Western Cape, six are held by the NP: housing (Cecil Herandien), finance, expenditure and service commission (Kobus Meiring), agricultural development and sport (Lampie Fick), police services (Gerald Morkel), education, training and cultural affairs (Martha Olckers) and local government and development planning (Peter Marais).

It is a moot point whether the NP will withdraw from the one province where it reigns supreme, but an NP spokesman said the party would decide today either to withdraw from all the provinces uniformly or to consider each province on its individual merits.

In Gauteng, three of the 11 MECs are Nats. A recent realignment of the executive resulted in public works and public media being given to Sakkie Blanché, conservation and environment to Aboo Kahn, and public transport and roads being left in the hands of Gauteng NP leader Olaus van Zyl.

It is possible that Premier Tokyo Sexwale could use the withdrawal of the NP to make another adjustment to portfolios, thus moving away from the awkward positioning of the agriculture portfolio within finance, and economic affairs and welfare within sport and recreation.

ANC sources have also expressed hope that the new developments could provide an opportunity to redress some of the gender inequalities in the executive, where only two of the members are women.

Some female stars in the legislature who may see themselves moving up are Lindiwe Zulu (chairman of committees), Nomvula Mokonyane (local government and housing standing committee chairman) and Lindiwe Maseko (who serves on several standing committees).

Other possible candidates for executive positions are MPLs Ignatius Jacobs and Mohammed Dangor.

The Northern Cape also has several NP MECs serving in some prominent portfolios: Jacobus Marais (agriculture), Pieter Saaiman (public works), Francois van Wyk (environment and tourism) and Chris Liebenberg (transport).

Tertius Delport in the Eastern Cape is the sole NP member of the executive, and handles transport.

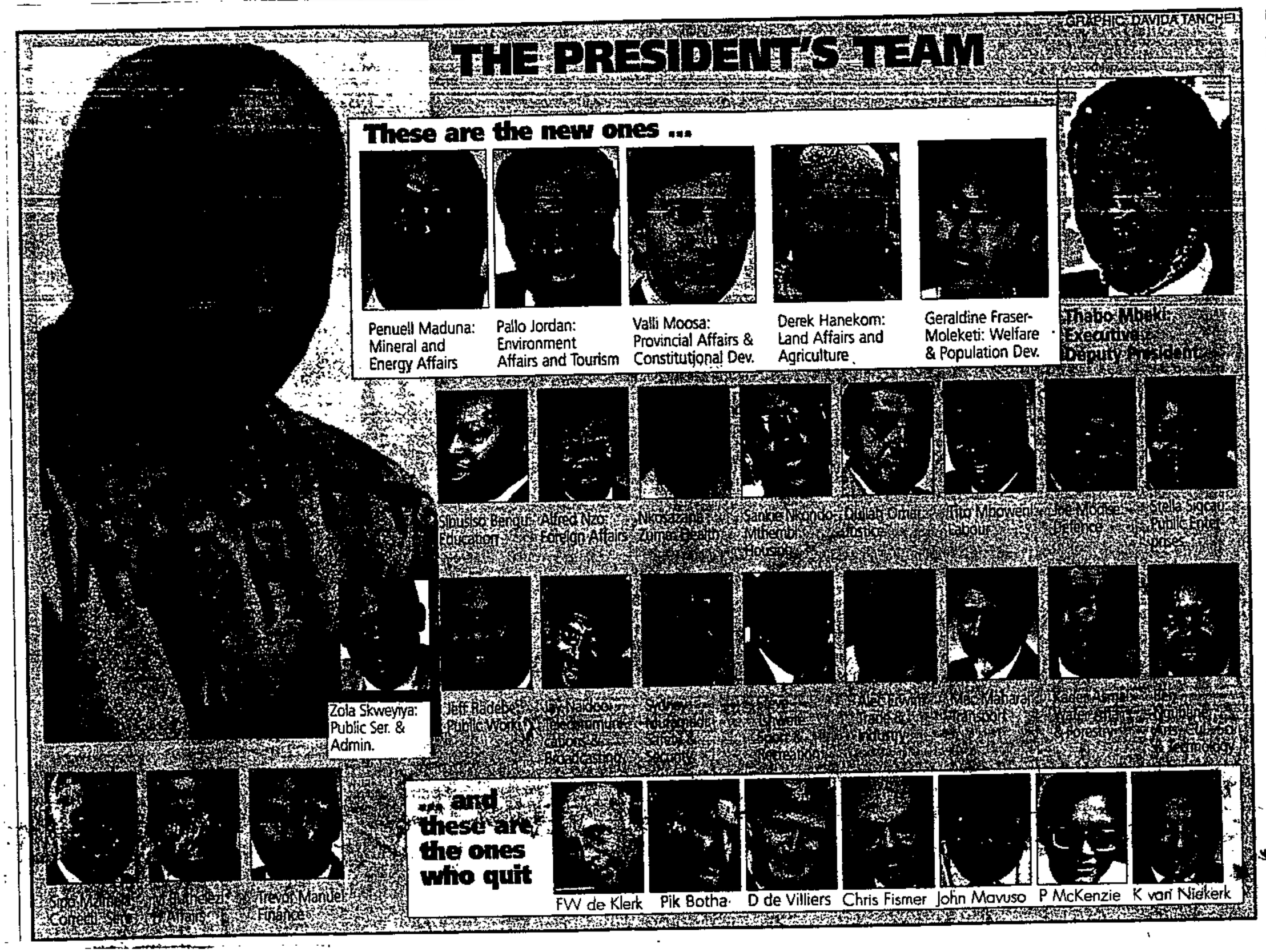
In Mpumalanga, Lucas Nel of the NP controls agriculture, as does George Bartlett in KwaZulu Natal.

Free State MEC Louis van der Watt looks after public transport, while in North West Province the economic affairs portfolio is held by Abraham Venter.

Mandela announces new Cabinet

(304A) Star 14/5/96

Three ANC deputy ministers promoted, Ministries of Land Affairs and Agriculture are merged and Pallo Jordan is reinstated as a minister



By Mondli Makhanya and Jovial Rantao
Political Staff

President Nelson Mandela moved quickly yesterday to replace the outgoing National Party ministers and in the process pruned the Cabinet by two members, bringing it down from 27 to 25 ministers.

Mandela also brought back Dr Pallo Jordan, dismissed two months ago from his position as Minister of Posts, Telecommunication and Broadcasting. He now becomes Environment Affairs and Tourism Minister in the place of the NP's long-serving Dr Dawie de Villiers.

The new ministers, all from the ranks of the ANC, consist mostly of promoted deputy ministers with at least two years' experience in government.

Deputy Welfare and Population Development Minister Geraldine Fraser-Moleketi has been promoted to ministerial level and will replace Patrick McKenzie, who has spent only two months in the job.

Deputy Provincial Affairs and Constitutional Development Minister Valli Moosa also moves a notch up to replace Chris Fismer, while Deputy Home Affairs Minister Penuell Maduna moves to Mineral and Energy Affairs, taking over from veteran Pik Botha.

Mandela scrapped the second deputy presidency occupied by NP leader F W de Klerk as well as John Mavuso's General Affairs ministry. He also merged Dr Kraal van Niekerk's Agriculture ministry with Land Affairs under Derek Hanekom.

In a statement, Mandela said he had "taken into account the commitment of the Government to rationalise and streamline its activities as much as practicable in order to save public funds".

The appointment of the new ministers is effective from July 1 and Mandela will in the course of the next few weeks announce deputy ministers who will fill the vacancies of outgoing NP incumbents.

"This will allow the appointees enough time to familiarise themselves with their new tasks ... so as to ensure a smooth transition in the various departments," said Mandela.

The NP said it welcomed the fact that Mandela has reduced the size of the Cabinet, saying it hoped "this belt-tightening will become a characteristic of the new Government".

▶ More Cabinet reports Page 12

NP media director Dr Johan Steenkamp said the party was also pleased the new ministers had gained some government experience over the past two years.

"We will, however, judge them with critical interest," he said.

Steenkamp said the NP was "critical" of Mandela's decision to give agriculture to Hanekom because he had not been able to "strike a healthy balance" between the importance of agriculture and the need for land reform.

The move was also criticised by Freedom Front leader Constand Viljoen, who said agriculture warranted a separate ministry. He welcomed the elevation of experienced men like Maduna with whom he has been closely involved in negotiations for Afrikaner self-determination.

ANC welcomes decision on Bok

(304A)

CT 1/4/96

STAFF WRITER

SOUTH AFRICAN rugby can heave a sigh of relief after the National Sports Council (NSC) announced at the weekend that the sport can continue using the Springbok emblem, albeit in a new format.

The ANC yesterday welcomed the decision to retain the more than 90-year-old Springbok emblem, saying it would give impetus to the reconciliation, peace and nation-building led by President Nelson Mandela.

ANC spokesman Mr Ronnie Mamoepa said the organisation congratulated the NSC leadership for showing "exemplary leadership qualities" in handling "a potentially divisive issue with great sensitivity in the best interests of South Africa".

Now the Springbok, together with the Protea, would "wholly reflect the demographics of our rainbow nation", he said.

The NSC decided at a meeting at Vanderbijlpark to accede to Mandela's request to retain the Springbok-Protea emblem.

NSC president Mr George Mluleki said the Springbok would have been axed to make way for a King Protea, had it not been for Mandela's plea.

He warned that the emblem could still be scrapped if the SA Rugby Football Union did not improve its development programme before the 1999 Rugby World Cup.

● See Page 6

Pallo Jordan bounces back

(304A) CT 14/5/96

PRESIDENT MANDELA'S scaling down of the cabinet — from 27 to 25, with one Deputy President — was cautiously welcomed by opposition parties last night. But both the Inkatha Freedom Party and the Democratic Party said the cuts should have been deeper. **BARRY STREEK** reports.

CAPETONIAN Dr Pallo Jordan yesterday made a surprise return to a trimmed-down cabinet — just a month after being axed. Jordan, 54, is to replace Dr Dawie de Villiers as the Minister for Environmental Affairs and Tourism on July 1 when all National Party ministers and deputy ministers will resign.

His appointment follows an outcry in ANC ranks after his replacement as Minister of Posts, Telecommunications and Broadcasting by Mr Jay Naidoo.

Apart from Jordan, there were no major surprises in the four new ministers named at a press conference yesterday afternoon by President Nelson Mandela.

Jordan, who chose to remain a parliamentary backbencher when he was dropped from the cabinet earlier this year, was left without a portfolio when Finance Minister Chris Liebenberg's resignation prompted the first major cabinet reshuffle of the government of national unity.

He told Sapa last night he had indicated to the President that he had wanted "some time" before making any decision on his future.

"I said I wanted to remain a parliamentary backbencher although I had been made a number of offers from business."

Asked if he had any inkling of the premature National Party withdrawal from the government, he said: "How could I? They're not my drinking buddies".

Jordan said he would study his new portfolio before making any statements about policy. Considered one of the ANC's leading intellectuals, Jordan, who was born in Kroonstad on May 22, 1942, headed the ANC's Radio Freedom from 1977-79.

In 1980 he moved to Lusaka to head the ANC's department of information and publicity research unit and was detained for six weeks in the early 1980s by the ANC's intelligence department in Lusaka, but said afterwards he had never been given reasons for the detention. "I am on the left of the ANC and I had been strongly critical of Stalinist trends in the SA Communist Party," he said in recalling the incident.

MARKETS STRONGER AS RAND REGAINS LOSSES — Page 15

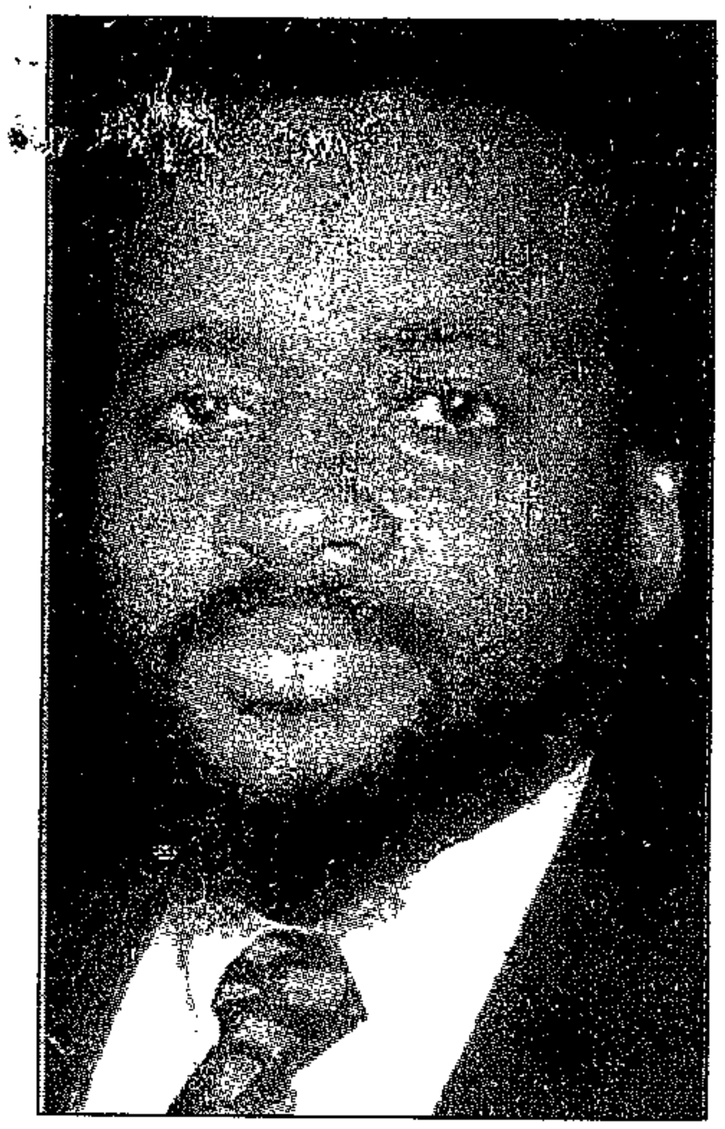
The merger of the departments of Agriculture and Land Affairs under Mr Derek Hanekom has made him one of the most influential members of the cabinet, particularly in rural development.

The other new ministers named yesterday are Ms Geraldine Fraser-Moleketi (Welfare), Mr Valli Moosa (Provincial Affairs and Constitutional Development) and Mr Penuell Maduna (Mineral Affairs and Energy).

Mandela did not announce the appointment of any new deputy ministers, but his officials said these could be expected by the end of the week.

His scaling down of the cabinet — from 27 to 25 with one Deputy President — was cautiously welcomed by opposition parties last night but both the Inkatha Freedom Party and the Democratic Party said the cuts should have been deeper.

The IFP also said it would reconsider its continued presence in the cabinet as the political circumstances dictated — including the outcome of the forthcoming Constitutional Court ruling on its attempt to overturn the clause on provincial powers in the new constitution.



BACK: Dr Pallo Jordan returns to the cabinet as Minister of Environmental Affairs.

IFP leader Chief Mangosuthu Buthelezi said his party "may decide" for "its own reasons to quit", but one of his chief lieutenants, Correctional Services Minister Sipo Mzimela, emphasised that the party did not plan to leave at this stage.

The ANC will now have 22 ministries — up from 18 — while the IFP retains its three. The NP vacates six and three deputy posts on June 30.

Some ANC MPs said last night they were a bit surprised that the chairperson of the Portfolio Committee on Mineral and Energy affairs, Mr Marcell Golding, had been overlooked in favour of Maduna for Mr Pik Botha's position.

There was also some surprise that Deputy Minister of Environment Affairs Bantu Holomisa, who won the most votes for the ANC's national executive committee at its December 1994 conference, was overlooked for promotion.

While Mandela said he had consulted both outgoing Deputy President F W de Klerk and Buthelezi about the changes in the cabinet, he had not discussed with the IFP leader whether his party would remain in the cabinet until the 1999 constitutional deadline.

Asked if an increased IFP presence in the cabinet had been considered, Mandela said he thought the IFP was "close enough" to the ANC and did not believe they would "grow any closer" if they gained more portfolios.

The DP said in a statement by Senator James Selfe that while the President had used the opportunity to "trim the size" of the cabinet, it could have been reduced to about 20 members. This could have been done by merging the Ministries of Justice with Correctional Services, Education with Arts, Culture, Science and Technology, Environment and Tourism with Water Affairs and Forestry and Welfare with Health.

Mandela had also not got rid of "dead wood" such as Foreign Affairs Minister Alfred Nzo and Defence Minister Joe Modise, Selfe said.

PAC MP Mrs Patricia de Lille welcomed the trimming. "It will be a saving ... Mr Mandela knows best about the capability of the new team."

● **MELANIE GOSLING** reports that many environmentalists are disappointed that the Department of Environmental Affairs was not integrated with other departments.

The head of UCT's Department of Environment and Geographical Science, Professor Richard Fuggle, said the government had missed an excellent opportunity to bring the Department of Environment closer to other departments.

He said the International Development Research Centre study commissioned by the ANC dealing with environment, reconstruction and development had found it was essential that SA's environmental policy should be integrated into mainstream economic thinking and development planning.

CT 14/05/96

(304A)

OMOTED: Mr Valli Moosa becomes Minister of Provincial Affairs and Con-
utional Development.

MERGED: Minister of Land Affairs Derek Hanekom has had the portfolio of Agriculture added to his responsibilities.

WELFARE POST: Ms Geraldine Fraser-Moleketi becomes Minister of Welfare.

Nats pull out of most provincial governments

(304A)

▶ From Page 1

Star 15/5/96

cept for the agriculture portfolio which is held by the Freedom Front's Tienie Burgers.

In Gauteng, three out of 11 executive positions are held by NP members.

But Premier Tokyo Sexwale's office said yesterday there would be no hurried scramble to replace them.

Sexwale's spokesman, Sefako Nyaka, said the premier would, "in ANC tradition", consult with his provincial caucus and the national ANC leadership to chart the way forward, and that there was "no hurry".

He said there there was no finality yet on who would replace Olaus van Zyl (public transport and roads), Sakkie Blanché (public works and public media) or Aboo Kahn (conservation and environment).

Gauteng NP spokesman Darryl Swanepoel said the three Nat members of the executive would now be incorporated into the everyday functioning of the provincial legislature, while retaining their particular positions within the party hierarchy. This means that Van Zyl and Blanché will remain NP leader and deputy leader of the Gauteng legislature respectively.

Neither would the legislative arm be affected.

This means deputy speaker Tom Gunning and NP chairmen of committees will continue in their posts.

Swanepoel said the Gauteng caucus would meet this afternoon to consider the full ramifications.

"We hope to offer clear alternatives to ANC policies so that the current co-operative approach will be replaced by a critically constructive style," he added.

Swanepoel said the general feeling among MPLs was one of liberation and relief: "Just about everyone has indicated they are looking forward to their new, clearly defined role."

NP to withdraw from provincial legislature, executive councils

Stephen Laufer

CAPE TOWN — The NP would withdraw from all governments of provincial unity except in the Western Cape, where it had a majority, yesterday afternoon FW de Klerk said at a meeting of the NP's federal council.

The decision heralded a new phase in the NP's attempt to establish itself as a credible opposition when no party had a clear majority.

It was possible that the exception would also apply in KwaZulu-Natal, where the provincial constitution established mechanisms for consensus government. The NP would consider returning to the Constitutional Court.

The party's withdrawal was a humanitarian and had been certified by the Constitutional Court.

The council had also discussed its position in Northern Cape, where the ANC held a majority with the help of the Inc DP. Although withdraw, the decision had been motivated by the Klerk said that undermined the same reasoning of the national unity government. the lack of consensus-seeking structures in the new constitution.

Negotiating with the "dubious help of the DP", the NP would engage in constructive opposition. The decision to withdraw neutralised its lead to reorganising NP personnel at national and provincial level, including moving individuals from one government to another. He expected some long-serving senior politicians to see the departure from government as an opportunity to change careers. Parliamentarians would retain committee memberships and would stay in municipal governments, De Klerk said.

Continued on Page 2

Continued from Page 1

spokesman Jack Mokoka said the NP's decision to pull out would not have much effect as there was only one NP member in the provincial legislature. Northern Cape premier Manne Dipico's office said Dipico would consult the ANC and other parties in the legislature on what was to be done.

Favourite Chokhela reported that while KwaZulu-Natal premier Frank Mdlalose declined to respond to "hypothetical" questions on the implications of the NP's withdrawal, KwaZulu-Natal MEC Sibusiso Ndebele recommended his party had accepted the NP's decision on the DP's and on the NP's terms in KwaZulu-Natal and the NP's move showed it believed reconciliation could occur only under "white tutelage".

Buthelezi said the NP's decision was a "slap in the face" for provincial NP leader Danie Schutte and indicated deep divisions within the party.

Nats 'achieved 80% of what they wanted'

STAFF WRITER CT 15/5/96 (304A)

THE new constitution would for generations be proudly celebrated as the supreme law of the land that brought people together — and the NP had achieved 80% of what it had wanted included, NP general-secretary Mr Roelf Meyer told an election meeting in Hanover Park last night.

However, Meyer said the ANC had not endorsed NP calls for multi-party involvement in decision making as a constitutional right, as it wanted to govern as the majority party. This had prompted the NP to walk out of the government of national unity.

He said if one party became too strong in South Africa and others had no say in the future, this would be bad for the country.

SOWETAN Thursday May 16 1996

Whites 'still run show'

Sowetan 16/5/96

(304A)

Less than 14 percent of people at SA foreign missions are black

By Rafiq Rohan
Political Correspondent

MORE than 86 percent of all staff at South African foreign missions are white and many of the missions are still staffed solely by whites, an official document in possession of *Sowetan* reveals.

While visible change has occurred within the country, this change is hardly visible in South African missions abroad and now an angry Portfolio Committee member on Foreign Affairs, Mr Cas Saloojee, is demanding to know why.

"Our democracy is already more than two years old yet we have this scandalous position of whites still running the show at embassies abroad," Saloojee told *Sowetan* yesterday.

Another committee member, Dr Rob Davies, told the committee at a meeting yesterday that 86,5 percent of all staff at South African foreign missions were white.

Now the committee is demanding from the Department of Foreign Affairs a detailed explanation on why the racial anomaly continues to exist, a review on financial expenditure whether the embassies are value for money and a general performance audit.

Breakdown

The document that *Sowetan* is in possession of gives a breakdown of staffing at the embassies.

Not only are the missions in Europe and the Americas staffed mainly by whites only, the same applies at missions throughout Africa.

In Dakar, Accra, Kinshasa, Libreville, Nairobi, Mauritius and Windhoek the entire staff is white.

Throughout the world where the missions are located, at none of them do black people outnumber whites. In fact, out of the entire 549-strong staff, only 74 are black while 475 are white.

The largest staff numbers are in the United States at different centres that also include the United Nations.

Davies revealed that some R27 million was being spent on personnel in London alone, "ten times more than anything in Africa".

Fire all NP officials, says Phosa

(304A) Sowetan 16/5/96

Appointments were made in the spirit of the GNU which the Nats abandoned

By Mzimasi Ngudle

MPUMALANGA Premier Mathews Phosa says it was not enough for the National Party to pull out from the national and the eight provincial governments.

In an interview with *Sowetan* Phosa said the Government should immediately scan, identify and fire all NP political appointees to national and provincial administrations which were made in the spirit of national unity and reconciliation.

Phosa said he would soon start scanning his provincial administration and fire all NP political appointees.

He said the idea of the GNU came in the context of effecting a balance of political forces and the creation of confidence across the political spectrum.

"We needed to take a step forward in a manner which would not shock the economy. In all democracies appointments are done by the ruling party. That must be addressed as a fundamental question of transformation at national and provincial level.

"There are also NP members who are chairpersons of standing committees because of that principle of national unity. They must go out," Phosa said.

"Now that the NP has pulled out, the principles underlying the formation of the Government of National Unity are no longer existent," he said.

While welcoming the pull-out as a positive and necessary beginning of a real and genuine democracy, Phosa said the ANC-led government would be hamstrung if the administration was controlled by NP.

"We need to do a proper scan of the administration and identify appointments made in the spirit of the GNU.

"If there are people who were appointed politically, they must go. We can't have a legislature and an executive that is ANC and the administration which is NP," he said.

"The spirit of national unity permeated down to the provinces. When the head goes, so must the tail. The NP appointees must get out. We also still want to reflect more on Western Cape and KwaZulu Natal. There must be an ANC government in its pristine form which will govern effectively.

"Its policies must be implemented fast by a willing executive, a willing legislature and a willing administration.

"The NP should not be an opposition and control administration at the same time," he said.

In effect, Phosa wanted the NP politicians and officials removed from all tiers of government – legislative, executive and administrative.

Pik believed NP had duty to stay in government till 1999

(304A) CT 16/5/96

BARRY STREEK
POLITICAL WRITER

TWO more National Party veterans, Mr Pik Botha and Dr Kraai van Niekerk, are to quit Parliament at the end of next month.

Mineral and Energy Affairs Minister Botha, who has been in the cabinet since 1977 and served four presidents, is to withdraw altogether from active politics.

But Agriculture Minister Van Niekerk will involve himself in the Northern Cape legislature as leader of the NP in the province.

NP leader-Deputy President F W de Klerk said yesterday that Botha's retirement would leave "a great void".

"The NP will miss him most as a dynamic participant in the hurly-burly of hard politics. His ability to carry an audience with him is almost legendary. Everyone knows that," De Klerk said.

Botha told journalists yesterday that he had opposed the National Party's recent decision to quit the government of national unity. "But the decision was made. I accepted that."

He had argued that the party had a mandate from its supporters to stay in government until 1999, and that it was likely that the average voter would want the NP to continue trying for consensus decisions of benefit to South Africa, particularly in the economic field.

However, he accepted that the NP would have been in a "lame duck" situation as the end of the GNU drew nearer.

DP foreign affairs spokesman Mr Colin Eglin said South Africa would be losing one of the most intriguing political characters of the apartheid era. Botha was a political enthusiast whose style at times bordered on the theatrical.

GREAT SURVIVOR: Pik Botha

GOING HOME: Kraai van Niekerk

Van Niekerk was sworn into the Northern Cape legislature after the 1994 elections and then asked to take the agriculture portfolio in the cabinet as a senator.

"Now that we are out of it, I'm going to find a way back to where I intended to be right from the beginning," he said.

Arrangements are under way to put his name at the top of the NP's provincial list to give him a seat in the legislature.

Democratic Party leader Mr Tony Leon said in Durbanville last night that since De Klerk's "new vision" speech on February 2 a number of leading NP members had voted "with their feet by resigning".

They included Mr Leon Wessels, Mr Francois Jacbosz, Mr Tobie Meyer, Mr Wynand Breytenbach, Dr Bhadra Ranchod and Dr Piet Welgemoed.

"They don't have the stomach for the long haul and stony ground of opposition that the DP has," Leon said.

And the ANC said yesterday that its Western Cape division would decide today whether to pull out of the province's executive council and become an official opposition or continue as a junior partner in the government of provincial unity.

ANC Western Cape leaders said yesterday the National Party's withdrawal from the government of national unity would make it extremely difficult for the ANC to operate within a co-operative framework in the province.

ANC provincial secretary-general Mr James Ngculu said: "The NP are guilty of kragdadigheid in their dealings with us here and have bulldozed their positions through in the same fashion that they have accused the ANC of doing nationally.

"They think the Western Cape is their volkstaat.

"Publicly the NP will say they want more co-operation, but actually there will be less than there has been in the past. If we stay in this executive we will have to define our terms."

An ANC MEC said it was expected that the NP would make things as difficult for the ANC as possible to force it to move out on its own.

In the North-West, Premier Popo Molefe said the resignation of MEC for Tourism and Environmental Affairs and NP provincial leader Ms Amie Venter proved that the NP wished always to serve in a leading capacity.

Northern Cape Premier Manne Dipico said the provincial executive council was considering ways to deal with the NP's withdrawal from the council.

Dipico said the provincial executive's task would become much easier after the NP's withdrawal.

NP doomed until it discovers its new political identity

(304A)

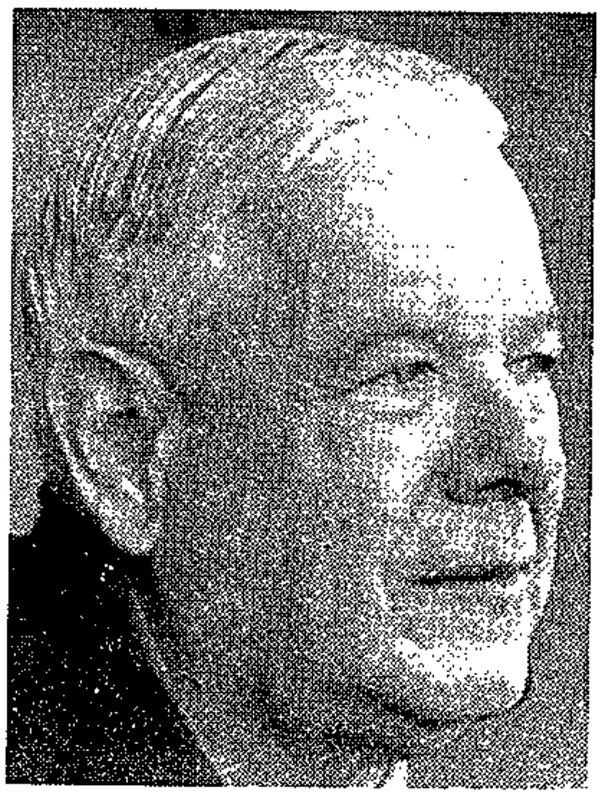
DAN O' MEARA

BD 16/5/96

proletariat. The black trade union movement is now very well represented in senior government posts. While black workers have begun to make increasingly strident demands of the ANC government, there is absolutely no hope that the centre-right NP can win their support in the next five years.

So where does this leave the new NP? It will clearly pick up some support between now and 1999. Most of this will come from the collapsing DP. It will win additional votes from marginalised rural blacks and possibly even from some more conservative middle-class Africans.

Yet, electorally, De Klerk's party has nowhere to go in the short term. It is now ironically doomed to play the role to which it so long consigned the parliamentary opposition to its left between 1948 and 1994 — that of the watchdog and representative of big business, capable of slowing down Parliament, but not changing it. De Klerk's dream of electoral victory in 1999 is about as realistic as Verwoerd's claim that apartheid was "moral". However much the NP has changed, its capacity for political fantasy has not.



VERWOERD

In the end, Albert Hertzog was right. In jettisoning its Afrikaner exclusivism in the 1960s the NP abandoned its soul. Its political dilemma turns around the issue always at the heart of its politics — identity. The NP has been forced to concede everything it stood against so violently throughout its life.

It abandoned its original definition of itself almost 30 years ago, and has never really found a satisfactory replacement. The central question of Afrikaner nationalist politics still echoes through the NP's offices: *Wie die donder is ons*? (who the hell are we?).

The NP was always a party of group identity. It always insisted on *volksgebondenheid* — that the individual drew his (never her for the NP) identity from the group. Its most pressing political problem today is that it no longer knows which group it represents. Afrikaner?

White and brown Afrikaans speakers? Whites? The conservative centre right of all ethnic groups? Perhaps big business?

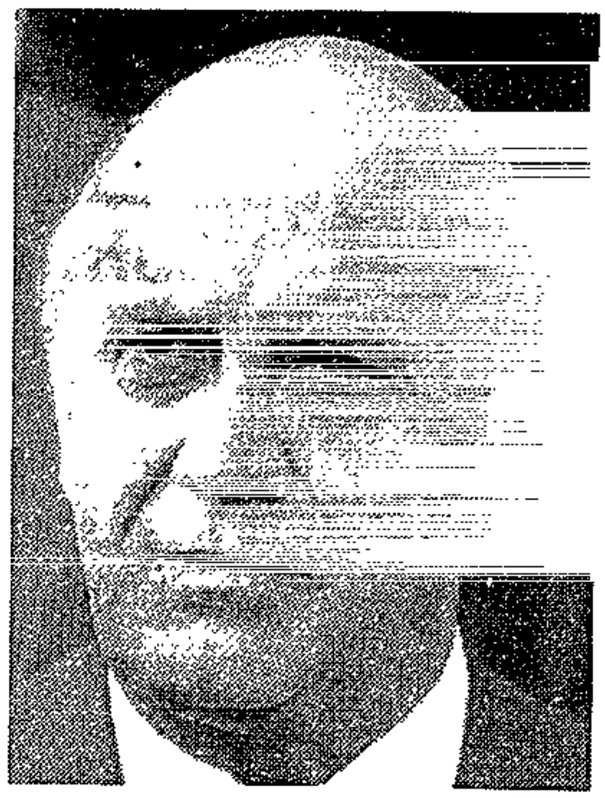
It knows (or knew) very well how to do the politics of exclusivist ethnic identity. It has not the foggiest notion of how to represent the full spectrum of "the rainbow nation" which is the new SA. Until it can resolve this question of identity, until it once again knows who are the *ons* it represents, it stands no hope of winning an election.

This does not mean, however, that the NP is either powerless or marginal. While its electoral prospects will remain distinctively limited in the short to medium term, De Klerk's new NP does occupy two gatekeeping roles which ensures the party substantial influence behind the scenes.

The first is in the public service within which it still commands very strong support. It will use this power base to define the limits of the possible, and to hamper the ANC-dominated government should the latter adopt policies which run counter to the NP's vision of the "new SA".

Its ability to do so will be reinforced by its second gatekeeping role. Under De Klerk, the once anti-capitalist NP remorselessly presents itself as the real party of business in SA.

This means that the NP remains well placed to exercise strong restraint on Mandela's government. It will seek to use this power not so much in formal politics and in Parliament, but in the corridors and board rooms of real power. In the context of economic globalisation



DE KLERK

LETTERS

FW DE KLERK's new NP won just more than 20% of the vote (to 62% for the ANC) in the April 1994 election. A racist comic book prepared by the Cape NP seemed intended to stir up fears that black hordes were waiting to take over "coloured" houses once the ANC took power. De Klerk was embarrassed by the affair and the independent electoral commission obliged the NP to withdraw the offending booklet. Nevertheless, the NP did win strong support among so-called coloured voters in the Western Cape. This, the NP believes, is an indication that the former victims of its apartheid policies now accept De Klerk's fervent message that "we have changed".

Here lies the rub. To fulfil its leader's hopes, the NP will have to strike way beyond its old and new electoral base and root itself in SA's huge African majority.

Even leaving aside the fundamental question of whether large numbers of Africans will ever bring themselves to support those wonderful people who gave them 46 years of apartheid, it is difficult to see what the NP can offer black voters that the ANC cannot give them in buckets.

BD 16/5/96

304A

The ANC has been forced to scale down drastically its once ambitious plans to restructure the society and economy. The RDP is a mild form of market-driven social democracy which focuses on bringing education, housing and health services within the reach of the majority of South Africans.

Yet government's options are limited by the parlous state of the economy — not to mention the beady regard of the World Bank, the International Monetary Fund and international financial markets. Miraculous changes will not take place in the next five years.

Nevertheless, large numbers of black South Africans will have their lives literally transformed. The affirmative action campaign at the heart of ANC rule holds out the reality of jobs, position and rapid social mobility to the black middle class the NP tried so half-heartedly to woo throughout the 1980s. The NP was never able finally to replace its old policy of class compression with its proclaimed intention to allow class differentiation to flower in black communities.

The ANC is under none of these constraints. The major beneficiaries of its rule will be the members of the burgeoning black middle class. It is inconceivable that this black middle class will rally against the ANC and to the NP in the next five years.

Likewise for the urban African and structural adjustment, the NP will demand for itself a crucial role in determining the limits of the elite consensus which shapes the policies of reconstruction and development.

Here, however, the NP might fall victim to its own history. During the 30 years of ethnic favouritism after 1948, SA's (predominantly Anglophone) white businessmen were obliged to find ways to work with, and gain access to, a government which did not directly represent their interests. After some initial hesitation, businessmen and the state came to a mutually profitable modus vivendi. Now that political apartheid has been finally defeated, Nelson Mandela and his predominantly ANC government are likely to prove far more amenable, reasonable and less ideologically blinkered than NP leaders from Malan to Botha. At the time of writing (July 1994) there are already signs that capital will work out a comfortable relationship and easy lines of access to the post-apartheid state. It may very well be that despite considerable efforts to capture for itself the favours of the champion of big business, at this level at least, the NP's role might be less important than De Klerk imagines.

On Monday May 2 1994, De Klerk conceded that the NP had lost power. In a gracious, nationally televised speech to the NP faithful gathered at its Johannesburg headquarters, De Klerk called on his party to work together with the ANC to forge the new SA.

Just as he announced that "the NP is no longer a white party" all the lights went out. De Klerk's voice struggled on valiantly.

Once the lights had come back on, De Klerk ended his speech by saying "God Bless SA. Nkosi Sikelel'i Afrika! The assembled boere (and other members of the new NP) then burst into song. Some sang Die Stem. Others valiantly tried to sing Nkosi Sikelel ' i Afrika. And still others burst into the one African song most whites have heard at some time in their lives, the work song Shosholoza.

The resulting cacophony made marvellously funny television. It was also a wonderful metaphor for the political confusion facing De Klerk's new NP as it struggles to find its role and its place in a country which now represents everything the NP fought against throughout its existence.

□ This is an extract from Forty Lost Years, published this week by Ravan. O' Meara, now based at Montreal University, taught at Wits for many years.

Pik opposed NP pull-out from govt

BD 16/5/96 (30449)

Stephen Laufer

CAPE TOWN — Outgoing Mineral and Energy Affairs Minister Pik Botha was among NP leaders who opposed leaving the government of national unity, he told reporters at a farewell reception in his office last night.

Botha said he had argued that the NP had a mandate from 4-million voters to participate in government until 1999, and that the party should consider what its closest supporters — among them business leaders and academics — might expect. Several colleagues had shared his view, but they were "probably not a majority".

He had accepted the argument of those favouring withdrawal that the NP would become more of a lame duck inside Cabinet with each month that went by.

It was better to leave in time, to reorganise and give the party a clear identity as an opposition force in time for the next elections.

Botha said he believed SA's party-political landscape would change naturally in the coming years. As the country moved away from the bitterness of the past, blacks would feel free to join a party based on new values and norms.

Botha said he was very glad not to have been given the foreign affairs post in the government of national unity. Some reasons he would keep to himself, "but you can read the editorials", he said.

Painting a picture of internal conflict within successive NP Cabinets, Botha suggested he had seldom seen eye to eye with the defence establishment on its activities outside SA's borders.

Botha vehemently denied any knowledge of, or involvement in, planning of assassinations of anti-apartheid activists outside SA's borders. The security forces had known it was hopeless to get near foreign affairs on these things, as "we were professional diplomats," he said.

The daughters of murdered ANC stalwart Ruth First, killed by a parcel bomb in Maputo in 1982, have asked the truth commission to subpoena Botha.

On SA's nuclear weapons capacity, Botha denied SA had ever tested a nuclear device. A flash in the south Atlantic, widely believed to have resulted from a covert test, had nothing to do with SA. "I give you my word," he said.

He would write a book about his years as a diplomat and politician, Botha said. He was also looking at setting up a consultancy with friends, to make use of his international experience.

NP leader FW de Klerk said Botha's departure from politics would leave a great void in the party. He would be missed as a dynamic participant in the hurly-burly of hard politics.

There had been "a fascinating ambivalence" about Botha, the DP said. He served the NP government's cause with vigour, but had not been at ease with apartheid.

Comment: Page 14

ANC suspends members standing as independents

CT 17/5/96 (3049)

STAFF WRITER

FOUR ANC members, who are standing against their own party as independent ward candidates in the local elections at the end of this month, have been temporarily suspended.

They are Ms Valencia de Jongh, who is standing against official ANC candidate Ms Carola Petersen in the Eastern substructure's ward six, Kraaifontein; Mr Charles Silimela, who is standing against official ANC candidate Mr Zamile Rawe in Eastern's ward two, also in the Kraaifontein area; Mr Alfred Qetswana, another independent candidate also contesting ward two; and Mr Deon Britz, who is standing against official ANC candidate Ms Magrieta MacDonald in Eastern's ward 21, which is the Kleinvlei part of Blue Downs.

Mr Henry Jansen, ANC liaison officer for the Eastern substructure, said all ANC candidates had been chosen through a democratic process.

Everyone involved undertook to accept the outcome.

He said a warning was given that disciplinary action would be taken against anyone who broke ranks and stood for election despite not having been chosen.

Such disciplinary action had been taken now, and the members concerned had been "temporarily suspended", he said.

NP opens campaign as opposition party

BD 17/5/96 (304A)

Own Correspondent

LONDON — The once all-powerful NP has switched into opposition mode for the first time in more than 50 years with a nationwide advertising campaign breathtaking in its audacity.

"First we brought you democracy ... now we bring you multiparty democracy," state the headlines on full-page advertisements in all major newspapers, devised and presented by a party which devised and persisted for 48 years with apartheid.

After losing out on crucial issues in negotiations on the country's constitution last week, NP leader FW de Klerk announced his party would be quitting the government of national unity.

"We are not leaving in a huff," said De Klerk. "The NP feels it can best serve the interests of the country and of democracy by going into opposition."

The NP promised to "work for a just, nonracial democratic society" and was proud of the role it had played in the country's transition.

"The NP will continue to consolidate its position as a party based on Christian democratic values, uniting South Africans from all communities ... the time has come for us to reassert our own identity as a strong and vigorous, value-driven party."

The ANC said its party workers had barely been able to contain their laughter when they saw the advertisements. "Far from bringing democracy to SA ... the NP brought us half a century of oppression, discrimination, poverty and international vilification," said a spokesman. "But you have to give the Nats full marks for brazen cheek."

At the NP's Cape Town headquarters, staffers who devised the advertisements were congratulating themselves on the "very positive response" their campaign was having.

"There is nothing cheeky about it," said an official. "We are emphasising the obvious and well established fact that our leader, FW de Klerk, brought about a just, nonracial and democratic society in this country in 1990 and intends to make that democracy work by taking the party into effective opposition and then back into government."

—© Telegraph plc.

Nats hope for reincarnation

M+G 17/5/96 - 23/5/96 (304A)

Young Nationalist MPs hope a reborn party will carry their careers into the future, writes **Marion Edmunds**

NATIONAL Party insiders said this week the party was willing to sacrifice both its name and its leader, FW de Klerk, to renew the party, making it able to compete with the African National Congress in the 1999 elections.

This dream of a "New Party" keeps the Nats fired up at a time when many former Cabinet members are regretting the loss of their perks. And a number of NP caucus members realise that by losing Cabinet seats the party has lost status in the eyes of black supporters.

The older faction in the NP are rolling up their sleeves in anticipation of rough-and-tumble with the ANC in Parliament. Younger members are looking ahead to a party to eclipse the Nats' unfortunate past. Such a "New Party" holds the best hope for their political futures.

NP assistant secretary general and senator David Malatsi, 36, said this week that he saw himself playing a prominent role in the "New Party" — one free of the baggage of the past.

Party strategists are reluctant to commit themselves openly to the "New Party" idea at this stage, but behind the smoke of opposition talk they are weighing up strategies.

Already it is said that a new party would more than likely abandon the present NP name, logo and motto. It would be the kernel of a broad political movement that would reflect the demographics of the country, and fulfil the role of a strong opposition.

The Nats are expected to enter a period of "introspection", according to Malatsi, culminating in a *bosberaad* at the end of June, during which the NP will discuss the idea further. It will then start to approach a number of groups — including other political parties, civil and religious organisations, people "with the same sort of values as the National Party" — in search of support.

The Nats have less than three years to pull this rabbit out of the hat. The anti-defection clause in the Constitution, preventing politicians from crossing the floor, will shore them up in the national and provincial parliaments until the 1999 elections, preventing drastic changes in the political landscape until then.

During that time, the Nats will be laying the ground rules for post-1999 opposition and grooming a new team of leaders of the right gender and colour. The party is hoping to use its political academy to "breed" new leaders.

"We'll teach them administration, how to organise in an area, how to organise branch meetings, how to participate in debates so that they do not get a shock when they come to Parliament. Parliament was quite a culture shock to some people ... they were vociferous outside, but then came in here and quietened down," said Malatsi.

Most importantly, the Nats are going to have to apply their minds to wooing black votes. A senior NP source admitted this week that the NP, despite its electoral forays into black areas, still did not understand the black electorate and had no idea what was going down in the townships.

Malatsi agrees: "The politicians can't just come in at election time and make promises and think that they will get the vote. They must work with the people. For example, the National Party must send some of its support people — lawyers, doctors, builders — and help the black people in the townships over the weekends. They must be there in their hour of need. Then they will vote for the National Party, for people who help them."

Malatsi contributes to a soup kitchen out of his own pocket, and his wife does social work with the aged. He is also concerned about communication with black people. When the Nats pulled out of government, he got an anxious call from his wife asking what they would do now that he had forfeited his job.

"If I have to explain in my own home that withdrawing from Cabinet does not mean leaving Parliament, imagine how many people out there got the wrong idea," he said. He said he had received many complaints from black NP supporters about the NP's withdrawal — people who felt the party was shirking its responsibility to the country.

While waiting to mature into legitimacy, Nat MPs are going to be developing their oppositional muscle — and many admit it is not going to be easy. Already they have targeted the economy as he main site of struggle, although ANC secretary-general Marthinus van Schalkwyk noted this week that NP economic policy was 99% the same as the Democratic Party's. Other opposition parliamentarians are sceptical about what an opposition can achieve.

Freedom Front MP Corné Mulder said: "There are only so many tricks in the book of the opposition — you can walk out, you can hand over a memorandum, you can get very angry at press conferences, but that's about it."

DP leader Tony Leon asked, "If Inkatha can be in Cabinet and be an opposition party, why can't they?"

ANC welcomes NP's departure

Star 13/5/96 (304A)

After two-day meeting, national executive committee announces that Cyril Ramaphosa's tenure as secretary-general will end when constitution is certified

By Justice Malala
Political Staff

The ANC's 81-member national executive committee (NEC) has welcomed the NP's withdrawal from government and announced that Cyril Ramaphosa's tenure as its secretary-general would end when the new constitution is certified by the Constitutional Court.

The committee said after a two-day meeting in Cape Town at the weekend that Ramaphosa's "redeployment" into the private sector to take up the deputy chairmanship of New Africa Investments Limited, announced last month, was appreciated and it supported him on the move.

"Comrade Ramaphosa will continue to serve as secretary-general of the ANC until the certification by the Constitutional Court of our new constitution," the organisation said. The Constitutional Court is likely to make an announcement on whether the constitution is valid and certifiable by August or September.

The move paves the way for Ramaphosa's deputy, Cheryl Carolus, to take over the position, although the matter is still to be discussed within the organisation, ANC spokesman Ronnie Mamoepa said.

Carolus has been de facto secretary-general of the organisation since Ramaphosa's move to the Constitutional Assembly as its chairman.

"The NEC agreed that the departure of the NP from Cabinet marked a further step in normalising our democratic dispensation. The immediate reasons for the departure are the strategic crisis that the NP confronts and serious internal division within it," the ANC said.

It said nation-building, reconciliation, reconstruction and development were realities that were broader than a constitutionally entrenched coalition and this (the coalition) had often hampered the fuller realisation of these goals.

"The ANC reasserts its commitment to the ongoing pursuits of these key tasks. The ANC NEC expects that all sections of the NP will commit themselves unambiguously to pursuing their political objectives within the framework of, and by, upholding, our new constitution and respect for the country's laws," it said.

On the current economic situation, the organisation said the "fundamentals of our economy are sound and so too is government policy. We are convinced these are views shared by long-term investors, both domestically and internationally.

"The only sustainable path forward lies in the effective implementation of our growth and development path informed by the RDP vision," it said. The ANC was still committed to lending its "fullest co-operation" to the Truth and Reconciliation Commission.

Other issues discussed at the meeting included a review of the party's preparation for local government elections in the Western Cape and KwaZulu Natal, and discussion of its state of organisation.

13/5/96

Go-it-alone ANC govt could be in for unpleasant shocks

(304A)

STEVEN FRIEDMAN

IN THEORY, through the adoption of the new constitution and the NP's withdrawal from the government of national unity, the ANC has won all the power it needs to govern. Its problem is it must govern in practice, not theory.

The constitution adopted last Wednesday is a watershed; once it is law, the ANC will be freed of any duty to listen to minority parties.

This is so not only because the constitution scraps the government of national unity from 1999. Its provincial system will allow ANC provinces, if they vote together, to reduce opposition provinces to sources of protest. And the electoral system, with the clause giving party leaders the power to eject dissidents from Parliament, allows the majority party's leadership to ensure its members keep a common front, forcing through laws which opposition parties reject.

This is the realisation of an ANC dream. Its leaders have always insisted that its goal is majority rule or "normal democracy" in which the party which wins the election gains the power to decide. It may be limited by a Bill of Rights interpreted by a constitutional court, but not by minority parties.

Last week's events formalise a trend which has been evident for some time — a growing determination by the ANC to turn its majority at the polls into the power to govern alone. Even without the NP's withdrawal, the ANC would have been able to do so before 1999, since the "vetoes" which the interim constitution gives minority parties are largely mythical. It clearly does want that: for months now, it has been seeking to behave as a governing party, not as a partner in multiparty compromise.

For some, the ANC's growing formal power signals the end, at last, of the shackles placed on the majority by the minority.

For others, it is the beginning of a journey to domination.

It is likely to be neither. Having rid itself of the NP and the minority party guarantees which many in its ranks saw as the obstacles to effective government, the ANC is likely to find that the really serious hurdles lie elsewhere.

A look back at the past two years will show that neither the NP nor the other minority parties were a block on ANC power: if it wanted to act without them, it could. The government of national unity and other, largely worthless, minority party guarantees prevented it from doing few things it really wanted to do. Indeed, the cynical might see these measures as a handy excuse for a majority party still daunted by the challenges of governing. With this excuse now largely removed, the ANC will find there are far tougher obstacles to effective government than minority parties in cabinet.

An ANC with all the formal power it needs will still have to contend with powerful interests which do not share its agenda and without whom it cannot govern effectively.

One of these is business. The ANC has been talking for a while of a government-business partnership; there are, ironically, signs that this may trigger a clash between the two. Business leaders are complaining that ANC requests that they patriotically invest in infrastructure and other social goals fail to understand basic economics. The ANC complains that business fails to understand the needs of the majority of voters. Some fear a confrontation is on the horizon.

Strategic skill on both sides can avert a conflict which is in the interests of neither. But the ANC is sure to find negotiating a relationship with business far tougher than dealing with minority parties.

ANC power will also, for some time, be limited by the fact that leadership of the state security system is drawn largely from the old order. There is no prospect that the military will mutiny — but it is unlikely to tackle with enthusiasm tasks which it believes serve ANC interests only.

A key example may be action in KwaZulu-Natal.

For the ANC, the real obstacle may not be NP opposition — often cited as the reason why troops have not acted — but the well-founded fear that soldiers and police would, while agreeing to act, not try too hard, preferring to do nothing which might endanger their health.

Nor do all the obstacles lie outside the ANC. As everyone knows, the movement is an umbrella for a wide variety of views and interests, some of which have a lively zest for internal democracy. The formal power which the constitution gives the leadership to impose uniformity may mean little in practice.

One test will be the new Council of Provinces. If all ANC regions vote as a bloc, it will indeed be able to stamp its authority in the provinces. But if they insist on voting their provincial interests, the council could become a vehicle for expressing differences, not for imposing sameness.

All this means that, if the ANC's leadership does ever fall prey to authoritarian temptations, it might find the task of controlling society far more difficult than it imagined. Perhaps the biggest hurdles of all lie simply in the nature of the society, not least in that part which votes for the ANC.

A key theme of the decade is a realisation of the limits which reality places on governments — or at least on that style of governing which assumes that, if the cabinet or public service decides what society will do, it will meekly obey. This holds for our society at least as much as any other. There is no shortage of evidence, but one example is Operation Masakhane's failure to persuade many people to pay for services. The government began this exercise by assuming that calls to duty by political leadership would be enough: they were not.

Nor do statements by government leaders denouncing crime — or grand anti-crime strategies — necessarily eliminate lawlessness.

However much power the ANC wields in government, it will also find that economic growth and job creation cannot be achieved simply by an act of political will. And that development plans often end up achieving the opposite of their intention.

The reason in both cases is much the same. Economic and development plans must always contend with the complex ways in which actors, from corporate executives to shack-dwellers, go about looking after their interests and the way in which they respond to signals. Plans which do not take real social and economic life seriously are doomed, however powerful the planners believe themselves to be.

Even a government equipped with a highly effective public service would have difficulty negotiating these challenges. The ANC in government is unlikely to enjoy that luxury for quite some time.

These realities do not mean that an ANC free of the "shackles" of minority party opinion is doomed to powerlessness. While there are special features in our society, many governments face similar challenges and some do fairly well at overcoming them.

But they do mean that ANC leaders who believe that political rules and a large electoral majority give them unlimited leeway to reshape society are in for some unpleasant shocks — and that the results would be as costly to the ANC as to the society.

The ANC's new assertiveness and the rules which allow it to govern are steps forward — if only because they remove the red herring of "minority vetoes" and force the majority party to face the realities of governing a complicated and unruly society.

Its prospects, and those of society, depend on whether it brings the same pragmatism and sensitivity to realities, which enabled it to negotiate our transition, to the difficult task of governing.

Ex-homelands' graft probe keeps on growing

(304A)

By Justice Malala
Political Staff

Star 21/5/96

A commission to investigate corruption in the public services of former homelands, self-governing territories and the Republic of South Africa has found 478 cases of irregularity in the 529 cases it has investigated so far.

The Judge White Commission, formerly headed by Mr Justice Browde, still has to investigate 12 000 cases.

Public Service and Administration Minister Zola Skweyiya said in Midrand yesterday that of the 529 cases already investigated, 31 were still awaiting an outcome.

He said many of the 12 000 cases which were to be investigated involved people who were still employed by the public service.

"Many of the cases involve people who promoted themselves to high positions just before the April 27 election," Skweyiya said.

The commission began its work in February last year and was supposed to end its work by December, but was extended at the beginning of the first parliamentary session because there was so much work to get through.

Public Service and Administration Director-General Paseka Ncholo said the commission had a year's lifespan which would be renewed if it became necessary.

"People have until the end of the year to come forward with complaints about irregularities in the former public services," he said.

He pointed out that irregularities were not just in the Eastern Cape, as many believed, but as the commission had started its work there, the first cases were uncovered in that province.

Two women, one priest for deputy ministers' positions

CT 22/5/96 (304A)

BARRY STREEK

THREE new deputy ministers were appointed yesterday by President Nelson Mandela — Mrs Lindiwe Sisulu-Guma (Home Affairs), Dr Manto Tshabalala (Justice) and Father Smangaliso Mkhatshwa (Education).

The three deputy ministers take up their new positions on July 1 when the National Party leaves the government of national unity.

Sisulu-Guma, who replaces the ANC's Mr Penuell Maduna, who is to become the Minister of Mineral and Energy Affairs, is the only daughter of former ANC chairperson and former Robben Islander Mr Walter Sisulu.

One of her brothers, Mr Max Sisulu, is an ANC MP and chairperson of the portfolio committee on the RDP, and another, Mr Zwelakhe Sisulu, is chief executive of the SABC.

Sisulu-Guma was chairperson of Parliament's joint intelligence committee.

Tshabalala, chairperson of the portfolio committee of health and wife of South Africa's High Commissioner in London, Mr Mendi Msimang, takes over from the NP's Mrs Sheila Camerer.

APPOINTED: Baleka Kgositsile

She was instrumental in uncovering the Sarafina 2 debacle, when she summoned Health Minister Nkosazana Zuma to appear before the health committee to address public and parliamentary disquiet over the spending of R14,2m on the musical.

Mkhatshwa, chairperson of committees in the National Assembly, is an ordained Catholic priest, the former general-secretary of the South African Catholic Bishops Conference and a former detainee. He replaces the NP's Mr Renier Schoeman.

Some ANC parliamentarians expressed surprise at some of the appointments yesterday, particularly Mkhatshwa's as it had been speculated that Ms Naledi Pandor was in line for the position.

Mkhatshwa, however, was overlooked for the position of Deputy Speaker, which is to go Ms Baleka Kgositsile, now chairperson of the ANC caucus.

Acting President Mr Thabo Mbeki said in a statement that before their appointment in July 1 the new deputy ministers would be expected to liaise with their ministers and outgoing deputy ministers "to familiarise themselves with their new tasks and ensure as smooth a transition as possible".

He also said the appointment of Kgositsile and the promotion of two other women into senior leadership positions "confirms the serious intent on the part of government and the ANC to ensure that women play a critical role in the transformation of SA society.

"In the interest of fiscal discipline, no further appointments are being considered at this stage," Mbeki said.

This means there will be no Deputy Ministers of Welfare and Land Affairs after July 1.

New 'PC' passport launched

(350)

(304A)

HENRY LUDSKI
POLITICAL WRITER

CT 22/5/96

SOUTH AFRICA has a new "politically correct" passport with a watermark of former ANC president and Nobel Peace Prize laureate Chief Albert Luthuli.

The new security-enhanced passports — now available for the first time also for children under 16 — will be launched at Tuynhuys today by Home Affairs Minister Mangosuthu Buthelezi.

Cabinet members will be the first to be presented with the new computer-generated passport which has built-in features to prevent forgery — one of the main problems with the old passport, which will now be phased out.

But the security changes come with a price hike from R40 to R80.

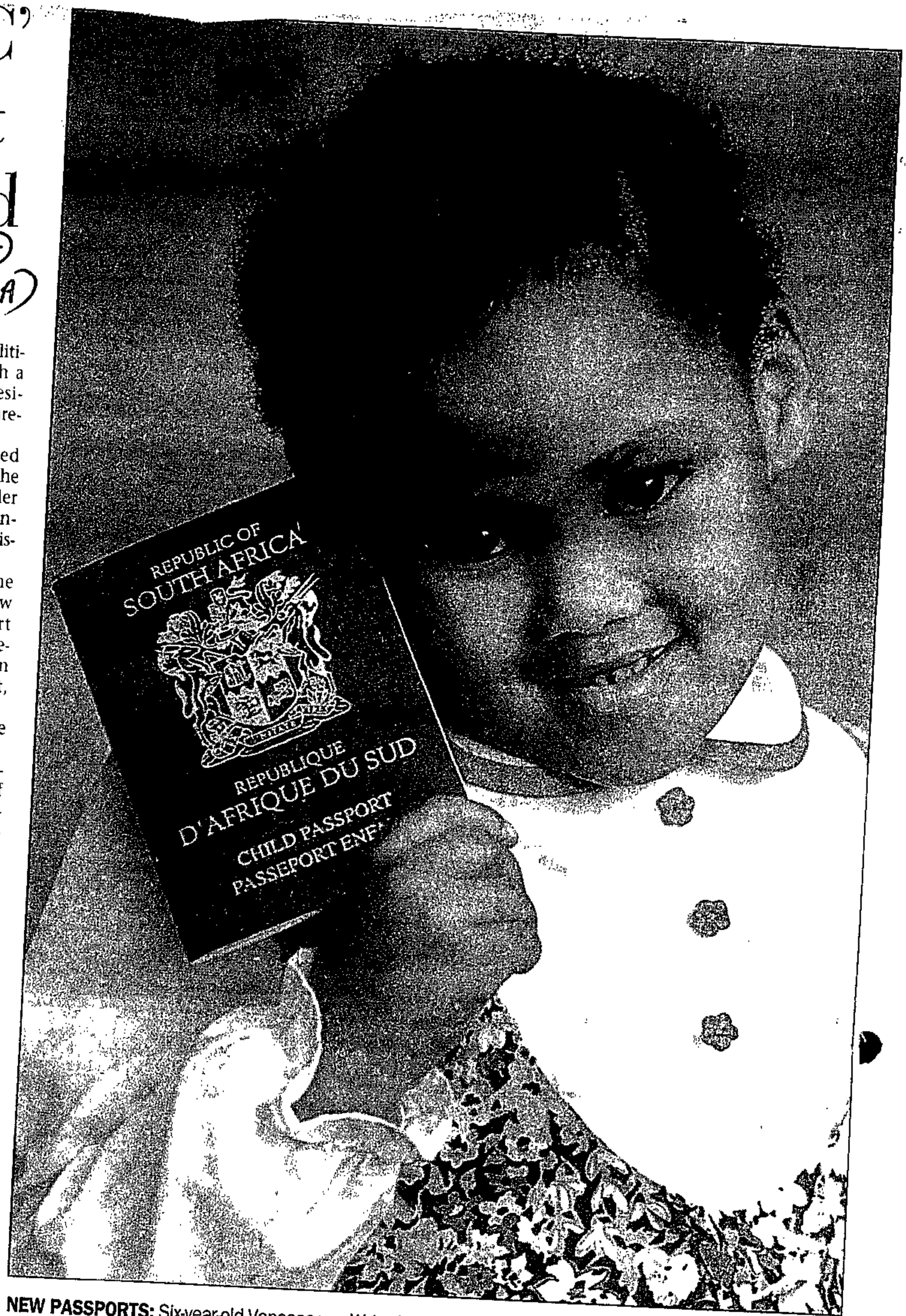
"The new passport, which complies with international norms of machine readability, will for security reasons only be issued in Pretoria," said Home Affairs director-general Piet Colyn, as he put the passport's range of infrared and other security features to the test.

The new passport is part of a broader Home Affairs strategy to tighten the security of its identification documents and curb the ever-increasing influx of illegal immigrants.

The next step is to develop a new fraud-resistant national identification system to stop the widespread manufacture of fake IDs. A new smartcard type ID is expected to be available by mid-1997.

The influx of illegal immigrants — now said to number about four million — is one of the issues expected to be debated in Parliament today when Buthelezi tables his Senate budget vote.

Applications for the new passports can be made at Home Affairs offices nationally and abroad.



NEW PASSPORTS: Six-year-old Venessa van Wyk of Bonteheuwel with the special children's passport, which is available from today, together with a new general tourist passport that comes with advanced security features — and a R40 price increase.

PICTURE: BENNY GOOL

Code of conduct for MPs gets approval

BD 22/5/96 (304A)

CAPE TOWN — An MPs' code of conduct was approved by Parliament's joint rules committee yesterday after the ANC defeated an attempt by minority parties to secure the most seats on the disciplinary committee it will establish.

The code will oblige parliamentarians, including ministers, to register interests such as shares, jobs outside Parliament, directorships, gifts and fixed property when it comes into operation within the next month.

It will also force them to say when they have a direct interest in issues debated in Parliament, and prevent them from getting paid for lobbying.

Water Affairs Minister Kader Asmal — largely responsible for drafting and negotiating the document — said the code was "very important for the health of our democracy".

"It establishes the principle that MPs must be above reproach; that you do not exploit your role as MP for personal benefit." National Assembly speaker Dr Frene Ginwala said the code was a "terrific achievement".

It will be supervised by a committee on members' interests, on which the ANC will hold most seats. The NP, supported by the DP and IFP, made an unsuccessful bid yesterday for a committee on which combined opposition parties would have more seats than the ANC. Johnny de Lange of the ANC said it was a "load of hogwash" to believe an ANC-dominated committee would "sit somewhere in secret and try to hide things".

NP whip Piet Matthee said there would be no question of minority domination in the committee, as the opposition parties were not a single body. "What the majority party is asking us to do is to put our trust, our political lives so to speak, in the hands, wisdom and good judgment of our political opponents. That we cannot do." — Sapa.

Police to launch hospitality guide project to help tourists

Stephané Bothma

BD 22/5/96

PRETORIA — A hospitality guide project aimed at assisting tourists at international airports would be launched within the next three months to enhance a safe and secure environment for foreigners visiting SA, the SAPS said yesterday.

The tourism safety task group — consisting of the SAPS, Satour, the environmental affairs and tourism department, Business Against Crime and the Tourist Business Council — agreed to the development of hospitality guides last week.

A pilot report shows 93 incidents involving 103 tourists were reported to the SAPS during the period January to end April. Data indicated robbery (75 incidents) and theft (14) were the main crimes.

SAPS communications officer Snr Supt Eric Pelser said quarterly reports of incidents involving tourists, enabling detailed trend analyses, would be available from June to the tourism industry.

Although no financial details had been finalised, it was agreed that the project would entail the selective recruitment, in stages, of about 500 unemployed people with communications skills to be employed as guides. Pelser said the recruits would be provided with training similar to that given to police reservists and tour guides.

SERIOUS E
FAX DETAILS
FAX : (021
& CELL : 08
FULL COLOU
AND BUILDING SURV

PRIVATI

CUSSEN AS
(021) 79

Row over govt info 'persuasion'

(304A) CT 22/5/96

THE South African Communication Services 1996/97 budget of R49,6 million was an indictment of the government and the value it put on informing the public, said SACS head Mr Solly Kotane.

This represented a mere 0,035% of the national budget, which translated to about R1,26 for every South African, he told the National Assembly's communications committee yesterday.

About 65% of the SACS budget went on staff salaries, which left less than R6 million to operate a national media budget on. However, the large amount spent on salaries was not exclusive to SACS. It was "happening all over the place". The government needed to open up dialogue with its citizens, Kotane said.

Information could not only be the domain of the private sector, where there were "groupings" who believed that they had the sole right to set the national agenda.

The government did not have a national vehicle to deliver its information or a platform to express itself. SACS under the NP government had been its propaganda arm, but it had now repositioned itself, Kotane said.

Asked if the view that the government should have a platform to distribute its information would not also result in propaganda, Kotane said it depended on whether the information was the type of misinformation espoused by nazi propagandist Joseph Goebbels, or whether it was used as "positive persuasion" by the government.

Mr Marthinus van Schalkwyk (NP) said he was horrified that Kotane would propagate "positive persuasion".

"Your job is to disseminate information, not persuade," he said.

Kotane then said he had never said SACS should be the kind of structure that would use positive persuasion to disseminate government information.

With the new constitution there was a "minimal chance" that SACS would abuse information for propaganda purposes, he said. — Sapa

Three new deputy ministers named

(304A)

Stephen Laufer

BD 22/5/96

CAPE TOWN — President Nelson Mandela named three new deputy ministers yesterday to fill vacancies created by the departure of the NP from the Cabinet.

Mandela said in a statement released in Cape Town that parliamentary intelligence oversight committee chairman Lindiwe Sisulu-Guma would replace Penuell Maduna (promoted to mineral and energy affairs minister) as home affairs deputy minister; Manto Tshabalala would move from chairing the health committee to the justice portfolio under Dullah Omar; and Father Smangaliso Mkhatshwa would become deputy education minister under Sibusisu Bengu.

Three other vacancies for deputy ministers — constitutional and provincial affairs, land, and welfare — would not be filled for the moment, said Mandela's spokesman, Joel Netshitenzhe. Consultations with ministers in the portfolios and with other ANC leaders

Continued on Page 2

Deputies

(304A)

BD 22/5/96

Continued from Page 1

had led to the view that deputies were not currently required, but could be appointed later if necessary.

Sisulu-Guma, a former senior ANC intelligence operative and the daughter of Walter and Albertina Sisulu, recently earned praise for her low-key handling of the police bugging "scandal" in which senior SAPS officers falsely accused the National Intelligence Agency of intercepting their communications. Insisting on a thorough examination by the oversight committee, she defused the situation and strengthened Parliament's watchdog role in relation to the spy services.

Tshabalala, who steered Health Minister Nkosazana Zuma largely unscathed through the Sarafina II AIDS play debacle, is a medical doctor. She is married to SA's high commissioner in London, Mendi Msimang.

Mkhatshwa is a Catholic priest who, as a United Democratic Front activist, was detained and tortured. There had been speculation that he would succeed the NP's Bhadra Ranchod as deputy speaker of Parliament. That post has gone to former ANC women's league secretary-general Baleka Kgositsile.

Sigcau took R50 000 bribe, says Holomisa

Deputy minister also calls on TRC to 'call to account' former intelligence chiefs and FW de Klerk

(30419) Star 23/5/96

Port Elizabeth – Public Enterprises Minister Stella Sigcau received a R50 000 bribe to approve exclusive gambling rights when she was a minister in the Transkei homeland government, Deputy Environmental Affairs Minister Bantu Holomisa alleged to the Truth and Reconciliation Commission hearing in Port Elizabeth yesterday.

Holomisa led a military coup against the Transkei's homeland government and became its leader until its incorporation.

He did not name the company which had provided the bribe, but it is now common knowledge that Sol Kerzner offered R2-million to the then homeland's prime minister, George Matanzima, for exclusive gambling rights for Sun International.

Holomisa told the commission yesterday that after Matanzima's overthrow by the Transkei defence force (TDF), "we discovered that Chief Matanzima was paid R2-million as a bribe for exclusive gambling rights. Bank statements were obtained from the Bank of Transkei which showed that some of the senior ministers and Paramount Chief K D Matanzima had each received a sum of R50 000.

"On the morning of 31 December 1987, the TDF took a decision to remove the government of Stella Sigcau, since she was also a recipient of the R50 000."

Holomisa said the ousted politicians had turned to Pretoria to have his military government removed, and "we experienced a lot of interference from the (former) minister of foreign affairs, Pik Botha".

Holomisa said that by 1991 Pretoria was looking for "every plausible" reason to mount a military invasion and "Operation Abbot" was a secret plan to destabilise the homeland.

He also made allegations concerning an attempted counter-coup in 1990 engineered by the SADF with the "full knowledge and backing of the RSA political authorities".

He called on the TRC to subpoena the "Chiefs of Intelligence", that is, Military Intelligence, National Intelligence Services and security police who were in office before the 1994 elections to account for the violence against the disadvantaged.

Outgoing Deputy President F W de Klerk and the former chief of Military Intelligence, Joffel van der Westhuizen, should also be called to account to the nation at the TRC, Holomisa said.

He said it was the only way to close the chapter on the violence that had erupted in the 1990s after unbanning of the liberation movements and to assess the role of the Directorate of Covert Collection (DCC) in the violence.

In a session lasting nearly three hours Holomisa said he was testifying to the commission as a "concerned citizen".

He produced top-secret military documents on covert operations which he said aimed to destabilise the Eastern Cape and the former Transkei and Ciskei.

De Klerk and Van der Westhuizen's testimony should be viewed against De Klerk's decision to grant early retirement to senior DCC officers after they had been linked to violence and murder. De Klerk himself had stated they could be charged with murder, Holomisa said.

It was unfortunate that the Steyn Commission's report was never made public or tabled in Parliament, he added.

He alleged that the IFP had formed part of, and was at the forefront of, counter-revolutionary activities of the then SA Defence Force in the 1980s.

"The bloody conflict between the IFP and African National Congress supporters is not a consequence of bitter political rivalry, but a manifestation of the Third Force dirty tricks at work."

The documents handed in by Holomisa refer to covert operations such as Project Katzen, written by Van der Westhuizen and aimed at "normalising" the situation in the Eastern Cape.

Holomisa said that what emerged from the documents was that operations were sanctioned at the highest level of government, with emphasis that they should not be traceable back to it.

Sowetan 23/5/96

304A

'Top MP took bribe'

Holomisa claims Public Enterprises Minister received R50 000

By Mzimasi Ngudle and *Ecna*

PUBLIC Enterprises Minister Miss Stella Sigcau allegedly received a R50 000 bribe when the then Transkei government awarded exclusive gambling rights to Mr Sol Kerzner's Sun International in the homeland, the Truth and Reconciliation Commission heard yesterday.

The allegation was contained in a lengthy submission to the TRC hearing in Port Elizabeth by Deputy Environmental Affairs and Tourism Minister General Bantu Holomisa.

Although Holomisa did not name the South African company, it is alleged that Kerzner had offered former Transkei prime minister Chief George Matanzima R2 million for exclusive gambling rights for Sun International in the homeland.

Financial scandals

Holomisa said that when Matanzima refused to resign after being implicated in financial scandals, the Transkei Defence Force had intervened and forced him out.

"A new prime minister, Stella Sigcau, was elected. We discovered that Chief Matanzima was paid a bribe of R2 million for exclusive gambling rights."

Bank statements were obtained from the Bank of Transkei which showed that some of the senior ministers and Paramount Chief Kaizer Matanzima had each received a sum of R50 000.

"On the morning of December 31 1987 all ranks of the TDF took a decision to remove the government of Miss Stella Sigcau since she was also a recipient of the R50 000," Holomisa told the commission.

TRC deputy chairman Dr Alex Borraine said top police officers and government leaders implicated by Holomisa would be invited to present their cases before the commission.

The officers, together with other people whom Holomisa has accused of apartheid atrocities, could be subpoenaed if they failed to accept invitations, Borraine said in a packed Centenary Hall in New Brighton.

Borraine said this after Holomisa had mentioned senior police officers in the top secret files he had handed to the commission yesterday.

He said he hoped the Reverend Ebenezer Manqina, the leader of AmaAfrika, which sowed mayhem in Uitenhage during the mid-'80s and who had been specifically invited, would appear before the commission.

In his testimony, Holomisa mentioned Brigadier CP van der Westhuizen, the commander of the Eastern Cape Command who headed Operation Katzen, for his alleged role in a multi-pronged security plot to eliminate human rights activists.

The broader object was to develop the Eastern Cape into a power block against the United Democratic Front and the ANC.

Holomisa said former state president PW Botha had given orders that the 1986 crisis be brought to an end by that December.

"It is clear that the current unrest situation cannot be permanently stabilised through the current conventional methods including the state of emergency," Botha is quoted as saying in the file on Operation Katzen.

Holomisa alleged that:

- Former president FW de Klerk, who chaired the State Security Council, must have been aware of the operation as well as the SADF raid that had left five youths dead in Umtata in 1993;
- Colonel Jan Niewoudt, who headed the Ciskei Intelligence Services, had plotted the killing of former Ciskei security boss Charles Sebe;
- There could be no peace until De Klerk and Van der Westhuizen were called to account for their roles in the Directorate Covert Collections; and
- Top security personnel were highly implicated in the findings of a commission of inquiry headed by police officer Pierre Steyn.

Truth and Reconciliation commissioner Ms Thandazwa Gubevu comforts one of the witnesses at yesterday's hearing at the Centenary Hall in Port Elizabeth where Environmental Affairs and Tourism Deputy Minister Bantu Holomisa made startling allegations of bribery against a Government Cabinet Minister.

ANC acts boldly in filling top Govt posts

Sowetan 23/5/96

By Rahla Rohan
Political Correspondent

ALL top vacant Government posts have now been filled following the announcement by the National Party of withdraw from the Government of National Unity at the end of June.

Three deputy ministers were also filled on Tuesday. Although the NP had announced this week that the was quitting the Government, Deputy Minister of Home Affairs, Ms Linda Shangaiso McIlhatshwa was by Deputy Speaker of Home Affairs, Ms Gumi, surprisingly became a prominent chairwoman of the communities filled by Dr Mario Ramos, who died at the helm of the Education Committee on Tuesday.

The appointment of Deputy Minister of Defence Ms Balekile Kgositsile was also a major surprise.

Deputy Minister Ms Sarafina 2 coming on intelligence, Deputy Minister Sisulu-Guma, who played a pivotal role as chairwoman of the Justice Committee, was also filled by the National Party to fill the gap left by Deputy Minister Mkhatshwa in the Cabinet portfolio. The other position, Deputy Minister of Justice, was filled by Ms Tshabalala-Msimang.

Ranchod's seat has been filled by Ms Balekile Kgositsile.

Rumours were rife in parliament that Ranchod would be a major announcement this week that the was quitting the NP and joining the ANC.

He has been appointed Commissioner to Australia and New Zealand and was spoted recently at an ANC fund-raising event.

However, he did not connect his address to the ANC in his farewell address to parliament, but launched a scathing broadside at NP supporters for their racial slurs against President Mandela last week.

"Some of these incidents have happened in Parliament and, more recently, against the President himself. While these latest insults were not made by parliamentarians, I nonetheless find such invective disgusting. The use of racist terms is not only despicable but it defies our very commitment to uphold," he said.

Although he did not announce that we was quitting the NP, everyone in the benches seemed to think so.

He was applauded from the ANC side.

Almost every sentence he uttered at him was loudly applauded by NP colleagues glared at the end.

While his speech was polite, Deputy Minister and of his speech, seemed to mean.

The defection came to announcing all South Africans to take each other by the hand, to put petty divisions aside and to serve the greater good rather than sectional interests."

Picture: ANDREW INGRAM, The Argus.

CLOSE TIES: Mozambican president Joaquim Chissano, left, gets to grips with South African deputy president Thabo Mbeki during the southern Africa economic summit in Cape Town.

ARG 23/5/96 (304A)

Mbeki steps in to defuse row over 'bribe'

JOHN YELD
on the Truth Commission

PORT ELIZABETH.- Deputy President Thabo Mbeki has stepped in to defuse a row between government members Bantu Holomisa and Stella Sigcau over an alleged bribe in 1987.

During his testimony to the Truth Commission here yesterday, Deputy Environmental Affairs Minister Holomisa, the former military leader of Transkei, repeated previous accusations that Ms Sigcau, Minister of Public Enterprises, had been paid a R50 000 share of a R2 million bribe for gambling rights, paid to then Transkei prime minister George Matanzima by hotel magnate Sol Kerzner.

An angry Ms Sigcau accused Mr Holomisa of dragging up false accusations and said he had to explain what his real agenda was for doing so.

In an attempt to end the dispute, Mr Mbeki announced that he would call the two ministers in for discussions after he had had a chance to examine the facts.

During his evidence to the commission, Mr Holimisa referred to the "destabilisation of Transkei by South Africa".

Persistent rumours and allegations of the embezzlement of funds from South Africa had led to commissions of inquiry being appointed.

"When Chief George Matanzima refused to step down as a result of his implication in financial scandals, the then Transkei Defence Force intervened and forced him out of politics," Mr Holomisa said.

● More reports, pictures page 6.

Mbeki seeks solution to Sigcau-Holomisa row

(3049) Star 24/5/96

By Jovial Rantao
Political Correspondent

Deputy President Thabo Mbeki has asked for documents that Deputy Minister Bantu Holomisa submitted to the Truth and Reconciliation Commission as proof that Stella Sigcau, Public Enterprises Minister, accepted a R50 000 bribe eight years ago while she served in the Transkei homelands government.

Holomisa was the last ruler of the homeland and told the commission in Port Elizabeth on Wednesday that the bribery information had come into the hands of his government after it ousted Sigcau, who was prime minister in the previous government.

Mbeki has also asked Sigcau for documents she claims will clear her name, according to ANC spokesman Ronnie Mamoepa. He said yesterday that Sigcau claims the Alexander Commission into bribery within the homeland had cleared her of taking bribes.

Mbeki is expected to call the two ministers in for discussions after examining the documents. He will report his findings to the president, for whom he has been acting while Mandela was visiting Germany.

Mamoepa says: "Mbeki has set in motion a process to find an amicable solution and we (the ANC) cannot pre-empt that process."

He said Holomisa had told Mbeki that he had made submissions to the Truth Commission as the past military ruler of Transkei and not in his capacity as a deputy minister and ANC member.

Holomisa told the Truth Commission that Sigcau had received R50 000 of a R2-million bribe for gambling rights.

A spokesman for Water Affairs and Forestry Minister Prof Kader Asmal, who is also chairman of the ANC's disciplinary committee, said the committee would only investigate the matter if any structure or member of the ANC laid a complaint.

Gauteng conservation and environment MEC Aboo Kahn weighs his bag of trash in Hillbrow yesterday at the opening of the first of 10 recycling centres to be established in the province, as the Mondi mascot struts around. Pictures: ROBERT BOTHA

NP to challenge ban on MPs crossing the floor

BD 24/5/96 (304A)

David Greybe

CAPE TOWN — The NP caucus agreed unanimously yesterday to challenge the new constitution's controversial ban on members of the National Assembly and provincial legislatures crossing the floor.

The NP will join the DP in contesting the constitutionality of the ban in the Constitutional Court. The ANC had insisted on such a clause during negotiations.

NP secretary-general Roelf Meyer said members should be restricted only by their conscience, and not by political parties. They should have a "free mandate" to change political convictions and, therefore, parties.

Meyer said the NP believed there was a "valid constitutional argument" for contesting the clause.

An NP source said the caucus decision put paid to "rumours" that the NP was facing a damaging split which could result in defections to other parties if the ban was scrapped.

The split was said to have been sparked by party leader FW de Klerk's decision to quit government in protest against the ending of enforced power-sharing after the next general election.

Meyer stressed the caucus decision was by "absolute consensus". The NP always backed scrapping of the ban.

The NP submission to the court will be made under the name of MP Piet Matthee, in his capacity as head of the party's legal desk, after the NP missed last Monday's deadline for informing the court of its intended challenge. Most NP MPs and senators were expected to co-sign the submission.

The NP announced yesterday it had informed the court it would request it to "test" the constitutionality of two issues: the omission of a right to lock out-clause, and whether provincial powers were "eroded" in any way.

The court is scheduled to begin the certification process of the new constitution on July 1. It must certify that the text complies with the 34 principles contained in the interim constitution.

The DP argued in its submission to the court that the clause banning members from crossing the floor contravened four constitutional principles (two, six, seven and 17).

The ban was said to undermine "such universally accepted fundamental rights and freedoms as the right to freedom of expression, the freedom to make political choices and the right to stand for public office and, if elected, to hold office".

Meanwhile, NP finance spokesman Theo Alant criticised President Nelson Mandela and other ANC alliance leaders for issuing contradictory statements on the market, privatisation, unions and foreign investment.

Now MPs must register their assets

(304A)

MtG 24-30/5/96

Marion Edmunds

PARLIAMENTARIANS who lie about their assets in the Register of Member's Assets will be fined a month's pay, and those who leak confidential information to the public from the register will have to pay half a month's salary as a fine.

African National Congress MP Johnny de Lange was overruled by the Rules Committee when he argued for harsher penalties for MPs who leaked confidential information about their colleagues to the public. De Lange claimed that such leaks "could ruin somebody's life".

The rules of the register form part of the code of conduct for parliamentarians adopted by the Rules Committee in Parliament this week.

The adoption of the code, after months of anxious discussion in Parliament, should mean that the register will be set up within the fortnight.

The register will have two parts — a confidential chapter and a chapter for public scrutiny. The latter will list an MP's assets without attaching a value to them, and the confidential section will list their corresponding value.

Parliamentarians will have to list their financial holdings, payment for jobs done outside Parliament, directorships and partnerships, consultancies, sponsorships, gifts and hospitality, benefits, foreign travel, land and property and pensions.

The register will be published for the first time two months after it is set up and then once a year on April Fool's Day.

The register will be overseen by an Ethics Committee made up of Parliamentarians of whom the ANC will be in the majority.

The code of conduct also prohibits lobbying by members and forces them to declare their interests, if any, in a debate, budget vote or representation in which they participate.

Search for missing Cabinet papers

M+G 24-30/5/96 (304A)

Cabinet reports documenting such events as the Sharpeville massacre in 1960 have gone astray. **Justin Pearce** takes up the trail

Open Sesame: Director of Archives Marie Olivier welcomes an investigation PHOTOGRAPH: RUTH MOTAU

ARTS and Culture Minister Ben Ngubane has instructed the State Archives to search for decades' worth of Cabinet minutes, which the previous government failed to pass on for safekeeping.

This follows a protracted and fruitless attempt by the *Mail & Guardian* to gain access to the papers, as one government department after another denied knowledge of the documents.

Cabinet minutes dating from 1978 and later were handed to the State Archives in 1994. Arts and Culture Ministry representative Frans Basson said when the minutes were given to the archives, the office of then-president FW de Klerk told the archives there were no records dating from before 1978.

While no formal minutes were kept before PW Botha streamlined Cabinet operations in 1978, notes of meetings were kept in a series of books by the most junior Cabinet minister at the time. It is these books which appear to have gone missing.

The notebooks would contain Cabinet responses to such events as the Sharpeville massacre in 1960, South Africa's departure from the British Commonwealth in 1961, the assassination of then-prime minister Hendrick Verwoerd in 1966, the 1976 Soweto uprising, and the Information scandal of the late 1970s.

Director of Archives Marie Olivier welcomed the instruction from Ngubane to investigate the matter, as this would help the archives provide its service to the public. "The State Archives should be able to give people unequivocal information when required," she said.

"I will approach the head of administration in De Klerk's office, and ask about the situation regarding the pre-1978 Cabinet records. They should be able to point us in the right direction."

At present, the National Archives Act stipulates that government documents less than 30 years old may not be viewed without ministerial permission. A new Bill due for Parliament this year will reduce the embargo period to 20 years.

Last December the *Sunday Times* reported that De Klerk in his last days as president had extended the embargo to 40 years, but this was revoked by the new government.

Olivier, who took over the archives as acting director in 1994, is determined to bring the archives into line with the present government's professed commitment to transparency. She said the archives would respect the Open Democracy Act as soon as it is passed. The Act is intended to allow public access to any state document — even one which falls within the embargo period — and will put the onus on the state to say why access to a particular document is not in the public interest.

Olivier reported progress in negotiations between the archives and government departments which were previously reluctant to hand on their records to the archives, such as the Department of Foreign Affairs.

The security establishment — the police, the military and the National Intelligence Services — are to retain their own records for now, but the archives has obtained an undertaking that no records will be destroyed and all records will be managed in terms of the Archives Act.

There is substantial evidence the security forces have previously destroyed vast numbers of documents or cleansed files of information which would compromise the former administration.

When the *M&G* originally approached the President's Office in search of Cabinet papers, presidential legal adviser Fink Haysom suggested consulting the State Archives.

De Klerk's office referred the *M&G* to the Institute for Contemporary History at the University of the Free State. The institute responded that the proper place for state documents such as the Cabinet notebooks was in the State Archives.

The Institute for Contemporary History does, however, have copies of PW Botha's personal papers — including speeches and correspondance — from his years as prime minister and state president. These are available for scrutiny only if Botha gives his personal consent.

Ties with China 'not at expense of relations with Taiwan'

Star 25/5/96 (304A)

Taipei – Defence Minister Joe Modise said yesterday his government was under intense Chinese pressure to sever diplomatic ties with Taiwan, but would not let others dictate who its friends should be.

"We are keen to have relations with Beijing, but not at the expense of our relations with the Republic of China," he said, using Taiwan's official name.

"Our relations with any other country must not determine who our friends should be," Modise told a news conference.

He said relations with Taiwan "are good. They are very stable so far."

JOE MODISE

China and Taiwan are engaged in a perennial tug-of-war for diplomatic recognition, and accuse each other of using financial aid to buy friends. China claims sovereignty over Taiwan and refuses to have diplomatic ties with countries that recognise the government in Taipei.

Taiwan has grown concerned about South Africa's intentions since Nelson Mandela became president in 1994.

The country's friendship with South Africa developed when apartheid was in place and Pretoria had few foreign friends.

Mandela, on the other hand, feels an obligation to repay China for supporting the ANC in its struggle against apartheid.

Modise acknowledged that the ANC was keen for the Government to switch recognition from Taiwan to China.

"There have been intense discussions in South Africa," he said.

Taiwan's Nationalist government fled the mainland in 1949 after losing a civil war to the Chinese communist forces.

South Africa is one of only 31 countries that maintain diplomatic ties with Taiwan.

Modise spent a week in Taiwan and attended President Lee Teng-hui's inauguration on Monday. – Sapa-AP

The ruling party shoulders an uneasy alliance

By ADRIAN HADLAND

(304A) Star 25/5/96 (132)

Already salted by thick sea mist and a little frayed by the southeaster, a National Party local election poster dangles off De Waal Drive in Cape Town. It says: "ANC – Hostage of Cosatu".

And while such posters are of necessity brief, simplistic and at times curiously tangential, another poster says "Save the rand, vote NP".

The relationship of the labour movement to the majority party within the Government has increasingly become the focus of attention both at the hustings and in the debating chambers of Parliament. DP Senator Errol Moorcroft said this week during a debate on the Labour Ministry's budget vote: "When foreign investors see militant workers on TV toyi-toying under the Communist Party flag, it spreads fear and insecurity in the ranks of investors."

Who would want to invest millions in new plants and machinery when mass action was accompanied by the trashing of factories, he asked.

One of the main functions of labour federations should be to moderate the behaviour of union members in line with the "co-operative" form of relationship, the social partnership, outlined by the new Labour Relations Act and evidenced by the operations of the National Economic Development and Labour Council (Nedlac), according to Moorcroft.

Other parties have been quick to leap on the bandwagon, particularly with elections approaching and following Cosatu's successful national strike earlier this month in opposition to a clause of the new constitution.

The excision of the "lockout clause", which gave employers the right to lock employees out of the workplace, was a worrying signal to some that the danger of the labour movement playing an increasingly prominent role in more orthodox politics was finally being realised.

One Freedom Front MP, Willie Botha, suggested during last week's snap debate in the National Assembly on the plummeting value of the rand that such was the influence of the unions on the Government that the name of the currency should be changed from the rand to the shilowa.

We can expect the NP, too, to make much of the ANC-SACP-Cosatu alliance in the runup to the forthcoming local polls and as the official opposition in the buildup to 1999.

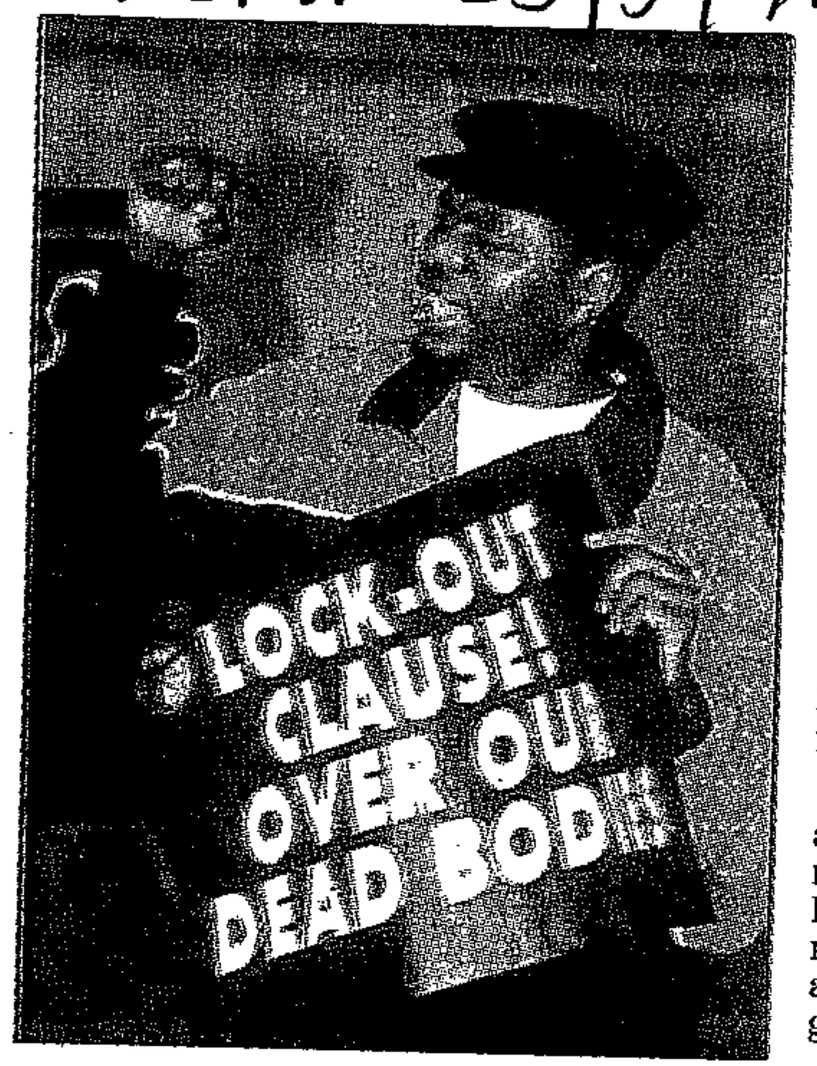
In question time in the National Assembly this week, NP MP Armiston Watson asked Labour Minister Tito Mboweni: "How many strikes took place in 1995 and what was the cost of such strikes?"

Mboweni replied that 1,6 million workdays had been lost due to strike action in 1995, but added that this was 40% down on the average days lost over the previous four years. He was not prepared to guestimate the cost involved.

"In other words, the number of days lost to strikes declined precipitously in 1995 compared to the rest of the 1990s when the NP was in government," said Mboweni.

"But who was responsible for organising the strikes during those years?" shouted Watson, alluding to the minister's former occupation.

Members of the ruling party remain unfazed, however, by the prospect of the ANC's relationship with the SACP and Cosatu becoming the subject of gibes and criticism from the green leather seats on the opposition side of Parliament.



A STORMY FRIENDSHIP: Labour Minister Tito Mboweni (left) and Cosatu's Sam Shilowa fight some of their battles on the same side, but tiffs between the ruling party and the labour movement are likely to become more frequent

One senior ANC MP said: "It does not matter what the other parties say about the alliance. Where it is important is out there in the communities. As long as the people support the party and the unions, the ANC will remain their political allies."

But it has not been an easy alliance for the three constituent parts, and clashes have occurred increasingly often.

We had a major disagreement earlier this year on the question of privatisation, when a row erupted between Public Enterprises Minister Stella Sigcau and Cosatu.

We can expect many more tiffs as the "right-sizing" of the public service, the rationalisation of state assets, the introduction of more flexibility into the labour market, pending labour market commission findings and the development of the "social partnership" find expression in the coming months and years.

Differences of opinion between the labour minister and the unions are hardly new or, indeed, surprising.

Mboweni took the opportunity this week to criticise labour and business for the continued squabbling within Nedlac for their apparent lack of commitment to the Government's notion of the social partnership.

Both groups had exhibited, "to put it kindly, a degree of confusion regarding the essential elements of social partnership", Mboweni said.

He warned that if labour and business could not get on, the alternative was for the Government to make all the decisions.

Mboweni made room in his address for a specific dig at Cosatu for its attitude on the payment of members serving on the Commission for Conciliation, Mediation and Arbitration (CCMA).

"They do not want to make a decision because they want to stand outside the decision and shout at everybody else," he told the Senate.

Mboweni also addressed the question of the alliance and the suggestion that the ANC's partnership with the SACP and Cosatu had negative implications for foreign investment.

"Nothing could be further from the truth," he insisted.

Much of the debate boils down to the simple question of whether a labour union or federation should be "involved" in politics.

While there are many examples across the globe of such partnerships, not least the link between the British Labour Party and the union movement, the attractions of an easily accessible, large, organised interest group are obvious.

What opposition groups find difficult to stomach is the *quid pro quo* involved in absorbing the support, priorities and ideology of the trade unions in exchange for promises of favourable economic policy concessions.

The question then is whether it is better to have the unions operating inside the formal structures of institutional politics – and the frameworks that derive from that participation, such as Nedlac – or outside.

The unions in South Africa have already clearly shown over the years their ability to mobilise in favour of their objectives, and their capacity to cause major economic and political disruption. Who, other than the ANC, would have had the slightest chance of tying the labour movement into agreements on non-adversarial employer-employee relationships?

Mboweni has stressed time and again that this is one of the Government's key objectives in the labour field and a central tenet of its 1994-1998 Programme of Action.

One of his department's central activities, he told the National Assembly this week, was the creation and maintenance of new institutions, such as Nedlac and the CCMA, which would "facilitate non-adversarial labour relations".

However while the ANC has important historical ties and common goals with the labour movement, it also has no intention of simply rolling over and taking instructions blindly.

As Mboweni has said, although in a slightly different context, "we are all too aware of the dangers of cosy compromises among powerful players".

While few doubt that eventually the constellation of the ANC, the SACP and Cosatu will break up, an important question is whether, in the meantime, such a dissolution would be in the national interest.

Would a labour movement acting as free agent, unfettered by political co-responsibility or by any obligation to a social partnership with business, be more or less of a danger to foreign investment than one contained in a stable, if bumpy, relationship with the majority party?

South Africa has an extremely powerful labour movement. This is a fact. The question is how best to manage that power, not where to hide it.

Ranchod may quit NP after racist jibe

By RAY HARTLEY
Political Correspondent

DEPUTY Speaker in Parliament Bhadra Ranchod is planning to quit the NP at the end of this week, becoming the most senior black member to leave the party and dealing its programme to expand its support base a major blow.

Although Dr Ranchod would not confirm his decision this week, a senior NP source said he was "100 percent likely" to leave the party and adopt a politically neutral position.

Dr Ranchod, who is to take up the post of High Commissioner to Australia at the end of this month, is said to be unhappy about the failure of the NP to condemn racist jibes made at President Nelson Mandela by NP supporters in the Western Cape last week.

NP sources said he angered NP leader F W de Klerk by using the ANC election slogan "Now is the time" during his farewell speech to Parliament on Tuesday.

Mr de Klerk is said to have launched a bitter attack on Dr Ranchod at the NP caucus meeting the following day.

During his speech, Dr Ranchod attacked the NP supporters, some of whom had used the word "kaffir" to describe Mr Mandela. "It is particularly distasteful when it is used against the finest example of reconciliation, namely President Mandela," he said.

During his speech he also mentioned ANC MP Janet Love and Sports Minister Steve Tshwete by name, leading to applause from the ANC benches, but did not once mention Mr de Klerk or his party.

After the speech, the ANC rose to give him a standing ovation, followed by NP members, with the exception of the NP's Andre Fourie.

After the speech, NP whip Gerhardus Oosthuizen reminded Dr Ranchod of his party's slogan, saying: "We just want him to remember: 'South Africa first'."

Approached for comment this week, Dr Ranchod would not confirm his intention to resign, but he repeated his view that the racist remarks made about Mr Mandela had to be condemned.

"I was taking a position on racism and I expected others to do the same," he said. "One has got to make this new Constitution work. MPs are guardians of the Constitution and should be very sensitive to violations of its fundamental tenets."

(304A) ST 26/5/96

DP slates Mbeki's decision on Sigcau

(304A)

Wyndham Hartley BD 27/5/96

CAPE TOWN — Deputy President Thabo Mbeki's decision not to act on allegations by Bantu Holomisa against Public Enterprises Minister Stella Sigcau was reminiscent of his handling of the Allan Boesak debacle, when attempts were made to clear Boesak without sufficient evidence, DP leader Tony Leon said yesterday.

Leon said the truth of the deputy environmental affairs minister's allegations — that Sigcau had received a R50 000 bribe allegedly paid by casino magnate Sol Kerzner when she was a Transkei cabinet minister — "must come out in Parliament" and the DP had called for a debate.

Leon was speaking after Mbeki had declared that Holomisa's allegations, made before the truth commission, were not substantiated in testimony before an earlier judicial commission.

Mbeki's spokesman Thami Ntenteni confirmed yesterday that no action would be taken against Sigcau because the initial commission had ruled a judicial investigation unnecessary.

POWER PLAY: F W de Klerk and his wife Marike on the stump for the National Party at the Three Arts theatre.

'FW pulled out to avoid splitting Nats'

(304A) ARG 27/5/96

ANDREA WEISS
Metro Reporter

PRESIDENT Mandela says National Party leader FW de Klerk pulled out of the government because party members were tempted to break ranks and vote with the African National Congress.

Mr Mandela was speaking at the end of a weekend of hectic election campaigning at a ward meeting in the Baxter Theatre where "his" candidate, Revel Fox, was the focus of attention.

Mr Mandela said Mr De Klerk had let slip that the reason why he had left was because the "NP's influence in government has been declining".

"He is absolutely correct," Mr Mandela said.

The NP had many "good, honest and talented people" who, through interaction with the ANC, wished to break ranks.

He said he had been distressed by reports of people "behaving like wild animals" - intimidating each other by removing posters, threatening opposing candidates and even assaulting them.

"Both the ANC and the NP have been responsible for this. I've made an appeal to all to allow a free and fair election and to exercise political tolerance," Mr Mandela said. "I don't know if any of the political parties have listened to my appeal."

Sigcau case shut if no more evidence

(304A) Star 28/5/96

By Jovial Rantao
Political Correspondent

Unless new evidence was presented to Deputy President Thabo Mbeki to substantiate claims that former Transkei prime minister and now Public Enterprises Minister Stella Sigcau accepted bribes, the chapter which started with a submission to the Truth and Reconciliation Commission (TRC) has been closed.

Mbeki's spokesman, Ricky Naidoo, said the deputy president had no doubts about the decision reached by the judicial commission chaired by Mr Justice Alexander to clear Sigcau on charges that she had accepted a R50 000 bribe from a South African hotel group.

"Unless there is evidence contrary to the commission's findings or any new information on the (alleged) illegal activity by the minister, this case is closed. There's no reason to doubt the integrity of the judicial commission," Naidoo said.

Mbeki intervened last week when former Transkei military ruler and now Deputy Environmental Affairs and Tourism Minister Bantu Holomisa submitted documentation to the TRC repeating previous allegations that Sigcau had received R50 000 of a R2-million bribe for gambling rights.

Mbeki reached his decision after going through documents made available by Holomisa, Sigcau and the Alexander Commission.

Naidoo said Mbeki would try to restore relations between the two. Reported tension between them was based on speculation. "The deputy president has consulted with both of them on several occasions and he has not come across any tensions. There's no evidence of strained relations."

The Star, however, understands there has been tension between the two since Holomisa removed Sigcau from power in a military coup eight years ago.

Indications yesterday were that Holomisa would not face any disciplinary hearings by the ANC for making public allegations against a party colleague. Themba Khumalo, a spokesman for Water Affairs and Forestry Minister Kader Asmal, who is chairman of the ANC's disciplinary committee, said no complaint had been laid against Holomisa or Sigcau.

Asmal cannot take action unless an ANC structure or member has laid a charge of misconduct.

R48-m to find out how much it owns

(304A) Star 29/5/96

Private firm appointed to compile comprehensive register of state assets

By Jovial Rantao
Political Correspondent

The Government is expected to spend R48-million to fund processes which will provide an accurate data base for the compilation of a register of all state-owned property and fixed assets.

Ministry of Public Works spokesman Wiseman Khuzwayo said current estimates were that the Government owned 25 890 residential units, 3 634 office buildings, 24 742 buildings and more than 57 000ha of land, all valued at more than R50-billion. The Government also owns six public enterprises with an asset value of R95-billion, which are managed by the Ministry of Public Enterprises.

Responding to an inquiry from The Star, Khuzwayo said R25-million would be used to fund a comprehensive survey of all state assets and R23-million would be used to upgrade computers at the Department of Public Works.

Estimated State Assets

SA properties

Residential units	25 890
Office buildings	3 634
Buildings	24 742
Land (hectares)	57 000+

Value: R50-billion

No details of overseas properties

Six public enterprises

Alexkor, Aventura, Denel, Eskom, Safcol, Transnet

Value: R95-billion

"The first South African National Register of state-owned Fixed Property Assets will be funded from the 1995/96 as well as the 1996/97 annual budget votes," he said.

Khuzwayo said the Government inherited a system of insufficient controls, outdated data collecting methods and insufficient funds and manpower for the proper maintenance of the state's fixed assets.

He revealed that a private engineering firm had been appointed by the Ministry of Public Works, through the Tender Board, to manage the compilation of the National Register of state-owned Fixed Property Assets.

He said the firm was expected to enhance the process started six months ago by the Government to undertake the extension and upgrading of the data integrity and of the present inventories, to determine what was owned by the state and to enhance the successful management of the assets.

Khuzwayo said a clear picture of the total number of state-owned assets, their locations and value would emerge once a process started in November had been concluded.

"The lack of information systems regarding the state-owned assets has made the process to gather information extremely difficult.

This is the major reason why the ministry has embarked on the process to establish the national register.

The engineering firm will direct, manage and administer the processes so that the objectives are achieved as soon as possible," Khuzwayo said.

He said the process to collect and load information was expected to last between one and two years.

Weak link in MPs' code of conduct must be repaired

(304A) BD 29/5/96

RICHARD CALLAND

THERE is so much that is good about the final draft of the code of conduct for members of Parliament that it is sad to have to moan. But moan one must, because there is a weak link in the proposed system of implementation and enforcement which may undermine the efficacy and credibility of the whole code.

First, though, the good news. As with the final constitution, the code is advanced, progressive and sophisticated, imbued with some of the best practice from around the world, yet retaining a leanness that will serve it well.

Moreover, it has been created in less than a year without sacrificing the need for a careful consideration of the complex issues involved. The code is stringent in the requirement it imposes on elected representatives to disclose their "outside" financial interests.

As a result, the public will be able to see — and judge — for themselves whether or not there is a conflict of interest at play in the case of an individual MP, both generally and when he or she adopts a particular policy position. Thus, MPs will have to disclose the number of shares they have acquired, the directorships or consultancies they hold, the extra employment they take on, the gifts they receive, the property they own and source of their pensions.

In no other country, save perhaps the US, has such a strict set of rules been adopted. It represents, therefore, an important step forward towards instilling a resilient culture of accountability and honesty.

This is only the end of chapter one, however. The code, like any rule, can be broken and is, after all, just a set of words. Close attention must turn, therefore, to the question of implementation and enforcement. Already in Britain, the reaction of the members of the House of Commons to the implementation of the Nolan report, and the brave new dawn of parliamentary accountability and transparency it represented after the years of squalid financial corruption in Westminster, has been fraught with problems.

Some British MPs, many of them with large outside financial interests, have effectively stuck two fingers up at the new code by refusing to disclose their financial interests, on the basis that it had nothing to do with their positions as MPs.

Hence, the credibility of the new British code of conduct is already virtually in tatters.

The Achilles heel in the SA code is that its architects have declined to recognise the value of outside participation in the implementation and enforcement of the code.

The code will be supervised by a committee comprised solely of members of Parliament. Thus MPs will be their own judge and jury.

Further, if the code is breached, merely a parliamentary rule and not a law will be broken. The new rules must be turned into law as soon as reasonably possible.

For this reason, a central purpose of such a code of conduct, namely, to enable the electorate to have justification in the belief or hope that their public representatives are men and women of integrity, may be undermined.

It is a question of trust and as knotty problems, such as the recent British example, arise and are seen to be dealt with "in-house" — and normally in secret (the proposed rules say that the committee must be closed when hearing complaints, unless the committee rules otherwise) — so goodwill engendered by creation of the code will be diluted.

The problem is compounded by virtue of the fact that significant parts of the register, such as the salary of the directorship or other "extra" employment, will be "confidential" and available only to the committee. The significance is that when dealing with potential conflict of interest it is the weight — the value — of the conflicting private interest, rather than just its mere existence, that is most important.

Even Britain has an outside commissioner, a senior ex-civil servant, to supervise the code, whereas in the proposed SA model, a registrar, appointed from the staff of Parliament, will serve the committee.

What is needed, however, goes further; the composition of the supervising committee should include a number of people drawn from civil society at least equal to the number of MPs. Or else some other mechanism for independent input must be employed (the Commission on the Remuneration of Representatives comes to mind).

As always, of course, the process of selection or appointment of such outside people will not be without its problems, but in this way and if properly managed, society as a whole will have both a stake and a say in the process of implementation and enforcement, and the code will be the stronger for it.

It is not too late for Parliament to detect the weak link and to repair it. If it does not do so then celebration of the birth of the code will be tinged with a sense of regret that Parliament could not place its trust in the world outside.

□ **Calland is head of Idasa's parliamentary information and monitoring service in Cape Town.**

LETTERS

China gets tough with SA on links

(304A) BD 29/5/96

John Dludlu

CHINA has threatened to shut SA's Hong Kong diplomatic office and cancel SAA's landing rights on the island if Pretoria fails to sever links with Taiwan, a foreign affairs department spokesman confirmed yesterday.

The spokesman said President Nelson Mandela had asked Foreign Affairs Minister Alfred Nzo and the parliamentary portfolio committee to visit both Taiwan and China, and brief him before making a decision on relations with the two countries.

Nzo recently returned from a visit in Beijing and a visit to Taiwan was being planned, the spokesman said. The president would then make a decision.

SA has diplomatic relations with Taiwan and a consulate-general office in Hong Kong, scheduled to become part of mainland China next year.

The Mandela administration is known to be interested in relations with both Taiwan and China — an option that Beijing does not want to explore.

A Taiwanese embassy spokesman said severing diplomatic links with Taipei would lead to an immediate cut of more than R1bn worth of aid to Pretoria, and a suspension of projects undertaken by Taiwan in SA.

These included a vocational training centre for former SA soldiers and the planned establishment of an industrial complex to attract Chinese manufacturers.

Sapa reports that the complex, which would be built by Taiwan's Overseas Economic Co-operation and Development Fund, could create up to 1 000 small businesses for SA. "We will also train South African young entrepreneurs so they can open plants in the zone," said Chen Chientzu from the fund.

The spokesman said the project would be discussed at ministerial level between SA and Taiwan, but a date had not yet been set.

He denied suggestions the industrial complex was solely aimed at preserving ties with Pretoria.

Severing diplomatic ties with Taiwan could discourage Taiwanese firms from investing in SA, the spokesman said. There were 300 Taiwanese companies in SA which provided 45 000 jobs.

Mbeki comes to Sigcau's defence

(304A)

Sowetan 31/5/96

'The matter has been investigated and the minister pubicly cleared"

By Rafiq Rohan
Political Correspondent

DEPUTY President Thabo Mbeki yesterday presented evidence in defence of Cabinet Minister Stella Sigcau, concluding that she was innocent following accusations to the Truth and Reconciliation Commission that she had received a R50 000 bribe while she was an official of the Transkei government.

The claim, made by ANC MP Bantu Holomisa to the TRC on May 22, was that Sigcau allegedly received a R50 000 bribe when the homeland government awarded a gambling contract to Sun International's Sol Kerzner.

"It is clear that the Honourable Bantu Holomisa's remarks have not raised any new matter," Mbeki told Parliament. He said calls to President Nelson Mandela to take action against Sigcau were "at best ill-informed, or, at worst malicious".

'Publicly cleared'

Referring to Holomisa's remarks, Mbeki said: "On the contrary, his remarks refer to a matter that has been fully investigated by a commission of inquiry, and in respect of which Minister Sigcau has been publicly cleared after a thorough scrutiny of facts."

Presenting the case for Sigcau, Mbeki recalled Holomisa's remarks to the TRC that the then prime minister of Transkei had to be forced out of office as a result "of his implication in financial scandals". Sigcau was elected in his place.

It was then discovered that Chief George Matanzima was paid R2 million as a bribe for the gambling rights. Bank statements revealed that senior ministers of Matanzima had each received R50 000, according to Holomisa's evidence.

George Matanzima had told the Alexander Commission investigating corruption in Transkei: "Miss Sigcau was given this money in order to help in the education of her child."

Commission cleared Sigcau, Mbeki says

(304A)

Wyndham Hartley

BD 31/5/96

CAPE TOWN — In a spirited defence of Public Enterprises Minister Stella Sigcau, Deputy President Thabo Mbeki said yesterday the country would be better served if attention was drawn to new cases rather than to those cleared of offences.

Speaking in a snap debate in the National Assembly on the accusations that Sigcau had received R50 000 of an alleged bribe from gambling interests, Mbeki reaffirmed his belief that Sigcau had been cleared by the Alexander commission.

Allegations that Sigcau had received R50 000 of a R2m bribe paid to former Transkei premier George Matanzima resurfaced recently in testimony by Deputy Environment Affairs Minister Bantu Holomisa before the truth commission.

Quoting extensively from the records of the Alexander commission, Mbeki said the judge had been unable to make any adverse findings concerning Sigcau "on her own evidence". The judge said that Sigcau had been "misguided" for having taken R50 000 from Matanzima for the education of her daughter, considering Matanzima's reputation. This had caused her considerable embarrassment, including her removal from office in Transkei. Sigcau was deposed when Holomisa staged a military coup.

Mbeki said: "No other evidence has been presented to President Nelson Mandela implicating Sigcau in any corrupt practice. The President therefore considers such calls as have been made that he should take action against his public enterprises minister as, at best, ill-informed, or, at worst, malicious."

Mbeki said Holomisa's remarks to the truth commission were referring to a matter fully investigated by a commission which had cleared Sigcau.

ICS

Mbeki steps in to defuse Sigcau row

CT 3/5/96

(30419)

THERE was no evidence that Public Enterprises Minister Stella Sigcau had been involved in any corrupt practice, Deputy President Thabo Mbeki said yesterday.

He was reacting to calls that action be taken against her for allegedly accepting R50 000 from former Transkei leader Chief George Matanzima as part of a payment to secure exclusive gambling rights for Sun International in the former Transkei.

President Nelson Mandela considered these calls as "at best ill-informed, or at worst, malicious".

Deputy Environmental Affairs and Tourism Minister Bantu Holomisa had raised the matter during his testimony before the Truth and Reconciliation Commission in Port Elizabeth last week.

The Alexander Commission of Inquiry into allegations of corruption found in 1988 that she did not need to be investigated further after she said Matanzima had given her the money to pay for her daughter's studies in Britain.

Sigcau, the commission said, had been misguided in receiving the donation from Matanzima.

"Holomisa's remarks refer to a matter that has been fully investigated by a commission of inquiry, and in respect of which Sigcau has been publicly cleared," Mbeki said.

MISGUIDED: Public Enterprises Minister Ms Stella Sigcau

The country would be better served if resources were rather directed at the "many instances of official corruption which have still not seen the light of day".

Mr Koos van der Merwe (IFP) and Mr Douglas Gibson (DP) said Holomisa should either be disciplined or fired.

Holomisa had known of the commission's findings, but had still accused his colleague of corruption. If Holomisa was "simply being malicious ... then he should be fired," Gibson said. — Sapa

Commission cleared Sigcau, Mbeki says

(304A)

Wyndham Hartley

BD 31/5/96

CAPE TOWN — In a spirited defence of Public Enterprises Minister Stella Sigcau, Deputy President Thabo Mbeki said yesterday the country would be better served if attention was drawn to new cases rather than to those cleared of offences.

Speaking in a snap debate in the National Assembly on the accusations that Sigcau had received R50 000 of an alleged bribe from gambling interests, Mbeki reaffirmed his belief that Sigcau had been cleared by the Alexander commission.

Allegations that Sigcau had received R50 000 of a R2m bribe paid to former Transkei premier George Matanzima resurfaced recently in testimony by Deputy Environment Affairs Minister Bantu Holomisa before the truth commission.

Quoting extensively from the records of the Alexander commission, Mbeki said the judge had been unable to make any adverse findings concerning Sigcau "on her own evidence". The judge said that Sigcau had been "misguided" for having taken R50 000 from Matanzima for the education of her daughter, considering Matanzima's reputation. This had caused her considerable embarrassment, including her removal from office in Transkei. Sigcau was deposed when Holomisa staged a military coup.

Mbeki said: "No other evidence has been presented to President Nelson Mandela implicating Sigcau in any corrupt practice. The President therefore considers such calls as have been made that he should take action against his public enterprises minister as, at best, ill-informed, or, at worst, malicious."

Mbeki said Holomisa's remarks to the truth commission were referring to a matter fully investigated by a commission which had cleared Sigcau.

FRIDAY
★ MAY 31, 1996

Ranchod leaves NP

(304A)

POLITICAL WRITER

CT 31/5/96

ONE of the National Party's black trump cards, Dr Bhadra Ranchod, last night resigned from the party.

Ranchod, Deputy Speaker of the National Assembly who leaves on Sunday to become the country's new High Commissioner in Australia and New Zealand, said that many of the party's members were still rooted in the past.

"I have regrettably found that the NP has had difficulty throwing off outdated attitudes and fully embracing the principle of equality."

However, he stopped short of joining the ANC.

Ranchod, who joined the NP in 1992 after serving as the country's ambassador to the European Community in Brussels, was chairman of the ministers' council in the House of Delegates and was appointed Minister of Tourism in 1992.

He lost his position in the cabinet after the 1994 election but was elected to Parliament on the NP ticket and was elected Deputy Speaker of the National Assembly.

Ranchod has won respect as Deputy Speaker.

Inquiry into events on campus

Kevin O'Grady

BD 31/5/96

GAUTENG education MEC Mary Metcalfe set up an inquiry yesterday into Wednesday's events at Johannesburg College of Education in which a small group of students trashed the campus, disrupted lectures and sprayed water at staff.

A college spokesman said lectures at the campus resumed undisturbed yesterday. They were cancelled the day before because of protests by students demanding the firing of an allegedly racist lecturer.

Metcalfe said she had appointed advocate B Jammy to conduct the inquiry, which would take place at the college on June 10. Jammy had the legal authority to order people to appear before him and answer questions.

She said the behaviour of the students was deplorable and, while she recognised the right to unarmed and peaceful protest, destruction of property and intimidation of staff and students could not "be defended in our society".

Metcalfe commended college rector Graham Hall for displaying "extreme restraint in preventing the intervention of police". However, students must accept the consequences of their actions.

Meanwhile, Sapa reports calm returned to Edgewood College of Education in Pinetown, near Durban, yesterday after protesting students set fire to two residences this week.

'Abused' police legal aid placed under review

Stephané Bothma

BD 31/5/96

PRETORIA — The safety and security department will not consider completely withdrawing government payments for legal services for policemen accused of crimes, but will review the existing policy which has been "considerably abused" over the years.

Safety and security secretary Azhar Cachalia said the nature of their work made police officers very vulnerable to false accusations and therefore stopping all forms of legal assistance would not be considered.

"We have however undertaken a general review of the existing policy including the Treasury Instructions which entitles public servants to legal assistance when charged with a crime allegedly committed in their line of duty," Cachalia said.

He said the system had been open to considerable abuse over the years and it had not always been possible to implement the regulations of the state attorney where legal aid was given to policemen.

In many cases "counsel of choice" had been appointed by policeman at extremely high costs to the state.

"In cases where convicted policemen had misled the police and had lied about their crimes, it is almost impossible to recover funds spent on litigation," Cachalia said.

Although the review of the department's policy was at a very early stage, Cachalia said interest was being showed by the department in the US system whereby policemen contribute to a legal assistance fund administered by their union.

He said the issue of legal funding around the truth commission was still being considered at this stage, but added that the commission's workings were based on a spirit of reconciliation.

"In this spirit, the department would facilitate police officers rather than make it more difficult for them to co-operate with the commission," Cachalia said.

Meanwhile Sapa reports MPs have expressed concern over the ability of the SAPS to retrieve funds spent on litigation against police eventually found guilty.

The National Assembly Safety and Security Committee said in a report on the police budget tabled yesterday that these were "substantial amounts of money" that could go a long way in addressing many of the police's problems.

The report also said the system of offering rewards for information on crime was understandable, but flew in the face of community policing.

NP 'has not fully embraced equality'

Wyndham Hartley

BD 31/5/96 (304A)

CAPE TOWN — The NP had not fully embraced the principle of equality, Deputy Speaker Bhadra Ranchod said yesterday when announcing his resignation from the party.

Ranchod, who is to leave politics to take up the post of high commissioner to Australia within days, said that while membership of any party was not appropriate for his new post, he had not been forced to quit the NP before taking up a diplomatic post.

He said he had been drawn to the reconciliation and new patriotism policies of President Nelson Mandela and had given thought to leaving the NP for some time.

"I have regrettably found that the NP has had difficulty throwing off outdated attitudes and fully embracing the principle of equality. I appreciate the steps that Deputy President (FW) de Klerk and some of his colleagues have taken to change the party's thinking, but the fact is that in its structures it is still substantially under the influence of people whose thinking is rooted in the past."

Still fumbling for a fruitful foreign policy

(304A) ST 2/6/96

By RAY HARTLEY
Political Correspondent

5 the faintest edge of bitter- ut Foreign Minister Alfred e days. It has something to the fact that he has been through the mud backwards t every newspaper in the

been caricatured as a sleepy old thought Nigeria could be talked madness and whose friends are r Gaddafi and Fidel Castro.

one journalist after the other the question: 'Are you going to , I have said I am *not* going to he says from his seat at the head isterial table in Cape Town.

bothers him is the absence of any understand the foreign policy he g. Instead, his every move and e has been cartooned as inept and f a policy framework.

hat is the foreign policy?

o points out that when he took May 1994, South Africa was a lated country with a reputation ing up its neighbours and a bel- attitude to the rest of Africa.

first priority was to create such that are acceptable — relations ship, co-operation and good liness," he says.

first foreign-policy objective be- suading a sceptical Africa of frica's good intentions. To this government's first foreign- act in May 1994 was to join the ion of African Unity.

Africa also joined its regional s in the Southern Africa Devel- Community.

had to move away from being by Africa as an extension of ," Mr Nzo says.

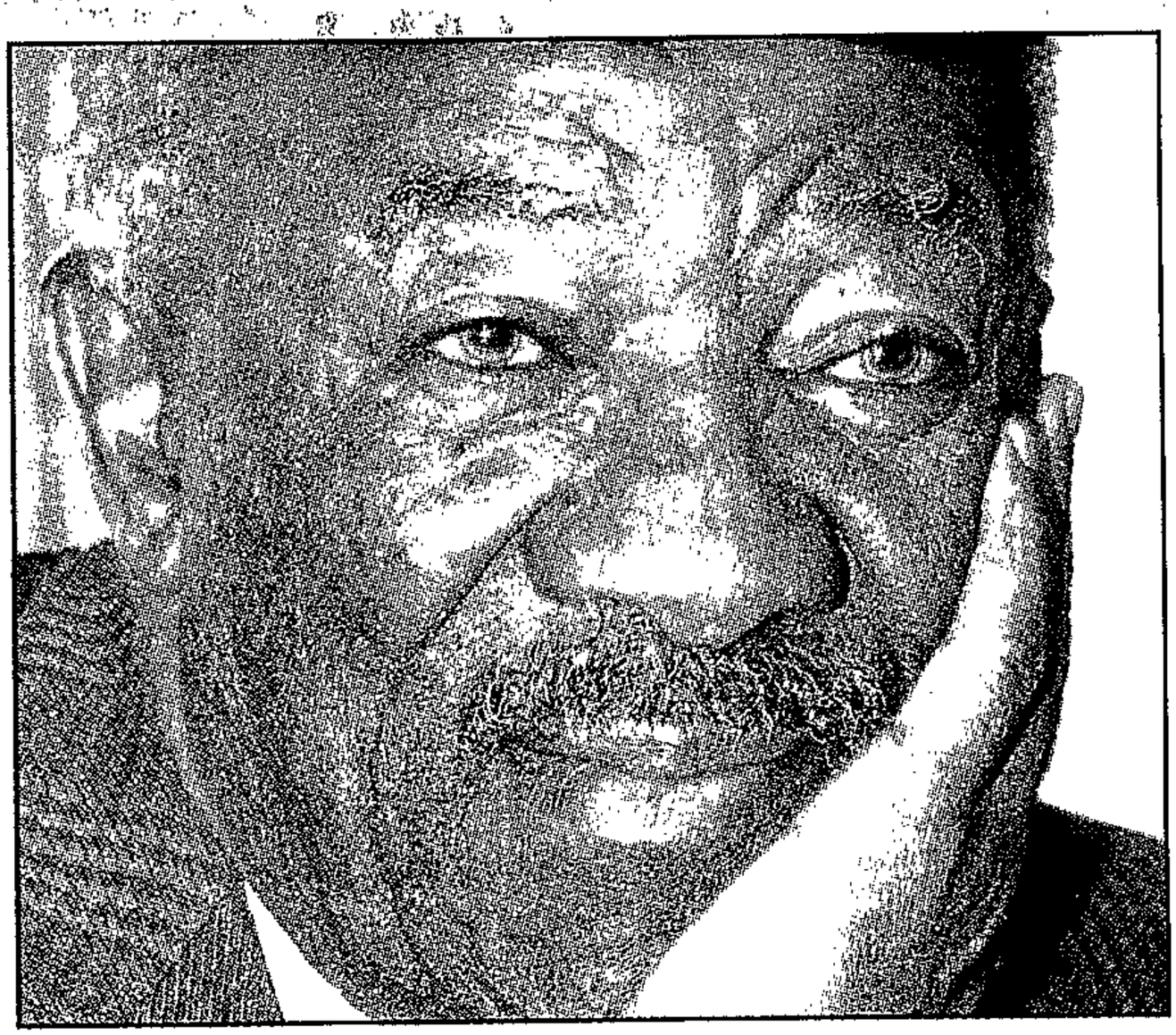
y of "quiet diplomacy" was pur- Africa and on the world stage.

Lesotho's democracy was top- its monarchy, South Africa joined ons in an effort to return the to normality. Working behind the with Zimbabwean President Mugabe acting as front man, South helped restore democracy to the kingdom.

Africa did not join peacekeeping in Burundi and Angola because it to keep its soldiers, who had taken destabilising the region, out of Instead supplies and medical e were dispatched, signalling a of non-military relations.

skills acquired by the ANC in iso- the apartheid government in inter- forums were put to good use Foreign Affairs negotiator Abdul pulled off something of a tic coup in negotiations about the non-proliferation treaty.

talks on the continuation of the treaty broke down last year, Mr Minty had the credibility to broker a deal.



EVERYBODY'S FRIEND . . . Alfred Nzo Picture: HERBERT MABUZA

This was followed by the signing of the Pelindaba Accord — of which Mr Nzo is particularly proud because it bears the name of a South African town — turning Africa into a nuclear-free zone.

"These are great achievements," Mr Nzo says with some justification.

The policy of bringing friendliness to bear at all times has had its down side.

In shoring up its African credentials, South Africa has become associated with the Western world's number one pariah state, Libya. Mr Nzo found himself in Tripoli earlier this year as a guest of Mr Gaddafi. Soon enough, controversy erupted. Mr Nzo backed Libya's call for the Lockerbie bombing suspects to be tried at a neutral venue.

"As a member of the OAU we had to go along with the effort that seeks to resolve this issue. There's nobody who says these terrorists must not be tried," he says.

Mr Nzo has also exchanged pleasantries with Iran and Cuba, raising the question of why South Africa is expending so much time and energy on its relations with countries that rank low on its international trade priority list.

Also absent from Mr Nzo's equation is consideration of the effect of such bonhomie with the Libyan dictator on South Africa's relations with the US, the biggest player in international diplomacy.

His answer conjures up an image of a South Africa protected by some invisible foreign-policy shield that makes it immune to the censure that afflicts lesser nations. In fact, he goes further. "You don't have to agree on every issue. Re lations between us and the US are growing," he says.

As evidence, he points to the binational commission headed by Deputy President Thabo Mbeki and US Vice-President Al Gore. "There's been no indication of any weakening of relations."

Strangely at odds with his friendship with Libya is Mr Nzo's insistence that a key facet of South Africa's foreign policy is the spread of human rights and democracy in Africa. He points out that this underpinned his government's decision to isolate Nigeria after the execution of Ogoni leaders in November last year.

But the initiative to isolate Nigeria was launched on the spur of the moment by President Nelson Mandela, who announced his intentions to Mr Nzo at a predawn meeting in New Zealand after he heard of the executions.

Was this foreign policy or the act of a betrayed and angered man?

Pursuing quiet diplomacy, Mr Mbeki had visited Nigeria, leading to a stay of execution for General Olusegun Obasanjo and fellow prisoners.

When this policy failed to save the Ogoni leaders, the sudden switch to a policy of sanctions had its own negative consequences.

It resulted in a resurrection of African suspicions about South Africa's commitment to the continent. South Africa was admonished by the OAU for calling for sanctions and received no support from its neighbours.

"It then became clear that South Africa was isolated," says Mr Nzo.

Again, questions have to be asked about the coherancy of policy. Why was Nigeria singled out for harsh treatment while the policy of "quiet diplomacy" continues with illegitimate regimes in Liberia, Sierra Leone and Zaire?

"South Africa will consistently call for democracy. How to arrive at democracy is another issue. The tactics have to be shaped," he says.

The desire to be friends with everyone has also left South Africa in an impossible position with regard to China and Taiwan, where a choice has to be made. Should South Africa choose China, it will alienate Taiwan, a major foreign investor. Should it choose Taiwan, it will shut itself off from China, the world's fastest growing economy and a huge potential market.

Mr Nzo is adamant that a choice will be made soon. He recently visited mainland China and will soon undertake a visit to Taiwan before reaching his verdict.

South Africa's foreign-policy achievements are not inconsiderable considering the position the country was in in 1994.

But, like a record that is stuck on a song, the policy of universal friendliness has begun to sound a little tired. With difficult choices confronting him, the time has come for Mr Nzo to sing a new tune.

Sigcau in new corruption row

ST 2/6/96

(~~252~~)(304A)(~~[illegible]~~)

By RAY HARTLEY
Political Correspondent

A FRESH scandal has hit the Minister of Public Enterprises, Stella Sigcau. She has been accused of allowing advisers to abuse air tickets and a senior member of her team to flout public service regulations.

Deputy President Thabo Mbeki this week cleared Miss Sigcau of bribery involving a R50 000 payment to her by former Transkei leader, George Matanzima, when she was still a bantustan cabinet minister.

Now she has been charged with turning her ministry into a "sick environment" where her advisers have been acting as a law unto themselves.

Miss Sigcau's management services director, Steve Theron, said in a letter to a ministerial aide, Professor S R Shabalala, that he objected to "the continuous interference of the minister in the management of the office".

Mr Theron said tickets were being issued in the name of a ministerial employee, but were being used by somebody else.

"Over and above that, this is fraud. I am not prepared to work in such a sick environment where everybody abuses the system," he said.

"If this goes through I will have no option but to report it to the auditors and, if necessary, to the people investigating fraud in the Public Service.

"The administration of this office is going for a loop if we carry on like this," he said.

In a memorandum written in April, Mr Theron complained about the appointment of a man known as Sivuyile as Miss Sigcau's messenger because "he cannot drive, although he is in possession of a licence".

Mr Theron cited poor discipline by ministerial consultants as a matter of concern.

"There is no way in which advisers can be controlled. They come and go as they wish. I never know when leave forms must be filled in — although they have meetings at private venues."

Mr Theron said his memorandums concerning problems with the "renting of cars at cost" were responded to "in a rude and undisciplined manner instead of trying to rectify the problem".

"The advisers perform as if they have the ultimate say, even their private staff members have an attitude of 'we tell you how and when'."

Mr Theron ended his letter by saying that he had applied for a "horizontal transfer" to the Department of Home Affairs.

"There are many more things that could be mentioned, but it will take too long and there's a lot of work to be done," he said.

Asked for comment this week, Mr Theron, who is still an employee in Miss Sigcau's ministry, refused to talk about the letters, saying only: "It's an internal matter."

A ministerial spokesman said that only Professor Shabalala, who was in London on business, would be able to comment on the matter.

SA ranked the least corrupt nation in Africa

BD 31/5/96 (304A)

WASHINGTON — The international business community considers Nigeria, Pakistan and Kenya the world's most corrupt nations, with Bangladesh and China not far behind, according to Transparency International, an anti-corruption coalition.

It said in a report released yesterday the least corrupt nations were New Zealand, Denmark, Sweden, Finland and Canada.

The report was based on the findings of 10 international surveys of business people covering 54 nations.

SA ranked the least corrupt nation in Africa in 23rd place, with Egypt, Uganda, Cameroon, Kenya and Nigeria grouped near the bottom of the list.

In Asia, Pakistan, Bangladesh and China were polled as the most corrupt. Singapore, Japan and Hong Kong ranked among the least corrupt.

In South America, Chile was the least corrupt in 21st place, followed by Bolivia, Mexico, Ecuador, Brazil and Colombia. Venezuela was considered the most corrupt.

"Inevitably, many developing countries emerge from an index like this one as highly corrupt, but the research provides little comfort for the industrialised countries," said Transparency International chairman Peter Eigen.

"Most of the bribes on international contracts are paid by executives of corporations in the most advanced industrial countries and it remains an outrage that most of the governments of these countries have not legislated to curb international corrupt practices."

Johann Graf Lambsdorff, who worked on the study, warned that the survey could be biased in favour of the developed world. "(The poll) provides insights into perceptions which have an impact on how private companies operate in the rest of the world." — Sapa-AFP.

Midrand 'most efficient' for Parliament

G 3/7/96

(304A)

JOHANNESBURG: Midrand was the most efficient location for Parliament as it was near the administrative and financial capitals of Pretoria and Johannesburg, Midrand parliamentary bid committee head Ms Jenny Lehr said yesterday.

She was among officials and consultants who briefed the media in Midrand on the bid.

Urban planner Mr Erky Wood said Midrand wanted to host Parliament at the centre of a "capital region" and success in its bid would aid urban development in Gauteng, where the population was expected to grow from nine million to 20 million in 20 years.

Besides state funding, the envisaged 30ha parliamentary complex would be funded by private investors by way of the sale of R400million of R100 participation notes issued by a Section 21 "people's company". Investment in the scheme would pay 10% annual interest and put note-holders in line to win R20m in cash prizes annually.

Wood said the cost to the taxpayer of MPs commuting to Cape Town was estimated at R110m each year. The development would require state funding of R80m a year for 10 years, but the R110m commuting cost would grow with inflation.

Of 490 MPs, 370 lived within 600km of Midrand, but only 88 lived within 600km of Cape Town. — Sapa

Reds must get out of the GNU

(304A) CT 3/6/96

THE TIME has arrived for the SA Communist Party to follow the National Party out of the government of national unity, argues Contributing Editor **ANTHONY HOLIDAY**.

IT IS ONE of the many ironies of this country's tortuous and tortured history that it should have been an action by its arch-enemy the National Party which pointed the way to the South African Communist Party's political destiny.

Deputy President F W De Klerk's decision to lead the Nationalists out of the GNU, in spite of being accompanied by a wholly unnecessary show of petulance, was probably the only option open to him if he hoped to avoid the dissolution of his party into a mess of squabbling factions.

Never more than an artificial arrangement born of the need to compromise, the GNU has fulfilled such purposes as it served in helping participants in the parliamentary process to make the distinction between loyal opposition to and counter-revolutionary disruption of that process.

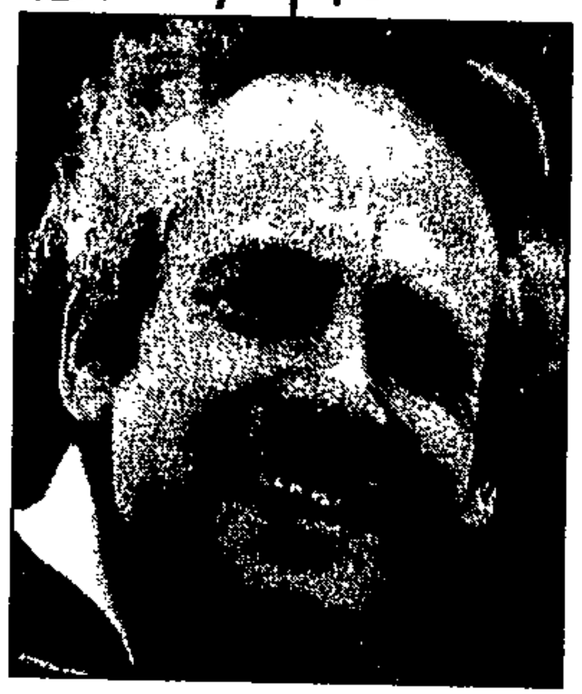
The ANC has for some time now been in full effective control of the machinery of the state, from which it follows that junior and ineffective participants in power-sharing arrangements are almost certain to lose their political identity if they remain part of a set-up which has outlived its usefulness.

The danger of identity-loss is as real for the SACP as ever it was for the Nationalists.

In fact the danger is greater. Ever since it was founded in 1921, and more particularly in the period of its illegality which began in 1950, the SACP's history has been one of increasing absorption into the ANC's structures.

No matter what it was supposed to mean in theory, the slogan, "Every Communist a Congressite", came to mean in practice that many, if not most, of the most effective Red activists came to prioritise their duties to the ANC over and above their party responsibilities. These activists would often justify their stance by pointing to the fact that the ANC was the "leading force" in the struggle for a non-racial democracy and by emphasising the need for "non-sectarian" participation in that struggle on the part of communists.

Whatever merit such arguments had in the past, they have none in the present confluence of events. If the SACP participates in the next general election as an indistinguishable part of the ANC, it will have lost both the will and the rationale for reincarnating as a separate political entity at any future date after that. Its members will be permanently condemned to live cheek-by-jowl with free-marketeers, social democrats, liberals and rank opportunists in the hybrid body which the ANC has become. Lions will forever lie down with lambs. Dedicated communist parliamentarians such as Tony Yengeni, Blade Ndzimandze and Raymond Suttner will go on having to bed down with the David Dallings and Jannie Mombergs while De Klerk's Nationalists are assured of a place in the sun as the official opposition.



DEDICATED COMMUNISTS: Cheryl Carolus and Raymond Suttner must urge their party to fight the next election as a separate entity, not as a part of the ANC

If it refuses to die this slow and undignified death, the SACP must steel itself to face certain contemporary realities. It must recognise the lesson being taught daily in Eastern Europe, namely, that if there is a future for socialism, it lies in the hard slog, symbolised by the ballot box, and not in coups or insurrections. It must realise that Marxist theory needs to be translated into the practicalities of presentable policy packages; that there is a middle road between capitulation and compromise and that, in parliamentary politics, power does not emerge from the barrel of a gun.

The decision to quit the ANC would inevitably involve material sacrifices in the form of ministerial portfolios, deputy ministerships and seats in Parliament. Additionally, there would be the pain attendant on severing ties of association, forged in the decades of illegality.

Nonetheless, the rewards, actual and potential, of breaking with the ANC would be considerable. For one thing, the SACP would have a clear programme of action. This would include forging new alliances with other left-wing groupings and strengthening existing ties with Cosatu, with the object of establishing a broad socialist front, composed of political parties and the trade unions on the same lines as those pioneered by the British Labour Party.

The immediate aim of such an alliance would be to become the official parliamentary opposition and relegate the Nationalists to the sidelines which, given their history over more than half a century, is probably where they belong. The ultimate objective, of course, would be to get a socialist government voted into power which, given the clout of the trade unions and the likely effects of mark policies on voter psychology, means a hopelessly unrealistic pr

Many of the conditions for e on such a programme are already Cosatu's general secretary, Sam S a communist; Marxist thinking is well in the organisation's rank parliament, several of the key committees are headed by comm that figures like Suttner and Nd would slip naturally into the r roles of opposition spokesmen o affairs and education respecti ANC's deputy secretary-general, lessly energetic Cheryl Carolus, munist with a following in her o and could be expected to siphor following to her party's advan hived off from the ANC.

But there is another, more co reason why the communists shou to go their own way. If parliar democracy is to be a viable and v in South African political life in t um to longer term, it must becom ble arena of debate and not a mer stamp to legitimise the fiats of an able majority. It can become thi only if, there is an opposition to which has a real chance of ac power — something the National no hope of doing by constitutiona

If this is right, the communi nothing less than a patriotic dut in to the breach. The time for the so is not later than now.

❑ *Dr Holiday teaches philosophy in School of Government.*

ls must get out of the GNU

(304A) CT 3/6/96

r the SA
w the
govern-
rgues Con-
Y

onies of this
rtured history
action by its
Party which
African Com-

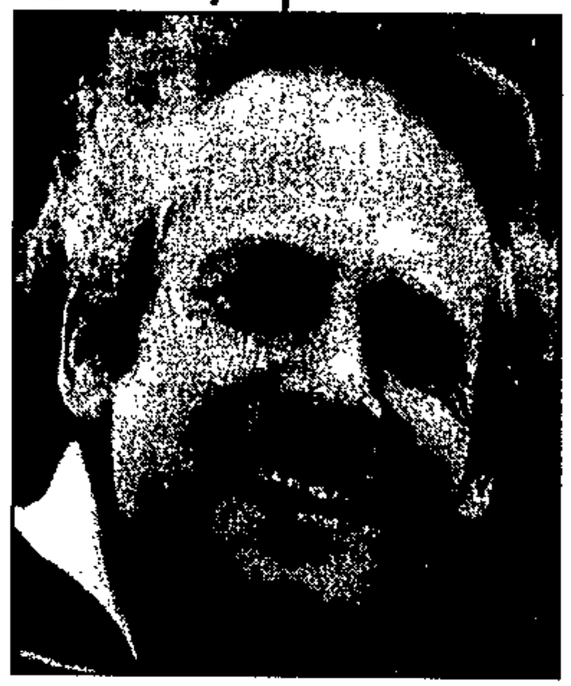
Klerk's deci-
ts out of the
npanied by a
etulance, was
to him if he
n of his party
ons.
cial arrange-
promise, the
es as it served
e parliamen-
distinction
and counter-
at process.
ne now been
machinery of
s that junior
power-shar-
ertain to lose
remain part
d its useful-

is as real for
Nationalists.

In fact the danger is greater. Ever since it was founded in 1921, and more particularly in the period of its illegality which began in 1950, the SACP's history has been one of increasing absorption into the ANC's structures.

No matter what it was supposed to mean in theory, the slogan, "Every Communist a Congressite", came to mean in practice that many, if not most, of the most effective Red activists came to prioritise their duties to the ANC over and above their party responsibilities. These activists would often justify their stance by pointing to the fact that the ANC was the "leading force" in the struggle for a non-racial democracy and by emphasising the need for "non-sectarian" participation in that struggle on the part of communists.

Whatever merit such arguments had in the past, they have none in the present confluence of events. If the SACP participates in the next general election as an indistinguishable part of the ANC, it will have lost both the will and the rationale for reincarnating as a separate political entity at any future date after that. Its members will be permanently condemned to live cheek-by-jowl with free-marketeers, social democrats, liberals and rank opportunists in the hybrid body which the ANC has become. Lions will forever lie down with lambs. Dedicated communist parliamentarians such as Tony Yengeni, Blade Ndzimandze and Raymond Suttner will go on having to bed down with the David Dallings and Jannie Mombergs while De Klerk's Nationalists are assured of a place in the sun as the official opposition.



DEDICATED COMMUNISTS: Cheryl Carolus and Raymond Suttner must urge their party to fight the next election as a separate entity, not as a part of the ANC

If it refuses to die this slow and undignified death, the SACP must steel itself to face certain contemporary realities. It must recognise the lesson being taught daily in Eastern Europe, namely, that if there is a future for socialism, it lies in the hard slog, symbolised by the ballot box, and not in coups or insurrections. It must realise that Marxist theory needs to be translated into the practicalities of presentable policy packages; that there is a middle road between capitulation and compromise and that, in parliamentary politics, power does not emerge from the barrel of a gun.

The decision to quit the ANC would inevitably involve material sacrifices in the form of ministerial portfolios, deputy ministerships and seats in Parliament. Additionally, there would be the pain attendant on severing ties of association, forged in the decades of illegality.

Nonetheless, the rewards, actual and potential, of breaking with the ANC would be considerable. For one thing, the SACP would have a clear programme of action. This would include forging new alliances with other left-wing groupings and strengthening existing ties with Cosatu, with the object of establishing a broad socialist front, composed of political parties and the trade unions on the same lines as those pioneered by the British Labour Party.

The immediate aim of such an alliance would be to become the official parliamentary opposition and relegate the Nationalists to the sidelines which, given their history over more than half a century, is probably where they belong. The ultimate objective, of course, would be to get a socialist government voted into power which, given the clout of the trade unions and the likely effects of market-driven policies on voter psychology, is by no means a hopelessly unrealistic prospect.

Many of the conditions for embarking on such a programme are already in place: Cosatu's general secretary, Sam Shilowa, is a communist; Marxist thinking is alive and well in the organisation's ranks; within parliament, several of the key portfolio committees are headed by communists, so that figures like Suttner and Ndzimandze would slip naturally into the respective roles of opposition spokesmen on foreign affairs and education respectively; the ANC's deputy secretary-general, the tirelessly energetic Cheryl Carolus, is a communist with a following in her own right and could be expected to siphon off that following to her party's advantage if it hived off from the ANC.

But there is another, more compelling reason why the communists should decide to go their own way. If parliamentary democracy is to be a viable and vital force in South African political life in the medium to longer term, it must become a credible arena of debate and not a mere rubber-stamp to legitimise the fiats of an immovable majority. It can become this if, and only if, there is an opposition to the ANC which has a real chance of achieving power — something the Nationalists have no hope of doing by constitutional means.

If this is right, the communists have nothing less than a patriotic duty to step in to the breach. The time for them to do so is not later than now.

❑ *Dr Holiday teaches philosophy in UWC's School of Government.*

'Chaos' at Parliament slammed

BD 4/6/96

Wyndham Hartley (304A)

CAPE TOWN — After a rash of parliamentary meetings were abandoned due to a lack of quorums, the Freedom Front slammed the system as being chaotic.

Front chief whip Joseph Chiole said that three meetings he was required to attend yesterday either did not take place or were abandoned when not enough members turned up.

The first, a meeting of the committee on internal arrangements, was scheduled for 9am and, unknown to members, the time was changed to 11am and therefore had to be abandoned.

Another internal committee failed for the second time to discuss TV coverage for Parliament, due to poor attendance.

The transport committee, scheduled to begin at 10am, had had to be abandoned 20 minutes later as a quorum could not be achieved.

"No country can function properly in the long term if its Parliament functions in such a chaotic way," Chiole said. It was a chaotic situation, unnecessarily lengthening the parliamentary year, he said.

"In the second place it creates a bad impression both domestically and internationally because note is taken on how effectively a country's Parliament functions."

He said he feared Parliament's attitude would spread to other sectors of SA society, leading to a national loss of purpose with "tragic" results.

Mbeki gave wrong idea — Holomisa

BD 5/6/96 (304A)

Deborah Fine

DEPUTY President Thabo Mbeki's failure to publicly clear Deputy Environmental Affairs Minister Bantu Holomisa of any wrong-doing for his remarks about Public Enterprises Minister Stella Sigcau had created the "wrong impression" in the media that he was now being "castigated", Holomisa said yesterday.

Holomisa was reacting to newspaper reports that he had been "publicly slapped down" by Mbeki about remarks he made to the truth commission last month, that Sigcau had received R50 000 out of a R2m bribe given to ex-Transkei head George Matanzima by casino tycoon Sol Kerzner for exclusive gambling rights.

Following the remarks, Sigcau publicly accused Holomisa of having "a hidden agenda".

Mbeki intervened in the matter by telling Parliament that Sigcau had been cleared of the allegations by the Alexander commission.

Holomisa said it was "unfortunate" Mbeki had failed to clear him in Parliament of any "mischief-making" as the omission had "created an erroneous impression in the minds of the media" that in clearing Sigcau, Mbeki was, by implication, castigating him.

Holomisa said "nothing had happened to change the view" that the ex-Transkei Defence Force had been "constrained to topple" Sigcau as she had received the money in circumstances suggesting "an element of corruption".

Meanwhile, NP media director Dr Johan Steenkamp has called on President Nelson Mandela and Mbeki to "choose" between Sigcau and Holomisa, as "both cannot be right". Mbeki's office could not be reached for comment last night.

Sigcau must appear in in court — Holomisa

CT 5/6/96 (304A)

DURBAN: Deputy Environment Minister and former Transkei military ruler Mr Bantu Holomisa told yesterday why there was a coup in the former homeland in 1987.

FORMER Transkei military leader Mr Bantu Holomisa has called for Public Enterprises Minister Ms Stella Sigcau to appear "in a criminal court" to explain the R50 000 she received as part of a R2-million bribe allegedly paid by gambling supremo Mr Sol Kerzner.

Deputy Environment Minister Holomisa and Sigcau are members of the ANC.

The former Transkei leader made the statement about Sigcau's acceptance of R50 000 during evidence to the Truth Commission in Port Elizabeth last month.

Sigcau was later cleared by Deputy President Thabo Mbeki, who said she had been cleared by the Alexander Commission.

Yesterday, Holomisa gave the background to the coup in 1987, saying the Transkei Defence Force had been "constrained to topple" Sigcau's government "after satisfying ourselves ... she had received R50 000 in circumstances which convinced us that there was an element of corruption".

CHALLENGE: Deputy Environment Minister Bantu Holomisa

He said Sigcau had been a member of the Transkei cabinet, which had created the precedent of giving Kerzner exclusive gambling rights, while the cabinet minutes "did not reflect objections from any of the recipients of the R50 000 cheques".

Holomisa said the amount of R50 000 was referred to "variously" as "sweets", "tobacco" and "school fees" by the recipients.

"We have never been able to explain how an amount of R50 000 could be referred to in those terms."

He said Sigcau had been "very inconsistent" in explaining the R50 000, having on one occasion stated the money was for a child who was "studying" overseas. On another occasion, she had said: "Knowing African tradition as I do, how could I as leader of the Pondos reject a gift from the Tembu royalty without offending the giver?"

Holomisa said: "From her own explanation it is impossible to know what the circumstances were under which she received the money. The fact that she received this amount is indisputable."

He said the Transkei Military Council did not accept the recommendations of the Alexander Commission.

"The then military government indicated that the final word will only come when Sol Kerzner, Chief George Matanzima and whoever else, have appeared in a criminal court to explain the circumstances of the exchange of the monies."

Holomisa said the bottom line was that until a criminal case was brought against Kerzner, "an end to this matter cannot be simplistically declared".

He said that had been the Transkei Military Council's view in April 1994 "and regrettably nothing has happened since to change that view". — Political Staff

Sigcau not responsible for 'corruption', says department

BD 6/6/96 (30 4A)

David Greybe

CAPE TOWN — The public enterprises department hit back yesterday over a Sunday newspaper's claim that its minister Stella Sigcau was embroiled in a "new corruption row" involving the abuse of air tickets by her advisers.

Public enterprises director-general Sipho Shabalala said any suggestion that Sigcau, or anyone involved in the ticket row, was "corrupt" was devoid of any truth.

Deputy President Thabo Mbeki last week cleared Sigcau of bribery involving a R50 000 payment to her by former Transkei leader George Matanzima when she was still a bantustan cabinet minister.

Shabalala said the public enterprises problem arose when an air ticket for internal travel was issued in the name of one official but used "irregularly" by another. He said the ticket was used on official business.

He said the matter had nothing to do with Sigcau. Shabalala had since issued stricter guidelines regarding departmental travel.

He said yesterday: "The issue was an administrative one, and was dealt with accordingly. At no time was it a ministerial matter and, therefore, there was no need to involve her."

Shabalala said he had dealt with the matter "weeks ago". He had acted similarly over other problems with ministerial advisers raised by a disgruntled senior employee in an internal memo to Shabalala in April.

Shabalala said that the leaking of the internal memo to the Sunday Times had placed the department "in a very embarrassing situation".

The matter was raised when management services director Steve Theron wrote to Shabalala in April, charging the ministry was turning into a "sick environment" where Sigcau's advisers were acting as their own law.

Theron wrote that the matter of the ticket was tantamount to "fraud" and if nothing was done about it "I will have no option but to report it to the auditors and, if necessary, to the people investigating fraud in the public service".

Theron yesterday declined to comment on the "internal matter".

Shabalala said the unnamed official who made use of the ticket issued in the name of another employee had been reprimanded. The ticket was used on official business and therefore no further disciplinary action was taken.

How good is our code of c

(304A) M+G 31/5 - 6/6/96

South Africa's new parliamentary Code of Conduct is one of the most comprehensive in the world — but will it inspire public confidence? **Gaye Davis** reports

PRESIDENT Nelson Mandela will have to declare all his financial interests, according to the new parliamentary Code of Conduct.

Easily the most stringent of any in Africa, and more comprehensive than rules governing the financial interests of British and Irish MPs, the code covers not just MPs but anyone "entitled to be present and participate" in Parliament's proceedings. It is wide-ranging in the scope of detail it demands be declared.

The big question is whether the public will have confidence in a code governed by a committee of MPs, and one which allows for substantial detail to remain confidential.

Two points apply: firstly, where other countries have similar codes, they too are governed by members' committees. While the United Kingdom has an independent commissioner who can also investigate, and Ireland has an independent commission, which includes the ombudsman, auditor general and speaker, neither of these countries demand as much detail for disclosure as the South African code. Secondly, the reason why political parties were able to agree to so great an extent of disclosure was largely due to the fact that allowance was made for confidentiality.

All MPs and senators, Cabinet ministers who are not MPs and members of the Council f Provinces, the body which is to replace the enate, as well as their spouses, permanent mpanions and dependant children, will ve to disclose in a register their shareholdgs, paid work outside Parliament, directorips and partnerships, consultancies, sponrships, gifts worth more than R350, hospiity, pensions, property holdings, foreign vel and any other material benefits.

Nominal details of assets will be open to blic scrutiny — but the total value of shares eld, pensions, benefits (such as the payment f school fees or insurance premiums by a ird party) and amounts paid for outside ork, directorships and partnerships, as well s information relating to spouses and chilren, will be confidential. So will "sensitive" reign trips and the location of members' reslences (to protect members from intimidaon), though not that of holiday homes.

Details, including their value, of retainers d consultancy fees, sponsorships and gifts ll all be public. Payment for lobbying is nned.

Only members of the committee set up to vern the code — comprising MPs from each rty, with the ANC, as the largest party, hav- a majority of one — will have sight of the nfidential part of the register. The commit- will hear complaints, behind closed doors less it decides otherwise, but must make its dings public — including a summary of the facts if the session was closed.

COUNTRY	SHARES	OUTSIDE JOBS	CONSULTANCIES	GIFTS & BENEFITS	FOREIGN TRAVEL	INVESTMENTS
SOUTH AFRICA	Must state number, type, nominal value and company; must disclose other financial interests in confidential register. Can't vote/speak in debate on matter where interest is held; must declare it.	Must be agreed to by party and compatible with role as MP; must disclose payment (confidential)	Must declare position, name of company (public) and detail payment (confidential).	Declare any gift worth more than R350, including gifts for spouse/partner/child.	Declare all travel other than personal, self-paid trips, visits unrelated to work as member and party-paid trips.	Disclose public or private pensions (public) and amount (confidential).
UNITED KINGDOM	Must declare holdings of nominal value of more than R150 000 or one percent of share capital issued, but not amount or value.	Must declare interest in company, but not income derived.	Must declare directorship, but not income benefits; must declare retainers and amounts paid for consulting if related to MP's work; if unrelated must declare, but not amounts paid.	Gifts worth more than R750, hospitality worth more than 0,5% of salary as MP must be declared.	Work-related trips by MP/spouse must be declared if paid for by public funds/other body, which must be named.	Pensions to be declared, [illegible] value/amount.
INDIA	Must declare any commercial interest and companies where shares are held.	No outside jobs or honoraria allowed.	Not allowed.	Not allowed, bar souvenirs.	Can't accept travel paid for by others.	Declare bank balances, fixed deposits, all assets including jewellery and vehicles over R518.

SOURCE: THE ETHICS BRIEFING BOOK, COMPILED BY THE NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL

BENN, Tony (Lab, Chesterfield) 2. Writer, lecturer and broadcaster, on a freelance basis. 6. 6-10 Sept 95, to India to give a lecture in honour of Krishna Menon, as the guest of the Indian Council for Cultural Relations in Delhi, which paid my fare and provided hospitality. 9. (a) United Newspapers.

BENNETT, Andrew F. (Lab, Denton & Reddish) 6. Mar 95, 30 hour visit to Sweden, to Swedish Rocket Laboratory, organised and paid for by Nirex.

BENTON, Joseph (Lab, Bootle) 4. A contribution of more than 25% of my election expenses at the 92 General Election was made by Communications Workers Union. BERESFORD, Sir Paul (Con, Croydon Central) 2. Dental surgeon. Occasional fees for speeches, articles etc.

BERMINGHAM, Gerald (Lab, St Helens S) 2. Barrister-at-Law. Occasional articles, radio/tv programmes. 5. I have the loan of a satellite dish, etc. by Sky Television. 6 Apl 95, visit to the Grand Nat at Aintree with my agent as the guest of Ladbroke Group PLC. 8. 1-5 Aug 95, to French Guyana, paid for by Arianespace.

BERRY, Roger (Lab, Kingswood) 2. Member of Harris party Panel. (£1-£1,000) Occasional journalism, [illegible]

Cards on the table: South Africa's new rules are comprehensive compared to those of other countries (above). After the recent Nolan Commission, a new register in the UK records in minute detail how much MPs earn on top of their salaries (left)

Sanctions for breaching the code range from a reprimand to a fine or salary cut up to the value of a month's salary, or suspension from Parliament for not more than 15 days. A committee member who breaks confidentiality can lose a month's salary and be expelled.

Hugh Corder, professor of public law at the University of Cape Town, believes the effectiveness of the code will hinge on the calibre of committee members.

"The question of who sits on the committee is crucial," he said. "If you get yes-people, party hacks, then the code will not work at all." Unlike other parliamentary committees, the chair and deputy chair of the Committee on Members' Interests will not earn more than its members.

Corder — who acted as consultant to the MPs who spent a year in often fraught debate haggling over the code — believes full disclosure would have been ideal, but said the scope of the code would have been far narrower as a result.

"The information that will be disclosed in the confidential part of the register would be very unlikely to have been covered by the code if it wasn't confidential," he said.

Apart from the Inkatha Freedom Party, which opposes the very notion of a register and would rather members simply declared interests during debates, all the parties are in basic agreement that the code should ultimately be governed by statute, rather than by standing rules of Parliament.

But as the driving force behind the code, Water Affairs Minister Kader Asmal, has pointed out, going the legislation route wou have taken five times as long to get rules in place, and would have compounded the di

onduct?

ASSETS OF SPOUSE & CHILDREN	PUBLIC OR CONFIDENTIAL	SANCTIONS FOR VIOLATIONS
Must disclose (confidential).	Both.	Reprimand, a fine or salary cut of up to one month's salary, suspension as member for up to 15 days.
Must declare family property but not all interests of a spouse; can't divert interests through a spouse.	Public.	Committee decides in terms of parliamentary rules.
Doesn't apply.	Doesn't apply.	No investigative procedure or penalties laid down.

AFFAIRS GRAPHIC: VAL SING

culties in getting parties on board.

While the code governs financial interests only, and only those of what is essentially a limited group of people wielding public power, it sets a key precedent, opening the way for codes of conduct that would govern:

- the ethics of members' personal behaviour, covering issues such as sexual harassment;
- the conduct of senior public servants and top executives of parastatals and privatised industries, as well as
- chairs of parliamentary committees, ministers at national and provincial level, and members of provincial legislatures.

Adopted last Tuesday by the rules committees of the Senate and National Assembly, the code must now be approved by both Houses. Efforts were this week under way to schedule a 90-minute debate at a joint sitting of both Houses before Parliament rises at the end of June for the winter recess.

Within 20 days of adoption, the Committee on Members' Interests must be up and running. It will meet monthly and be served by a senior parliamentary official acting as registrar, who will control the register to be opened within 30 days of the code's adoption.

Members will have 30 days once the register is opened to disclose their interests, including gifts and benefits received from the date of adoption. Entries will be updated annually, apart from gifts and benefits, which will be entered every second month. The public part of the register will be open for inspection in the office of the registrar, but will first be published 60 days after being opened, and then on April 1 each year.

M+G

31/5 – 6/6/96

30CHA

M-Net only 'lending' decoders, dishes to MPs

(304A) CT 6/6/96

OWN CORRESPONDENT

JOHANNESBURG: M-Net has defended its decision to give a free satellite dish and decoder to all 490 MPs and senators, saying they will have to return the equipment when they leave Parliament or buy it.

M-Net chief executive Mr Gerrie de Villiers said reports of parliamentarians receiving "gifts" of satellite dishes and decoders were inaccurate, and should the proposed deal be concluded the equipment will remain the property of M-Net with parliamentarians having the option of acquiring it at a depreciated value after five years.

Media reports said yesterday that the group had offered the Cape Town home of every MP and senator the installation and service of the equipment at an initial cost of R3,5-million.

The office of the chairman of the parliamentary ethics committee, Water Affairs Minister Mr Kader Asmal, declined to comment on the issue yesterday. M-Net said all political parties had agreed to the offer at a meeting last week.

De Villiers said in a statement M-Net had forwarded a proposal to Parliament in April last year after requests in this regard from various MPs.

"The proposal addressed the key issue of helping government officials remain abreast of developments on global socio-economic and political issues such as trade, defence and economic matters," he said.

Star 7/6/96

Holomisa faces ANC discipline for Sigcau charges

(304A)

Cape Town – Deputy Environmental Minister Bantu Holomisa will appear before the ANC's disciplinary committee to answer complaints that his statements to the Truth Commission accusing Public Enterprises Minister Stella Sigcau of taking bribes has brought the party into disrepute.

The disciplinary committee is headed by Water Affairs Minister Kader Asmal and has been instructed to investigate the matter, ANC secretary-general Cyril Ramaphosa said today.

Holomisa told the commission Sigcau accepted a R50 000 cut of a R2-million bribe paid for gambling rights to the then Transkei prime minister George Matanzima. Holomisa is the former military leader of the homeland.

A row broke out after Sigcau accused Holomisa, who ousted her in a military coup, of having a hidden agenda for making the allegations against her when she had already been cleared of any impropriety by the Alexander Commission of Inquiry.

Deputy President Thabo Mbeki then stepped in to defuse the row and after investigating the matter also told Parliament that the Alexander Commission had cleared Sigcau's name. – Sapa.

► **Holomisa's denial**
Page 7

Bantu Holomisa after 'principles, not Stella'

(304A) M+G 7-13/6/96

Mail & Guardian Reporter

MAVERICK Deputy Environment Minister Bantu Holomisa this week let on he does not accept the reason for Deputy President Thabo Mbeki's "clearance" of Cabinet colleague Public Enterprise Minister Stella Sigcau, but also complained he had been unfairly dragged into a controversy not of his intentional making.

Holomisa said he saw the Alexander Commission — appointed by the Transkei Military Council, which he headed as homeland leader — as a "whitewash" or at best inconclusive.

Mbeki last month said no action would be taken against Sigcau over allegations she had received a R50 000 bribe as Transkei Cabinet member in the 1980s, as the Alexander Commission had "cleared her".

Holomisa said now that the alleged bribe had become a matter of public debate he had to speak his mind, although it had never been his intention to attack Sigcau.

He said clear answers on the R2-million paid by hotel magnate Sol Kerzner to the Transkei government of then-prime minister George Matanzima in exchange for exclusive gambling rights were still not available. "We are still waiting. I'm not after Stella, but principles are principles."

Holomisa started the storm when he told the Truth and Reconciliation Commission last month that the Transkei Defence Force had decided to remove the Transkei government, then headed by Sigcau, after it had found that R50 000 of the R2-million had ended in her bank account.

He emphasised this week that the reference to Sigcau had been part of a much larger submission and a well-known fact. The media had "misconstrued" it as an attack on Sigcau.

Foreign policy paper takes all sides

(304A) BD 7/6/96

TIM COHEN
in Cape Town

DIPLOMACY has been defined as the art of telling others to go to hell in such a way that they actually look forward to the trip. Diplomats have been defined as people who think twice before saying nothing.

If this is true, then it should come as no surprise that the foreign affairs department's position paper on foreign policy tends to take all sides on the difficult issues.

The document, which Foreign Minister Alfred Nzo has acknowledged has been a long time coming, is the first extensive statement on SA's foreign policy by the new government. It is, at least partly, an attempt to counter criticism of the department which has been accused of being without coherence or focus. According to some academics, SA foreign policy so far has consisted entirely of what the department decided to do on any particular day.

If the "diplo-speak" is discounted, the document does at least isolate some of the important issues which SA diplomacy will have to address. Whether it deals adequately with these issues is a different question.

There seem to be five "pillars" of South African diplomacy: an emphasis on foreign policy which benefits SA economically; the need to sell SA as an intersection between the first and third worlds; an emphasis on SA's role in Africa, on human rights and on acting multilaterally rather than unilaterally.

The document calls for a diplomacy of "bridge-building between the north and the south", but hints that SA's position as a large small country and a rich poor country could be used as a bargaining chip in multilateral organisations.

The document lays great emphasis on multilateralism and the growth in the importance of some multilateral organisations such as the European Union, which has become almost a "supra-state" and the World Trade Organisation which will play a huge role in regulating trade between contracting states.

The document stresses both the growth in the importance of multilateral bodies to which SA belongs, but also senses possibilities for diplomacy within them because of the changed global environment from a bipolar to a multipolar world. The great divide between the capitalist and communist blocs has given way to a new environment.

This "relatively insecure, flexible and still evolving nature of the new global environment provides a favourable climate for SA to adopt a more proactive and assertive foreign policy posture", it states in the document. Hence, SA has a leadership role to play in bodies such as the Non-Aligned Movement and Southern African Development Conference (SADC).

However, the document is curiously hesitant about the Organisation for African Unity. Having noted the importance of both multilateral organisations and SA's role in Africa, the reticence on the OAU is surprising. For example: "SA must recognise that it has limited experience at the OAU and that it should develop an understanding of the functioning of that organisation." The rest is positively conspiratorial: "A number of power centres exist in the OAU and on the continent. SA will have to work within the SADC to co-ordinate its positions on global issues at the UN and elsewhere."

What the document is trying to address is essentially the problem of Nigeria, which provides a useful measure of whether the stated policy as outlined in the document is in fact being implemented. It is well known in diplomatic circles that Nigeria and Nigerians dominate the OAU and even the African bloc in the UN. Hence, the attempt to tread carefully on the subject of Nigeria and to balance SA's commitments to human rights against African unity and successful diplomacy.

In presenting the document, Nzo was keen to impress on members of the parliamentary foreign affairs committee how isolated SA had became in the recent spat on Nigeria, being the only country on the continent to withdraw its ambassador. The debate almost descended into an argument between Nigeria and SA, rather than an international human rights issue.

Nzo also hinted that SA had been completely out-manoeuvred by the Nigerians, who had rallied countries in the region. The Nigerians' cleverest move was to divide the southern African bloc by gaining Namibia's support (it is rumoured through donations to Swapo's election campaign).

Through minefields like this, SA's diplomats will have to tread carefully to achieve the targets set out in the document. This dilemma is illustrated by a comment in the document that "SA should assume a leadership role in Africa in all those areas where a constructive contribution could be made without politically antagonising the country's African partners".

The problem is not so much that this statement is contradictory or tautological. SA will have to choose its issues carefully. The problem is if the foreign affairs department is to walk this kind of tightrope it will have to display a touch more deftness than it has so far.

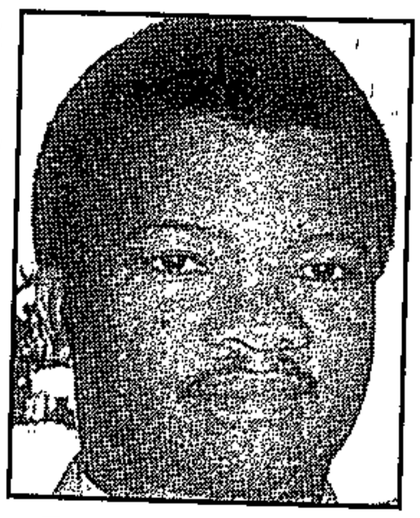
Holomisa to face ANC disciplinary hearing

ARG 7/6/96 (304A)

CLIVE SAWYER
Political Correspondent

BANTU HOLOMISA has been summoned to the African National Congress's national disciplinary committee over his remarks to the Truth Commission about cabinet minister and former Transkei minister Stella Sigcau.

There had been two written complaints that the remarks by the deputy environment minister had brought the organisation into disrepute, said a statement by the office of the ANC secretary-general, Cyril Ramaphosa.



Bantu Holomisa

The disciplinary committee, chaired by Minister of Water Affairs Kader Asmal, will be made up of senior members of the ANC's national executive committee.

A presenter will be appointed to draft the case.

Two weeks ago, Mr Holomisa told Truth hearings in the Eastern Cape that Ms Sigcau had been paid a R50 000 bribe, which led Ms Sigcau to accuse him of having a hidden agenda.

Deputy President Thabo Mbeki told parliament last week that Ms Sigcau had been cleared by the Alexander Commission of any impropriety.

Mr Holomisa has protested at Mr Mbeki's omission, from his statement to parliament, of any reference to the deputy minister's being cleared of wrongdoing.

In a letter today to Mr Ramaphosa, a copy of which was given to The Argus, Mr Holomisa said it was disconcerting that before the case against hotel magnate Sol Kerzner had been disposed of by the judicial system, it had become a bone of contention in the ANC. (Mr Kerzner allegedly offered the then Transkei prime minister George Matanzima a R2 million bribe for casino rights.)

Holomisa fires new volley in Sigcau skirmish

(304A)

CLIVE SAWYER
Political Correspondent

ARG ~~5/9/96~~ 7/6/96

THE DEPUTY Minister of Environmental Affairs and former Transkeian military ruler Bantu Holomisa says it is wrong to say he was slapped down by Deputy President Thabo Mbeki over his remarks about Stella Sigcau.

Nor did he call for Ms Sigcau, a cabinet minister and former Transkeian prime minister, to be removed from government, as newspaper reports had claimed, Mr Holomisa said.

By firing a further volley in a skirmish the government would clearly prefer to be over, Mr Holomisa prompted the National Party to call for President Nelson Mandela to choose between him and Ms Sigcau.

NP media director Johan Steenkamp said it was clear Mr Holomisa's view on the R50 000 paid to Ms Sigcau while she was Transkeian prime minister had not been changed by Mr Mbeki's explanation.

Nor did Mr Holomisa accept Mr Mbeki's statement that there was no further need for an additional investigation of Ms Sigcau, Dr Steenkamp said.

Mr Holomisa's loyalty to the ANC was suspect, the NP said.

Mr Holomisa said that his reference to Ms Sigcau during evidence to the Truth and Reconciliation Commission two weeks ago had been inconsequential.

The reaction attributed to Ms Sigcau by the press, that he had a private agenda, was regrettable.

"She should have realised that the emphasis placed by the mass media on a one-line reference to her in my entire testimony was the work of destructive detractors who not only wished to shift the focus from the thrust of my presentation to the commission, but were also endeavouring to create tension between myself and herself.

"It is regretted she fell into this trap," Mr Holomisa said.

An end could not be declared to allegations of a distribution of R2 million by hotel magnate Sol Kerzner to Transkei ministers until a criminal case had been heard.

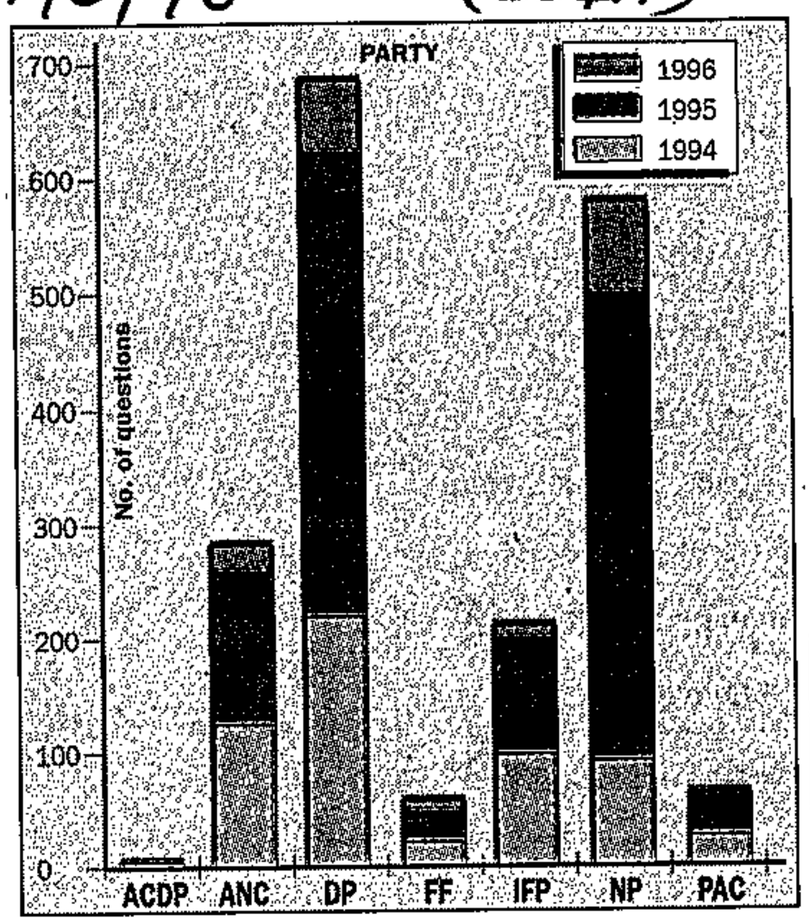
MPs' questions: 37% from DP

CT 7/6/96 (304A)

THE Democratic Party is the party most prolific in putting questions in Parliament, way ahead of the largest opposition party, the National Party. DP MPs fill six of the top seven places, with Inkatha Freedom Party MP Farouk Cassim at the very top of the ladder (see profile opposite).

Of the 1 844 questions asked over the past two years, the DP — which has less than 2% (seven) of MPs — have asked 681 (37%).

This may come as no surprise to some, since most DP members have had copious experience in the art of opposition, whereas the NP have not been in opposition since 1947. Also, all DP MPs have asked questions.



Questions are oral or written, or take the form of interpolations, all of which are traditionally popular methods of testing government by opposition parties. The figures arise from a recent Idasa analysis of all questions asked in the National Assembly from May 1994 to March 14, 1996 (see bar graph).

The NP follows the DP with 572 (31%) questions. The NP have dramatically increased the number of questions asked from only 88 in 1994 to 406 in 1995, and are asked by 25% of their members. This increase tends to show that the NP are finally beginning to get to grips with their role as the official opposition.

The African National Congress have asked 283 (15%) questions during this period, as is expected of a majority party. There was hardly any increase in the number of questions asked from 1994 to 1995. Only six ANC MPs asked more than 10 questions over the two-year period, namely Geoff Doidge, Llewellyn Landers, Dave Dalling, Carl Niehaus, Amos Mahlalela and Mary Turok.

The ANC have, however, asked more questions than the third largest party, the IFP, who appear to be a one-person party, namely Cassim, who has asked 150 (72%) of the 209 questions asked by the IFP. The only other IFP person to ask more than 10 questions was Kisten Rajoo.

Embattled Holomisa in threat to poll plans

(304A)

Star 8/6/96

By ADRIAN HADLAND

An ongoing dispute between two senior ANC leaders – Deputy Environmental Affairs Minister Bantu Holomisa and Public Enterprises Minister Stella Sigcau – threatens to cast the launch of the party's KwaZulu Natal election campaign into disarray.

Holomisa, elected to the ANC's national executive committee (NEC) as its most popular member in 1994, threatened yesterday to withdraw from the campaign, which begins this weekend. This follows the party's decision to haul him before an internal national disciplinary committee.

"I am sure you would agree with me that, when there is a muted disciplinary inquiry on any member, who is expected to carry the image of the organisation, the confidence of the targeted constituencies is invariably negatively affected," Holomisa told ANC secretary-general Cyril Ramaphosa in a letter yesterday.

Holomisa is due to appear at the St Wendolin's community hall in Umlazi tomorrow.

Ramaphosa, announcing the disciplinary hearing this week, said he had received written complaints from two quarters after Holomisa's recent appearance before the Truth and Reconciliation Commission.

Holomisa, former military leader of Transkei, alleged to the commission that Sigcau, a former Transkeian prime minister, had accepted a R50 000 cut of a R2-million bribe to her predecessor, George Matanzima.

"The principal issue, which is the subject of the complaint, covers remarks by Holomisa to the TRC about Stella Sigcau, a Member of Parliament and the ANC NEC," Ramaphosa said. "The complaint alleges Holomisa brought the movement into disrepute by his statements."

The disciplinary committee, to be chaired by Water Affairs and Forestry Minister Kader Asmal, would meet as soon as possible, Ramaphosa said.

TO PAGE 2

FROM PAGE 1

♦Holomisa

(304A)

Star 8/6/96

Holomisa, in his reaction to the announcement, questioned whether it would be wise for him to appear on the party's behalf in KwaZulu Natal.

He said the proposed disciplinary hearings had the appearance of a "witch-hunt" and he called for the NEC to consider the matter instead.

He told Sapa he was unsure why the hearings were being scheduled and that he would be seeking clarity from Ramaphosa's office. "The statement by Cyril is ambiguous. It's nothing else but a fishing expedition on their part. That is precisely why I am seeking clarity."

It was also "apparent the views fanned and articulated by the media seemed to be more acceptable (to the ANC) than my recorded submission to the TRC".

The thrust of his testimony to the TRC had concerned the destabilisation of Transkei by the former government, and not the actions of Sigcau. "I neither called for her investigation nor her dismissal."

Witness protection wanted

Holomisa requested the commission to clarify the contents of his submission and to offer him its protection. "It is common knowledge that every witness who testifies before the TRC takes an oath and the TRC protects the witnesses who testify before it."

The row gathered steam in the wake of Holomisa's appearance at the commission when Sigcau – who Holomisa ousted in a military coup – accused him of having a hidden agenda for making the renewed allegations against her when she had already been cleared by the Alexander Commission of Inquiry.

Deputy President Thabo Mbeki then stepped in to defuse the row and, after investigating the matter, cleared Sigcau.

Holomisa later said Mbeki's failure to publicly clear him had created the wrong impression in the eyes of the media and the public. The media had added to the problem by making a mountain out of a molehill.

Health Minister Nkosazana Zuma, meanwhile, will also be appearing in KwaZulu Natal this weekend to assist in the election drive.

mentioned this week in the public protest ... to her yesterday

G

By WILL

A wear
divers r
Lake V
where
search
from th
Capt
mission
the ope
was tou
The
Lake V
Tanzan
Mkapa
after th
which
lives. T
from t
Bukoba
southe
sized o
Tan
ferry w
passen
there
board
Lie
Jimmy
SA Na
divers
ous o
upside
about
Lake
Visibil

Bloemfontein for capital – report

(304A) CP 9/6/96

CP CORRESPONDENT

A combination of factors – with the political factor as the most decisive – favour Bloemfontein to become the capital of South Africa and the establishment of Parliament in the Free State capital.

This is the finding in the second part of an extensive report announced recently.

In the study the reasons for the location of capitals world-wide were studied. From this information it is clear that the capital of South Africa, including Parliament and certain administrative institutions, should be in Bloemfontein.

According to the report of Bloemfontein's Bidding for Capital Committee (Bidcom) chaired by Dr Coert du Toit, a slogan: A new nation, a new capital, is significant in the South African context.

Most South Africans will feel more satisfied about a capital that can be associated with the new South Africa – a capital all of them can love instead of having memories of fear for those against whom they fought.

Some of the numerous factors favouring Bloemfontein are:

- ☐ Its economic potential;
- ☐ Its acceptability to the local, regional and national community;
- ☐ Its central location and communication and infrastructural links and possibilities;
- ☐ The national demographic situation, particularly the population distribution;
- ☐ The existing natural resource base;
- ☐ Its historical contributions; and
- ☐ Its aesthetic and environmental quality.

In the report it is stated that what should not be lost sight of is the fact that Bloemfontein was the birthplace of the ANC in 1902. In 1914 the decision to found the second strongest party in the country, the National Party, was also made there. The former United Party was also founded in the city in 1934.

What is also important is that the NP's federal congress that was held in 1982 at the Free State Univesity was the beginning of the new political dispensation in the country.

The ANC, too, held its first national congress in the democratic South Africa in Bloemfontein in December 1994.

In 1920 delegates from all corners of South Africa met in Bloemfontein to found a new country-wide black trade union, the Industrial and Commercial Workers' Union of Africa (ICWA).

Under the leadership of President Jan Brand the Free State was known as the Model Republic, and Bloemfontein had already been accepted as an international capital between 1852 and 1902. It is still the legislative capital of South Africa.

Another skeleton 'aired' in public

(3049) CP 9/5/96

'She tried to oust me,' says hurt Holomisa

By CHIARA CARTER

THE ROLE played by Public Enterprise minister Stella Sigcau in leading a group of ANC MPs to ask President Nelson Mandela to remove Bantu Holomisa as deputy minister from the government [illegible] was highlighted by the contents of a letter to the ANC this week.

The letter addressed to ANC secretary general Cyril Ramaphosa, came hot on the heels of a statement issued by the ANC that Holomisa, who is deputy minister of Environmental Affairs and Tourism, faced an internal disciplinary investigation.

The ANC, whose working committee met in Cape Town this week, said it had received two complaints about Holomisa.

The principal one related to a comment made last month by Holomisa to the Truth and Reconciliation Commission in which he said Sigcau received R50 000 from a R2 million bribe allegedly made by millionaire Sol Kerzner to the Transkei government in return for exclusive gambling rights in the former homeland.

The claim was made in the course of evidence given by Holomisa about events in the former Transkei, including the reasons his military council assumed government.

His remark caused an outcry – not least because both politicans are cabinet members and members of the same party, the ANC.

Sigcau accused Holomisa of having a "hidden agenda", but sources close to Holomisa said the deputy minister was surprised at the controversy because his submission was based on events which were "public record".

Last week, Deputy President Thabo Mbeki told parliament that although Sigcau had received a R50 000 gift from former leader George Matanzima, the Alexander Commission had cleared her of corruption.

This week, Holomisa complained that Mbeki's statement had not cleared him of blame for the row.

He reiterated his view that Sigcau should explain the R50 000, adding that the military coup in the Transkei occurred because he and others were convinced that corruption was taking place.

In his letter sent to Ramaphosa this weekend, Holomisa asked for details of the complaints against him and points out that the threat of a disciplinary inquiry cast a shadow over his role as a public speaker for the ANC in the run-up to the Kwazulu/Natal local government elections.

He also argued that the Kerzner issue should be decided in court.

Holomisa went on to say he had told the TRC that the toppling of former politicans prompted them to approach Pretoria for the forcible removal of his military government from power.

The letter continues. "It is on record that Minister Stella Sigcau in 1988 led a delegation to Pretoria to request South Africa to forcefully remove the military government from power."

Holomisa said attempted assassinations, abortive coups and economic strangulation took place after his government refused to listen to a request by F W de Klerk to step down

Holomisa said he handed the TRC corroborating documents.

■ Sapa reports that the ANC said yesterday it regretted that Holomisa had "gone public" in his reaction to the party's impending disciplinary hearing.

ANC spokesman Ronnie Mamoepa said Holomisa was to be summoned before the party's national disciplinary committee for allegedly bringing the organisation into disrepute in his testimony to the TRC about Sigcau.

Holomisa said on Friday the ANC should fully investigate the alleged bribe before deciding on action against him.

OLD ENEMIES . . . Bantu Holomisa and Stella Sigcau seemed to be getting on just fine - until they started pulling old skeletons out of their closets.

By CHIARA CARTER

A TOP-LEVEL government inquiry is to be held into the disappearance of crucial secret government files – including dossiers containing information about state covert activities during the apartheid era.

These include all the Military Intelligence files which are apparently "missing".

Truth and Reconciliation Commission member Dumisa Ntsebeza said this weekend that the TRC would hold a "comprehensive hearing" into missing files.

Meanwhile, parliament's Joint Standing Committee on Intelligence has announced it intends to track down all intelligence files.

Committee head Lindiwe Sisulu this week disclosed that the Military Intelligence files relating to past covert activities had disappeared.

The minister of defence, Joe Modise, confirmed files were missing.

Modise said there was little one could do when told a file did not exist.

There was a strong possibility that the information had been removed on computer disks and taken to a "faraway destination", he said.

Modise's spokesman, Trinity Zokwe, said the ministry had no idea who had removed the files or what had happened to them.

"We, more than anyone, would like to have these files," Zokwe said.

☐ Sisulu said that when her committee visited the military intelligence academy, ANC MP Luwellyn Landers had asked the generals if he could see documentation of past covert activities – only to be told these files no longer existed.

The committee had been "utterly horrified".

"It boggles the mind how valuable state property such as these files can be destroyed without the knowledge of this government.

"This is a very serious matter – and we will dedicate our energy to resolving it.

"We intend to take it up with the Ministry of Arts and Culture to determine what this government's policy is on documentation and archives.".

Sisulu said her committee intended to search for all secret agency files – including those handled by the Intelligence and Safety and Security ministries.

"We give notice that we will be looking for all the files of these services. They belong to the government – and can only be destroyed in line with government policy, to be determined by parliament with our concurrence," Sisulu said.

☐ Ntsebeza said the fate of the files would be vigorously investigated by the TRC.

Government officials would be questioned by the TRC at a hearing into the matter.

"Files cannot just vanish into thin air," Ntsebeza said.

"We want to know when they disappeared, who ordered their removal and where they went."

☐ Earlier this year, the TRC was guaranteed access to a range of government documents – including intelligence agency secret files and documentation from State Security Council and Cabinet meetings kept by the state archives but embargoed from public disclosure.

☐ The Military Intelligence files would contain vital information about South Africa's past – including the names of MI operatives, a central register of informers and operatives, motivations for their recruitment and details about operations carried out, payments made and front companies used by MI.

☐ In parliament this week, Landers asked Modise to provide further details about several covert Military Intelligence projects which have cost the taxpayers millions of rands.

They include a scheme called Project Coast which involved developing biological warfare.

Modise declined to comment, saying aspects of Project Coast were being investigated by the Office for Serious Economic Offences.

According to the Auditor General, Project Coast cost more than R1 million to wind down in the 1993/94 financial year and losses totalling more than R21 million were incurred the following year when stockpiles were destroyed.

Landers said when a front company established by the project, Roodeplaat Research Laboratories, was privatised last year, ten directors and shareholders had received a total of close to R18 million.

He called on the military to explain this pay-out and to provide details about other MI front companies which had been privatised.

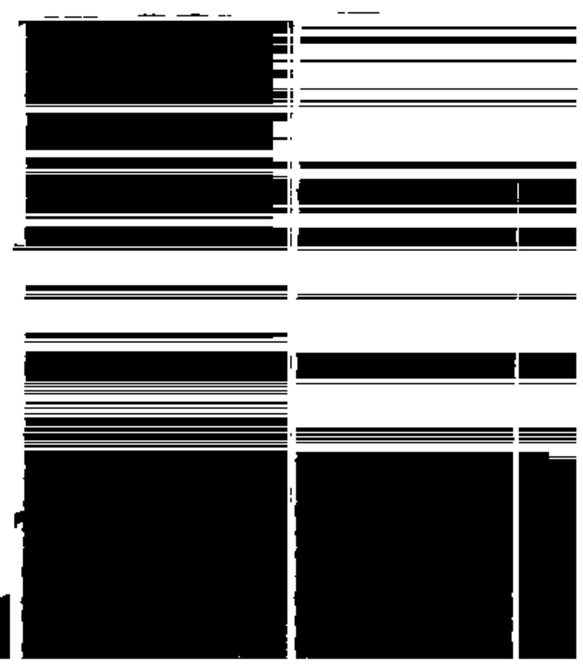
Landers said the military also needed to provide details about three other covert projects referred to in the Auditor-General's reports as Project A, Project C and Project D.

Modise declined to comment – saying the project was being investigated by the Office for Serious Economic Offences.

Breakthrough in 'Rocks' case

POLICE investigations into the disappearance of Soweto alleged drug dealer "Rocks" Dlamini have been completed and a docket will be forwarded to the Attorney General "anytime from now", Gauteng's MEC for Safety and Security, Jesse Duarte, said on Friday.

Duarte said police had interviewed key witnesses, including a journalist who allegedly knew where Dlamini's body was buried.



Search on for missing military docum

SECRETS

(304A)

ents from apartheid era

VANISH

CP 9/6/96

Holomisa snubs ANC and pulls out of election rally

BD 10/6/96 (304A)

Kevin O'Grady

DEPUTY Environmental Affairs Minister Bantu Holomisa, the subject of an impending disciplinary hearing for bringing the ANC into disrepute, yesterday publicly snubbed his party by cancelling an appearance at an election rally in Umlazi, Durban.

Holomisa said he pulled out of the rally at the last minute because ANC secretary-general Cyril Ramaphosa failed to respond to a letter in which he asked whether he should continue to campaign for the party in the light of the allegation against him.

He is to appear before the ANC's national disciplinary committee — headed by Water Affairs Minister Kader Asmal — for repeating allegations that Public Enterprises Minister Stella Sigcau took a R50 000 cut of a R2m gambling bribe allegedly paid to former Transkei leader George Matanzima.

Holomisa said he wrote to Ramaphosa on Friday, asking for clarification on "whether there is a need for me to address the rally now that I'm being investigated because when you speak in front of the ANC rank and file they will have some questions (about the investigation)".

He was still expecting Ramaphosa to reply, because he had been deployed to campaign until the province's June 26 local government elections.

ANC spokesman Ronnie Mamoepa said Holomisa's absence from yesterday's rally would be dealt with once a report was received from the ANC in KwaZulu-Natal.

Holomisa, who also suggested at the weekend that a conflict of interests could be delaying investigations into the alleged bribe, said he stood by his allegation against Sigcau. "There will be no retraction on that today, tomorrow or any time in the future," he said. He was awaiting a letter from the ANC detailing the charge against him before deciding whether to co-operate with the disciplinary committee.

Holomisa dares ANC to expel him over Sigcau R50 000 bribe claim

Star 10/6/96

(304A)

POLITICAL STAFF AND OWN CORRESPONDENT

Deputy Minister Bantu Holomisa has dared the party to expel him over his claims that Public Enterprises Minister Stella Sigcau received a R50 000 bribe when she served on the Transkei homeland government.

Holomisa, faces disciplinary action for the allegations he made to the Truth and Reconciliation Commission.

The hearing could be held this week as the ANC wants to minimise the media battle between the two sides. Should Holomisa fail to appear before the committee, he could face expulsion from the ANC and lose his Government position.

Holomisa said yesterday he had received no formal word from ANC secretary-general Cyril Ramaphosa in response to his letter on Friday, in which he asked for confirmation of whether he would be disciplined for the remarks to the commission.

Holomisa wrote to Ramaphosa asking for clarity about possible disciplinary action, saying it had an impact on his public appearances "for and on behalf of the organisation" because he had been deployed to KwaZulu Natal for the local election campaign.

He wrote: "I am sure you will agree with me that when there is a muted disciplinary inquiry on any member who is expected to carry the image of the organisation, the confidence of the targeted constituency is invariably negatively affected."

ANC spokesman Ronnie Mamoepa said Ramaphosa had noted reports about this letter in the press and regretted the fact that it had been raised through the media.

Holomisa said: "I have asked for clarity and the only thing I have heard is Mr Ramaphosa complaining that I had gone to the media. Yet he told the media that I will be appearing before a disciplinary committee without formally telling me anything.

"But it makes no difference. Hearing or no hearing, I will not retract my statement on Sigcau. A disciplinary hearing might then be a waste of time, because I will not back down, no matter what."

Holomisa's future 'in jeopardy'

(304A)

CT 10/6/96

BARRY STREEK
POLITICAL WRITER

THE political future of Transkei's former military ruler Mr Bantu Holomisa may be in jeopardy, with two cabinet ministers appearing to be behind the internal ANC disciplinary charges against him.

The ANC said the disciplinary hearings followed complaints from "two quarters", but the Cape Times can reveal today that they were made by the Minister of Sport and Recreation, Mr Steve Tshwete and the Minister of Public Enterprises, Ms Stella Sigcau.

Holomisa's decision to issue a public statement, after the ANC announced on Friday that its national disciplinary committee had been instructed to investigate his "recent conduct", has also brought him into trouble with the ANC's hierarchy.

ANC secretary-general Mr Cyril Ramaphosa said he rejected Holomisa's claim that the disciplinary hearing was not legitimate and said: "It is constitutional".

Last week, Holomisa publicly criticised Deputy President Thabo Mbeki for defending Sigcau and her account of a R50 000 gift she received from former Transkei prime minister Mr George Matanzima.

While the complaint by Sigcau is hardly unexpected, the decision by Tshwete to also lodge a complaint indicates that the ANC leadership has had enough of Holomisa challenging the position of Sigcau and his issuing of public statements.

Holomisa, who topped the polls in the elections for the ANC's national executive committee in Bloemfontein in December 1994 and who is close to President Nelson Mandela, is, however, fighting back.

In a letter to Ramaphosa on Friday, Holomisa said he had been deployed to KwaZulu-Natal for the elections, but added: "I am sure you would agree with me, that when there is a muted disciplinary inquiry on any member who is expected to carry the image of the organisation, the confidence of the targeted constituencies is invariably negatively affected."

The ANC said in a statement officials had referred the matter to its national disciplinary committee, which was chaired by Water Affairs and Forestry Minister Kader Asmal, after receiving written complaints from the "two quarters".

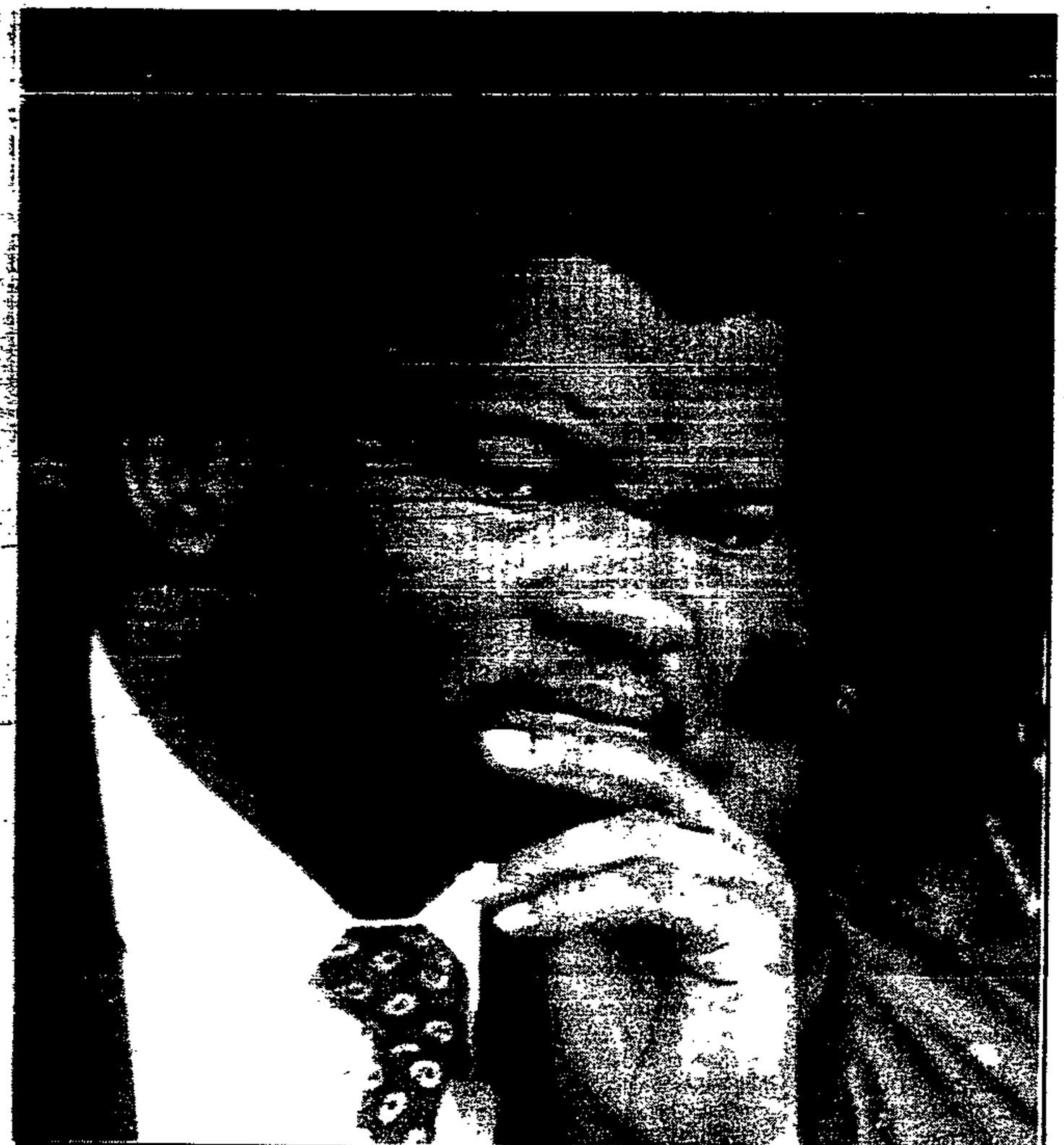
The committee had been asked to arrange hearings as soon as convenient, but no date has been set.

Holomisa dares ANC to fire him

304A

Sowetan

10/6/96



Major-General Bantu Holomisa's dispute with the ANC is raging on.

By Mzimasi Ngudle

DEPUTY Minister of Environmental Affairs Major-General Bantu Holomisa has dared the Government and the African National Congress to expel him as his latest dispute with the party raged yesterday.

He told *Sowetan* that he would not retract statements he made before the Truth Commission that Public Enterprises Minister Ms Stella Sigcau took a bribe of R50 000.

ANC national spokesman Mr Ronnie Mamoepa said Holomisa was to be summoned before the party's national disciplinary committee for allegedly bringing the organisation into disrepute.

Also, Holomisa, who was scheduled to have started campaigning for the ANC in the coming KwaZulu-Natal local government elections, did not go to Umlazi as planned yesterday.

Disciplinary hearing

Holomisa said his expulsion from Government and the ANC "will not be the end of the world".

The ANC has said it regretted Holomisa had "gone public" in his reaction to the party's impending disciplinary hearing against the former Transkei leader.

The charges relate to Holomisa's testimony before the Truth and Reconciliation Commission where he repeated claims that Sigcau had taken a cut of a R2 million Transkei gambling bribe.

Holomisa said on Friday the ANC should fully investigate the alleged bribe before deciding on action against him, adding he would consider appearing before the committee only once he had full details of the complaint.

According to *Sapa*, Mamoepa said as far as the ANC was concerned, no useful purpose would be served by making any further comment on the matter because this only undermined the legitimate process initiated by the party.

"As an individual, I have a right to ask or challenge the ANC which I angered in my statement which was made within the ambit and the brief of the Truth Commission," Holomisa said.

In his statement to the TRC in Port Elizabeth last month, Holomisa said Sigcau received a bribe of R50 000 for gambling rights while serving as a cabinet minister in the former Transkei government.

"If they want to close the books, they must go to Sol Kerzner and ask for an explanation," Holomisa said.

Holomisa said the ANC had not approached him about hearings.

"If they don't have any respect for me, I won't treat them differently," he said, adding that it was clear that some people in the ANC "have told themselves that they are through with me".

Holomisa yesterday also hinted that his expulsion may bring tensions within the ranks of the South African National Defence Force.

He referred to an ANC-brokered pre-transitional agreement, in terms of which former Transkei defence force members agreed to release him to serve the ANC.

"The soldiers were suspicious that the ANC would ditch me once it had exploited me to boost its profile," he said.

Holomisa said the soldiers then requested the ANC to bring him back to the army once the organisation felt it could dispense with his services.

Nats fight constitutional rule on party-switch MPs

(30419 Star)

The National Party's legal team yesterday lodged a complaint with the Constitutional Court regarding a provision barring MPs and MPLs from changing political parties without forfeiting their seats.

The party confirmed yesterday that NP MP Piet Matthee had lodged the objection in his personal capacity, along with Andre Gaum.

Matthee was fully supported by the NP caucus, which showed the party's "full confidence in the integrity and good judgment" of its members.

"This is apparently not the case with the (ANC) because the ANC argued in favour of the inclusion of this provision in the constitution while the NP strongly opposed it," the NP said.

Matthee's objection was based on the argument that the relevant section of the constitution, the imperative mandate system of representation, conflicted with representative and democratic government as guaranteed by the various constitutional principles the constitution must be verified against.

The section also conflicted with the principles of freedom of speech, expression, opinion and political choice.

"The system created by section 13 is found almost nowhere else in the world, exactly because it flies in the face of democratic principles ..." the NP said.

Arguments for and against the certification of the constitution will be heard by the Constitutional Court from July 1. – Sapa

NP suffers blow as Chris Fismer quits

(304A)

Wyndham Hartley

BD 11/6/96

CAPE TOWN — The NP suffered another blow yesterday when one of its bright young stars, Constitutional Development Minister Chris Fismer, announced his resignation from Parliament and party politics.

Fismer, concluding his budget vote for the constitutional development and provincial affairs department, said he was taking the opportunity presented by the NP's withdrawal from the government of national unity to return to his law practice.

He follows senior NP members such as Leon Wessels and Bhadra Ranchod in leaving active politics.

Coming hard on the heels of the conservative victory within the NP which forced its withdrawal, Fismer's resignation will further weaken the "new vision" supporters in the party who are trying to develop a black constituency.

Fismer will leave on June 30 — the day the NP leaves government. He took over from Roelf Meyer in March,

Continued on Page 2

Fismer

(304A)

Continued from Page 1

BD 11/6/96

after serving as general affairs minister, responsible primarily for developing new gambling legislation.

Fismer said after nine years in politics nothing he had experienced could be compared with the privilege of serving with NP leader and Deputy President FW de Klerk.

The pinnacle of his political career was to serve in the first government of national unity under President Nelson Mandela, who was a legend in his time.

Fismer warned the National Assembly: "Yes, we have achieved a miracle. But we should never take that fact for granted; never should we start to experiment with it ... never should its basic ingredients be destroyed. I and many other South Africans will observe you, the ANC, the NP and others with great expectations and sometimes with serious concerns."

De Klerk said he had expected the NP's withdrawal from the unity government to lead to the retirement of some members.

The NP would miss Fismer, who had made an invaluable contribution, he said.

Another blow for NP as Chris Fismer decides to quit politics

(304A) Star 11/6/96

Cape Town – Another National Party cabinet minister has announced his retirement from politics – the fourth senior NP portfolio holder to leave politics.

Provincial Affairs and Constitutional Development Minister Chris Fismer said yesterday he would resign from Parliament and party-political activities to take up his work as a lawyer again.

Fismer joins Mineral and Energy Affairs Minister Pik Botha, Constitutional Assembly deputy chairman Leon Wessels and Agriculture Deputy Minister Tobie Meyer, who have left, or are leaving, senior government posts.

Fismer was a political counsellor to former president F W de Klerk in the previous government and deputy minister of justice in the present government.

A few months ago, he changed from being general services minister to take over provincial affairs and constitutional development from Roelf Meyer, who became secretary-general of the NP.

Fismer ... service under Mandela "pinnacle of my career".

Fismer was in charge of piloting the gambling and gaming legislation through the legislative process.

He yesterday described his period of service under President Nelson Mandela as "the pinnacle of my political career". – Parliamentary Correspondent.

ANC women defend Holomisa

(304A)

Star 11/6/96

By Jovial Rantao
Political Correspondent

The ANC Women's League has entered the row over Deputy Environmental Affairs Minister Bantu Holomisa, who is to be hauled before the party's disciplinary committee for repeating an allegation of bribery against a cabinet minister.

Holomisa told the Truth Commission (TRC) last month that Public Enterprises Minister Stella Sigcau, a former Transkei prime minister, had accepted a R50 000 bribe during that time.

The Women's League yesterday came out in defence of Holomisa, the Transkei homeland's former military ruler, saying it "does not understand" why Holomisa must appear before an ANC disciplinary committee, nor does it understand the basis of the complaints against him".

"We suspect that Holomisa is guilty of telling too much truth, as to date no one has successfully disputed the facts he has presented to the TRC," the body said.

The league said that by testifying before the TRC, Holomisa was heeding a call from the ANC encouraging its members to do so.

However, the league blamed the media for shifting the focus away from the "crux" of Holomisa's testimony – the exposure of alleged atrocities committed by Military Intelligence operatives.

But the ANC Youth League (ANCYL), a powerful and influential lobby within the ANC, believes Holomisa has "gone too far" and should be expelled from both the ANC and central Government.

Sources within the ANCYL say it is unhappy that Holomisa has repeatedly defied the ANC by ignoring procedures for raising complaints.

The ANC has refused to comment on the Women's League's position.

ANC Women's League enters Sigcau fracas

(304A) ARG 11/6/96

Political Correspondent

THE African National Congress Women's League, headed by Winnie Madikizela-Mandela, says it does not understand why Bantu Holomisa has been summoned to an ANC disciplinary committee over his remarks about Stella Sigcau.

"We do not understand the basis of the complaints against him ... we suspect he is guilty of telling much truth," the league said.

Bantu Holomisa

Winnie Mandela

Mr Holomisa was told last week that his statements to the Truth and Reconciliation Commission about Ms Sigcau, and subsequent public comments on the matter, had been the subject of two complaints that he had brought the ANC into disrepute.

Mr Holomisa told the commission that Ms Sigcau, a former Transkei prime minister and now Public Enterprises Minister, took a R50 000 gift from a bribe allegedly paid by hotel magnate Sol Kerzner to former Transkei head George Matanzima.

President Mandela has declined to comment on the row, saying that the summoning of Mr Holomisa was an ANC internal affair and was sub judice.

In a statement yesterday, the Women's League said that the ANC had called on everyone to go to the Truth and Reconciliation Commission, and Mr Holomisa had heeded this call.

His focus had been on the destabilisation and exploitation of Transkei by the former South African government.

Mr Holomisa's reference to the R2 million allegedly given to Mr Matanzima had not been the focus of the presentation.

"We were therefore taken aback by the attention paid to this by the media when the major revelation was in fact the exposure of some activities of Military Intelligence and the handing over of the (Holomisa) files to the commission."

The league said it regretted that the media had successfully shifted the focus away from atrocities committed by Military Intelligence.

Bloemfontein sets its sites on parliament

(304A)

ARG 11/6/96

BLOEMFONTEIN. – Eight possible sites for the national parliament have been identified here, the Bloemfontein bid committee said.

Around 30 hectares of land would be needed to accommodate the buildings, it said.

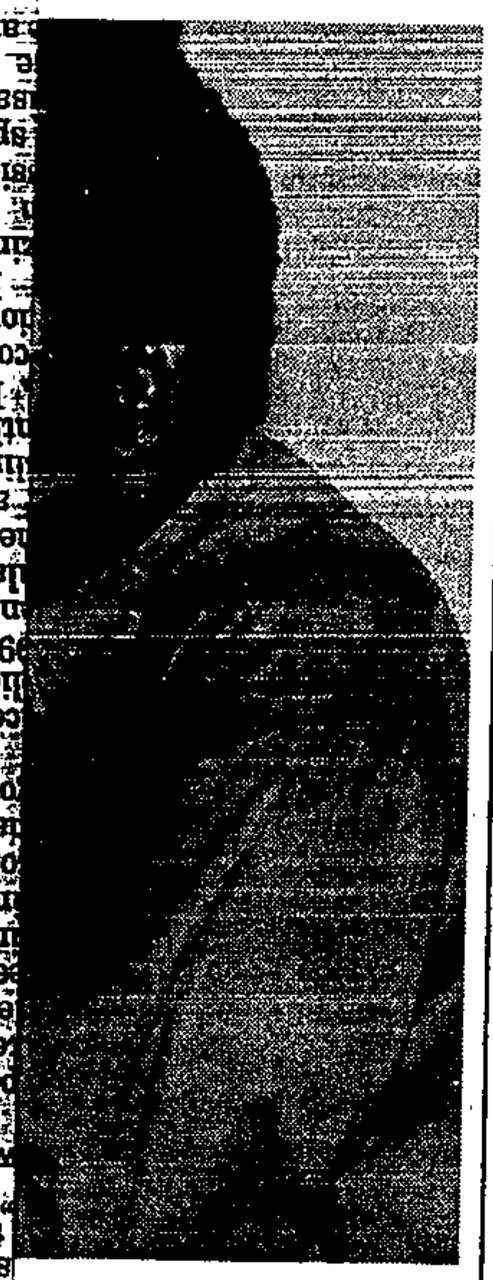
Houses for 490 parliamentarians and 1 000 support staff were required. It had been estimated that 770 families could be accommodated in existing residential areas and the remaining 720 families in newly-constructed residential areas.

Around 93ha would be needed for new housing. This comprised a small part of the land available for development in Bloemfontein.

The complex would be divided into four sections, each of which would house different activities. One would be the parliament buildings, with three security areas for the national assembly, senate and presidential/ ministerial sections.

There were no service problems on the two main access routes to Bloemfontein, the N1 and the airport road. The N1, with a capacity of 1 800 vehicles per hour per direction, at present carried 260 vehicles per hour at the Friday afternoon peak, and the airport road, with a capacity of 2 200 vehicles per hour in each direction, had a peak volume of only 800 vehicles per hour.

It was noted that SAA flew to the capital cities of only nine of the 23 countries served by its intercontinental flights. This indicated that it was not essential to have an international airport at the capital city. If this requirement had to be met, the airport could be upgraded for about R44 million. – Sapa.



onference after a number of

Picture: GARTH LUMLEY

Thebe noncommittal on funding for Sarafina 2

(304A) BD 11/6/96

Kathryn Strachan

THEBE Investments, widely thought to be the mystery backer which has come to the rescue of Sarafina 2, issued a statement yesterday which neither confirmed nor denied that it was funding the AIDS play.

Thebe Investment Corporation chairman Vusi Khanyile said Mbongeni Ngema was SA's preeminent playwright and had made a sterling contribution towards theatre in SA.

"If Mr Ngema seeks backers for his project, he is entitled to do so, and to do so in a confidential manner. We are not prepared to become involved in a witch hunt on this matter or to enter the debate.

"Thebe gives its unqualified support to the policies and programmes set up by Dr Nkosazana Zuma, her ministry and department, particularly with regard to primary health care, school feeding schemes, the establishment of clinics, the care of infants and pregnant women, and AIDS prevention."

"For the first time in the history of this country government is paying vigorous attention to the needs of the majority of this country who had poor, or no access, to health care."

Thebe supported transparent government and the system of checks and balances that had been introduced, Khanyile said.

It was also understood that Glaxo Pharmaceuticals had been approached to fund the play. However, a spokesman said: "We have not had anything to do with it and we will not have anything to do with it."

Holomisa facing a suspended expulsion

(304A) BD 11/6/96

David Greybe

CAPE TOWN — ANC secretary-general Cyril Ramaphosa will today inform Deputy Environmental Affairs Minister Bantu Holomisa that he faces an ANC disciplinary hearing for allegedly bringing the party into disrepute.

ANC sources said yesterday Holomisa faced expulsion, suspended for one year, from both the ANC and government for repeating allegations that Public Enterprises Minister Stella Sigcau took a R50 000 cut of a R2m gambling bribe allegedly paid to former Transkei ruler George Matanzima.

"Holomisa is in deep trouble," one source said. The reasoning behind a possible suspended sentence would be to allow him to "rehabilitate" himself.

Holomisa yesterday refused to retract anything he had said about Sigcau. "I owe no one an apology," he said. He reiterated his call for Kerzner "and whoever else" was involved in the alleged bribe to appear in court "to explain the circumstances of the exchange of the monies referred variously to as 'sweets', 'gifts', 'school fees' or 'tobacco'."

Meanwhile, the ANC Women's League came out yesterday in support of Holomisa, and said it did not understand why he had to appear before a disciplinary committee.

"We suspect that Gen Holomisa is guilty of telling too much truth," said the league, which is headed by Winnie Madikizela-Mandela.

Holomisa snubbed the ANC at the weekend by cancelling an appearance at an ANC election rally in KwaZulu-Natal. He said he had pulled out because Ramaphosa had failed to respond to a letter in which he asked whether he should continue to campaign in the light of the pending action against him.

Holomisa said yesterday he had still not received a reply to his memorandum, sent to Ramaphosa last Friday. It is understood that Ramaphosa received Holomisa's memorandum only yesterday afternoon, as it was faxed to Ramaphosa's "unmanned" Constitutional Assembly office in Cape Town, and not to his Johannesburg ANC office.

ANC Women's League speaks out for Holomisa

BARRY STREEK (304A) CT 11/6/96
POLITICAL WRITER

THE ANC Women's League, defending Deputy Environment Minister Mr Bantu Holomisa, says it understands neither why he has to appear before an ANC disciplinary committee nor the basis of the complaints against him.

However, President Nelson Mandela said in Pretoria that the matter was internal and sub judice.

"We like to keep internal matters as internal matters," he said.

At a campaign meeting on the KwaZulu-Natal North Coast, Democratic Party leader Mr Tony Leon said the ANC seemed "hell-bent" on disciplining Holomisa for telling the truth about Minister of Public Enterprises Ms Stella Sigcau, yet it refused to take action against Minister of Health Dr Nkosazana Zuma.

"After the Sarafina 2 debacle, it would appear that, short of committing some gross act of public indecency on the steps of Parliament, any ANC cabinet minister enjoys immunity from being fired or even censured by the President."

Zuma and her director-general, Dr Olive Shisana, had "caused an ugly stain to besmirch the fabric of our democracy", but no swift action had been taken against them, yet Holomisa was being disciplined, Leon said.

Holomisa has hit back at Mr Cyril Ramaphosa, saying that the ANC secretary-general's accusation that the Minister was using the media to get his point across was false. He had sent a memorandum to Ramaphosa on Friday and had still not had a response from him. He said it was Ramaphosa who was "trying the case in the media".

The ANCWL, whose president is Mrs Winnie Madikizela-Mandela, said in its statement: "We suspect that Holomisa is guilty of telling too much truth as to date no one has successfully disputed the facts he presented to the Truth and Reconciliation Commission."

The ANC had urged all its members to testify to the TRC.

"We are told that the purpose of this commission is to reveal the truth so that the process of healing and reconciliation can begin in earnest," the ANCWL said.

"Holomisa heeded this call from the ANC and testified before the commission. His focus was on the destabilisation and exploitation of Transkei by the apartheid regime. We regret the media has successfully shifted the focus away from the exposure of the atrocities committed by Military Intelligence operatives, which was the crux of the evidence presented by Holomisa."

During his testimony Holomisa told the TRC that Sigcau had received a gift of R50 000 as part of a R2-million bribe for gambling rights in Transkei.

I am sure will lead to fewer people losing their lives in South Africa.

*Dr W J BOTHA: Madam Speaker, my interest in this interpellation lies with the economic consequences.

Yesterday in the Nedcor report we read about the destructive effect of violence on the South African economy. By this time everybody is aware of it. The contents of this report are put into perspective when the cost of crime is expressed as a percentage of the GDP and of the national budget. According to this report, the cost of crime is equal to 18,02% of the national budget and 5,6% of the projected GDP.

Comparing this to some other figures, provides more perspective. One can see, for example, that it is almost equal to last year's budget deficit. What is interesting, is that only 6,3% of the national budget goes to the police service. Therefore, the damage caused by crime is three times the amount spent on the police Vote.

Many factors are listed as prerequisites for economic growth. The Government knows what these factors are and defines them very well. However, no matter how correctly these factors are defined, they will have to be rectified before economic growth can be expected. The most important one is the restoration of law and order and political stability. That is the first thing an investor will look at when deciding whether to invest in South Africa or not.

Yesterday's Nedcor report contains such appalling facts that one would rather not discuss them. Very few investors will consider investing in South Africa if they see this report. [Time expired.]

The MINISTER OF JUSTICE: Madam Speaker, I thank the hon members Mr Chiolé and Dr Botha for the way in which they raised the question. They have done so in a very reasoned manner and they have raised concerns which are indeed the concerns of all South Africans. The concern involves ending violent crime in our country, and I think that we all share that concern. The reality with regard to our situation is that we need to do a number of things in order to deal with the problem raised by the hon members.

Firstly, it is absolutely correct that every South African is entitled to personal security, and this is a right which the Government and the State need to ensure respect for. Therefore, tackling crime properly is important.

But what we have to say every time is that there are two things that need to be taken into account. Firstly, the issue of crime is a legal problem, but secondly, it is also a social problem. One cannot tackle one without tackling the other. It is very important that we should deal with crime effectively, but at the same time we must address the causes of crime.

As long as there is a situation in which millions of people are alienated and marginalised and feel that they do not have to respect the laws of society, that kind of phenomenon is going to continue. Therefore, it is very important that we must have economic growth in our country, and we also need to create the kind of social stability which will help to address the causes of crime. In so far as the legal aspects are concerned, however, I want to assure hon members that the Government is absolutely serious about tackling crime in a way which will help to decrease crime in our country and ultimately eliminate it. That is why the National Crime Prevention Strategy forms the core of the approach of the Government in this regard at the present stage.

It is also true, as the hon Dr Botha said . . . [Time expired.]

*Mr J CHIOLÉ: Madam Speaker, I agree with the hon the Minister that the effective combating of crime is of vital importance to any country. The primary task of every government is to protect the safety of its citizens. If a government fails to do this, it will have failed to perform its most important task, and chaos and anarchy will break loose. In time the inhabitants of a country will take the law into their own hands, and then life will become cheap, as has been the case in South Africa. Eventually, such a government loses the ability to govern. All government functions collapse and even a revolution in due course cannot be excluded.

The question is, just how far are we in South Africa from such a collapse? What do our newspaper headlines say? What do we see on the front page of today's *Die Burger*, for example? An article under the headline, "Nuwe SA word misdaadkoning" says:

> 'n Wêreldkampioen in wording op die gebied van misdaad—dít is Suid-Afrika luidens 'n omvattende nuwe verslag wat gister hier bekend gemaak is. Daaruit blyk onder meer:

> gemiddeld 45 mense uit elke 100 000 word vermoor, teenoor gemiddeld 5,5 elders ter wêreld.

This means that we are 720% higher than average. The article goes on to say that 77 people are arrested for every 1 000 crimes committed. This means that only 7,7% are arrested. It appears that 45,6% of South Africans think that violence is the biggest problem facing the country.

South Africa's crime statistics were released on 27 May 1996. What do they say? Let me quote from *The Citizen* of 28 May 1996:

> Since a moratorium was placed on the death penalty in 1990, former capital offences such as armed robbery, murder and rape have increased by up to 110%. At the same time, the ability of the justice system to bring armed robbers, murderers and rapists before the courts has dropped from a success rate of almost 50% to a success rate of only 15%. Only 30% of murderers and 25% of rapists ever need to account for their deeds. Last year 18 983 murders were reported in South Africa, up from 11 750 in 1989. That is an increase of 61,5% in six years. Of these cases, the justice system could only manage to bring 6 519 to court.

The meaning of these cold, hard statistics is that the maintenance of law and order is no longer effective in South Africa and that we have lost control. The alarming fact is that at this rate, about 250 000 people in South Africa, a quarter of a million, will be murdered within the next ten years. This is what the facts tell us.

The solution is threefold. The death penalty must be reintroduced. Murderers and rapists must lose their lives, as a deterrent to others. [Time expired.]

The MINISTER OF JUSTICE: Madam Speaker, first of all, I share the concern about the seriousness of crime, and I do not think that anybody should underestimate that. Also, nobody should underestimate the determination of the Government to deal with the phenomenon of crime. However, I would be very cautious about the newspapers quoted by the hon member, because it is very easy to quote newspapers and to regard what is quoted as fact. Whilst I do not regard a slight reduction in the murder rate as a vast improvement, the reality is that over the past year the murder rate in our country has gone down. Those are the official figures which I have received. I do not regard that as a great victory, because any single murder is one murder too many for me. I think that we need to deal with the matter this way.

With regard to the criminal justice system, the reality is that both the Department of Correctional Services and the Department of Justice took over 11 separate departments at the time of the coming into being of the first democratic Government. A united Department of Justice and Department of Correctional Services had to be created. Secondly, at the time, those departments served 20% of South Africa's population. They now have to serve 100% of the South African population. Those are two important factors.

What is more, the resources of the country are not always available. Within the framework of resources, both the police and the Department of Justice have taken steps within the framework of the National Crime Prevention Strategy to address the problems which the hon member has raised. I can give the House the assurance that those problems are being addressed, but we need the co-operation of all the parties and all communities to eliminate crime in our country.

Debate concluded.

QUESTIONS

†Indicates translated version.

For oral reply:

Executive Deputy President (Mr T M Mbeki):

Cabinet code of conduct 304A

*1. Mr D H M GIBSON asked the Executive Deputy President (Mr T M Mbeki):

(1) Whether all (a) members of the Cabinet and (b) Deputy Ministers have signed a Cabinet code of conduct and disclosed their financial dealings and interests; if not, (i) which persons have not done so and (ii) for what reasons;

(2) whether he will table the relevant documents; if not, why not?

N902E

The EXECUTIVE DEPUTY PRESIDENT (Mr T M Mbeki):

(1) (a) No.

(b) No.

(b) The vehicles were purchased to ensure the safety of the President and his Executive Deputy Presidents. The armoured vehicles in the existing fleet have reached the end of their economic lives and are outdated with regard to the armouring technology, given the prevailing level of security threats.

(c) The vehicles will be utilised for the safety of the President, Executive Deputy Presidents and visiting VIP dignitaries.

(2) A media statement regarding this matter was issued by my department on 14 March 1996.

The DEPUTY MINISTER OF FOREIGN AFFAIRS: Madam Speaker, on behalf of the Minister of Public Works, I request that question 8 stand over. He has been called to another urgent meeting.

*8. Mr A J LEON—Public Works. [Question standing over.]

Questions standing over from Wednesday, 5 June 1996:

Literacy programme

*4. Mr M F CASSIM asked the Minister of Education:

Whether the Government intends undertaking a programme aimed at achieving rapid literacy in at least one of the official languages amongst South African citizens; if not, why not; if so, (a) what are the details of the programme, (b) who will be in charge of such programme, (c) what amount of funding will such programme receive, (d) over what period will the programme run and (e) what percentage of the population will it target?

N783E

The MINISTER OF EDUCATION:

Yes, the Government intends achieving rapid literacy, not in one language, but in all the languages of the country amongst all South Africans.

(a) Language literacy for the illiterate is being offered in all provinces through the Ithuteng Pilot Project for Adults.

(b) The Director for Adult Basic and Community Education and Training, Ms G Nxumalo is in charge of such programmes.

(c) Such programmes have received an amount of R5,4 million per province to kick-start the project.

(d) The programme will run for five years.

(e) It will target about 5% of the adult population that requires adult basic education.

The MINISTER OF JUSTICE: Madam Speaker, unfortunately the Minister for the Public Service and Administration is again not available. I apologise for that and ask that Question 17 stand over.

*17. Rev M M PHENETHI—Public Service and Administration.† [Question standing over.]

*21. Mr A G MOHAMED—Public Works.† [Question standing over.]

Housing subsidies

*28. Mr M J ELLIS asked the Minister of Housing:

(1) How many housing subsidies were (a) applied for and (b) granted during the latest specified 12-month period for which information is available;

(2) whether any mechanisms are in place to ensure that information supplied by applicants regarding monthly household income is accurate; if not, why not; if so, what mechanisms?

N808E

The MINISTER OF JUSTICE (for the Minister of Housing): Madam Speaker, the Minister of Housing apologises for her absence and replies to the question as follows:

(1) (a) 53 241

(b) 44 761

The aforementioned figures are for the period 1 May 1995 to 30 April 1996.

(2) Yes. In terms of the Implementation Manual in respect of Government's Housing Subsidy Scheme and other Housing Assistance Measures it is a prerequisite

that adequate proof of monthly income per household accompanies an applicant's application for a subsidy. It is also required from the applicant to sign an affidavit declaring that the information contained in the application form, *inter alia* relating to his or her income, is true and correct. Applications are scrutinised administratively to ensure compliance with requirements before being considered by the relevant provincial housing board.

Any follow-up questions will be forwarded to the Minister.

Shell House: prosecutions

*32. Mr J H VAN DER MERWE asked the Minister of Justice:

(1) Whether a decision has been made to prosecute any persons following the Shell House incident; if not, when is it anticipated that such a decision will be made; if so, what are the relevant details;

(2) whether he will make a statement on the matter?

N813E

The MINISTER OF JUSTICE:

(1) and (2) I am informed by the Attorney-General, Johannesburg that investigations have not as yet been completed.

The so-called Shell House incident was not a single or an isolated event. It was one theatre of several at which a number of people were killed. They are:

At Shell House eight died;

At Library Gardens 10 died;

At Selby Hostel three died;

At Lancet Hall one died;

At Park Station one died;

During other incidents on the same day 22 died.

The attorney-general states that his office is investigating all these killings. Various dockets have been opened in respect of all these deaths. Decision will be taken on completion of all the investigations.

It is not possible for me to say when these decisions will be taken.

Road signs on main/secondary roads

*36. Inkosi M W HLENGWA asked the Minister of Transport:

(1) Whether, in view of the growth experienced in the business and tourist sectors, his Department has undertaken a study to determine the adequacy, frequency, consistency and usefulness of road signs on all main and secondary roads; if not, why not; if so, (a) when, (b) what were the findings and (c) from which target groups was information obtained;

(2) whether he will make a statement on the matter?

N849E

The MINISTER OF TRANSPORT:

No such specific study has been undertaken.

However, the Committee of State Roads Authorities (CSRA) appointed a sub-committee in 1975 called the South African Road Traffic Signs Subcommittee to revise and update the South African Road Traffic Signs Manual (SARTSM).

This manual was published in draft form in July 1993, and forms an integral part of the Road Traffic Act (No 29 of 1989) and the amendments to the Road Traffic Regulations published in October 1993. With the demise of the CSRA and the establishment of the Committee of Land Transport Officials (COLTO), the South African Road Traffic Signs Subcommittee's work has continued unabated.

Work on the manual under Colto has spanned a period of roughly two years. Represented on the committee are interest groups such as the motorist, the tourism industry and the business sector, among others.

In compiling this manual, all aspects of road traffic signage—including adequacy, frequency, consistency and usefulness—were addressed in depth. Special attention was also paid to the so-called "brown signs", which specifically relate to tourism. The subcommittee still continues to control, monitor and, where necessary, revise road traffic signs.

Shell House: information

*38. Mr H A SMIT asked the Minister of Justice:†

Nzo says it is all go

South Africa's Foreign Affairs Minister answers his many critics – and insists he is doing a splendid job all over the world. Political Correspondent **Rafiq Rohan** records the minister's views...

(304A) Sowetan 13/6/96

ALFRED Nzo is unperturbed by the deluge of criticism that has poured down on him as Minister of Foreign Affairs. He will continue charting out the direction of the new Government in a changing world.

And, despite all the criticism, he is convinced he is doing a sterling job. "Those calling for my resignation, or saying there is no policy, are not prepared to look at the reality of the situation that has been there all along."

Nzo has been accused of lacking commitment, of surrounding himself with people of the old order, of having a befuddled foreign policy and of doing precious little to change the racial face of South African missions abroad.

All these criticisms he dismisses on the basis of his critics not looking at the "reality of the situation".

"I have been accused of lacking commitment to the Government's policies on the basis that I have just left things to roll. We are not prepared to change the colour of the faces of those carrying out tasks."

Nzo does not take it too lightly when asked to explain why missions abroad are staffed largely by whites and why he still has a significant number of old-guard staff around him.

"You can't make sweeping statements and pretend those to be the truth," he counters.

Sweeping statement

In Africa, he says, South Africa's representative to the Organisation of African Unity is not white. Tanzania, "one of the main pillars of our support", has a black man in charge, as has Zimbabwe, Namibia and Mozambique.

It is therefore a "sweeping statement", he insists, to say he has not made significant changes.

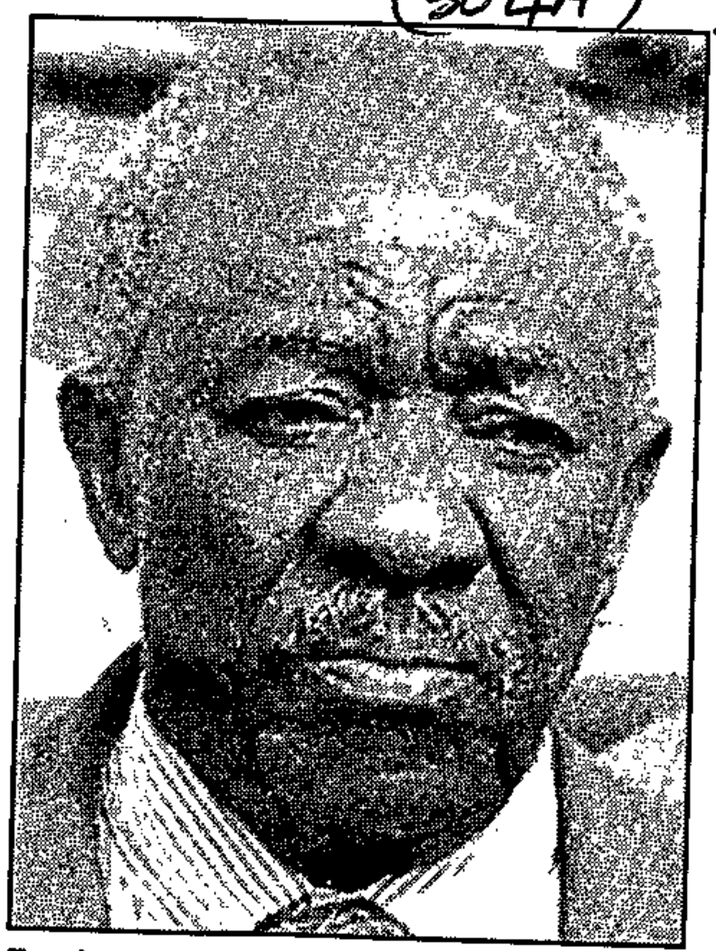
However, the portfolio committee on foreign affairs recently expressed its outrage that most missions abroad still do not reflect the changing South Africa: more than 86 percent of staff abroad is still white.

Nzo argues that offices across the world would have to close if "sweeping changes" are suddenly made. He says his ministry has set up a programme to equip new people with skills to carry out the tasks of foreign missions.

"We are faced with the historical reality of this country and we are addressing that issue. We are training people to take over."

He lists the numerous appointments of black people as ambassadors, and adds that Ruth Mompati will soon be sent to Switzerland as ambassador.

He is adamant that changes inside his ministry and department have been wide-ranging. His adviser, he counters, is not white either.



Foreign Minister Alfred Nzo ... remains unperturbed by a deluge of criticism.

"If you look at the top echelon of my ministry, who are they? The top management is manned by blacks." But, Nzo also argues, there is nothing wrong with whites occupying senior positions.

"Look, you are talking about South Africans! The strangest thing is, because you have a white colour, you have ceased to be South African.

"Among these people manning the ministry we have found very loyal people. Yesterday the crime we were talking about was because you were black. Today, it's white."

Turning to policy, Nzo says he was proud of changes he has made to move South Africa away from being "an appendage of Europe" and getting closer to Africa,

The very first thing he did two weeks after the Government's inauguration, he says, was to fly the flag of the new South Africa at OAU headquarters.

Since then South Africa has participated in the activities of the continent, including getting involved in trying to solve the problems in Burundi. South Africa also recently donated R20 million to Angola's peace process.

Humanitarian assistance has been made to Rwanda too: "I can recite a litany of what South Africa has done to prove we are here (in Africa)."

However, he says that because South Africa has prioritised African affairs, there is an expectation that South Africa can "wave a magic wand" to resolve all the continent's problems.

He uses Nigeria as an example to illustrate his point. Top South African leaders, including President Nelson Mandela, have had a direct hand in trying to reach a resolution.

South Africa was a key country in getting Nigeria suspended from the Commonwealth after the execution of Nigerian dissidents. It was also the only African country to withdraw its representation from Lagos.

This was because "of our commitment to democracy and human rights". Unfortunately, Nzo says, the situation degenerated into a Nigeria-South Africa confrontation because no other African country did anything.

Now, he says, there is a misconception that South Africa has abandoned the Nigerian question. Far from it, he says, because South Africa is actively involved in Commonwealth initiatives to resolve the crisis there.

Sovereign right

Turning to the question of South Africa and the countries it chooses to have relations with, Nzo says it will not bow to pressure on who its friends should or should not be.

The countries under focus are always Iran, Cuba and Libya: "It is the sovereign right of any country in this world to have the friends it desires."

The problem, he says, is that people are still "steeped in the old ideological mode" which seeks to divide the world into good or bad countries: "South Africa must aim at universality in its international relations."

He says there are no countries South Africa would not have relations with right now. There would, however, be no point in working with a country that worked against the interests of South Africa.

Nzo also offered some advice to the media: "They must not spend sleepless nights wanting to find out when Alfred Nzo will go. The issue is, every one must work in the best interests of this country.

Retiring US Senator Bob Dole of Kansas (centre) surrounded by staffers and well-wishers as he prepares to leave the Capitol in Washington. Dole officially resigned on Tuesday to devote his full attention to his presidential campaign, ending his 35-year-career in the Senate.

PIC: AFP.

13/6/96
SOWETAN

(304A)

Bloemfontein punted for Parliament

(304A)

PETER DENNEHY

CT 13/6/96

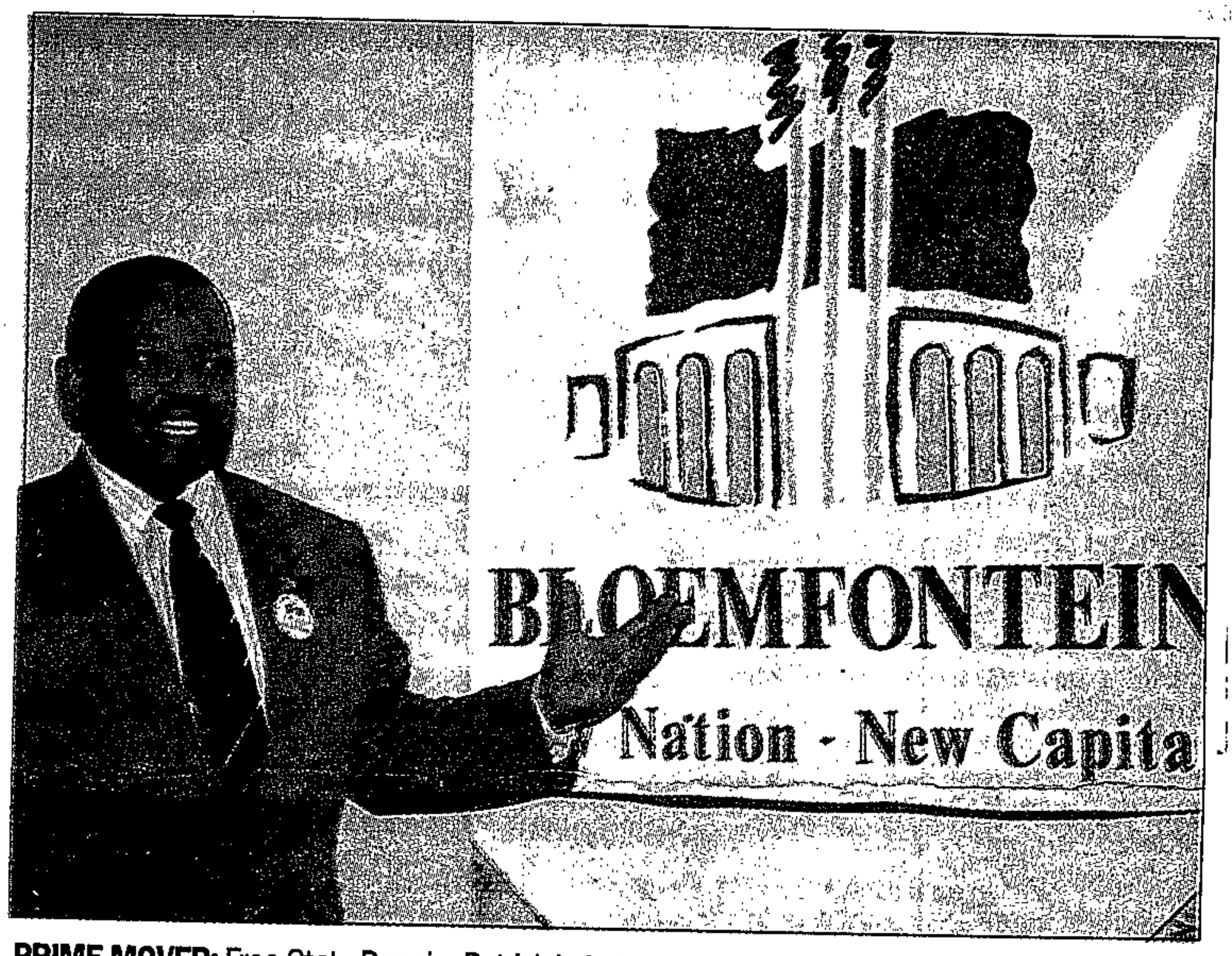
BLOEMFONTEIN should become the capital of South Africa, and Parliament should be moved there, says Free State Premier Patrick Lekota.

Among other things, that city boasts a "long history of tranquillity", he told a press conference in Cape Town.

Asked how he could seriously propose moving Parliament to a city with such a dull reputation, he said: "We don't elect people to go to Parliament to be entertained. They must concentrate on their work."

Bloemfontein Airport could already be classified as a "large airport", the Bloemfontein for Capital lobby group's technical team has reported, and having an international airport was not regarded as essential for the capital.

Dr Coert du Toit, chairman of the technical committee that investigated the feasibility of the proposal, said that in Bloemfontein MPs would be able to pick up their children from school at lunchtime, have lunch at home, and return to work in the afternoon.



PRIME MOVER: Free State Premier Patrick Lekota hopes Parliament will move to Bloemfontein. He says Cape Town won't miss it and Bloemfontein needs jobs. *PICTURE: THEMBINKOSI DWAYISA*

In Cape Town some parliamentarians had to sit in their cars for two hours a day.

There was no shortage of space in Bloemfontein either. Thirty hectares would be needed for the Parliament buildings. Eight possible sites had been identified.

Another 93 hectares would be needed to build new homes for half the 490 Parliamentarians and their 1 000 support staff.

Lekota said Cape Town was badly situated from a military point of view, being vulnerable to attack by sea and air. But Bloemfontein, geographically in the middle of the country and on its central plateau, would be a difficult target for enemy forces.

Crunch time for Stella Sigcau

(304A) M+G 14-20/6/96

Likened to the former RDP office, Stella Sigcau's ministry will have to improve its tarnished image next week if it is to gain the support of business and labour. **Gaye Davis** reports

AMONG the documents swamping Minister of Public Enterprises Stella Sigcau's desk this week was one she was hastily penning: the policy speech she will deliver during her budget vote in Parliament next week.

A great deal hangs on it. Watching from the wings will be local business and foreign investors anxious for clarity on how the government intends moving ahead on restructuring state assets. Observing as closely will be the country's labour federations.

Sigcau will mount the podium as a minister whose performance to date has, at best, been seen as dilatory.

This week, Parliament's Portfolio Committee on Public Enterprises rejected the memorandum explaining her budget as it failed to articulate a policy framework. Committee chair Mandla Msomi reportedly said he believed that instead of clearly signalling the government's plans, it was "sending out a misleading and poor signal of a dangerous paralysis".

Sigcau, as the minister responsible for co-ordinating restructuring, is criticised within the labour movement for lacking the necessary grip on the process. The question is asked: Is her ministry really necessary? Some observers draw an analogy between it and the former Reconstruction and Development Programme office, pointing out that she too lacks effective power over the institutions for which she is supposed to have overall responsibility.

Stella Sigcau: Working her way out of office

PHOTOGRAPH: RODGER BOSCH

Questions have also been asked about a possible conflict of interest within her ministry, involving her technical adviser, Jeff van Rooyen — a partner in Deloitte & Touche, a firm which plays a major role internationally in the restructuring of state assets.

Her credibility already in question over her management of the government's now-we-see-it, now-we-don't approach to restructuring, Sigcau will also be speaking with a question mark over her integrity, drawn by Deputy Environmental Affairs and Tourism Minister Bantu Holomisa when he appeared before the Truth and Reconciliation Commission.

In his evidence, the former Transkei military leader raised the R50 000 "gift" Sigcau accepted from then-Transkei president George Matanzima. Sigcau has never denied receiving it, maintaining she was unaware it was part of a R2-million sweetener allegedly paid by hotel magnate Sol Kerzner to Matanzima in a bid to sew up gambling rights in the homeland. Sigcau this week insisted she was innocent of wrong-doing.

She heard "only after the coup" (in 1987 when Holomisa toppled Matanzima and ousted her as prime minister) that other politicians had also received money; "Chief George" had taught her at school; he was "interested in education"; she "always showed him" her daughter's results.

Thus she was not unduly surprised when he gave her R50 000 so her daughter could study in England; she believed he could afford it as "he used to sell stock — he was a very successful farmer". As for Kerzner, she knew nothing about the government's dealings with him.

She refused to be drawn further, saying only: "I sleep easy — I was never bribed."

Regarding her adviser's links with Deloitte & Touche, she insisted: "He deals with the process, when it comes to advisers he's out of the picture. We have to tell the public every step we are taking so there's no question of Deloitte & Touche being advantaged."

Van Rooyen told the *Mail & Guardian*: "Clearly conflicts of interest do arise. This was an issue of concern ... but we took the view that where there was a potential for serious conflict I would recuse myself."

He cited a recent tender for advisers to the ministry on restructuring. It was agreed before his secondment that Deloitte & Touche would not be barred from bidding, "but I was nowhere near the evaluation process", he said.

Sigcau maintains there will be a need for her ministry as long as there are state-owned enterprises. She acknowledges the delays: "Restructuring and privatisation has to happen within the framework of enunciated policies. This year has seen Green and White Papers emerging. We could not overshoot that process.

The comparison of her ministry with the defunct RDP office struck a chord: "You do have problems if you are not the line function minister." Plans were afoot, she indicated, to ensure parastatals showed more accountability to the government as a major shareholder than at present.

She was buoyed by last weekend's talks between the government and labour, the first meeting under the National Framework Agreement (NFA) which sets out principles and procedures for restructuring state assets.

"I think labour experienced massive retrenchments with commercialisation so their fears are understandable. The question is how to deal with retrenchment and find amicable solutions ..."

Although Deputy President Thabo Mbeki had said nothing was "cast in stone", the government had said it would have the last word, she said.

"I think even labour knows that for the good of the country there are going to be very tough choices. But we can't just pounce a decision on them. Making people bite the issue is better than forcing it on them.

"Both the government and labour want job creation and this can only happen when you talk realistically about what happens to state-owned enterprises. In some cases, having strategic equity partners will bring in more finance to help with capitalisation and provide more technology. This might mean more people being employed.

"By talking to labour and business we are working on the future of the economy together. To achieve growth of 6% by the year 2000 we all have to make an effort."

"Clearly there could be job losses. We need a plan for re-training. Labour is looking at the issue, but we must also look at what's available within state enterprises, in terms of giving people skills to get jobs outside.

"We have asked each parastatal to se ond someone to the ministry who will lo at human resources as a matter of urge cy, work with the Human Sciences I search Council and do a needs analys

"We know the NFA has to operate, investors out there are waiting for s thing, that the economy must grow time for the process to move ahead

Essentially, Sigcau's job is to wor self out of a job: "I took on the port a challenge in the hopes that it wo with me proving what I am capa wouldn't mind working myself ou if it was for the good of the econor

Pretoria's Parliament bid being stepped up

Star 15/6/96 (304A)

Pretoria is gearing up for the next phase of the campaign to get Parliament to the city.

This was made clear by the Pretoria Capital Initiative yesterday following reports that Bloemfontein and Midrand are still bidding to become the seat of Parliament.

PCI spokesman Martie Meiring said the cost effectiveness of keeping Parliament in Cape Town, with the administration in Pretoria, had to be seriously questioned and challenged.

Pretoria intended to stick to its basic premise that the country could not afford the duplication of staff and office space which the separation of Parliament and the administration entailed, she said.

"We believe that the independent audit that the Cabinet called for last year and which was completed in December should now be tabled, discussed and made public."

Meiring said the PCI believed firmly that Parliament should be established in Pretoria without delay. – Own Correspondent

Ombudsman to fight curbs on govt minister probes

(304A) Star 18/6/96

By Anthony Livuza

Blantyre – Malawians are disillusioned because the new office of the Ombudsman, the public watchdog, is not allowed to investigate charges against government ministers without their consent.

Parliament agreed to a clause in the Ombudsman Bill which grants ministers immunity from investigation on charges of maladministration unless the Ombudsman, James Chirwa, obtains a warrant from a magistrate which a minister must personally sign to authorise an inquiry or a search.

Even then, seven days must pass before this may take place, during which time the minister can obtain a court order restraining investigators from access to government documents on the grounds that they are state secrets.

Many Malawians are concerned over this discriminatory provision for ministers.

The Ombudsman was appointed to investigate cases of maladministration where an individual has suffered injustice "without a reasonable and practical remedy in a court of law".

A Law Commissioner, Elton Singini, will deal with repeals and reviews of all laws in Malawi's new constitution, which came into force in June last year.

The Ombudsman and the Law Commissioner are joint commissioners of the National Human Rights Commission, another new institution responsible for the promotion and protection of the rights and freedoms provided in the constitution.

Former auditor-general Gilton Chiwaula now heads an Anti-Corruption Bureau, whose powers are also curtailed by the immunity granted to ministers, the president and his deputies.

Under the new constitution, a National Compensation Tribunal has been set up to assess and settle criminal and civil claims by people unlawfully detained during the 30-year dictatorial rule of Hastings Banda's Malawi Congress Party.

At first, such democratic provisions were welcomed by most Malawians. But they are now suspicious that the offices of the Ombudsman, Anti-Corruption Bureau, Law Commissioner and National Compensation Tribunal were created to protect or serve the interests of top government officials.

The quasi-judicial Ombudsman was appointed by parliament and can only be removed by parliament. Thus the incumbent can operate without any political duress. His only impediment, he says, is the provision in the act governing his operations.

Chirwa says he will lobby both inside and outside Malawi for an amendment to the provision shielding top government officials from investigation by his office. "No person or institution, government or private, should be above the law," he says, referring to the constitution which stipulates that no person shall be immune from prosecution.

"Let a message go out to all that never again will the country tolerate abuse of human rights and their violation by anyone at any level." – Star Foreign Service.

Party political pressure worries public protector

BD 18/6/96 (304A)

Ingrid Salgado

PUBLIC protector Selby Baqwa said he was concerned about having his post subjected to pressure from political parties, a situation which could arise as a result of a clause in the final constitution which would allow Parliament to appoint or remove the protector by a simple majority.

In an interview last week, Baqwa said he supported the Association of Law Societies' challenge to the clause in the Constitutional Court.

The reduction from 75% of support — under the interim constitution — to 51% could subject the public protector to political pressure, Baqwa said.

The independence of the post was judged by the degree to which appointments were transparent, among other things.

Although Baqwa personally had not felt such pressure, "a 51% majority situation could pressure an incumbent unduly. I am of the view that a 66% majority entrenchment would adequately take care of these concerns."

The new provision has also come under attack from the DP, which said a simple majority would compromise the protector's independence and enable the majority party to remove a protector for party political reasons.

Baqwa said he did not support a bid by the DP, NP and IFP in the court challenging the removal of power from provincial legislatures to appoint provincial public protectors. Legislative appointments would increase the danger of enshrining political control over provincial protectors, making them susceptible to manipulation.

The final constitution instead allowed the national public protector to appoint deputies in each province who were answerable to the protector.

However, he had urged at least three provinces to compile a short list for provincial protectors who would be appointed in consultation with Baqwa's office.

Northwest, Mpumalanga and Northern Province were anxious to "get the ball rolling".

The national office, which faced an enormous backlog of cases, needed additional support at the earliest stage. It would be disadvantageous to stall provincial appointments until the final constitution came into effect.

Consultation with Baqwa on the appointments would ensure that he retained the protectors when his office took control of provincial offices. He had approached the state expenditure department for additional funds to enable the offices to operate.

Provincial offices would enhance efficiency, create greater accessibility to the protector and reduce workloads, he said.

MPS NOT AVAILABLE ON 'CONSTITUENCY' DAYS

A close call trying to reach the people i

(304A)

CT 18/6/96

(30

ALTHOUGH MPs are allocated R36 000 a year for constituency offices, few parties are able to give details of these — and some list incorrect phone numbers. **MELANIE GOSLING** reports.

DO you know who is your "local" Member of Parliament and how to get hold of him or her?

Chances are you don't.

If you wanted to find out, you would be hard-pressed to establish the MP's name and how you can contact him/her.

Even if you got these details, there is no guarantee that there will be anyone at the constituency office to take your call — or you may discover the number no longer exists.

Of course, there may be no constituency office — although each MP is allocated R36 000 of taxpayers' money each year to run such an office.

If you are lucky enough and someone does answer your call, the chances are 10-to-1 it will not be the "local" MP.

This was the experience of the Cape Times when it tried to contact MPs at their constituency offices.

The newspaper worked from lists supplied by the Speaker's office in Parliament, which had been given these by the political parties.

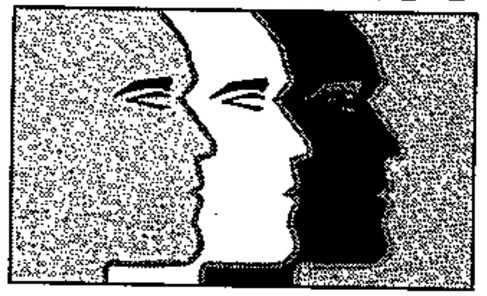
When some of the numbers were dialled, a Telkom recorded message said: "This number no longer exists."

The telephone directory did not shed any light.

Although MPs no longer have constituencies, each has been allocated an area that is supposed to be regarded as one.

The intention is that MPs should keep in touch with the people and deal with any queries from members of the public in the designated area.

DEMOCRACY



IN ACTION

Each MP is paid R3 000 a month to run a constituency office, to which any voter can take matters that need an MP's attention.

MPs are supposed to set aside Mondays for constituency work.

Although the Cape Times made many of its calls on Mondays to the various parties' constituency offices, it failed to reach a single MP.

However, in many cases, helpful office workers said they would try to sort out any query and, if they were unable to, would pass it on to the MP.

The lists for the National Party were unhelpful. Although they carried the names of all Nat MPs and the rural district councils they represented, the lists gave no addresses or telephone numbers for their constituency offices. Only MPs' residential addresses and telephone numbers at Parliament were given.

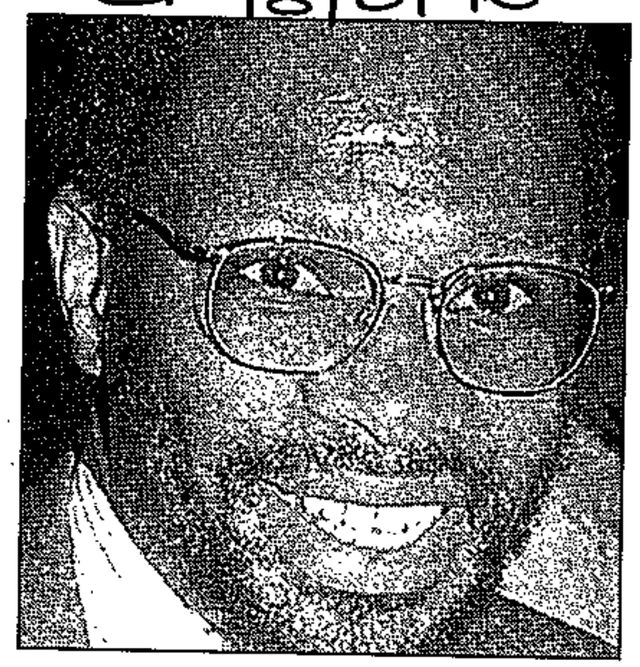
A spokesman at the NP's head office said a list of constituency offices was being compiled.

The Freedom Front's lists gave all the provincial offices and the names of MPs, but gave no addresses or numbers for constituencies. The only numbers given for MPs were those at home or Parliament.

The Pan-Africanist Congress has only one MP, Ms Patricia de Lille, who has to deal with the entire Western Cape as her constituency, as well as Mpumalanga and Northern Province.

Her Western Cape constituency office is in Oudtshoorn. There was no reply the day the Cape Times telephoned.

The Democratic Party has not given the Speaker a list of constituencies. When the Cape Times asked its head office for one, it was given a list of offices and telephone numbers, but no details of constituencies.



KEPT FAX ON: Mr Bulelani Ngcuka

HAD FAX ON: Ms Melanie Verwoerd

Of the Western Cape constituency offices on the African National Congress' list, 18 were up and running. The remaining 12, which could not be raised, are:

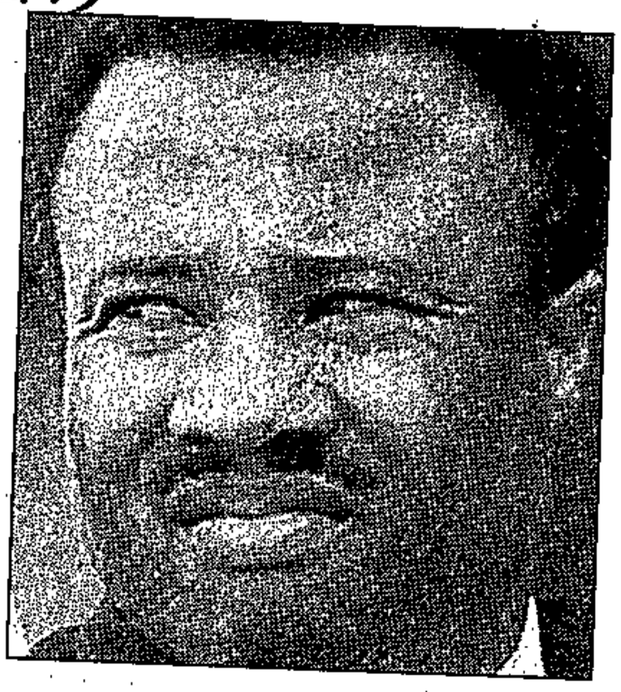
- New Cross Roads — the constituency of Mr Shepard Mdadlana.

Only his number at Parliament was given on the Speaker's list. There was no reply.

- Guguletu: Ms P Mlambo-Ngcuka — no reply.
- Kraaifontein: Mr Joe Foster — no such number.
- Beaufort West: Mr Randall van der Westhuizen — no such number.
- Stellenbosch: Ms Melanie Verwoerd — telephone switched to fax.
- Milnerton: Senator Bulelani Ngcuka — telephone switched to fax.
- Elsie's River: Mr Philip Dexter — no reply.
- Grassy Park: Mr G Solomons — the telephone number given was that of a private residence whose occupants had not heard of Solomons.
- Langa: Mr Zoe Kota — no such number.
- Touwsrivier: Mr Naledi Pandor — no such number.
- Ladismith: Mr N E Hangana — no telephone number given.
- Philippi: Mr Tony Yengeni — no telephone number given.

n office

(4A)



NO NUMBER GIVEN: Mr Tony Yengeni

The ANC list gave one suburb as an MP's constituency. There was no indication of the constituencies into which the other suburbs and towns in the Western Cape fell.

A spokesman for Parliament's finance section confirmed that all MPs were paid R36 000 a year to run a constituency office.

He said that under the new system, the money was paid to each political party which then allocated it to MPs who paid the bills for these offices.

The money was intended to cover office rental, staff, equipment, telephone and fax, stationery, transport, municipal levies and catering.

● See Page 10

THE ANC's constituency offices in the Western Cape, as given by Parliament, are listed below. The Cape Times found that some of the numbers no longer existed.

- New Cross Roads: Shepard Mdladlana: 403-2716.
- Sea Point: Pregs Govender: 434-5300.
- Hanover Park: Brian Bunting: 692-1300.
- Atlantis: D Olifant: 572-7393.
- Guguletu: P Mlambo-Ngcuka: 637-0501.
- Mitchells Plain: J D Arendse and M S Manie: 34-1064.
- Kraaifontein: Joe Foster: 978-1964.
- Beaufort West: (0201) 4390.
- Stellenbosch: Melanie Verwoerd: 887-6765.
- Fish Hoek: Jannie Momberg: 782-3494.
- Saldanha: Jenny Schreiner: (02281) 41934.
- Milnerton: B T Ngcuka: 551-7666.
- Elsie's River: Philip Dexter: 933-2330.
- Ashton: Rob Davies: (0234) 51743.
- Kuils River: Z Skweyiya: 903-0121.
- Claremont: Willie Hofmeyr: 683-5400.
- Athlone: Dullah Omar: 637-1758.
- Wynberg: Reg September: 762-9400.
- Grassy Park: G Solomons: 706-4694/5.
- Old Crossroads: M S Bool: 386-4591.
- Vredendal: K Asmal: (0271) 35804.
- Grabouw: C Tinto: (024) 59-4376.
- Bonteheuwel: Trevor Manuel: 694-6595.
- Langa: Z Kota: 695-4901.
- Touwsrivier: N Pandor: (02382) 377.
- Ladismith: N E Hangana: no number.
- Philippi: Tony Yengeni — no number.

CT 18/6/96

(304A)

Appointment of US consultants seems designed for abuse

SIMON BARBER in Washington (304A)

BD 19/6/96

IT IS SURELY beyond dispute that SA needs a competent, honest and cost-efficient public service worthy of the name. Nor would government be straying from established good practice if, as part of its efforts to "transform" the existing public service, it sought the expertise of outside consultants with international experience.

However, there does appear to be something a little irregular in the way government is going about selecting and paying such consultants. Towers Perrin, a major US management consultancy, in partnership with SA consultancy Alexander Forbes, has drawn up a proposal for helping government achieve the goals set out in the white paper on the transformation of the public service.

Public Services Minister Zola Skweyiya evidently likes the idea.

In a letter dated April 2, he informed Towers Perrin MD John Kneen that he was "pleased to appoint the consulting firms of Towers Perrin and Alexander Forbes.... Project budget for the transformation programme is R40m, (for the) period covering May 1996 to May 1999. Government ... is committed to funding 10% of the programme budget. The firms of Towers Perrin and Alexander Forbes have agreed to raise the remaining 90%."

To assist the consultants raise the R36m, Deputy President Thabo Mbeki has supplied them with a separate letter, dated April 18 and addressed to "Dear Sir/Madam". The letter reads, in part, as follows:

"The white paper on the transformation of the public service focuses on the creation of a people-centred public service driven by customer needs. The private sector has acquired unparalleled experience which, if made available to government, could ensure the realisation of our vision.

"Currently, the transformation process in government is threatened by inadequate support and understanding of the dynamics of change. The private sector's involvement in the process of change management and diversity makes it a key player in the transformation our public service needs to undergo.

"...the public service and administration minister and his department have been in contact with Alexander Forbes and Towers Perrin in an effort to making a structured intervention that would produce the maximum effect in the transformation...

"Programmes are being developed to assist in key areas that have been identified such as: (a) Improving efficiency and effectiveness; (b) Performance evaluation and monitoring; (c) Institution building and management for promoting greater accountability and organisational/managerial effectiveness; (d) Representativeness and the management of diversity; and (e) Reduction of the overall wage bill as part of our consumption expenditure.

"To realise these aforementioned programmes requires huge investment in human resources and in funding the actual involvement of external players. In this regard, I believe your company has a contribution to make.

"An efficient government has a direct bearing on the growth of our economy and therefore a nominal contribution from your side would assist greatly in reducing the overall costs associated with the project.

"Currently the project is expected to run over three years with an estimated cost of R40m. Alexander Forbes has already made an offer to meet part of the costs and to assist in managing the fund.

"I would request you — if you have a contribution to make — to please contact Messrs John Kneen and Max Maisela of Alexander Forbers and Dr Paseka Ncholo, the director-general, public service and administration department, for further discussion."

The Towers Perrin executive in charge of the project under Kneen is Robert Lattimer, who heads the firm's Atlanta-based "diversity consulting" division. According to his resumé Lattimer, an African-American, has advised a large array of US corporate and government clients, among them US Energy Secretary Hazel O'Leary.

She is an admirer of his extensive work on helping organisations hire, retain and get the most out of multi-ethnic work forces.

O'Leary arranged for Kneen and Lattimer to meet representatives of several government departments, including commerce and the US Agency for International Development (USaid) in her office on Friday, June 7.

Before the meeting, she distributed the Mbeki and Skweyiya letters, plus a copy of the 26-page project outline.

The energy secretary made it clear to participants at the meeting that she wanted the administration to find $3m for the project in time for the next meeting of the US-SA binational commission, which is co-chaired by Mbeki and US Vice-President Al Gore, in Washington at the end of next month.

The officials were urged to come up with the funds as a favour to Gore; this would add to the package of initiatives he hoped to be able to unveil when Mbeki was in town.

But it is highly unlikely the funds will be forthcoming.

This is not because services Towers Perrin and Alexander Forbes are offering are not needed (although some might question the wisdom of hiring a US consultant to teach South Africans about diversity, given the diseased state of race relations in the US), or because the firms are suspect in any way.

To the contrary, Towers Perrin has a good reputation. Its London practice, Kinsley Lord, which would be heavily involved in the SA project, according to Kneen, has done solid work on public sector reform for government clients in the UK, other European countries and the Far East, particularly Malaysia.

The problem, with regard to raising money from the US taxpayer at any rate, is the approach.

USAid is already catching heavy flak from the Republican-dominated Congress for having dished out money for SA projects to favoured groups on a no-bid basis.

If it were now to get caught channelling cash to a friend of O'Leary, who is herself on the point of losing her job for allegedly squandering tax dollars on foreign junkets dressed up as trade missions, the chances of the agency being abolished altogether, as many Republicans desire, would increase.

But there is a much larger point here. There is every indication that Towers Perrin/Alexander Forbes obtained their "appointment" from Skweyiya, and their Mbeki fund-raising letter, through connections rather than an open and competitive bidding process. They may be well suited to the job, but this is not the way governments, especially ones committed to transparency, should do business.

There should be a publicly advertised bidding process, with bids offering the most at the best price being picked. If spending needs outweighs what you can afford, you approach donors or lenders. You then, with the assent of Parliament, fund the entire arrangement.

You do things, in short, in a regular way; one that ensures accountability. In the present instance, however, you have a pair of companies being asked to raise the money to pay themselves to "transform" the SA public service.

Now the public service has at its command billions of rands, if not in readies, then in permissions, licences and other economic rents.

Theoretically, Towers Perrin and Alexander Forbes could reach understandings with those that are being asked to foot 90% of their bill, to transform certain departments in ways that would suit the contributors' interests.

I am sure they will not do that, but the system created is virtually designed to encourage such abuse.

Page 1
User Support Services

'Only 33% of blacks think themselves South Africans'

CT 19/6/96 (304A)

BARRY STREEK
POLITICAL WRITER

MORE than 70% of coloureds, Indians and whites regard themselves as South Africans, but only 33% of blacks do so, a new survey has found.

It also found 31% of blacks saw themselves as African, 13% as black and 22% as belonging to a language or ethnic group.

Only four percent of coloureds, one percent of Indians and six percent of whites regarded themselves as African. Twenty-four percent of coloureds 21% of Indians and six percent of whites identified themselves by language or ethnic group.

The survey, SA to Z, a study of the country's consumer market, based on various national surveys, confirmed a recent Independent Newspapers survey finding that South Africans do not support abolition of the death penalty. Seventy percent wanted the death sentence for murderers.

Only 28% believed abortion should be legalised, 15% that dagga should be legalised and 13% that prostitution should be legalised.

The survey found that 21% believed pupils of different languages should attend separate schools, 44% felt communism was a real threat (74% of whites as opposed to 35% of blacks), and 68% thought English should be the official language, including 75% of blacks, 53% of coloureds, 85% of Indians and only 43% of whites.

It also found that 49% of people did not know about capitalism and 73% did not know about socialism.

THE

Picture: JACK LESTRADE, The Argus.

MAN FROM HAVANA: President Nelson Mandela with visiting Cuban foreign minister Roberto Robaina at Tuynhuys today.

Mandela reaffirms ties with Cuba

(304A)

CLIVE SAWYER
Political Correspondent

ARG 20/6/96

PRESIDENT Mandela has reaffirmed South Africa's close ties with Cuba and has responded to United States disapproval by saying he hopes the US will sort out its differences with Cuba peacefully.

He was speaking after talks at Tuynhuys today with visiting Cuban Foreign Minister Roberto Robaina.

Mr Mandela said: "We are a sovereign and independent country and have our own policy.

"The enemies of Western countries are not necessarily our enemies."

He hoped that Cuba and the US would follow the example of opponents in South Africa who had sat down peacefully to sort out their differences.

Mr Robaina said President Fidel Castro would pay a state visit to South Africa as soon as possible.

Mr Castro planned to examine further areas of co-operation with South Africa.

Mr Mandela said he welcomed Mr Robaina "with open arms".

Foreign Minister Alfred Nzo said a document would be released detailing policy on relations between this country and Cuba.

Parliament rejects M-Net's satellite television offer after public outcry

(304A)

BD 21/6/96

David Greybe

CAPE TOWN — Parliament, in the wake of a public outcry, has rejected M-Net's offer of a free satellite dish, decoder and waiver of subscription fees for every MP and senator.

National Assembly Speaker Frene Ginwala said last night the M-Net offer was turned down for "practical" and "ethical" reasons.

Parliamentary sources said the decision to reverse an earlier "agreement in principle" to accept the M-Net offer was taken at a meeting of the whips of political parties in the National Assembly on Tuesday.

"The whips decided Parliament could not manage the scheme properly," a source said yesterday.

M-Net had estimated the cost of the offer to 490 parliamentarians at R3,5m in the first year — R2,5m in equipment and installation and R1m in subscription fees — and R1m a year in fees thereafter.

M-Net denied that the offer amounted to a "free gift" and said MPs would, after five years, have the option of acquiring the equipment at a depreciated value.

Ginwala said she and Senate president Kobie Coetsee, as Parliament's presiding officers, had written to M-Net "declining the offer".

"We regret to inform you", they wrote to M-Net, "that we have not been able to identify a way for Parliament to manage the process in a manner that would address the practical and ethical concerns that have been raised.

"We are therefore unable to accept the offer on behalf of Parliament."

Ginwala and Coetsee advised M-Net: "You may wish to take the matter further with political parties."

They expressed "appreciation" for the offer.

However, the source at the meeting said the whips of three parties — the ANC, DP and NP — had indicated their parties were no longer interested in participating in the scheme.

"The parties are clearly sensitive to public opinion," the source said, referring to the continuing public outcry over the offer. "There could also be a conflict of interests."

M-Net has to apply to Parliament for renewal of its broadcast licence in two years' time.

Ginwala, who chaired Tuesday's meeting, reportedly also expressed reservations and said she had received numerous letters from members of the public objecting to the proposed scheme. The IFP and Freedom Front reportedly indicated a willingness to

Continued on Page 2

M-Net (304A)

Continued from Page 1

BD 21/6/96

participate in the scheme.

The decision earlier this month by all the political parties to participate in the M-Net scheme was conditional on Parliament managing it.

M-Net CEO Gerrie de Villiers said in reaction he saw "no problem" in the fact that M-Net would have to deal directly with each political party.

De Villiers said Parliament had "not rejected the offer per se" as the decision now rested with each party. He argued that Parliament had merely "raised concerns" over whether it could manage the scheme adequately.

De Villiers was unaware that the ANC and NP had reportedly indicated at Tuesday's meeting they were no longer interested in participating in the M-Net offer as parties. The DP had earlier rejected M-Net's offer.

Public may be goading government into action

BD 21/6/96

(304A)

TIM COHEN
in Cape Town

IF THE actions of government are an accurate gauge of public opinion, then it follows that the general public is insisting that government shifts up a gear. Is this, in fact, the case? And why now?

After waiting patiently for two years for something (anything) to happen, is SA's long-suffering public suddenly demanding some action? If happenings in Parliament are anything to go by, this must be the case. Perhaps the most marked example is the sudden decision by the finance ministry to not negotiate its macroeconomic strategy document in Nedlac.

Government's argument is that the document constitutes a framework dictated by economic realities which form an incontrovertible basis for what can conceivably take place. The ministry argues that within the framework there is plenty of room for debate and negotiation on the particulars.

This is sophistry. No doubt there are many issues that can and will be debated in Nedlac, but the fact is that Nedlac has apparently lost its right of pre-emption.

The contrast between this approach and that adopted during the early days of the new government could not be more marked. According to the original draft of Nedlac's founding legislation, the objects and functions of the council include having to "consider all significant changes to social and economic policy *before* it is implemented or introduced in Parliament".

It is impossible to believe that the strategy document is not a significant change to social and economic policy.

The truth must be that government is determined to regain "centrality", or at least be seen to be proactive in the economic debate. This must be because government was forced to absorb the treble blows of a rampant labour movement during the final days of the constitutional negotiations, a collapse in the rand and the departure of the NP from the government of national unity.

Of course, the "no negotiation" stance government has adopted on the macroeconomic strategy does not apply to many other topics which will no doubt be negotiated ad nauseam in Nedlac. It is clear there has been a change of mood within government, and government tolerance of "talk shops" is waning in favour of actual movement.

Another example was provided this week by Broadcasting Minister Jay Naidoo, who announced he intended to introduce to the present Parliament legislation to loosen restrictions in broadcasting legislation which will speed up the sale of six SABC radio stations. These changes will allow the Independent Broadcasting Authority (IBA) to be more flexible about the rigid stipulations on public hearings.

From one point of view, the changes are dubious because they cut back on the public accountability and transparency which was built into the IBA Act but, in fact, the changes take place with the concurrence of the IBA. Hearings tended to be poorly attended anyway.

The changes are also partly the result of requests from investors whose money is lying idle while the IBA comes to a decision. But Naidoo's insistence on "fast-tracking" the process is indicative of an atmosphere of impatience that exists at the moment.

Interestingly, this new mood coincides with a tightening-up of party discipline within the ANC, as the recent spat between Environmental Affairs and Tourism Deputy Minister Bantu Holomisa and Public Enterprises Minister Stella Sigcau has shown. The freewheeling individualism that characterised the ANC in the past is gradually giving way to the pull of party loyalty.

The new mood also coincides with the departure of the NP from the government of national unity.

Now that the NP has left, the ANC has both the freedom and the responsibility to deliver. It is freed from the fear that any achievements it makes will be claimed as victories by the NP, and it is unable to blame failings on anyone else. Discounting the IFP for a moment because of its mainly regional significance, the ANC is at last solely and entirely responsible.

The only remaining question is whether the new sense of urgency has to do with the impatience of the executive and the legislature, or the impatience of the electorate. In a sense, the ANC has chosen a strange time to be impatient, because after the Natal local government elections it will probably not have to face the electorate for another three years.

Perhaps it is a combination of both forces. Perhaps it does not matter. So long as we see actual radio stations actually being sold, who cares?

NO INDIANS IN SHADOW CABINET

NP policy body 80%

CT 21/6

THE NATIONAL PARTY prefers to call them party spokesmen, instead of shadow ministers, but their portfolios roughly match cabinet posts.

THE National Party has announced its shadow cabinet ahead of its move to the opposition benches at the end of this month — with 19 of the 25 posts going to whites.

This means the top policy making body of the NP is now nearly 80% white.

While outgoing Deputy President F W de Klerk emphasised that they should not be seen as "shadow ministers" but rather as party spokesmen, their portfolios roughly match cabinet posts.

Until now, of the 46 NP MPs holding posts as spokesmen or as cabinet or deputy ministers, a total of 35 were white, five were coloured, four were black and two were Indian.

Only one of the previous six MPs from KwaZulu-Natal has been retained in the new policy committee — the NP term for shadow cabinet. He is outgoing Deputy Education Minister Mr Renier Schoeman, who takes over as education spokesman.

Outgoing Deputy Justice Minister Mrs Sheila Camerer is now spokesperson on justice. Provincial affairs and constitutional development go to Mr Fanus Schoeman.

Welfare goes to outgoing Welfare Minister Mr Patrick MacKenzie, one of two coloureds in the shadow cabinet.

The only other coloured in the line-up is Mr Jac Rabie, who retains his position as housing spokesman. There is no Indian member of the shadow cabinet.

The black members are: outgoing General Services Minister John Mavuso, who takes the transport portfolio; Mr David Chuenyane, who retains public works; a newcomer Mr Zenani David Mnguni; and Mr Charles Ntsizi, who take on Water Affairs and Forestry and Arts, Culture, Science and Technology respectively.

FILE LETTERS

s M Fisher, Muizenberg: Referring to an icle in the Cape Times of June 19: Ex-coun-lor Joyce Gibbs, was quoted liberally in an icle in which Muizenberg was painted in the eakest colours possible. What a pity she feels mpelled to make political mileage at the cost the area which she failed so dismally during r long tenure. Was the impression conveyed your reporter influenced by her recent defeat the polls?

r J September, Manenberg: I couldn't agree ore with Mhlomo Tshaiviti's letter yesterday: Masakhane won't work as advertising mpaign". People in townships have been sadvantaged for a long time but need to be ought back into the decision-making stream d involved in the upgrading of their areas. ey used to pay very little for services but ost people paid regularly — but the services ver got any better. I'm sure people will pay, t will want to see visually that things are ppening in their areas.

r L Franke, Sea Point: A lot of people are ll-bent on altering words to suit the whims the opinionat- few — for

Smear tac

HENNIE SERFONTEIN'S attack on the supposed "alliance" between Rappo and the South African Institute of Ra Relations (Cape Times, June 18) is nothing an attempt at smear tactics.

He uses all the well-known tricks of that reputable trade including guilt by associati and smelling out conspiracies under every

But Serfontein is an amateur. In the cou of a single newspaper article he manages to categorise the institute as "the Left in white politics", "the think-tank of white liberals" "neo-Left", and "white neo-liberals". Are "t Left" and "white liberals" now in the same camp? Have "liberals" and "neo-liberals" become synonymous terms? Serfontein do not say. The best he can do is admit to find it all rather "mind-boggling". This just isn't good enough. He really needs to work on h demonology. Perhaps he should also comp notes with Ken Owen, who said we are the "new Right".

Serfontein has always been a bit at sea politically. When I was a student at Wits in 1960s getting involved in Nusas, and he wa reporter on the Sunday Times, he invited m

NO INDIANS IN SHADOW CABINET

NP policy body 80% white

CT 21/6/96 (304A)

THE NATIONAL PARTY prefers to call them party spokesmen, instead of shadow ministers, but their portfolios roughly match cabinet posts.

THE National Party has announced its shadow cabinet ahead of its move to the opposition benches at the end of this month — with 19 of the 25 posts going to whites.

This means the top policy making body of the NP is now nearly 80% white.

While outgoing Deputy President F W de Klerk emphasised that they should not be seen as "shadow ministers" but rather as party spokesmen, their portfolios roughly match cabinet posts.

Until now, of the 46 NP MPs holding posts as spokesmen or as cabinet or deputy ministers, a total of 35 were white, five were coloured, four were black and two were Indian.

Only one of the previous six MPs from KwaZulu-Natal has been retained in the new policy committee — the NP term for shadow cabinet. He is outgoing Deputy Education Minister Mr Renier Schoeman, who takes over as education spokesman.

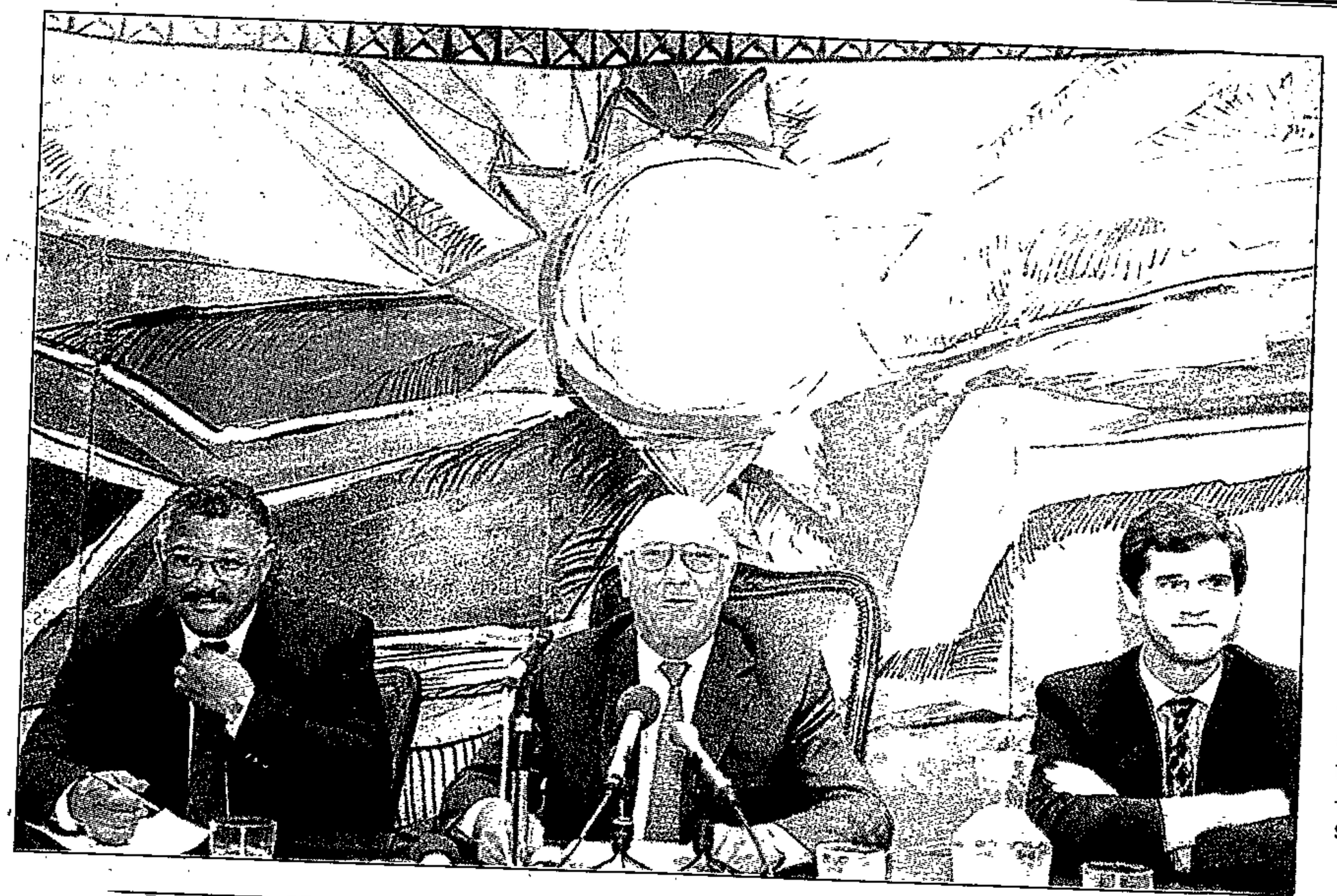
Outgoing Deputy Justice Minister Mrs Sheila Camerer is now spokesperson on justice. Provincial affairs and constitutional development go to Mr Fanus Schoeman.

Welfare goes to outgoing Welfare Minister Mr Patrick MacKenzie, one of two coloureds in the shadow cabinet.

The only other coloured in the line-up is Mr Jac Rabie, who retains his position as housing spokesman. There is no Indian member of the shadow cabinet.

The black members are: outgoing General Services Minister John Mavuso, who takes the transport portfolio; Mr David Chuenyane, who retains public works; a newcomer Mr Zenani David Mnguni; and Mr Charles Ntsizi, who take on Water Affairs and Forestry and Arts, Culture, Science and Technology respectively.

The other members are (with portfolios): Dr Theo Alant (finance), Mr Piet Coetzer (posts and telecommunications); Mr Sam de Beer (public service and administration); Dr Dawie de Villiers (public enterprises), Mr Andre Fourie (safety and security); Dr Boy Geldenhuys (foreign affairs); Mr David Graaff (trade and industry), Senator Gerhard Koornhof (defence); Mr Nic Koornhof (environment affairs, tourism and sport); Mrs Jenny Malan (RDP); Mr Piet Marais (labour), Mr Maans Nel (mineral and energy affairs), Dr Willem Odendaal (health), Senator Ray Radue (correctional and intelligence services) and Dr Manie Schoeman (agriculture and land affairs). — Political Writer



CASTING A SHADOW: Outgoing Deputy President and NP leader Mr F W de Klerk and secretary-general Mr Roelf Meyer, with MP Mr Cobus Dowry at a press conference yesterday where the NP — which will become the Official Opposition next month — announced its shadow cabinet. *PICTURE: BENNY GOOL*

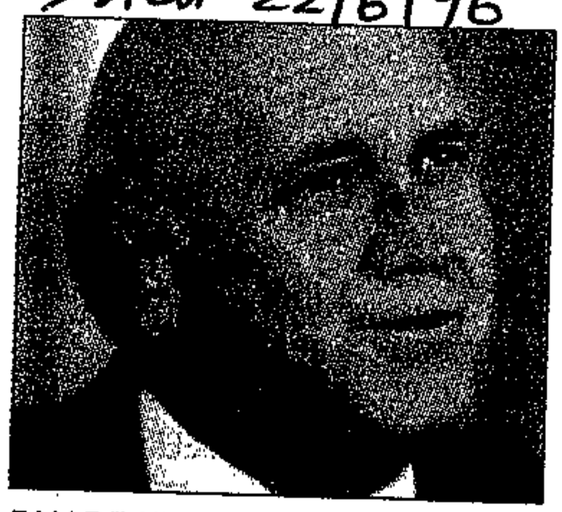
Final moment of truth for departing Nat MPs

Star 22/6/96 (304A)

Cape Town – The National Party yesterday closed a 48-year-long political chapter when it took part for the last time in a parliamentary session as part of the GNU.

Deputy President F W de Klerk announced last month that the NP would close its two-year partnership with the ANC to form the opposition. The decision is effective on June 30, but with the rising of Parliament yesterday for its winter break, and with NP ministers attending their final cabinet meeting this week, the NP's long days in government are effectively over.

President Mandela thanked De Klerk and his NP ministers for serving during "the difficult days of the transition". This was greeted with ironic applause and cries of "bye-bye!" from ANC backbenchers.



F W DE KLERK

When Parliament reopens in August, the NP's 82 MPs will focus their energies on transforming the party into a tough opposition.

Mandela gave three of the seven outgoing NP ministers – Mineral and Energy Affairs Minister Pik Botha, Provincial Affairs Minister Chris Fismer and Leon Wessels, former deputy chairman of SA's constitution-writing team – particular mention.

"... these leaders worked hard and played a critical role in preventing the revival of racism both within parties and in the communities where they work." – Sapa-AFP

SA has 58 new links — Nzo

(304A)

CT 25/6/96

BARRY STREEK
POLITICAL WRITER

SOUTH Africa has established new diplomatic ties with 58 countries since 1994, but this entailed costs, Foreign Affairs Minister Mr Alfred Nzo said yesterday.

As South Africa could not afford resident representation in each country, new missions were opened according to priority, Nzo said in reply to a question tabled in the National Assembly by the Inkatha Freedom Party's Mr Farouk Cassim.

Even so, the abnormally high number of new missions had put a strain on the Department of Foreign Affairs' budget, Nzo said.

Because of the zero-based budgeting required by the Department of State Expenditure, there had been a R206,9-million reduction in the final allocation to his department in the 1996/7 financial year.

This had led to cuts in his department's spending, Nzo said.

The department expected to save R20m to R25m on rented accommodation overseas and R25m on foreign service allowances.

The former TBVC countries had left a legacy of problems, chief of which was the inadequate documentation for the millions of rands spent and now being claimed from his department by the provinces, Nzo said.

"It is clear that financial control was not up to standard, which may have resulted in overpayments."

However, it was hoped losses could be minimised.

Warning of conflict if ANC acts on Holomisa

CT 25/6/96 (304A)

BARRY STREEK
POLITICAL WRITER

POTENTIAL conflict in the far Eastern Cape could flare if the ANC expelled or disciplined Deputy Environment Affairs Minister Mr Bantu Holomisa, political analyst Dr Lawrie Schlemmer warned yesterday.

He also said that if the student rebellion grew "it could pose a painful challenge to a government which aligned itself with student rebellions in the past".

Schlemmer, whose quarterly political assessment of South Africa was published yesterday by the South African Chamber of Business said, however, that none of the current or potential instability in the country affected industrial production to any marked degree.

"Only the KwaZulu-Natal conflict could interfere with the routes of communication if it escalated badly.

"Nevertheless, it gets headlines that cause risk analysts, particularly those abroad, to categorise South Africa with some other unfortunate societies, such as Northern Ireland or Sri Lanka, or else it causes comparisons with widespread political and ethnic factionalism which has contributed to Africa's economic disasters.

"It is well known that many risk analysts regularly monitor the KwaZulu-Natal situation.

"Investors and risk analysts fear that an escalation of civil dissent will cause the government to deviate from fiscal discipline by attempting expensive pacification measures or equally expensive security operations.

"Even when these concerns are latent, they impart a brittleness to SA's economic image which an emerging market cannot afford."

Schlemmer said the former Transkei area in the Eastern Cape came closest to representing a political challenge to stability.

"The potential conflict involves traditional chiefs whose powers are threatened by more modern civic activists and elected politicians.

"The fairly long-standing dissent of the leader of the Eastern Cape traditionalists, Chief Patekile Holomisa (a cousin of the deputy minister), who is an ANC MP, shows no sign of being resolved and the relevant aspects of the new constitution are being challenged by the organisation of traditional leaders, Contralesa."

The plot had been thickened by the ANC's disciplinary steps against Bantu Holomisa for alleging Public Enterprises Minister Ms Stella Sigcau had taken a bribe while in a senior position in the former Transkei.

"If (Bantu) Holomisa, who is a very popular grassroots politician, is disciplined or expelled, one may assume that the potential conflict in the far Eastern Cape will ripen."

Pretoria parliament cheaper?

ARG 26/6/96 (304A)

Political Staff

INDEPENDENT auditors appointed by the cabinet are believed to have found that the costs of keeping parliament in Cape Town will be far higher in the long term than moving the national legislature to Pretoria.

Senior government sources say the report, which has been submitted to President Mandela, is "extremely negative" about the costs of separate legislative and administrative capitals.

They point out, however, that it is merely intended to give the cabinet a clear picture of the financial implications of whatever decision it comes to, and that the final decision will be based on more than just financial considerations.

The Pretoria Capital Initiative (PCI) has called for the independent auditors' report to be made public.

PCI spokesman Hester Lamprecht said yesterday it was in the interest of all role players that the report be made public as soon as possible.

She said PCI had no idea of the content of the report, as it had been kept under wraps.

"Even during the investigation phase, no information was made available.

"PCI surmises that, due to the sensitivity of the issue and the Western Cape local elections late last month, the report was held back," Ms Lamprecht said.

"The high cost of retaining parliament in Cape Town is an issue which affects each and every taxpayer in the country.

"In the spirit of transparency, the people have the right to know exactly what the extent is of the cost of keeping parliament in Cape Town," she said.

Ms Lamprecht said PCI was confident the auditors' report would reflect the same findings as that of PCI's research.

This research found the cost savings of establishing parliament in Pretoria would be R65 million a year, based on 1995 figures, plus hidden and indirect costs.

The hidden costs were due to the unconventional means of budgeting for government departments' annual movement between Pretoria and Cape Town. PCI conservatively estimated this at R10 million a year.

According to PCI, indirect costs were virtually impossible to estimate as the amount of time lost by officials through travelling from their head offices in Pretoria to parliament in Cape Town for meetings was unknown, but was accepted generally to be extensive.

Loss in production, loss of efficiency and travelling costs by officials were difficult to quantify and formed part of the indirect costs.

Another PCI argument for establishing parliament in Pretoria was that for more effective government, the administrative and legislative functions of government should be in one city, as was the case world-wide.

"The headquarters of all 32 national government departments are in Pretoria and this is where parliament should be," Ms Lamprecht said.

Pretoria was also closer to the majority of the national population than Cape Town.

THE NATION

Seat of power 'boost' to local trade

(304A)

ARG 26/6/96

BLOEMFONTEIN. – Switching parliament to here would be a major boost for the Free State economy, the Bloemfontein bid committee said.

Average economic growth per year would increase from 0,11 percent per year without parliament to 0,17 percent per year during construction (1998 and 1999) and the first year of operation (2000).

This would help to stabilise the Free State economy and reverse the economic decline.

About 27 000 temporary jobs would be created in the Free State in 1998 and 1999.

In 2000 more than 5 300 permanent jobs would be created by the operation of parliament.

This would help to extricate the Free State from its current situation in which virtually no jobs were created.

The committee predicted that no impact from losing parliament would be felt in the Western Cape until 2000.

And the withdrawal of staff and cut in spending for the operation of parliament would only reduce the region's economic growth from 1,71 percent to 1,54 percent, still among the highest in the country.

The committee added that these figures didn't not take into account the influence of substitute activities in place of parliament and the possible influence of the Olympic Games.

As Gauteng had the largest single regional economy, the economic impact of moving parliament to Gauteng would be far more limited than that of moving it to Free State.

Economic growth in Gauteng (1995-2000) would rise from 2,31 percent per annum without parliament to 2,33 percent with parliament.

The committee said the relocation of parliament would have an impact on provinces not directly involved in the process by changing the purchasing patterns of parliament.

Benefits from the resiting of parliament would flow primarily to Bloemfontein, but also to the towns of the Goldfields.

Economic growth was especially vital to the Goldfields, whose economy had borne the brunt of the decline in goldmining in Free State.

Increased business performance in the service sectors encouraged growth in the manufacturing and light engineering sectors to provide the goods needed for the increased demand by companies and households. – Sapa.

FACT FILE:

Roelie Groenewald

Birthplace: Harrismith, Free State
Party: NP
Length of Membership: 12 years
Parliamentary Duties: Member of the following committees: Joint Standing Committee on Finance; Joint Standing Committee on Public Accounts; alternate member of Portfolio Committees on Finance and Justice
Easiest aspect of being an MP: Attending debate in the National Assembly
Most difficult aspect of being an MP: Travelling
Most important accomplishment since becoming an MP: Playing a small part in constitution writing
Particular link to a specific constituency: Afrikaners
Greatest fear for the new South Africa: Lowering standards to that of the rest of Africa's
Marital status: Married
Number of children: Three
First Language: Afrikaans
Other Languages: English
Region most closely associated with: Vereeniging, Gauteng
Highest Educational Qualification: B Com and B Proc
Favourite Newspaper: Beeld
Relaxation Activities: Jogging

THIS is the last Idasa Parliamentary Record for 1996. The weekly feature will resume when Parliament reconvenes next year. This year's final session of Parliament is scheduled to end on Wednesday.

Without a 'Hansard', committees operate in an unaccountable void

CT 4/11/96 (304A)

THERE is a growing mythology that surrounds the South African parliamentary committee system.

It is the "engine room" of the new Parliament. It is where "the work gets done". It is where you go if you "want to make a difference" to the way policies and laws are created, and so on...

With a surfeit of anecdote and a shortage of completed empirical research, one must put aside for the moment some of the more complex myths. Here myth is used to mean unproven rather than fictional or untrue — such as whether the committees are really being effective in overseeing the executive (the government) or are truly locations for public participation in policy-making.

What is certain is that the only way to know what happens in a particular committee is to be there yourself. Unlike with the full, plenary sessions of the national assembly or Senate, there are no verbatim Hansard reports of the committee proceedings. If one had to name the single most important defect in the country's new parliamentary democracy, it would be this.

The deficiency works on a number of levels. Firstly, if the committees are really the centre of parliamentary power as the mythology would have us believe, then it dilutes any notion of parliamentary accountability to the point where it is, in fact, non-existent.

An MP can attend a committee meeting in March and say X and, come September, say Y — and there is no sure way he or she can be held to account over what may have been a very significant contribution.

Very few meetings are recorded; as a consequence there are no transcripts and the minute-taking is very meagre: you may get a two-page record of decisions if you are lucky, in other words, not minutes in the true sense of the word.

Secondly, it means that witnesses, both expert and lay, are speaking into a void.

What is certain is that, with the lack of verbatim records, the only way you can find out what goes on in parliamentary committees is to be there yourself.

Yes, there may, of course, be an impact on the members of the committee who are there to hear the words said. But what about those that weren't, or who are not members of that particular committee? What about the government ministers, advisers and bureaucrats responsible for the particular policy area?

What about the poor old media, who cannot be expected to cover all the committees when as many as 21 may be meeting on one day?

What about civil society — interested non-governmental organisations and other citizens' groups? What about individual citizens who want to find out how their elected representatives dealt with a particular law or policy?

Recently, a group of HIV/Aids activists addressed the national assembly portfolio committee. Two HIV-positive people spoke movingly and passionately about changes needed in government policy. The MPs present were stirred. But the minister was not present, so she missed hearing what they had to say, and the way they said it.

It is not even possible to put the written words in front of her because of this deficiency in the system.

Madam Speaker has been saying for more than two years now that she recognises the seriousness of the defect. But what has been done about it?

It will cost money. Yet has it even been costed? Are the other expenditures that have been approved for parliamentary transformation of greater democratic value?

A public education department is all very well, but when the public can't even check what their representatives are saying when it really matters, what is the point?

These questions must be put, again and again, and a campaign pursued vigorously, until the defect is remedied.

Until then, there can be no real confidence in the substance of this young Parliament's place, role or future.

CONCERNED: Speaker of the House of Assembly Frene Ginwala has for years recognised the seriousness of not having comprehensive records of parliamentary committee meetings.

The Star ... Thursday November 7 1996

Cost of youth central to an age-old problem

Star 7/11/96 (304A)

Outcry over National Youth Commission packages highlights costs of plethora of commissions and task groups which have cost taxpayer at least R330-m so far

Own Correspondent
Cape Town

South Africa is counting the cost of broadening democracy – at least R330-million on a plethora of commissions and task groups – with the costs of the newly established Youth and Gender Commission yet to be included.

This can be disclosed after the 26-year-old Youth Commission chairman, Mahlengi Bhengu, was shown this week to be earning a package of almost R30 000 a month.

The four full-time members of the National Youth Commission will receive an annual package of R276 937.

Bhengu said yesterday her salary package was set by the Government

"Commissioners' salaries are determined in accordance with state regulations," she said.

"The decision to give us the salaries we get was taken by the Ministry of Finance, the Office of the Deputy President, and the public service people."

She did not own any property and rents a flat in Yeoville, which she described as a "so-called working class area".

Asked what car she drove, she said she did not have one and while she is able to drive, she gets a lift to the Union Buildings each morning with a friend.

Bhengu was born in eSikhawini, Empangeni in 1970. She is a graduate of the University of Durban Westville, where she studied public administration, and of Unisa, where she read industrial psychology.

Chosen ... Mahlengi Bhengu

Her organisational credentials are from the top drawer.

She was a member of Young Christian Students at university, and of the South African Students' Press Union. Three years ago, she was the national secretary-general of the South African Students' Congress, the first woman ever to hold the post. She also served on the national executive of the National Education Co-ordinating Committee.

In 1994 she was a senior information officer in the operations unit of the Independent Electoral Commission.

Last year, she worked for the tertiary education support programme, which put in place a framework for administering student loans on a national scale. After that, she served as head of the ANC's education desk.

Research by the Institute of Race Relations has raised questions about the efficiency and cost-effectiveness of several of the bodies, which include the Truth and Reconciliation Commission (a R75-million budget for 1996/97), the Independent Broadcasting Authority (R41,5-million), the Pan South African Language Board (R11,27-million), and the Human Rights Commission (R6,44-million).

The Public Service Commission tops the list with a budget of R111,9-million.

The department of Arts, Culture and Technology has not disclosed what the Language Board's R11,27-million is to be spent on, or the remuneration levels of its 13 members. However, sources said nobody had yet been paid a cent.

'DEMOCRACY IS AN EXPENSIVE EXERCISE'

CT. 7/11/96

Gravy train adds R3

R330m Coach (304A) (304A)

THE INSTITUTE of Race Relations has raised questions about the efficiency and cost-effectiveness of several commissions and task groups as the cost of these come under the spotlight. **BARRY STREEK** reports.

SOUTH Africa is counting the cost of broadening democracy — at least R330 million on a plethora of commissions and task groups — with the costs of the newly established Youth and Gender Commission yet to be included.

This can be disclosed after the 26-year-old Youth Commission chairperson, Ms Hlengiwe Bhengu, was shown this week to be earning an annual package of almost R352 366 — or nearly R30 000 a month.

The four full-time members of the National Youth Commission will each receive an annual package of R276 937.

Finance Minister Mr Trevor Manuel said yesterday: "We are concerned about the amount of money being spent on these commissions — but democracy is an expensive exercise."

Bhengu defended her salary, saying her package was set by the government.

"We were established by an Act of Parliament. Commissioners' salaries are determined in accordance with state regulations ... the decision to give us the salaries we get was taken by the Ministry of Finance, the the Office of the Deputy President and the public service people."

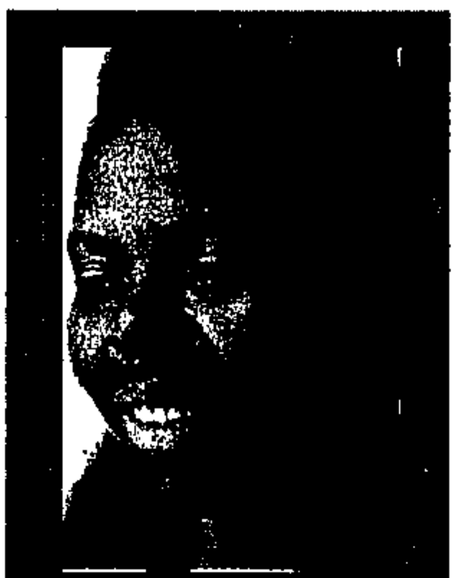
Research by the Institute of Race Relations has raised questions about the efficiency and cost-effectiveness of several of the bodies — which include the Truth and Reconciliation Commission (a R75-million budget for 1996/97), the Independent Broadcasting Authority (R41, 5m), the Pan South African Language Board (R11, 27m) and the Human Rights Commission (R6,44m).

The Public Service Commission tops the list with a budget of R111,9m.

The Department of Arts, Culture and Technology has not disclosed what the Language Board's R11,27m is to be spent on, or what its 13 members are paid.

However, sources said nobody had been paid a cent yet and that they expected to be paid around R466 per meeting.

Since April the board had only spent R100 000 and were still advertising for a chief executive officer.



SHE'S 26 AND WORTH R30 000 A MONTH

Interview — page 3

By contrast the Tax Advisory Committee had a budget of only R338 000 and frequently reported to Manuel on its probe into 22 aspects of tax policy.

None of the 14 members — who double up as Department of Finance employees — is paid a salary, but can claim a fee of R466 for every meeting they attend.

The Task Group on Government Communications, between January and August 31 this year, deliberated for 350 hours, with its seven members being paid a total of R536 292,00.

Bhengu's annual package prompted the DP's Mr Tony Leon to say it confirmed his suspicion that there was "feeding at the public trough on a scale that has spun out of control".

Leon said it was "totally unaffordable and a glaring example of people being enriched on the public purse".

The payouts contradicted the government's commitment to tightening fiscal discipline and encouraged a "champagne and caviar" approach to the public service.

● R3m was spent on cars for the 18 Truth and Reconciliation Commissioners, Justice Minister Mr Dullah Omar disclosed yesterday.

Only one commissioner, former Black Sash president Mrs Mary Burton, uses her own private transport.

Archbishop Desmond Tutu has a Toyota Camry (R142 966), Dr Alex Boraine a Mercedes-Benz C280 Elegance (R190 153), Mr Chris de Jager a Mercedes-Benz C220 Elegance (R161 407), the Rev Bongani Finca a Mercedes-Benz E220 (R175 000), Mrs S V Khampepe a Mitsubishi Pajero (R227 720), Mr Richard Lyster a Volvo station wagon (R187 000), Mr Wynand Malan a Mercedes-Benz E320 A Elegance (R251 945), the Rev B M Gojo a Mercedes Benz 220 EL M (R153 486), Dr Wendy Orr an Audi A4 (R130 006), Mr Denzil Potgieter a Mercedes-Benz C280 (R196 487), Dr M F Ramashala a BMW 328m (R168 980), Dr M F Randera a Mitsubishi Pajero (R242 666), Ms Y L Sooka a Volvo station wagon (R192 075) and Ms G Wildschut an Audi A4 (R164 907).

MAKING A SPLASH: Enjoying the taste of free milk is Owen Mama (front) a day to highlight the plight of small dairies and farmers in the milk price war.

It's free milk or bust

Bentley

CAROL CAMPBELL

CT 7/11/96

ABOUT 4 000 litres of milk were handed out free on the Grand Parade yesterday — to the disbelief of a throng of bergies, street children and long-suffering shoppers.

The owner of Oakdale Dairies in Somerset West, Mr Werner Skaba, said he would rather give his milk away than sell it at a loss — a result of the price war in the milk industry.

Farmers and dairy owners have accused Bonnita of intentionally undercutting the price of milk to force small dairies and farmers to go under and so increase its market share.

Bonnita is selling its milk to for R1,50 a litre — most other d sell it for R1,70 a litre at no profit.

"Farmers are slaughtering dairy herds because they canno afloat and most of the smaller d are on the verge of going out of ness — the situation is despe Skaba said.

Bonnita managing directo Louis du Plessis said that for yea company had regulated the fl milk into Cape Town to prevent plus and this had created a m which was "very easy to get into".

"By doing this we lost market which we are now trying to win b

Official defends her R350 000 govt salary

TOP JOB: Ms Hlengiwe Bhengu

PETER DENNEHY (30419)

HER R350 000-a-year salary package was set by the government, National Youth Commission president Ms Hlengiwe Bhengu, 26, said yesterday.

"We were established by an Act of Parliament. Commissioners' salaries are determined in accordance with state regulations," she said.

"The decision to give us the salaries we get was taken by the Ministry of Finance, the Office of the Deputy President, and the public service people."

She said she did not own any property yet and rented a flat in Yeoville. She did not have a car.

She is a graduate of the University of Durban Westville and Unisa and was a member of Young Christian Students and the SA Students' Press Union.

Three years ago, she was the national secretary-general of the South African Students' Congress (Sasco) — the first woman ever to hold the post.

She also served on the national executive of the National Education Co-ordinating Committee.

In 1994 she was a senior information officer in the operations unit of the Independent Electoral Commission. Last year she worked for the tertiary education support programme and then as head of the ANC's education desk.

She has presented papers at a number of international forums and is particularly interested in education transformation and youth development.

"I was nominated by youth non-government organisations. The whole process ... was transparent. We were all subjected to a gruelling public interview."

Her term in office ends after three years. She hopes to have a policy framework in place within a year.

CT 7/11/96

IT'S PARTY EVALUATION TIME

ANC doing a good job? Yes, no and sometimes

(304A) CT 8/11/96

THE ANC gave its MPs questionnaires to assess its performance. Today, after 1996's parliamentary session, Political Writer **BARRY STREEK** gives his replies to the questions.

Have you participated fully and effectively in the structures and processes of Parliament?

Yes, no and sometimes. A group of ANC MPs are very dedicated.

They work extremely hard, attend as many committee meetings as possible, look after their allocated constituencies and use parliamentary structures to promote the ANC cause.

But there is another, perhaps smaller, group which just does the absolute minimum.

They will attend the minimum of committee meetings and even then contribute little. They never rock any boat, except when it comes to meetings on Fridays.

Then there are those who are sometimes enthusiastic, but not always. They are often those overwhelmed and alienated by the political process, even wondering why they are in Parliament.

Assess yourself and the ANC in terms of committee attendance and work in your constituency office and in the constituency.

In general, the ANC attendance at committee meetings is good.

Unlike smaller parties, it can spread its members throughout the 60 or so committees.

Some ANC MPs serve their allocated constituencies very well, but the proportional representation system makes a good assessment of this function impossible. Some MPs, clearly, do little effective constituency work.

Has your work in Parliament been supported by the policy units of the ANC?

Not a great deal. Support structures from within the ANC and in Parliament itself did improve this year, but there is a long way to go.

Far more resources should be devoted to this.

What is your assessment of the following office-bearers and their contribution to your success in the past two years?

Chief Whip:

Arnold Stofile is the straightest and one of the most honest politicians. It's a tragedy that he is leaving us for the Eastern Cape.

He could have been tighter in his organisation of caucus meetings, and cut down on the time spent on less relevant issues. He was also a bit inaccessible at times.

Whips:

They try, but they can be very frustrating because you don't know where you stand with them.

They concentrate on high profile speakers so that it is difficult for ordinary MPs to say anything, particularly if it is out of line. They do have a tough job, though.

Chairs of committees:

Some are good, but others display little leadership, particularly with a strong ANC minister in the same portfolio. They are usually much more effective when the minister is from the IFP.

In general, the chairs should be much more independent and encourage ANC members of committees to be real watchdogs.

Speaker:

Frene Ginwala takes no nonsense and that annoys caucus members sometimes. But she has changed Parliament dramatically, and for the better.

Leader of the House:

Nearly everyone loves Steve Tshwete and he is doing a good job in this capacity.

The executive:

In short, the cabinet is too dependent on bureaucrats and is not sufficiently answerable to the caucus or the ANC.

The ANC's national executive often seems to be a talkshop and does not give enough leadership.

Who is going to replace Cyril Ramaphosa and when? Why has nothing happened to Patekile Holomisa?

No one gives answers and yet it is meant to be the organisation's top body.

TALKSHOP: The 1996 parliamentary session — the second in democratic South Africa — came to an end yesterday.

All aboard gravy train!

Sowetan 8/11/96

(304A)

By Rafiq Rohan
Political Correspondent

NEWLY appointed chairwoman of the National Youth Commission 26-year-old Ms Mahlengi Bhengu is the beneficiary of what must be the ultimate in the Government's immense generosity.

Bhengu receives a whopping annual package of R352 366. This is mainly for attending to policy and research for the commission. Her four fulltime commissioners also do not come off too badly. Ms Nomfundo Mbuli, Mr Reinard van der Wath, Mr Otto Kunene and Mr Mpho Lekgoro each walk off with an annual package of R276 937.

The Truth and Reconciliation Commission also features prominently in the list of top-drawer earners. In addition to the salaries earned by the commissioners, which equal those of judge presidents and supreme court judges, Parliament was told this week of additional perks in the form of cars.

TRC chairman Archbishop Desmond Tutu has a Toyota Camry worth R142 966, his deputy Dr Alex Boraine a Mercedes-Benz worth R190 153, Advocate Chris de Jager a Mercedes-Benz worth R161 407, the Reverend B Finca a Mercedes-Benz which worth R175 000, Mrs S Khampepe a Pajero worth R227 720, Mr R Lyster a Volvo worth R187 000 and Mr W Malan a Mercedes-Benz worth R251 844.

The Reverend K Mgojo has a Mercedes-Benz worth R153 486, Ms H Mkhize a Volvo worth R187 572, Dr W Orr an Audi worth R130 000, Advocate D Potgieter a Mercedes-Benz worth R196 478, Dr M Ramashala a BMW worth R168 980, Dr M Randera a Pajero worth R242 666, Ms Y Sooka a Volvo worth R192 075 and Ms G Wildschut an Audi worth R164 907.

Salaries at the SABC are also comfortable. Chief executive Mr Zwelakhe Sisulu earns R460 020 a year, editor-in-chief of TV news Ms Jill Chisholm R350 004 a year, as does chief of radio Mr Govin Reddy.

Afrikaner Volksfront closes shop

(304A) BD 8/11/96

PRETORIA — The Afrikaner Volksfront (AVF) was disbanded yesterday, its leader Ferdi Hartzenberg said in Pretoria.

He said the body's assets and functions would be taken over by the Volksrepubliek Werkkomitee, an independent group researching the practical issues related to the formation of a sovereign Afrikaner republic.

The AVF was established in May 1993 to unite organisations subscribing to the ideal of a separate Afrikaner state in SA.

Hartzenberg said the goal of Afrikaner unity received a setback when a group under Gen Constand Viljoen broke away to take part in the April 1994 elections in the form of the Freedom Front.

"The AVF repositioned itself after the elections and played a major role in setting up the werkkomitee," he said.

Following the completion of the final constitution, the AVF had to review its role once again.

"It can either grow into a super organisation or it should leave room for the variety of Afrikaner organisations to play specialist roles," Hartzenberg said.

He said the AVF council had decided on the second option and to task the Werkkomitee with co-ordinating the activities of Afrikaner bodies.

This co-ordination exercise would be known as the Free Republican Movement and would be based in Nylstroom, Northern Province, the Werkkomitee said in a separate statement.

Afrikaner Weerstandsbeweging leader Eugene Terre'Blanche reacted by saying his movement's refusal to remain part of the AVF had sounded the death knell for the organisation.

"The AVF's cowardly aversion to acts of resistance has rendered it toothless," he said.

Terre'Blanche said the newly announced Free Republican Movement to unite Afrikaners was the carcass of the Conservative Party, with a new skin.

"We will never be part of this futile exercise," he said. — Sapa.

Mandela drops Mbeki bombshell

(304A) Star 11/11/96

I have no heir apparent to the presidency, Madiba tells stunnned ANC leaders

By Newton Kanhema

President Mandela stunned the ANC's highest decision-making body, the National Executive Committee, yesterday when he told them that he had not chosen his successor and that his deputy, Thabo Mbeki, was not heir apparent.

According to a source in the NEC, Mandela interjected towards the end of the two-day NEC meeting and said he wanted to make a special announcement.

Mandela told delegates he had not endorsed Mbeki as the next party leader.

The source said Mandela had told the NEC: "There has been a perception that I have already chosen my successor. There is talk that comrade Mbeki is the heir apparent but all this is not true. I have not chosen anyone to take over. The whole matter is in the hands of the congress."

Mandela went on to tell the NEC that he was warning them ahead of an interview he had held in which he had expressed the same statement.

An NEC source said: "Everyone was shocked. We did not expect this. Now that Madiba has told us this, the race is on, but you can expect to see more people who are possible candidates being sidelined."

Mandela plans to resign when general elections are held in 1999.

Among those seen as possible presidential candidates are Mpumalanga Premier Mathews Phosa, Gauteng Premier Tokyo Sexwale, outgoing ANC secretary-general Cyril Ramaphosa, and ANC national chairman Jacob Zuma.

No foregone conclusion ... Thabo Mbeki must take his chances.

"Mandela said democratic procedures will be followed in the election of both the ANC leader and president of the country when he steps down," said the source.

She said this came as a shock because Mandela had never shown any reservation on Mbeki.

"This might affect Mbeki's 10-nation European visit. He has been welcomed as the heir apparent, but when this news gets there the attitude might change."

In an earlier interview with Sowetan editor Mike Siluma, Mandela denied he had chosen Mbeki to step into his shoes.

"It is a misconception that I have already chosen a successor. We are an organisation which believes in collective leadership. The president has no right to choose a successor and I never did so."

He said he had been asked by members of the ANC and rival political parties and individuals not to step down.

"But I am determined to step down because I don't think even now a man of 78 should lead a robust country like ours.

"I think it is time for us to give way to younger men with fresh ideas. In 1999, at the end of my term, I will be 81. I don't want a country like ours to be led by an octogenarian. I want to sit down with my grandchildren and children and be able to converse with them and advise them, and so on.

"In any case, a leader who does not know when to step down will really come to grief because he may be humiliated. I must step down while there are one or two people who admire me.

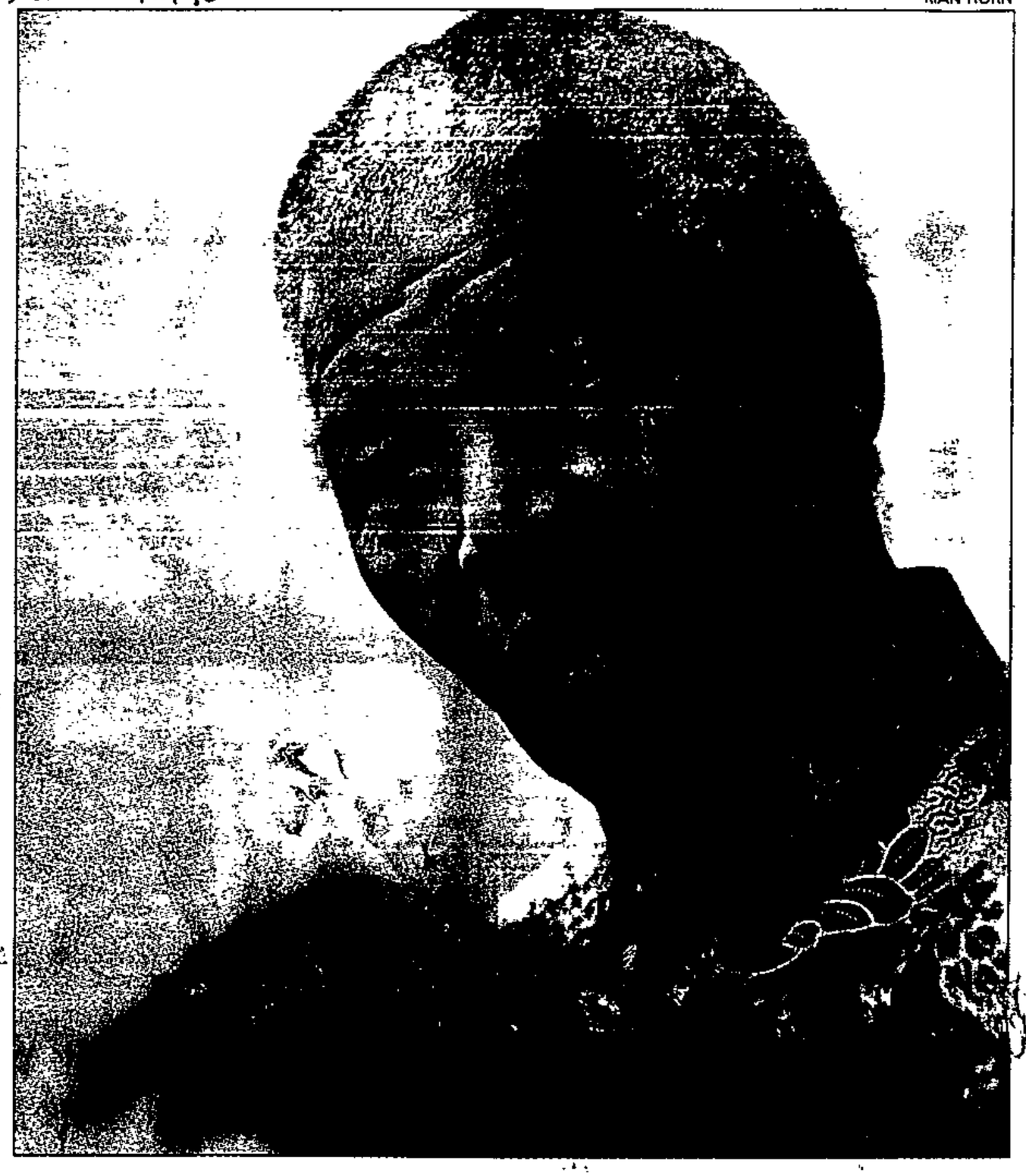
"What I have said is that we have a number of competent, gifted and experienced leaders. Any one of them could qualify," said Mandela.

"But I said if (the leadership) elects Mbeki, I would support that because he is a competent man who deserves that position. The point is that Mbeki is the deputy president of the ANC and of the Government, and he is younger than myself and I have got a very tight programme which takes me away from the Government offices.

"The [illegible] of running the day-to-day affairs of government are therefore, devolving to him in his capacity as deputy president, to which he was elected by the organisation."

▶ Presidential accolades Page 6

RIAN HORN



Not my job ... President Mandela told the ANC's national executive committee it was their right – not his – to choose his successor when he retires.

Govt calls halt to protest marches without permission

Star 13/11/96 (304A)

Pagad is one of those in the firing line as authorities tighten up on street protests

Political Staff
Cape Town

The law imposing nationwide controls over marches and demonstrations, requiring organisers to apply for permission to hold such gatherings, is to come into effect on Friday.

This could well affect the proposed demonstration by People Against Gangsterism and Drugs at the Waterfront over the weekend. The last Pagad demonstration at the Waterfront has already been condemned by the Government because it interfered with the rights of others.

The Regulation of Gatherings Act, the so-called "Goldstone Act", would be published in the Government Gazette on Friday, Maxwell Mulaudzi, a spokesman for Minister of Safety and Security Sydney Mufamadi, said yesterday.

Tough penalties, fines up to R20 000 or imprisonment of up to a year, or both, could be imposed on people who contravene the provisions of the new law.

Organisers of marches will also be liable for damage caused during a demonstration.

Organisers of demonstrations and marches, so-called "responsible officers", have to give seven days' notice and will be held responsible for violations of any agreements reached between them and the authorities.

It may be possible for Pagad to argue that it could not give seven days' notice of the weekend's planned demonstration because the act comes into effect on Friday, but, legalities aside, Mufamadi clearly sees no reason why the Waterfront should be used for demonstrations or that the "recreational activities" of others should be disrupted.

Quite how the police intend dealing with the situation is unclear at this stage, but it seems unlikely that they will allow the demonstration to go ahead, particularly in light of the anti-government views expressed at the Pagad rally at Vygieskraal Stadium in Athlone on Sunday.

Last week, Mufamadi said the disruption of recreational activities at places such as the Waterfront was inimical to the growth of the tourism industry and the growth of the economy of the Western Cape.

He said all known mass organisations, including Pagad, had been informed about the introduction of the new regulations.

After Friday, permission will have to be sought for public protests to be staged, and organisers will have to take responsibility for the consequences. The law recognised the right of people to hold demonstrations and marches, but it also recognised the right to protection for people not involved in the protests.

The law provides for a convener of the gathering to be appointed and says a responsible government official must be notified that the gathering will take place. Prior negotiations with interested parties, including the police, must take place.

The act also governs the conduct of the participants in the gathering and gives circumstances under which police may disperse it.

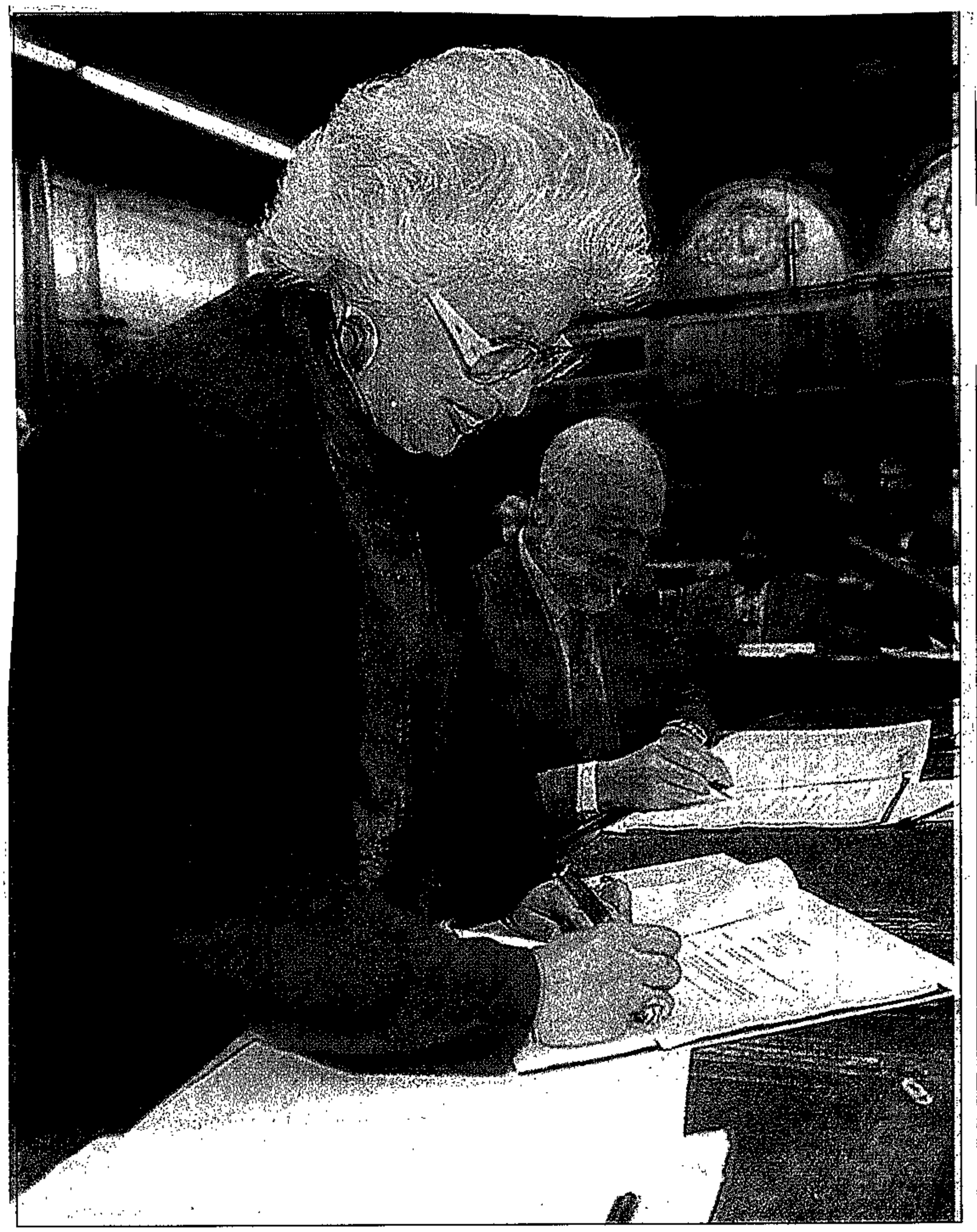
The memorandum to mass organisations said the act could "play an important role in restoring trust in the South African Police Service by the community, as the act provides for a partnership between local government, the South African police and the community".

Mufamadi said non-compliance with the provisions would "result in a certain price. We will see what the reaction is going to be".

However, there was now a legitimate government in South Africa, and Parliament had the right to pass laws.

"I hope everyone will understand that they have to co-operate."

Mufamadi also said the act was regulatory rather than putative, and sought to ensure that the rights of those in the vicinity of a protest, but who were not participating, were also respected.



TIME TO SIGN: The Speaker of Parliament Dr Frene Ginwala signs the European Union agreement that will provide R96 million for a programme to transform the country's legislatures. With Ginwala is EU Ambassador Erwan Fouéré. ***PICTURE: GARTH STEAD***

R96m boost for Parliament, legislatures

CT 14/11/96 (304A)

BARRY STREEK

THE importance of a participatory style of government at all levels of society in addressing the reconstruction and development challenges facing South Africa had been highlighted by the government, European Union ambassador Mr Erwin Fouéré said yesterday.

"It is, I believe, only through the involvement of the people, of empowering the local communities that a sustainable development process will be achieved, and the democratic principles enshrined in the constitution become reality."

Fouéré was speaking at the signing ceremony of an agreement between the EU and the SA Parliament and provincial legislatures for a R96-million parliamentary support programme.

"Together with South Africa we share a common vision on the role of civic society in the economic growth and development challenges, on extending the frontiers of freedom and social justice, and on the role of the democratically elected institutions in inspiring that process."

Pretoria's apartheid street names must go, says ANC

CT 14/11/96 (304A)

PRETORIA: The removal of Pretoria street names and statues associated with apartheid was likely to get wide support from political parties in the city council, the African National Congress predicted yesterday.

ANC chief whip Mr Donsie Khumalo said his party would seek consensus in its drive to change what he described as the city's apartheid image.

"The likelihood is that other parties are going to support us to remove symbols and street names representing apartheid figures," he said.

A bust of former prime minister J G Strijdom in central Pretoria counted among these, but the statue of former Transvaal state president Paul Kruger on Church Square could stay, Khumalo said.

"We don't regard him as an apartheid figure," he said.

The idea of changing Afrikaans street names and removing certain statues was condemned by the National Party, the Freedom Front and the Conservative Party in the city council.

It was not ANC policy to remove all Afrikaans street names, as the party also had Afrikaans members. Pretoria, however, suffered an image problem, Khumalo said.

"This is an international city with a diplomatic corps and offices of the United Nations — we cannot allow it to ... reflect the names of people who have been associated with the apartheid system," he said — Sapa

European Union gives R96-m to help parliaments

(304A)

CLIVE SAWYER
POLITICAL CORRESPONDENT

ARG 14/11/96

The European Union has handed over a R96-million grant for a support programme for South Africa's Parliament and nine provincial legislatures.

Jacques Santer, the EU's ambassador, said this was more than the EU had given to any similar project in the world. He said governments of EU member states would provide support for the programme.

The support programme was designed in conjunction with the Speakers' Forum, a liaison body of the presiding officers of the country's 10 legislatures, and is designed to transform the legislatures into efficient and accountable bodies. "This is a programme addressing the needs of South Africa's democratic transition, as articulated by South Africa itself," he said.

Since the advent of the new democracy in 1994, MPs and their provincial counterparts have been hampered by administrative difficulties, a shortage of resources and inadequate research facilities.

The programme includes the provision of efficient support structures and services, including contract researchers for political parties and committees, human resource development and organisational development, and a modernised information system. It provides for increased parliamentary skills and knowledge, including a task force of MPs to guide the development of the programme.

The programme will aim for improved parliamentary institutional arrangements, including research on the weaknesses and functioning of the committee system. It will also improve communication between legislatures.

The programme will be run by a management unit, which will be guided by a steering committee.

Perks to make a Persian emperor

Current spending on government commissions is excessive and the money could be channelled more efficiently to serve the nation, argues DP leader **Tony Leon**

(3049) BD 14/11/96

AT A critical moment in the famous TV election debate in April 1994 between African National Congress president Nelson Mandela and National Party leader FW de Klerk, Mandela scored a telling blow by hammering the Nats on their profligate spending on politicians and their perks. Many therefore thought the advent of ANC government and the consequent abolition of the Byzantine, money-guzzling bantustans, replete with local and personal empires, would lead to cost savings and leaner administrations.

Not only is this not the case, but SA is now cursed with the worst of both worlds: homeland public servants have been absorbed into an already bloated public service; and about 50 000 of them, or so it is roughly reckoned since the true picture is impossible to divine, illegally promoted themselves to higher pay and perks levels in the dying days of the apartheid regime. (Fewer than 5% of these cases have been investigated to date.) And now a new revenue-raiding spectre haunts the land — commissions.

There is nothing intrinsically wrong with bodies of civilian experts being appointed to advise government or to empower civil society. Indeed, the constitution mandates several of them to address an array of issues relevant to the new democratic order — human rights, gender, truth and reconciliation, language and broadcasting. But nowhere in the constitution, nor in the legislation establishing them, is it decreed that they should be graced with perks, privileges and packages that would have made a Persian emperor blush: these commissions, staffed by fewer than 200 people, will cost the taxpayer just on R200m — and yet the empires expand still further.

This article has been generated by my question in Parliament regarding the national youth commission — a commission not required by the constitution. Never have I seen a clearer example of plundering the public purse to pay off party political debts. (The commission is comprised of ANC youth with token representation from the Inkatha Freedom Party and the NP.) I challenge anyone to convince me and the taxpayers that the 26-year-old appointed to chair this commission and her fellow commissioners could possibly offer such unique experience and expertise that we must pay them R300 000 plus (for the chair) for their efforts.

This commission, like so many others, could easily be staffed by people who are already on the public payroll and have considerably more experience with government and with the departments which will ultimately be charged with implementing the commission's recommendations. With a budget of R60m we could help empower our youth and build a culture of democratic unity, tolerance and patriotism by spending that money more wisely than on another commission.

Why not employ several teachers to travel throughout the provinces offering a special "reconciliation" curriculum, or provide sporting equipment for the children in the townships, or replace the "veld" schools of the past with a new sort of camp for building co-operation, esteem and leadership. That amount of R60m could produce educational videos for all schoolchildren to see, boost the current police budget for its child protection unit by 400%, provide counselling to children who have been victims of abuse, or educate our teenagers about the spread of AIDs.

These and other projects could be co-ordinated by designated representatives from the departments overseeing public health, welfare, sport and education who do have relevant experience and expertise — and at no extra cost to the taxpayer.

I will repeat myself, in all 11 official languages if need be, until government understands the simple message that the money it spends with such abandon is not its own money. The taxpayers in this country already bear an inordinate responsibility to fund a public service which is supposed to be shrinking, not growing. Should they not expect those expensive public servants to provide them with some service?

The finance minister was quoted as saying, " ... democracy is an expensive exercise". I agree. Not so very long ago, many people in this country were willing to give their lives for the opportunity to enjoy the many fruits of democracy. Surely they did not do so to pave the way for profligacy, lack of accountability and transparency, and favouritism. Is the spirit of voluntarism and the idea of duty to SA's first legitimate government already so dead that it is newsworthy when a commissioner (Mary Burton) drives her own car?

Or does the minister mean to say that the more money you spend the more democracy you will have? India, one of the poorest countries in the world, has the oldest democracy, and some of the world's wealthiest countries, like Saudi Arabia, are among the least democratic.

The unprecedented guzzling at the public trough is caused by three unhappy practices and misconceptions.

The first is the insistence of the public service bureaucracy that commission chairs be remunerated at a certain rate, regardless of the body's importance and the seniority and qualifications of its members.

The second is the extraordinary notion that political heads (or chairmen) should be paid at higher levels than their bureaucrats. Even the old SA army, in the days of conscription, did not advance this piece of spectacular nonsense: permanent force sergeants received higher salaries than notionally senior Citizen Force lieutenants.

The third, and most damaging, conceit is that salary and perks are indicative of real worth and status. Yet this disastrous and profligate notion does not, thank God, infect the Katz tax advisory commission — a truly significant body, which has a total budget of R338 000 and none of its members are paid a salary.

It is not just the national youth commission which causes me to write. The Volkstaat Council members are paid more than the human rights commissioners to engage in an exercise in separatism which amounts to nothing more than a fantasy.

A total of 181 people have been appointed to commissions, costing South Africans more than R190m. Surely some of the estimated 1,2-million public servants could have done the job? If government is incapable or unwilling to reduce the size of our public service, at least it could put it to work.

This is not a party political issue; indeed, in private many ANC MPs share the concerns which I have outlined here.

But hard questions remain: where is the spirit of voluntarism which should be abroad in SA? Where is government's much promised, seldom sighted belt-tightening? SA simply cannot afford to walk one more miserable inch down this road of public-purse plundering. If the finance minister will not crack the whip, the long-suffering taxpayers might simply rise up and revolt at the pleasures and pretensions of the new elite.

Oom Paul is safe but JG Strijdom's bust 'has to go'

Stephané Bothma

PRETORIA — Oom Paul Kruger would remain safe as a resting spot for doves on Church Square, but the future of apartheid figures such as JG Strijdom was in the balance, ANC greater Pretoria metropolitan council chief whip Donsie Khumalo said yesterday.

In an attempt to clear up what mayor Joyce Ngele really said about Pretoria's Afrikaner statues and street names, Khumalo gave the assurance that the statue of Transvaal republic president Paul Kruger would not be removed from the city centre.

"We don't regard him as an apartheid figure and his statue is there to stay," Khumalo said.

However, the bust of former prime minister JG Strijdom would have to go, he said.

Ngele had Afrikaners up in arms when reports quoted her as saying she would ensure that Afrikaans street names and symbols were changed. Oom Paul on Church Square was said to be first on her list.

She later issued a statement saying she had been misquoted and had referred only to inappropriate names in townships.

Khumalo said the ANC would seek consensus in its attempts to rid the city of its apartheid image and believed that the removal of street names and statues associated with the country's past would get wide support from other political parties in the council.

He told reporters the ANC was concerned only with the names of main metropolitan roads leading from one substructure to another.

(304A) BD 14/11/96

Commission supports idea of selling government property

Star 22/11/96 (304A)

POLITICAL STAFF

Cape Town – The proposal to sell off the Government's R57,4-million portfolio of prestige residences except those for the president and deputy president and the three parliamentary villages in Cape Town was endorsed by the Steyn Commission yesterday.

It also supported the move to drastically reduce the Government's car pool and encourage ministers and officials to use their own cars.

The Government owns 61 prestige residences, with an estimated value of R57,408-million, but seven are unoccupied. The sale of prestige residences and the parliamentary villages in Cape Town could have a profound impact on the property market. It costs R9,3-million to maintain and administer the occupied residences and R972 000 to maintain and administer the unoccupied ones.

Excluding the presidential residences, the average cost of maintenance for each residence is R168 000, but if the cost of financing is added, the average cost per dwelling is around R243 713.

But the income from rent during the 1995-6 financial year was estimated to be R754 959. The cost of maintaining ministerial residences in Cape Town in the 1995-96 financial year was R4,932-million, and the cost of administering the parliamentary villages was R8,867-million. The commission said there were persuasive arguments for removing hidden benefits in the form of state housing and vehicles for political office-bearers.

Public Works Minister Jeff Radebe had testified that the considerable costs of maintaining and servicing homes owned by the state was not a cost-efficient way of managing the housing needs of ministers, premiers and other high-level office-bearers.

The commission said Transport Minister Mac Maharaj had advocated a similar approach to state-owned vehicles.

"Even with a fairly substantial increase in the kilometre tariff payable to political office-bearers for using their own vehicles for official purposes in lieu of state-owned vehicles, the state will save several million rands per annum. While there are undoubtedly certain state-owned properties that should not and cannot be alienated (Groote Schuur estate would be one example), and while a small pool of state-owned vehicles will always be required, the commission strongly supports the approach advocated by the ministers concerned," it said.

▶ **Pay hikes urged**
Page 3

More pay, but fewer MPs suggests report

Steyn Commission recommends 8% increase and says that former pension provisions were 'indefensibly generous'

(304A) Star 22/11/96

SAPA
Cape Town

The Steyn Commission on pay of elected representatives has recommended an increase for MPs, but proposed that Parliament should be reduced from its present 490 members to 300 as suggested in evidence by former finance minister Chris Liebenberg.

The commission recommends an 8% pay increase for the members of Parliament, and of up to 22% for senior political office-bearers.

The recommendations are in a report released yesterday which would bring MPs' total increases since May 1994 to 24%, raising their annual package to R239 642.

It rejects a proposal that the leader of the Opposition should be graded with the chief whip of the majority, and instead recommends a higher grade for NP leader FW de Klerk at the level of a deputy minister.

But the commission is critical of the pension fund for MPs set up by the previous government, which it comments was "not only overly generous" but was also "economically indefensible" and much higher than in the private sector.

The report says it appreciates that the salary increases will be controversial, but recommends that provincial legislators should get a 2% increase on top of cost-of-living increases they had already received, bringing their total package to R217 865.

Ministers should get a 12% increase, to R474 713, and the deputy chairman of the Constitutional Assembly and the deputy Speakers of provincial legislatures should get 22% hikes.

Commission chairman Judge Jan Steyn said the commission had also recommended the introduction of a three-notch system of pay for legislators, based on experience.

In addition, an independent ombudsman should be appointed in the office of the Speaker to reassure the public that parliamentarians were performing properly.

The report, which was handed to President Nelson Mandela on Tuesday, said public representatives had enjoyed "indefensibly generous" pension provisions in the apartheid years, and it would be clearly wrong to perpetuate these.

It would cost the state about 75% of its salary bill to implement a new fund along the lines of the previous benefit scheme.

The new retirement benefit fund should be market-related, and a 15% employer contribution would be appropriate, the report said.

Memberships cost R100m

(304A)

Tim Cohen

BD 22/11/96

CAPE TOWN — SA is due to spend more than R100m on membership of international organisations during the current financial year.

In reply to a parliamentary question by NP MP Boy Geldenhuys, Foreign Minister Alfred Nzo said R101,771m had been allocated this year in respect of SA affiliation to all international bodies of which SA was currently a member.

By far the most expensive body was the United Nations (UN), to which SA contributed R77m, excluding the UN Development Programme (R4,65m), the UN International Children's Fund (R180 000) and the UN Economic Commission for Africa (R200 000)

The Organisation for African Unity, which absorbed a R8,771m contribution, while SA's contribution to the Commonwealth was R6,8m.

SA contributed between R1m and R1,5m to three organisations — the Southern African Development Community, the South Centre and Humanitarian Aid.

Other organisations to which SA contributes include the Maritime Law Institute, the Red Cross, the Centre for Latin American Studies, the Centre for Eastern Studies and the Centre for Islamic Studies.

Timing of Taiwan decision a surprise

(304A) Star 28/11/96

By Peter Fabricius
Foreign Editor

It is not so much the fact but the timing of President Mandela's decision yesterday to break off relations with Taiwan and switch to mainland China that caused surprise in foreign policy circles.

Only two months ago Mandela categorically assured visiting Taiwanese Vice-Premier Hsu Li-teh that SA would not establish diplomatic ties with the People's Republic of China (the mainland) at the expense of the Republic of China (Taiwan) and even went as far as saying to do so would be immoral.

Those remarks flew in the face of the advice he was getting from the foreign policy establishment and, very likely, from his own advisers who felt, as one put it, that SA was "defying gravity" by insisting on maintaining relations with Taiwan – and even shooting for a full two-China policy – against the overwhelming tide of world practice.

But, as so often happens with foreign policy decisions, Mandela's personal feelings of loyalty to Taiwan for its material help to SA prevailed over rational advice and determined foreign policy.

Then, just as unexpectedly, Mandela called a press conference at his Houghton home yesterday and announced that SA would cancel diplomatic relations with Taiwan and initiate diplomatic relations with the PRC on December 31 1997 after a one- year transition.

In his formal statement Mandela gave only one reason for his decision: that a "permanent continuation of diplomatic recognition of the Republic of China is inconsistent with South Africa's role in international affairs", explaining this to mean it was harming SA's active participation in multilateral forums – such as the United Nations, the Organisation of African Unity and the Non-aligned Movement – which recognised the PRC.

Asked how the decision would advance SA's interests, Mandela gave a second reason, noting that China was the most populous nation on earth, with economic growth of 10% a year, and was a permanent member of the UN Security Council.

> **"Relations will normalise ... they need us more than we need them"**

But these were precisely the obvious reasons his advisers had given him for shifting recognition some time ago.

Why now? Although the Department of Foreign Affairs seems as puzzled as anyone else, one spokesman suggested that Mandela's thinking may have been that with his Government already half-way though its present term, it could not wait much longer if it wanted to have a one-year transition from relations with Taiwan to relations with the mainland before the end of its term.

Dr Greg Mills, national director of the SA Institute for International Affairs, said last night the Taiwanese government could not fail to be surprised by Mandela's decision, given his assurances so recently to Li-Teh.

Mills said he hoped Taiwan would not react the same way it had to South Korea's decision to break off diplomatic relations, when it severed all economic ties. He suggested that the SA Government should go out of its way to help the Taiwanese "save face" and maintain the valuable economic ties with the country by ensuring that political relations were kept at the maximum level, just short of full diplomatic recognition.

One way would be to follow the US example by enacting legislation to enshrine and guarantee good political relations with Taiwan.

Mandela himself said yesterday SA would like to have the best possible relations with Taiwan short of diplomatic recognition and he hoped the Taiwanese leader would visit SA over the next year to discuss this.

The Government seemed uncertain last night whether Taiwan would follow this course or break off relations, either economic or political, or both. But the view of officials seemed to be that whatever happened in the short term, in the long term relations with Taiwan would normalise "because they need us more than we need them".

Taipei said it would protest against the decision but gave no indication what further action it might take.

Taiwan ... ▶ Page 1

medical equipment to say their

to a Zulu march through the city.

said Barit ... ▶

China nod linked to

(3049) Star 28/11/96

SA would have to close consulate there if no diplomatic relations with Beijing: Mandela hopes Taiwan trade will go on

By Mondli Makhanya
Political Reporter
and Jean-Jacques Cornish
Diplomatic Editor

The establishment of full diplomatic ties with mainland China is expected to take some months following President Mandela's statement of intent yesterday which is seen to be linked to the deadline of next July 1 for the return of Hong Kong to Beijing's control.

Pretoria would have to close its Consulate-General in Hong Kong – by then a former British colony – if there were no diplomatic relations with Beijing.

Taiwan's many friends in South Africa have reacted strongly to Mandela's decision, but Beijing's man in Pretoria was delighted: "Obviously we welcome President Mandela's decision," said Gu Xin Er, director of the Chinese Centre for South African Studies, which is manned by Chinese diplomats although it does not yet have official diplomatic status.

"China has for a long time firmly supported the ANC in their struggle against apartheid," said Gu, who was summoned by Mandela and told of the decision. "After the emergence of the new South Africa we attached great importance to the development of relations between our countries."

The development comes as a personal blow to Taiwan's ambassador, I Cheng Loh, who is credited with playing a major role in maintaining diplomatic ties between South Africa and the island.

Mandela said in his announcement in Johannesburg yesterday that Taiwan would have 12 months to December 1997 to close down its diplomatic missions and the severing of ties would come into effect.

The move took political and diplomatic circles by surprise, and ends two years of agonising and fierce lobbying for recognition by the two rivals with Taiwan pumping millions into ANC and Government coffers.

The Taiwanese Premier Lien Chan has requested a meeting with Mandela and it lodged a strong protest yesterday against what it termed "a very unfriendly" decision, and called on Pretoria to reconsider.

Its foreign ministry spokesman Peter Cheng said Mandela "had reiterated South Africa would not seek normalisation with China at the expense of its diplomatic ties with Taiwan".

Taiwan is now left with 29 countries with whom it has official relations and there are fears that Pretoria's move might have a domino impact on the eight other African countries which recognise Taipei instead of Beijing.

Rich Mkhondo of our Washington Bureau reports that the United States says it is disappointed, claiming that Beijing supports international terrorism and suppresses pro-democracy forces.

The US State Department and congressional officials said they are worried about the direction of South Africa's foreign policy. Beijing did not respect human rights, economic freedom and fair elections, and supported terrorism.

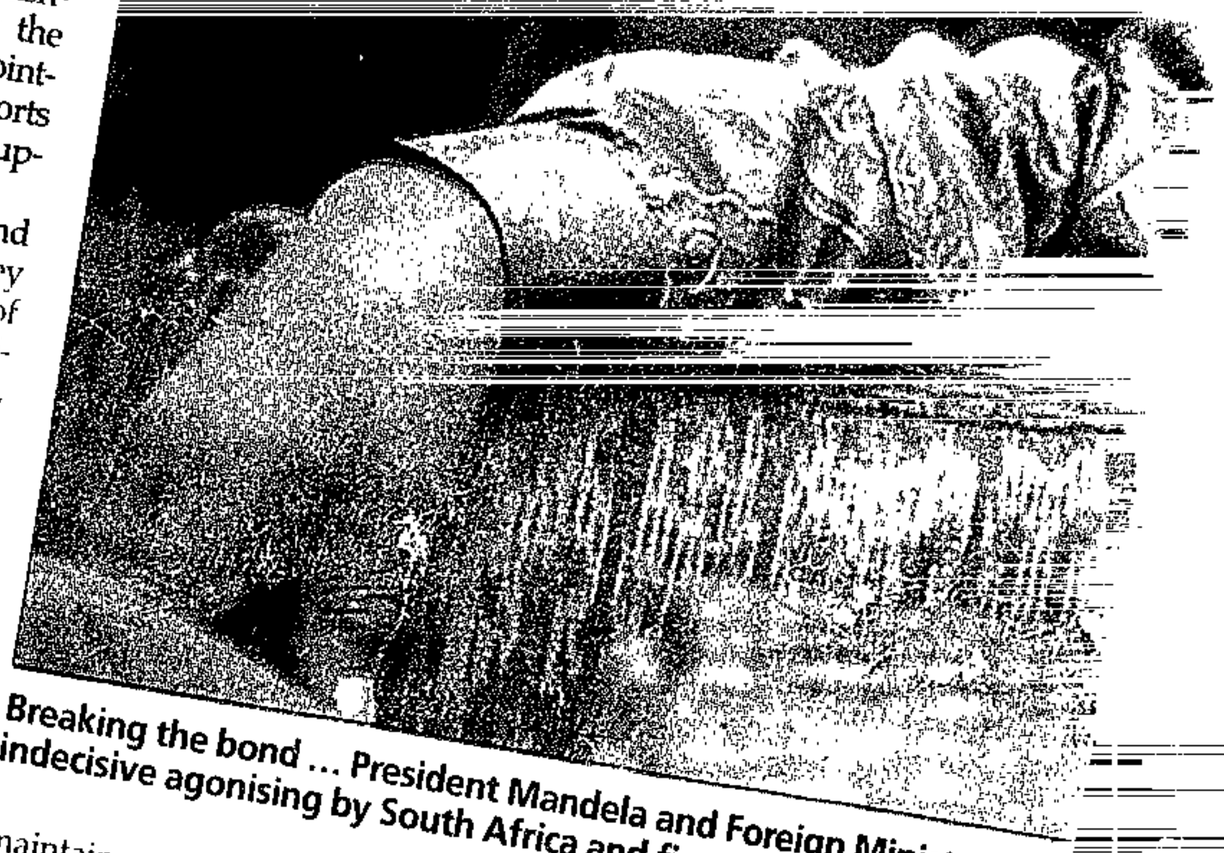
Mandela said the move had been prompted by realistic appraisal of the international scene and the insistence by China that it would not accept dual recognition. The Government had taken into consideration the fact that China is the most populous country in the world, has a growth rate in excess of 10% and that it is a permanent member of the United Nations Security Council.

Mandela praised the Taiwanese government for its contribution to RDP projects and its encouragement of the Taiwanese business sector to invest here. South Africa would continue to maintain strong economic and cultural ties with Taiwan. "They are our friends, and we would like to continue this friendship."

Opposition political parties condemned the move.

National Party leader F W de Klerk said the decision was upsetting. "It is usually a very serious matter to break off diplomatic ties. It becomes even more serious when that country is a good friend of South Africa which has done nothing wrong."

Freedom Front foreign affairs spokesman Dr Pieter Mulder said the decision flew in the face of all efforts by the parliamentary committee on foreign affairs to find an amicable solution to the matter.



Breaking the bond ... President Mandela and Foreign Minister Alf. indecisive agonising by South Africa and fierce lobbying by the

...Taiwan ... ▶ Page 1

medical equipment to say their

to a Zulu march through the city.

said Baril ... ▶ Page 4

China nod linked to H

(3049) Star 28/11/96

SA would have to close consulate there if no diplomatic relations with Beijing: Mandela hopes Taiwan trade will go on

By Mondli Makhanya
Political Reporter
and Jean-Jacques Cornish
Diplomatic Editor

The establishment of full diplomatic ties with mainland China is expected to take some months following President Mandela's statement of intent yesterday which is seen to be linked to the deadline of next July 1 for the return of Hong Kong to Beijing's control.

Pretoria would have to close its Consulate-General in Hong Kong – by then a former British colony – if there were no diplomatic relations with Beijing.

Taiwan's many friends in South Africa have reacted strongly to Mandela's decision, but Beijing's man in Pretoria was delighted: "Obviously we welcome President Mandela's decision," said Gu Xin Er, director of the Chinese Centre for South African Studies, which is manned by Chinese diplomats although it does not yet have official diplomatic status.

"China has for a long time firmly supported the ANC in their struggle against apartheid," said Gu, who was summoned by Mandela and told of the decision. "After the emergence of the new South Africa we attached great importance to the development of relations between our countries."

The development comes as a personal blow to Taiwan's ambassador, I Cheng Loh, who is credited with playing a major role in maintaining diplomatic ties between South Africa and the island.

Mandela said in his announcement in Johannesburg yesterday that Taiwan would have 12 months to December 1997 to wind down its diplomatic mission, and the severing of ties would then come into effect.

The move took political and diplomatic circles by surprise, and ends two years of agonising and fierce lobbying for recognition by the two rivals with Taiwan pumping millions into ANC and Government coffers.

The Taiwanese Premier Lien Chan has requested a meeting with Mandela and it lodged a strong protest yesterday against what it termed "a very unfriendly" decision, and called on Pretoria to reconsider.

Its foreign ministry spokesman Peter Cheng said Mandela "had reiterated South Africa would not seek normalisation with China at the expense of its diplomatic ties with Taiwan".

Taiwan is now left with 29 countries with whom it has official relations and there are fears that Pretoria's move might have a domino impact on the eight other African countries which recognise Taipei instead of Beijing.

Rich Mkhondo of our Washington Bureau reports that the United States says it is disappointed, claiming that Beijing supports international terrorism and suppresses pro-democracy forces.

The US State Department and congressional officials said they are worried about the direction of South Africa's foreign policy. Beijing did not respect human rights, economic freedom and fair elections, and supported terrorism.

Mandela said the move had been prompted by realistic appraisal of the international scene and the insistence by China that it would not accept dual recognition. The Government had taken into consideration the fact that China is the most populous country in the world, has a growth rate in excess of 10% and that it is a permanent member of the United Nations Security Council.

Mandela praised the Taiwanese government for its contribution to RDP projects and its encouragement of the Taiwanese business sector to invest here. South Africa would continue to maintain strong economic and cultural ties with Taiwan. "They are our friends, and we would like to continue this friendship."

Opposition political parties condemned the move.

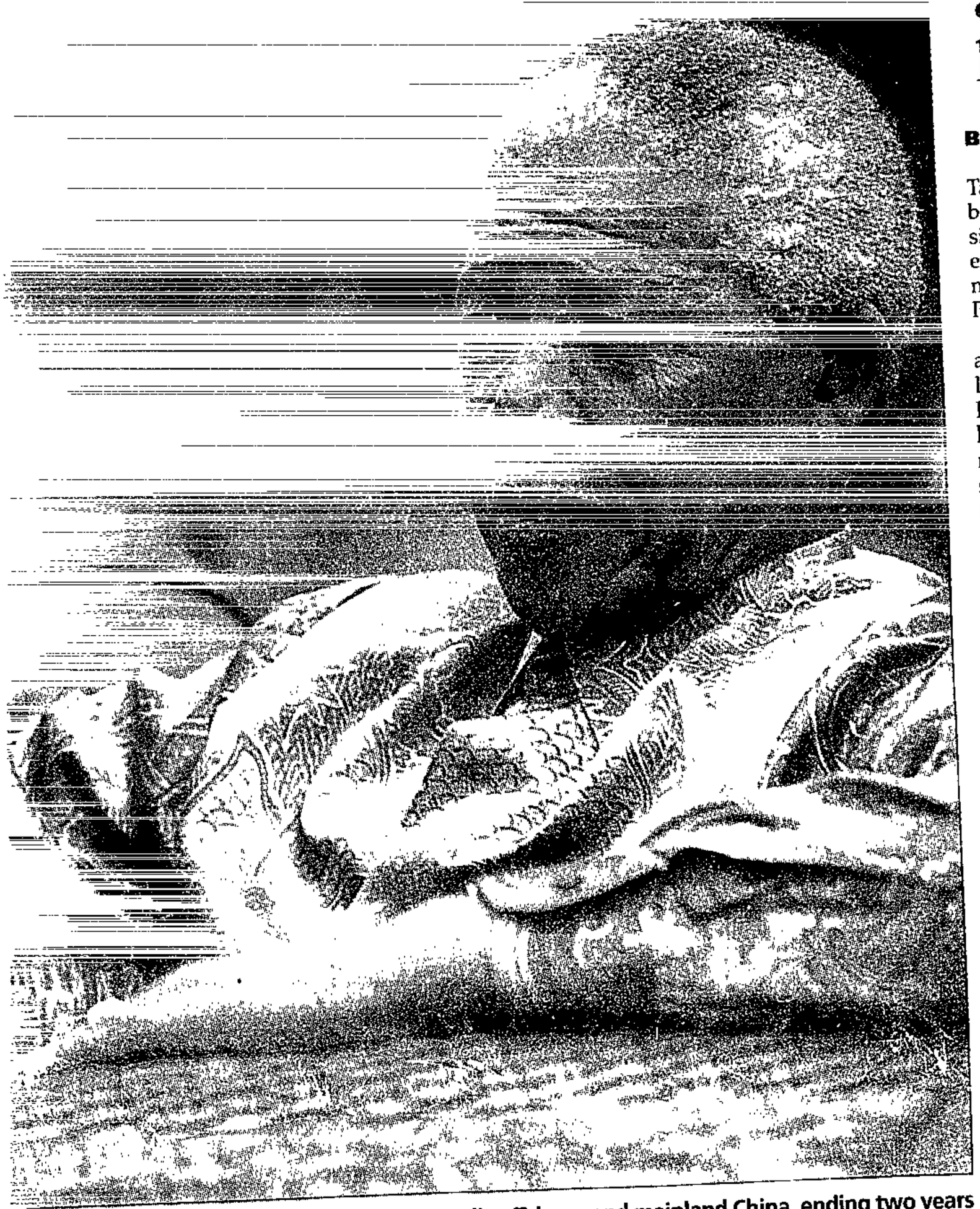
National Party leader F W de Klerk said the decision was upsetting. "It is usually a very serious matter to break off diplomatic ties. It becomes even more serious when that country is a good friend of South Africa which has done nothing wrong."

Freedom Front foreign affairs spokesman Dr Pieter Mulder said the decision flew in the face of all efforts by the parliamentary committee on foreign affairs to find an amicable solution to the matter.

Breaking the bond ... President Mandela and Foreign Minister Alf... indecisive agonising by South Africa and fierce lobbying by the ...

Hong Kong deadline

ANDREAS VLACHAKIS



Nzo during yesterday's announcement regarding Taiwan and mainland China, ending two years rivals for recognition.

Inkatha Freedom Party spokesman Hennie Bekker said the party greeted the announcement with shock. "If one has to consider what the ROC has done for South Africa and the ANC itself, this flies in the face of logic."

Analysis Page 3

'Dragon City' a Chinese lure for SA

BUSINESS STAFF

Taiwan is one of South Africa's biggest trading partners and since the 1994 elections has been engaged with Beijing in an almost surreal bidding war for Pretoria's attentions.

Beijing has offered to build an $18-billion (about R81-billion) "Dragon City " near Potchefstroom, which would house some 500 Chinese factories and develop all the infrastructure necessary to maintain them.

This would employ 50 000 Chinese immigrants and create about 500 000 new South African jobs. Some reports had even suggested the mammoth job could begin this month.

Taipei, for its part, has tried to persuade Pretoria that its companies are seriously interested in building a $3,5-billion (about R15-billion) petro-chemical project and possibly absorbing the state-owned but loss-making Mossgas in the process.

South African trade with Taiwan totalled $5,7-billion (about R25-billion) last year and just R2,9-billion (about R13-billion) with China.

However, South Africa also did R3,6-billion trade with Hong Kong, which will become Chinese territory next year.

Yesterday's decision will also have been guided by the fact that China will in the next century become the biggest market in the world for consumer goods.

062	113654	SUB-STATION
572	113655	VACANT
501	113179	DALIFF PRECISION ENGINEERING
75	113268	GKN CHEP/BOXING/PACKAGING
74	113231	VACANT
42	113232	BATEMAN
99	113653	VACANT
19	113652	PRESTO PARCELS
16	113651	PRESTO PARCELS
0,3714	113650	VALVETECH

SA cuts ties with Taiwan

(304A)

LINDIZ VAN ZILLA
AND WILLEM STEENKAMP

CT 28/11/96

SOUTH Africa will cut diplomatic ties with the Republic of China (Taiwan) and establish full diplomatic links with the People's Republic of China at the end of next year, President Nelson Mandela announced yesterday.

The shock announcement followed earlier assurances by Mandela that SA would not break diplomatic ties with Taiwan, a former ally of the apartheid government. More recently it has been a pillar of support during SA's transition to democracy and one of the largest contributors to the Reconstruction and Development Programme.

"We will cancel our diplomatic relations with Taiwan with effect from December 1997," Mandela told a news conference at his Johannesburg home.

The move means that the internationally-shunned Taiwan has lost the biggest of its 30 diplomatic allies.

SA has in the past maintained diplomatic relations with both Taiwan and mainland communist China.

However Mandela's hand has been forced by China's insistence that SA cut ties with Taiwan.

Mandela said Beijing had made it clear they would not tolerate dual ties.

Citing reasons for the decision, Mandela said China had the world's biggest population, an economy growing at 10% per year, and a permanent seat on the United Nations Security Council.

In addition, he said, every other major country in the world enjoyed relations with Beijing rather than Taipei.

SA's active participation in the Organisation of African Unity and the Non-Aligned Movement, whose members recognise Beijing, also influenced the decision.

Mandela's announcement appeared to contradict an undertaking he gave during a visit by Taiwan's vice premier Mr Hsu Li-Teh in August that SA would not cut diplomatic ties with the island state.

At the time he said it would be "immoral".

● See Page 9

THURSDAY
NOVEMBER 28, 1996 ★

Chinese political, economic clout forced SA to forge ties

CT 28/11/96 (304A)

OWN CORRESPONDENT

PRETORIA: Twenty years ago the embassy of the Republic of China (Taiwan) opened its doors here.

Its full diplomatic relations with South Africa were not entirely by choice — Taiwan and South Africa at that time were part of a small international group of pariah states which found solidarity in an unfriendly world.

The group included South Africa, with its apartheid baggage, Taiwan, which had steadfastly held out against the People's Republic of China (Mainland China), the embattled state of Israel, and Chile, which lacked majority rule in the 1970s and '80s.

Ties between South Africa and the island nation were further cemented by their shared, fervent opposition to communism. Their isolation soon flourished into strong economic ties.

Trade between the two countries between 1990 and 1995 was worth more than R31 billion and was growing.

Investment, too, was steady from Taiwan into South Africa. About R6,5bn had been invested in this country by Taiwanese businesses by the end of last year, creating some 45 000 jobs. And tourism between the two was also growing.

But international pressure was growing on South Africa to follow the lead of the world's major powers and establish diplomatic ties with China.

Every major nation in the world enjoyed relations with Beijing rather than Taipei. China also began emerging in the 1990s as a major economic force and its political sway — underpinned by veto powers in the United Nations — began to weigh heavily in its favour.

China's veto power in the Security Council is a major factor, says the South African Institute of International Affairs' Asian-Pacific expert Mr David Burrows.

"You can't mess with permanent Security Council members and, as an emerging country, South Africa can't afford to ignore a major player like China," he said.

Recognising this, South Africa explored the possibility of dual relations with both countries. Taiwan supported this, but the People's Republic of China would not be moved from its one-China policy.

Taiwan helped fund the ANC in the 1994 election and poured money into the ANC's Reconstruction and Development Programme (RDP). In the first year of the new government, Taiwan gave R556 million towards the RDP.

Its impact on the local economy and its support for the ANC did not go unnoticed.

In July, President Nelson Mandela said he was in discussion with Beijing and Taipei to resolve their differences but would not break ties with Taiwan.

In August this year Mandela again stood by his relations with Taiwan, saying a cancellation of diplomatic ties with Taiwan to secure ties with China would be an immoral act.

"I will not be guilty of that," he said, when Taiwanese vice-premier Mr Hsu Li-teh visited Pretoria.

But internationally and internally, Mandela's position became more lonely.

Sources in the Department of Foreign Affairs said the majority of officials supported ties with China.

And business was also calling for a break with the past. Nedcor's chief economist, Mr Dennis Dykes, told a trade and industry seminar in Johannesburg in July that the country's lack of diplomatic ties with China was restricting trade.

He said that while most countries traded with Taiwan but officially recognised Beijing, SA had it the wrong way round.

Another major factor forcing South Africa's hand is the handover of Hong Kong next year.

Trade is not the major factor with Mainland China — investment is, says Burrows. Mainland China has been making some quite large investments recently and Hong Kong is responsible for major investments and trade.

Trade and investment with China are also increasing faster than with Taiwan.

Many people were sure that establishing ties with China would only happen when Mandela had retired. Evidently that was not the case.

Trade facts:

TRADE between South Africa and Taiwan last year:
Imports: R3,229 billion
Exports: R2,545 billion
Total trade: R5,774 billion
Total estimated investment in South Africa: R1,6 billion

Trade between South Africa and China last year:
Imports: R1,846 billion
Exports: R1,048 billion
Total trade: R2,894 billion
Total estimated investment in South Africa: R200 million

Trade between South Africa and Hong Kong last year:
Imports: R1,625 billion
Exports: R1,958 billion
Total trade: R3,583 billion
No investment figures available

Blushes over Mandela U-turn on Red China

Pledge to Taiwan broken

(304A) ARG 28/11/96

PETER FABRICIUS
FOREIGN EDITOR

It was not so much the fact but the timing of President Mandela's decision yesterday to break off relations with Taiwan and switch to communist China that caused surprise in foreign policy circles.

Only two months ago Mr Mandela assured visiting Taiwanese vice-premier Hsu Li-teh categorically that South Africa would not establish diplomatic ties with the People's Republic of China (the mainland) at the expense of the Republic of China (Taiwan) and even went as far as saying that to do so would be immoral.

Those remarks flew in the face of the advice he was getting from the foreign policy establishment and, very likely, from his own advisers who felt, as one put it, that South Africa was "defying gravity" by insisting on maintaining relations with Taiwan – and even shooting for a full two-China policy – against the overwhelming tide of world practice.

But, as so often happens with foreign policy decisions, Mr Mandela's personal feelings – in this case of loyalty to Taiwan for its material help to South Africa – prevailed over rational advice and thus determined foreign policy.

Then, just as unexpectedly, Mr Mandela called a press conference at his house in Houghton yesterday and announced that South Africa would cancel diplomatic relations with Taiwan and initiate diplomatic relations with the PRC on December 31 next year, after a one-year transition.

In his formal statement Mr Mandela gave only one reason: a "permanent continuation of diplomatic recognition of the Republic of China is inconsistent with South Africa's role in international affairs", explaining that recognising Taiwan was harming South Africa's active participation in multilateral forums such as the United Nations, Organisation of African Unity and Non-aligned Movement, which recognised the PRC.

Asked how the decision would advance South Africa's own interests – rather than its multilateral relations – Mr Mandela gave a second reason for the decision, noting that China was the most populous country on earth, with an economy growing at 10 percent a year, and was a permanent member of the UN Security Council.

But these were precisely the reasons that his advisers had given him for shifting recognition some time ago.

Why now?

Although the Department of Foreign Affairs seems almost as puzzled as anyone, one spokesman suggested that Mr Mandela's thinking might have been that with his government already half-way though its present term, it could not wait much longer if it wanted to have a one-year transition from relations with Taiwan to relations with the mainland before the end of its term.

Greg Mills, national director of the South African Insitute for International Affairs, said last night that the Taiwan government could not fail to be surprised by Mr Mandela's decision, given his assurances so recently to Hsu Li-Teh.

Dr Mills said he hoped that Taiwan would not react the same way it had to South Korea's decision to break off diplomatic relations, when it severed all economic ties.

The view of officials seemed to be that whatever happened in the short term, in the long term relations with Taiwan would normalise "because they need us more than we need them".

Taipei said it would protest against the decision, but did not indicate what further action it might take.

R13-bn project at risk as Taiwan hits back

ARG 28/11/96 (304A)

Taipei – In a riposte to South Africa's decision to cut diplomatic ties, the Taiwan government today cast doubt on the future of a $3-billion (R13,6-bn) petrochemical project planned in South Africa by a top Taiwanese corporation.

"The government will not continue to encourage investments in South Africa," said Chiang Ping-kun, Taipei's top economic planner.

Reuter reports from Taipei that Mr Chiang, chairman of the Council for Economic Planning and Development, was asked whether the project by Taiwan's Tuntex Distinct Corporation would continue.

"Without government encouragement, it will be hard (for private investments) to proceed there," he replied.

Tuntex said earlier today it would respect the Taiwan government's wishes in deciding whether to continue with the project.

Meanhile a storm of protest has erupted over President Mandela's surprise announcement, reports the Cape Argus Political Staff.

At a press conference at his Houghton home yesterday, Mr Mandela said he was severing 20-year-old diplomatic relations with Taiwan and establishing full diplomatic links with mainland China.

Taiwanese officials blamed China for South Africa's decision, saying China was "buying" foreign ties and damaging chances for reunification with Taiwan.

"The origin of this issue is communist China," government spokesman Su Chi quoted Premier Lien Chan as saying after a morning cabinet meeting.

"This shows communist China is intensifying its repression of us internationally. Its moves to buy foreign relations will not do any good to cross-strait relations or national reunification."

Even South Africa's ambassador in Taiwan was taken by surprise. "I am sad at the moment," Johannes Viljoen told reporters after being summoned by Foreign Minister John Chang today. "I was not informed beforehand by my government."

Academics at Afrikaans universities, the Inkatha Freedom Party and National Party leader F W de Klerk were among those who reacted with shock and dismay.

The Democratic Party said it accepted "with regret the inevitability of Mr Mandela's decision because of the realities of international relations today".

And in Washington – which broke diplomatic ties with Taiwan more than a decade ago – State Department and congressional spokesmen expressed disappointment.

See pages 3 and 17

SA to cut formal ties with Taiwan

BD 28/11/96 (304A)

Tim Cohen

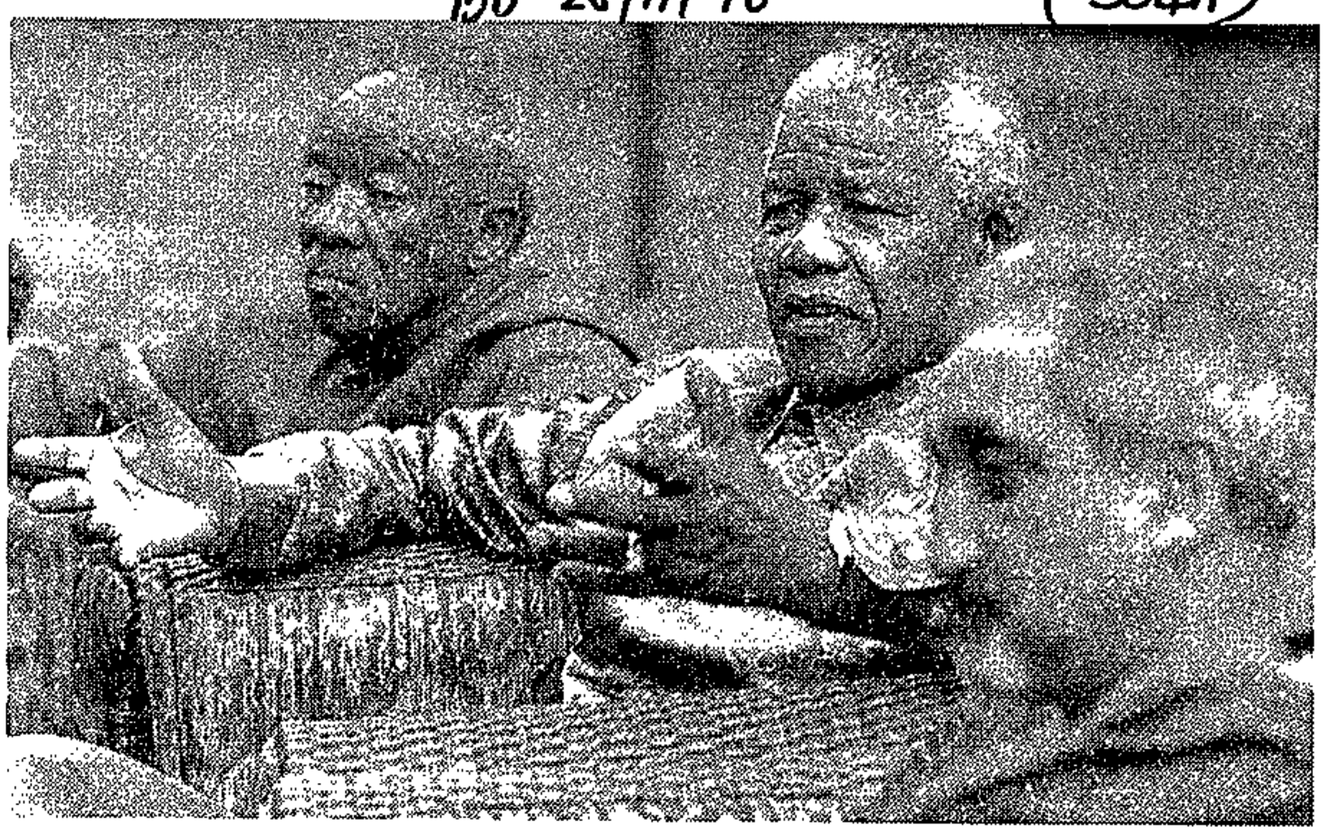
GOVERNMENT announced yesterday that SA would cut formal diplomatic ties with the Republic of China (Taiwan) in favour of full diplomatic relations with mainland China, risking the abandonment of possible lucrative investment deals but signalling that SA's attempt to buck international trends could not continue indefinitely.

In the surprise announcement, President Nelson Mandela said he regretted having to make the decision because of Taiwan's support for SA's transition, but SA's recognition of Taiwan was inconsistent with SA's role in international relations.

Mandela said SA had inherited a situation from the previous government where SA recognised Taiwan but not mainland China and this situation could not continue indefinitely.

In a move aimed at soothing the Taiwanese government which has set a high priority on its relations with SA, government had established a period of just over a year during which diplomatic relations with Taiwan would be phased out.

Mandela's statement contradicts frequent assertions that SA would not cut its relations with Taiwan in favour of mainland China, but Mandela indicated that government had been forced to abandon its attempt to secure diplomatic relations with both territories after Beijing ruled out this possibility.



President Nelson Mandela announcing yesterday that SA would switch diplomatic recognition from Taiwan to China. With him in Johannesburg are Foreign Minister Alfred Nzo, left, and Deputy Foreign Minister Aziz Pahad. Picture: GARTH LUMLEY

Mandela said he had informed Taiwan's ambassador I-Cheng Loh of the decision on Tuesday.

Mandela said the guiding principle in South Africa's position towards the Greater China region has always been that South Africa wished to have cordial relations with both the People's Republic of China and the Republic of China on Taiwan.

Mandela said he and the government had enormous appreciation for the contribution that the government of Taiwan had made to the reconstruction and development programme, and specifically for Taiwan's commitment to encourage greater participation by the Taiwanese business sector in South Africa's economic development.

Taiwan had also made a generous

Continued on Page 2

Taiwan

Continued from Page 1

contribution to South Africa's transition to democracy.

But SA had become an active participant in the OAU, the Non-Aligned Movement and the UN. "A permanent continuation of diplomatic recognition of the Republic of China on Taiwan is inconsistent with South Africa's role in international affairs," Mandela said.

Mandela expressed the hope that "within the next 12 months it would be possible to achieve a smooth transition, acceptable to both the People's Republic of China and the government of the Republic of China on Taiwan, in terms of which South Africa recognises the People's Republic of China but continues to conduct constructive relations with Taiwan," he said.

Greg Mills, director of the SA Institute of International Affairs, said the most surprising aspects of the announcement was not decision itself but the fact that it had so long in coming.

Given China's super-power status, SA had little option but to recognise the mainland, especially when taking into account the reincorporation of Hong Kong next June.

The NP said it was a very serious matter to sever diplomatic ties with any nation, and that Taiwan had been a good friend to SA.

John Dludlu reports that trade and industry department spokesman Ismail Lagardien said economic relations should not be affected. "We must ensure the smooth transition the president has referred to".

On the planned establishment of a petrochemicals plant, Lagardien said the proposal was accepted as a business proposition based on economic principles, "not as a political gesture". "Therefore, this development should not affect the project".

Reinie Booysen reports that government sources said it would be logical to assume the $3bn petrochemical venture being investigated by a consortium of Taiwanese companies and an SA grouping, would be scuttled. The Taiwanese consortium includes state-owned Chinese Petroleum Corporation and Tuntex. The SA consortium includes Polifin, Sasol, AECI, Sentrachem and most of the SA oil industry.

Giving a voice to the coloured experience

(304A) CT 29/11/96

THE DECEMBER 1ST MOVEMENT will be launched in Cape Town on Sunday. This is an extract of the founding manifesto of the grouping which aims to take coloureds "out of history's backyard into the warmth of our African home".

THERE is no doubt that freedom has come to South Africa. Yet the consequences of the organised misery of bygone years still overshadows the beauty of our sun-filled land.

The chains of ignorance, fear and racial prejudice continue to bind the minds of many South Africans. No South African has emerged untouched from the evils of the past.

We are slowly coming to terms with what has been done to us as we discover how deeply we have been wounded. Out of the community of the broken we are looking for various ways of healing ourselves and others.

As an emerging South African nation we need to reflect on our differences — be they that of language, religion and culture — before we can truly celebrate the strength of our unity — the ways in which we offer our different gifts for the common good of the nation: one which while it might not be all black, is all African.

The December 1st Movement was born out of:

- The recognition that the perception of change for many communities is that of being excluded. We believe this to be particularly true of the coloured community.
- The desire to celebrate the history with which the December 1st is associated by linking it to the life and events of the descendants of the slave community, the coloured community.
- The commitment to integrate an awareness of the significance of December 1st into the ongoing South African story.

We commit ourselves to working towards the inclusion of the coloured community in the process of social and political transformation.

Our programme is committed to the full integration of the coloured community into the emerging South African nation.

We are not a political party. We are not in opposition to any political party. We are not part of or co-joined to any political party.

We are not a political front — we do not seek to fight for political control. But we are, without question, political in our intentions. The December 1st Movement is a wake-up call to all coloured people.

We believe that it is experience more than racial origins which determines how one views the world.

The December 1st is a mobilising symbol celebrating the existence of people in the far distant history of this land who were brought here in chains yet who sought the freedom of the open hills and mountains of the Cape at every moment of their existence.

Cut off from the sustenance of their cultural heritage they formed new communities across religious, racial and language identities.

The coloured community, from Buffalo Flats to Wentworth, from Newclare to Heidedal, O'Kiep down to Mitchells Plain — despite the diversity of their racial and ethnic origins, and yet because of it — are united by a common experience of being uprooted and deprived of any uniting form of cultural and historical identity.

We have been certified as the step-children of history, the negatives of the positive views enjoyed by other groups whose identity remained intact despite the damnations of colonialism and apartheid.

We owe our name to that day in 1834 when the slaves at the Cape were set free.

We do not wish to celebrate a position of slavery, nor do we wish to dwell on the pain of slavery. We do not claim to represent all people who are the descendants of slaves or suggest that all coloured people are the descendants of slaves.

The December 1st Movement is not just another coloured grouping in search of a homeland. We are not filled with fear of others or guided by a distorted nationalism.

The name claims all our forebears: the slave and the free, the European and the African.

December 1st is a remembrance of the worst that could be done by people to other people while also serving to unlock the door of memory and knowledge of who we are, where we come from and where we belong.

We are anti-racist. The December 1st Movement is not just another coloured grouping in search of a homeland. We are not filled with fear of others or guided by a distorted understanding of nationalism. We reject all forms of racism and ethnic exclusivity based on narrow interests.

It is out of concern for the well-being of our new democracy that we position ourselves among the coloured people.

This is a necessary step if coloureds are to avoid being exploited as voting fodder by those who wish to retain the privileges of the past and those who wish to ignore our contribution to the struggle against white domination.

We are as African as Madiba who embraces us with joy, a living part of our slave mother Samida who organised one of the many slave revolts at the Cape. We remain accepting of Loubser the slave-owner who shares our lineage.

Our heroes are Shaka, Sekonyela and Witbooi. They include Basil February and Solomon Mahlangu. We remember Steve Bantu Biko, Imam Haroun and Hennie Ferris in our litany of martyrs. We raise the names of Queen Manthatisi, Helen Joseph and Cissy Gool on high. We salute the moral giants Abraham Esau, Chief Albert Luthuli, Robert Sobukwe, Dr Abduragman, Johnny Gomas and the many who walked the lonely path of prophetic witness.

We are part of the South African story.

We were shaped by history but we also played a significant role in shaping ourselves. In this we are not unique. We were the victims of apartheid, not its offspring.

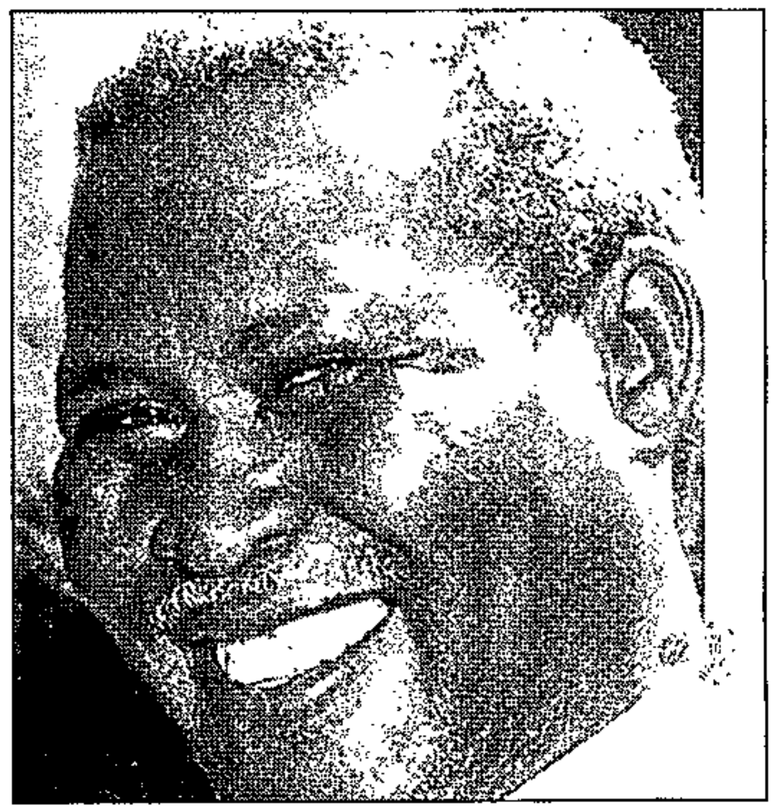
The word "coloured" hides a confluence of origins and influences which make us a truly cosmopolitan people with no need to deny who we are and what is important to us.

The truth is that coloureds are uniquely South African: our story starts in the voyage from the past in the slave ships carrying our forebears from the East Indies, the shops of the settlers from Europe on to the shores of our Africa, home to our Khoi-San ancestors.

We are resolved to play our part in healing the divisions created by attempts at divide-and-rule. At the same time we believe that, like all other communities in political transition, coloured people have needs, interests and fears, real or imagined, which must be addressed.

December 1st is our bold step out of history's backyard into the warmth of our African home.

NATIONAL HERO: Steve Biko, a martyr of the struggle against apartheid, is held in respect by his fellow Africans in the coloured community.



MORAL GIANT: Chief Albert Luthuli, one of the heroes of South Africa who is respected by the new December 1st Movement.

FRIDAY
NOVEMBER 29, 1996

REASONS SOUGHT

Chinese puzzled by SA turnaround

(304A) CT 29/11/96

PRETORIA: Chinese officials stationed here have suddenly become fully-fledged diplomats after South Africa announced earlier this week that it had cut diplomatic ties with Taiwan so as to resume relations with China.

THE Peoples' Republic of China is finding it hard to believe that it has obtained diplomatic recognition from South Africa at the expense of the Republic of China (Taiwan).

Yesterday, Beijing officials stationed in Pretoria continued to be puzzled as to why President Nelson Mandela had taken the momentous decision on Wednesday within weeks of him telling a top-level Taiwan delegation that normal relations would continue between Pretoria and Taipei.

"It's just stunning," said one Beijing envoy while the Director of the Chinese Centre for South African Studies, Mr Gu Xin Er, called it "welcoming", adding: "The establishment of diplomatic relations is in the interests of both our peoples."

But, below the surface, the Chinese are seeking the reasons for the sudden switch which has turned them from quasi envoys to fully-fledged diplomats overnight.

The roots could lie in the visit last April to South Africa by China's Minister of Foreign Trade and Economic Co-operation, Mr Wu Yi, when Mandela "reviewed the support China rendered to the ANC in its struggle against apartheid and said South Africa was willing to continue to develop friendship with Chinese people", an envoy said.

Wu gave Mandela a letter from Chinese President Jiang Zemin in which, it is understood, pre-conditions for the establishment of diplomatic ties were clearly stated. One of the conditions was the unconditional severing of diplomatic ties with Taiwan.

Jiang avoided South Africa when he visited six African countries — including Namibia and Zimbabwe — last May.

Since then there have been numerous visits to Beijing by top ministers of the Southern African Development Community countries, of which Mandela is chairman. The envoys believe that these ministers may have used their influence to get the president to change his mind.

The possibility that South Africa was concerned about losing a foothold in China when Hong Kong reverts back to Beijing next year is not regarded by Pretoria-based envoys as a key reason for the turnabout.

China has invested millions of rands in South Africa over the past few years. Tractor and truck assembly plants have been erected at Harrismith, heavy machinery manufacturing plants at Newcastle and at Pietersburg, and a variety of textile, components and other factories countrywide.

Iscor has built its own quays at southern China harbours for the off-loading of iron ore from Sishen and South African road builders have been helping the Chinese in the design and research of road-building projects. — Own Correspondent

Taiwan could review aid projects but not trade ties — ambassador

Tim Cohen

TAIWAN issued a formal protest yesterday over SA's decision to drop its diplomatic recognition in favour of Beijing, saying official aid projects would be reviewed but trade ties were unlikely to be affected severely.

Taiwanese ambassador I-Cheng Loh said he met Foreign Minister Alfred Nzo yesterday and formally registered the "strongest protest" over SA's decision, which he blamed on "underhand tactics by the Chinese communists" to undermine Taiwan.

Loh said it was too early to say with certainty what the consequence of SA's decision would be on trade relations. Immediate effects would not be dramatic, although long-term relations were likely to be affected.

Official development assistance consisted mostly of long-term commitments governed by bilateral treaties or agreements.

"When one of the parties ceases to be a party, then I imagine some kind of review is necessary."

Loh said President Nelson Mandela's announcement on Wednesday that ties would be severed at the end of next year had come as a surprise. He indicated that after discussions on Tuesday he was under the impression that SA would not make an announcement until just before the severing of relations was about to take place.

A scheduled visit by Taiwanese Foreign Minister Chang Hsiao-Yen to SA in January would not be affected, and might even be advanced.

"We are quite hopeful, given President Mandela's goodwill, that we could work something out."

Loh said the decision was a "temporary setback". He felt it unlikely that the 29 other countries which recognised Taiwan would follow suit.

Loh read from a statement by Taiwanese Premier Lien Chan yesterday, who said the incident and similar ones in the past had demonstrated time and again the Chinese communist authorities' "relentless efforts to box (Taiwan) into a corner and belittle its international status".

(304A)

The situation, he said, could not be compared with South Korea's severing of ties with Taiwan, after which economic relations between the two countries were severely affected.

The Korean government had abruptly "torn up" all the agreements it had with Taiwan and handed all Taiwanese properties over to China. This was not the situation with SA.

Loh said he tended to agree with NP leader FW de Klerk's view that the

Continued on Page 2

Taiwan

(304A)

Continued from Page 1

BD 29/11/96

African National Congress government's decision was the result of pressure from SA Communist Party members in its ranks.

Reuter reports that politicians and trade officials expected SA trade with China to soar.

"This will be a great spur for trade between SA and China," said Raymond Suttner, chairman of Parliament's foreign affairs committee.

Taiwan is SA's seventh-largest trading partner. Trade between the two countries totalled R5,7bn last year, while trade with China and Hong Kong combined was R6,2bn, according to the SA Foreign Trade Organisation.

John Dludlu reports that a recent survey by the Taiwan embassy showed there were 620 Taiwanese-owned companies in SA, representing investments worth more than R6bn.

The survey put the number of Taiwanese-owned factories at about 280, employing 36 224 people. Most factories are in industrial parks established by former homelands.

It was unclear yesterday how private Taiwanese investors would react to the development.

"Without government encouragement, it will be hard (for private investments) to proceed there," said Chiang Ping-kun, chairman of the cabinet's Council for Economic Planning and Development, when asked whether a $3bn petrochemical project by Taiwan's Tuntex Distinct Corp would continue.

Viljoen had plans to start 'state' by force

BD 29/11/96 (304A)

Stephané Bothma

PRETORIA — Plans to establish an Afrikaner state by military means months before the 1994 election were revealed by Freedom Front leader Constand Viljoen yesterday.

The planned action constituted a criminal offence, Viljoen said, and he wanted to apply for amnesty to the truth commission but could not do so because of the December 6 1993 amnesty cut-off date.

"We had the intention of taking a certain area through force and proclaiming this an Afrikaner volkstaat."

He would not reveal details, but said "many thousands" of people were involved in the informal plan.

"We certainly had the military power and ability to do this, but it would have caused great confusion and could even have resulted in the postponement of the elections," Viljoen said. The finance to sustain such a state and defend it would have been a problem.

The preparations were undertaken as a strategic option in the event of constitutional negotiations failing.

"It is realised, of course, that such preparations constituted a statutory offence in terms of existing laws and there is no doubt that the intelligence community must have picked it up, which can result in criminal prosecutions and civil action."

Viljoen said he was prepared to accept responsibility for the plan and would initiate a process to ensure that all involved in the plan applied for amnesty should the cut-off date be shifted to May 10 1994 or later.

But, he said, he had no compelling reason to apply for amnesty for the years he commanded the defence force. It had been the task of the defence force to fight terrorism and communism.

"Far from apologising for the efficient accomplishment of this task, we are indeed proud of it.

"To seek amnesty as a mere formality would in fact constitute an admission of guilt," Viljoen said.

"Even worse, it would imply the guilt of those who served under me in those years and be an admission that I had failed as a commander."

Taiwan choking on SA's 12-month-long bitter pill

Star 30/11/96 (304A)

By DOUGLAS HAMILTON

South Africa's decision to drop Taiwan and open ties with mainland China was hardly a bombshell, but the way it came about dismayed political analysts exasperated by the Mandela government's foreign policy muddle.

Taiwan's ambassador got only 24 hours' notice of the move and lodged "the strongest protest". South Africa's man in Taipei reportedly got a phone call 10 minutes before the announcement.

The Foreign Ministry's statement, read out by President Nelson Mandela on Wednesday, was so convoluted, apologetic and hedged with reassurances and time delays that reporters were not sure they understood its meaning.

Soften blow

South Africa said it would switch diplomatic relations from Taiwan to Beijing by December 31 1997, an unusually long notice period that some saw as a vain attempt to soften the blow. In fact, it may just prolong the agony for Taiwan.

"These things are normally done immediately. It's the cold-shower principle of diplomacy," said South African Institute of International Affairs director Greg Mills.

HAPPIER TIMES: Taiwan's Vice-Premier Hsu Li Teh and President Mandela shake hands in Pretoria in August PHOTOGRAPH: AFP

"The pill was always going to be bitter whenever it was delivered, but frankly this was pretty mind-boggling," said Mills, who has long advocated dropping ties with Taiwan in favour of relations with Beijing, as a matter of realpolitik.

Taiwan ambassador Loh I-Cheng said the decision had taken him totally by surprise. Loh is dean of the diplomatic corps in Pretoria, a 45-year veteran of the foreign service who speaks perfect English and knows Mandela personally.

He said he had been led to believe that ties with Taiwan would stay at least until Mandela stepped down in 1999, and, given his experience, he is unlikely to have misinterpreted the issue.

"The Taiwanese could justifiably argue they've been misled," Mills said. "Why now? This smacks of a presidential decision being handed down rather than going through the foreign-policy-making process."

Quite absent from critical dissection of the biggest foreign policy move made by Mandela's 31-month-old government was the name of the foreign minister himself, Alfred Nzo.

Nzo is frequently caricatured by the addition of ZZZZZs to his name. The Government's critics say Mandela and his heir apparent Thabo Mbeki really run foreign policy.

"This is the sort of ad hoc foreign policy we've unfortunately become notorious for," Mills commented. "It sends the wrong signals to Taiwan. They could see this 12 months as a window of opportunity that turns out to be false. They could waste a lot of effort trying to woo us away from a decision that can't be reversed."

Taiwan's Foreign Minister, John Chang, was to visit South Africa in January, but instead he will be here next week to talk about maintaining "maximum contacts".

Touching plea

South Africans were also asking why Mandela – who has said it would be "immoral" to ditch Taiwan – changed his mind.

Amid all this came a touching plea from the Taiwanese community in South Africa, which took out newspaper ads beseeching "Dear President Nelson Mandela ... The Taiwan people in South Africa love you ... please do not cut our country off." – Reuters