S.A. GOVT. & POLITICS

1996

JULY — OCT.

Constitution challenges to cost R5-m

Star 1/7/96

(304A)

By Helen Grange
Constitutional Court Correspondent

Certification of South Africa's final constitution begins today in the Constitutional Court – and will cost the taxpayer an estimated R5-million.

The largest hearing in South African legal history, the certification process involves at least 47 advocates representing 29 political parties, organisations and individuals.

The court, based in Braamfontein, is expected to become extremely crowded during the two-week period set aside for the certification, as lawyers, journalists and members of the public stream in.

Gordon Hollamby, who has been seconded from the SA Law Commission to co-ordinate arrangements for public seating, said space constraints meant there would have to be pre-arranged seat bookings.

Among the parties and organisations being represented are the National Party, Democratic Party, Conservative Party, Inkatha Freedom Party, African Christian Democratic Party and the Constitutional Assembly. These are primarily fighting for more provincial powers than granted in the constitution in its current form.

Organisations to make submissions will include Cosatu, Business South Africa, Afrikaanse Handelsinstituut, the SA Agricultural Union, the Transvaal Agricultural Union, the Marketers Union, Contralesa, the Free Market Institute, the Environmental Law Association, the Human Rights Commission, ProLife, the SA Institute of Race Relations and the Reproductive Life Alliance.

Legal institutions to be represented are the Association of Law Societies, the SA Regional Court Association, the Centre for Applied Legal Studies, and the Legal Resources Centre.

Organisations such as Business South Africa and Cosatu are being represented by three and four advocates respectively, while the Constitutional Assembly has a team of five advocates.

Legal proceedings will cost up to R80 000 a day, according to an informed source and the estimated cost of the certification will run to at least R5-million.

Judgment in the certification hearing last week into the KwaZulu Natal constitution was reserved, but it is expected that its drafters will have to return to the drawing board after the final national constitution has been certified, to bring contentious clauses into line with the final constitution.

Nzo visit aims to resolve two-China dilemma

Star 1/7/96 (304A)

Taipei – Fighting to keep its single most important diplomatic ally, Taiwan yesterday welcomed South African Foreign Minister Alfred Nzo, who began a three-day "fact-finding" visit to Taipei aimed at resolving Pretoria's two-China dilemma.

South Africa has long recognised Taiwan, and values the economic benefits the relationship has conferred: direct investment and aid from Taiwan is thought to run into hundreds of millions of rands.

There are more than 350 Taiwan-owned companies in South Africa, credited with creating more than 45 000 jobs. Taiwan is South Africa's seventh-largest trading partner, with two-way trade worth R7,5-billion last year.

But since President Nelson Mandela came to office in 1994, bilateral trade between South Africa and China has rocketed to R5,7-billion last year from just R56-million in 1994.

Nzo refused to answer questions on arrival, but South Africa's foreign ministry said in a statement earlier that Pretoria "wishes to maintain and expand her friendly and cordial relations with the Greater China region and is in continuous contact with all parties concerned to advance this purpose".

Nzo has said he will present to the South African cabinet the results of his Taiwan trip, as well as a similar one to China in March. South Africa may then make a firm decision on the direction of its China policy.

The cost of a switch would not be small

The cost of a switch in allegiance by Pretoria would not be small: Taiwanese investment and aid programmes in South Africa would be hastily withdrawn, according to the China Times newspaper.

Taiwan Foreign Minister John Chang said yesterday that relations between Taiwan and South Africa were sensitive, "but the government will step up efforts to maintain its current ties with South Africa".

South Africa is far and away the richest and most important of the 31 countries that recognise Taipei instead of Beijing.

But the Government of President Nelson Mandela, whose African National Congress received aid from China during its long struggle against apartheid, would like closer relations with Beijing. China has said this would only be possible if South Africa dropped its recognition of Taiwan, which Pretoria has so far been reluctant to do.

"I've taken the attitude that ... unless and until Taiwan does something which justifies my cancelling those relations, I cannot find the moral courage to cancel them," Mandela said last year. – Sapa-AFP.

Nzo on mission to resolve SA, Taiwan relations poser

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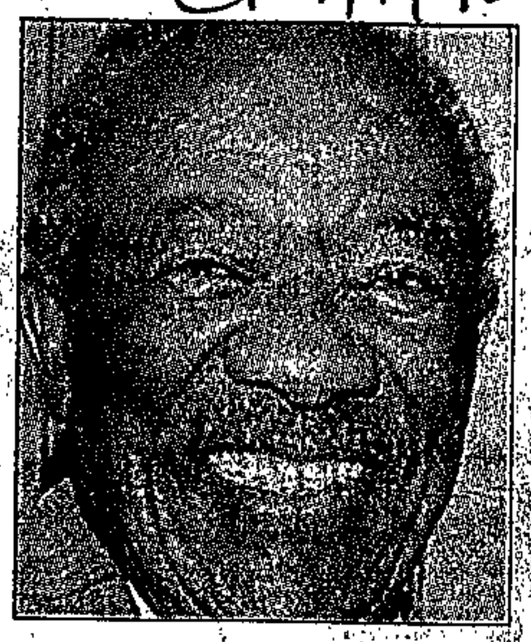

FACT-FINDER: Mr Alfred Nzo

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Plan to bankroll new parliament

Sowetan 3/7/96

Four provinces will have to agree that the legislative seat be moved

By Waghied Misbach
Political Reporter

MIDRAND'S CAMPAIGNERS for Parliament to be moved from Cape Town plan to launch a "People's Company" to help bankroll its R400 million bid to build a new parliamentary complex.

The Section 21 Company will be used to raise funds to build the four buildings needed to complete the legislative complex, which consists of the assembly chamber, the council of provinces, the ministerial complex and the presidential complex, said Jenny Lehr of the Midrand Parliamentary Bid Committee.

Midrand is one of three cities – the others are Pretoria and Bloemfontein – that are bidding to grab the legislative capital from Cape Town.

Financing mechanism

The company will give South Africans a stake in Midrand's parliamentary buildings through a financing mechanism known as People's Parliament Participation Notes (PPPN), said Lehr.

An example of the way this would work is that the notes could be issued in units of R100 each and earn interest at 10 percent a year.

They could take the form of bearer notes issued over a maximum period of 10 years.

The Midrand planners say that there will be no risk involved as the programme will be fully underwritten by UAL Merchant Bank.

In addition to earning interest, the PPPN holders will automatically participate in monthly or quarterly bonus draws.

The bonus "pot" will amount to R20 million a year, which represents five percent of the fund's value.

"If Parliament is moved from the Cape the total cost to the economy could be in the region of R5 000 million taking into account the number of job losses in the Western Cape"

Four million PPPN's would be issued to provide the estimated R400 million (in today's terms) needed to build Parliament.

This, together with a commitment of R80 million per annum (fixed for 10 years) from the State and an estimated R268 million from the sale of existing parliamentary buildings in Cape Town, will eventually provide a total cash pool of R614 million.

The Midrand campaigners expect the annual cash flow to amount to R60 million, which is based on the coupon of 10 percent and a bonus draw of five percent.

"PPPNs offer South Africa a win-win situation. A national budget already buckling under the strain of diverse demands will be required to pay no more than it already pays for Parliament, and then only for 10 years.

"Moreover, they will give all South Africans a chance to participate in profit from a visible project in the interest of efficient and effective government," according to Lehr.

However, executive director of Cape Town's Bid to Keep Parliament in Cape Town Kallie Hanekom called the proposal "ludicrous" and a "plot by business interests in Midrand" to make money out of the building of the new complex.

He also said that it would cost more than R400 million to build a Parliamentary complex. The true cost will probably be in the region of R1 000 million.

If Parliament is moved from the Cape, the total cost to the economy could be in the region of R5 000 million, taking into account the job losses in the Western Cape and the negative effect on the Western Cape economy.

Difficult process

Hanekom said that this was not a new proposal from Midrand – it had already been presented to the the Constitutional Assembly more than a year ago and had been rejected. The new Constitution states that Parliament will remain in the Cape.

Hanekom said it would take more than a 51 percent majority to move Parliament. Even if Parliament approved by a simple majority of all its members, the proposal will have to go to the Council of Provinces.

This will mean that five provinces out of the nine will have to support the idea before Parliament can be moved.

"It is a difficult process. But the point is, we do not need to ressurect the whole debate right now when there are far more pressing needs in the country to attend to."

New ANC ministers sworn in

CT 2/7/96 (304A)

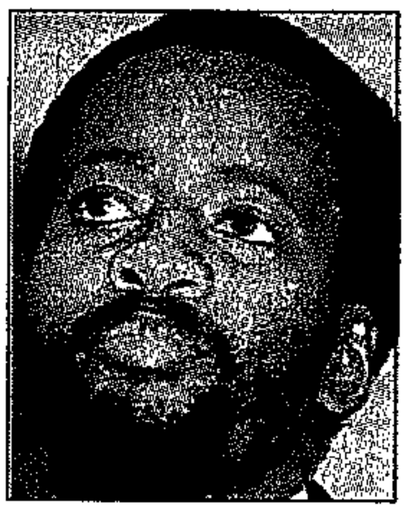
PRETORIA: South Africa's seven new cabinet ministers and deputy ministers, all from the ANC, were sworn in at a ceremony here yesterday, to begin a new era in government without the National Party.

President Nelson Mandela and Deputy President Thabo Mbeki attended the brief ceremony at the Union Buildings.

The new appointments officially end the NP's 48-year involvement in government that began with South Africa's apartheid era in 1948.

The NP leader, former president and deputy president Mr F W de Klerk, announced in May that his party would leave Mandela's coalition government from June 30 to form the official opposition.

The new ministers are Dr Pallo Jordan for Environment Affairs and Tourism; Mr Mohammed Valli Moosa for Provincial and Constitutional Affairs; Mr Penuell Maduna for Mineral and Energy Affairs and Ms Geraldine Frazer-Moleketi for Welfare.



ENVIRONMENT AFFAIRS: Dr Pallo Jordan

CONSTITUTION: Mr Mohammed Valli Moosa

The deputy ministers sworn in were Mrs Lindiwe Sisulu-Guma for Home Affairs, Father Smangaliso Mkhatshwa for Education, and Dr Manto Tshabalala for Justice.

Mkhatshwa said he believed the new ANC-dominated government would be more successful in meeting the expectations of the country's impoverished black majority than when the ANC and NP were partners in government.

Now the ANC's only other government partner is the Inkatha Freedom Party (IFP), which is a small minority in all regions expect for the eastern KwaZulu-Natal.

The IFP has three cabinet ministers, including leader Chief Mangosuthu Buthelezi in Home Affairs. Three other IFP officials are deputy ministers.

"For me, at least, this is a new era," said Mkhatshwa. "We have no illusions that this will be an easy run. We still believe in the concept of reconciliation with others."

Some analysts have said the new ANC appointments mark a new era of economic uncertainty in South African politics.

De Klerk's NP has been widely regarded by financial experts as the country's primary defender of capitalism and free market principles.

Unisa political analyst, Mr Dirk Kotze, however, said the ANC has been "playing it safe" and realises it will have to take the blame if "something goes wrong" with the economy.

"There can be no scapegoats now for the ANC," Kotze said. — Sapa-AFP

Constitution is a wide and sturdy bridge, says Bizos

BD 27/7/96 (304A)

Susan Russell

THE 34 principles on which SA's constitution was based were described yesterday as a "sturdy and wide bridge", leaving Constitutional Assembly members considerable political discretion in their interpretation.

This was the submission made to the Constitutional Court yesterday by advocate George Bizos. Bizos was one of five counsel appearing on behalf of the assembly on the first day of what has been described as the most important court hearing in SA's history.

Under the interim constitution, the court has been entrusted with scrutinising the final draft of the constitution and approving it if it complies with the 34 constitutional principles agreed on during multiparty negotiations.

If the court finds that the document does not comply, it will be referred back to the Constitutional Assembly.

In the next 10 days dozens of organisations, groups and political parties will object to provisions in the constitution which they claim are at variance with the constitutional principles.

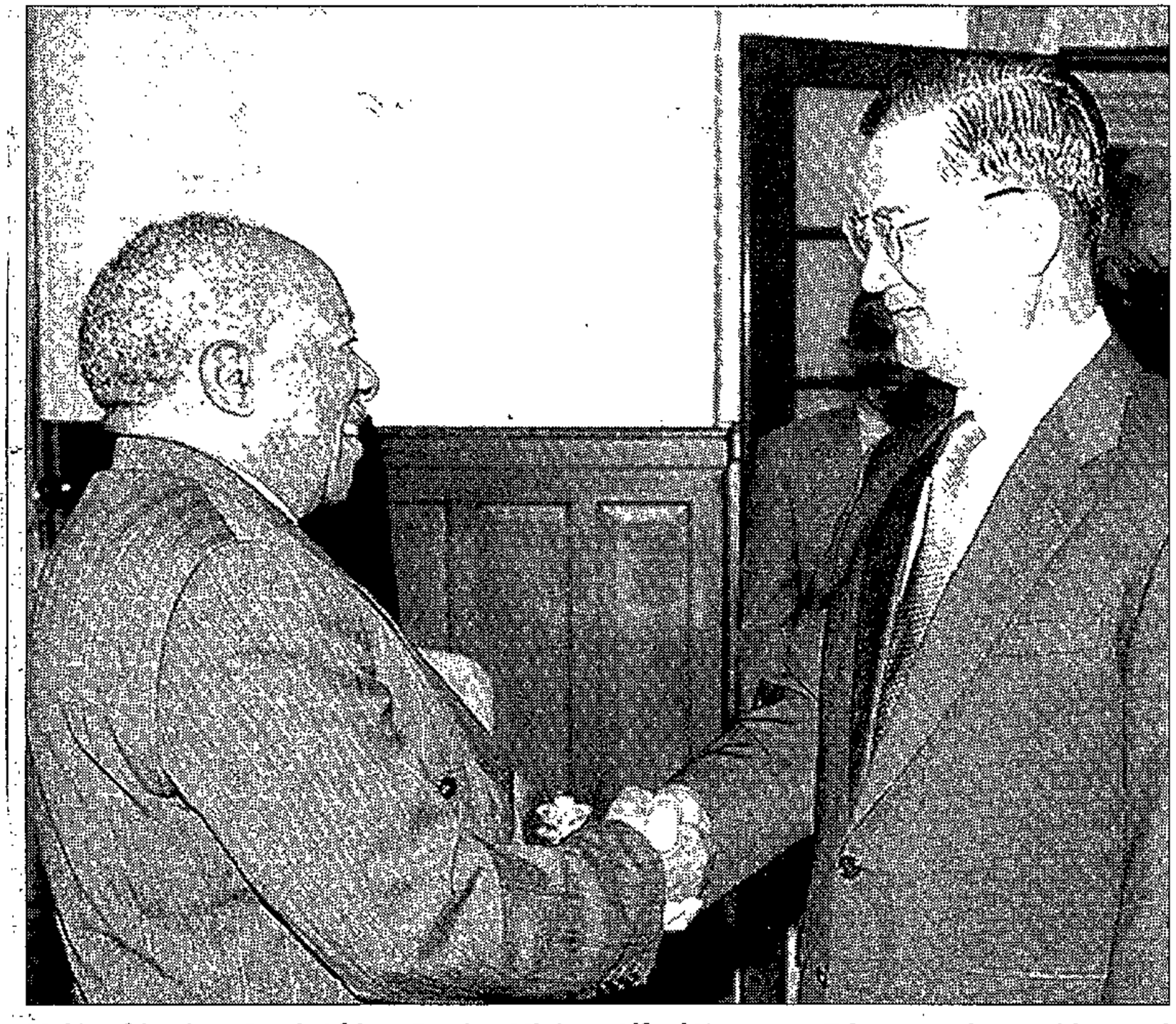
One of the major objections, supported by the IFP, DP and NP, is that the constitution reduces provinces' powers. This will be the focus today.

Starting the argument yesterday, Bizos urged the court to recognise that the 34 principles were broad enough to allow assembly members wide discretion to exercise judgment in drafting the final text. Where a provision could be interpreted in more than one way, the court should accept the drafters' political judgment and give it a meaning consistent with the principles.

Judge Ishmail Mahomed said even if all politicians agreed with the final draft, the court had to ensure it adhered to the constitutional principles.

Wim Trengove, for the assembly, said that contrary to complaints, the constitution enhanced provinces' collective powers, particularly their role in the second house of Parliament.

YAN-MAO WANG / AFP



Making friends ... South African Foreign Minister Alfred Nzo meets Taiwanese vice-president and premier Lien Cha in Taipei this week.

Tussle of two Chinas continues to tax SA

(304A) Star 3/7/96

Taipei – President Lee Teng-hui, striving to prevent Pretoria from switching diplomatic ties to rival China, vowed yesterday to take personal command of Taiwan's huge business interests in SA.

"I have the whole set of co-operation agreements on my desk," Lee told South African Foreign Minister Alfred Nzo at a meeting in a bid to preserve relations with Taiwan's biggest diplomatic ally. "If anyone falls behind schedule I will call the relevant government departments immediately to ask them to pay attention and improve," he pledged.

Lee said the 31 deals involving 278 Taiwanese firms were worth R6,5-billion – far more than China's South African investments. Taiwanese officials have said more investments are in the works..

President Nelson Mandela sent Nzo to Taipei to review SA's relations with Taiwan and China, a review begun during Nzo's visit to Beijing in March.

Pretoria says it wants formal ties with communist China, where its economic interests are growing, but not at the expense of longtime political and economic ties with Taiwan.

SA's embassy reiterated Pretoria's desire to "maintain and expand its friendly and cordial relations with both sides of the Taiwan Strait".

Meanwhile, Mandela said yesterday he would not break off diplomatic relations with Taiwan to set up ties with Beijing until what he called "an internal matter" of China had been resolved.

"The simple position is that we have inherited an embassy (and) diplomatic relations with Taiwan," Mandela said.

"Not only that, but (Taiwan) supported us during the later phase of the struggle (against apartheid) ... as did the People's Republic of China. It is not easy for me to be assisted by a country, and once I come to power, I say: 'I have no relations with you'," he said. "I haven't got that type of immorality, and I will not do it." – Reuters, Sapa-AFP.

Now Inkatha considers quitting the government

304A

ARG 3/7/96

DURBAN. – Only days after the National Party formally quit the government of national unity, the Inkatha Freedom Party has announced it will meet this week to consider whether to stay in the government.

"Any question of our status in the government of national unity will be discussed in our national council meeting on Friday. The chances of a decision are 50-50," Inkatha secretary-general Ziba Jiyane said at celebrations in Durban yesterday of the party's victory in the local polls.

"There are strong arguments for staying in and there are strong arguments for pulling out."

Mr Jiyane said the party, led by Chief Mangosuthu Buthelezi, wanted to monitor the ruling African National Congress.

"One of the arguments against us leaving the government of national unity is that we need to monitor the central government and it is best to have ministers in the cabinet.

"If we pull out, we will be in clear opposition to the ANC and will not be held responsible for the shortcomings of the government, where we have no influence on the decisions that are made."

The NP and its six cabinet ministers formally quit President Mandela's transitional government on Sunday, nearly three years ahead of schedule.

The ANC now rules in a lopsided 24-3 coalition with the IFP, in which Chief Buthelezi holds the home affairs portfolio.

Political analysts have been predicting an Inkatha withdrawal since May, when NP leader F W de Klerk first announced that he wanted to restructure his party as a strong opposition.

● Final local election results released yesterday gave the IFP 44,5 percent of the vote in KwaZulu-Natal. The ANC held on to its position as Inkatha's main rival with 33,2 percent. – Reuter.

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IFP set to quit the GNU

Sowetan 4/7/96 (304A)

By Waghied Misbach
Political Reporter

THE Inkatha Freedom Party is to decide at its crucial national council meeting in Ulundi starting tomorrow whether it will stay in the Government of National Unity with the African National Congress.

While both the ANC and National Party were reluctant to comment on the possible move yesterday, it was clear that both parties would welcome an IFP withdrawal.

IFP general secretary Dr Ziba Jiyane said yesterday that there was a "fifty-fifty" chance that the party would withdraw from the Government.

He said his party would look at "what is going right and what is going wrong" before taking a decision.

A decision to move would leave the ANC as the only party governing the country. The IFP has three Cabinet ministers and two deputy ministers.

Withdrawal would also mean that IFP leader Chief Mangosuthu Buthelezi will step down as Home Affairs Minister.

"There is no constitutional guarantee that calls for multiparty participation in the Government"

The move comes in the wake of the withdrawal of the National Party from the two-year-old GNU last month to become the official opposition in Parliament.

The NP has lost far more positions in the Government than the IFP would if it decides to go the same way.

Lost veteran members

The NP gave up Mr FW de Klerk's deputy president position, five Cabinet positions and three deputy ministers. The party also suffered as a result, by losing a number of its veteran members, including Mr Pik Botha, who has resigned from active politics.

Jiyane said, however, that the IFP's decision on its future role in the Government would not be influenced by the NP's withdrawal.

ANC spokesman Mr Ronnie Mamoepa was cagey about the IFP's statements yesterday but it was clear that the ANC would not attempt to hold back the IFP if it decided to leave.

"Like with the withdrawal of the NP from the GNU, a move by the IFP would actually be indicative of the maturity of our democracy. In all other normal democracies, the major political tendency is always the one at the helm of government," he said.

He said that coalition governments were a voluntary matter and not a constitutionally entrenched provision.

NP spokesman Mr Isak Retief said that the NP's decision to withdraw was "morally correct" and the IFP was now facing the same problem the NP had encountered.

"The IFP's position is no different from that of the NP. There is no constitutional guarantee which calls for multiparty participation in the executive of the Government. We thought that it was the morally correct way to do things by withdrawing and working for a true multiparty democracy from the opposition benches," he said.

IFP leader Chief Mangosuthu Buthelezi.

Moving Parliament 'would save govt R110m a year'

(304A)

Mboneni Mulaudzi BD 4/7/96

THE Midrand Parliamentary Bid Committee contended yesterday that keeping Parliament in Cape Town was costing the government R110m a year — a sum that would be saved by moving it to Midrand.

This is the latest submission in the war of words about the siting of Parliament on which a decision will finally be made by legislators themselves in terms of a simple majority vote.

Committee head Jenny Lehr said: "The sum of R110m arises out of direct costs incurred such as travel by parliamentarians between Gauteng and Cape Town and living expenses."

The committee said it had a plan to bankroll the principal building elements through the formation of a section 21 people's company.

It was hoped to raise about R400m through a financing mechanism, which together with a commitment of R80m a year fixed for 10 years, plus an estimated R268m from the sale of existing parliamentary buildings in Cape Town, would provide a residual cash pool of R614m.

Chiefs oppose constitution

CT 5/9/96 (304A)

OWN CORRESPONDENT

JOHANNESBURG: ANC-aligned traditional leaders, including Mrs Winnie Madikizela-Mandela, yesterday came out in opposition to the new constitution, alleging that it violated a "pact" between the political parties and the chiefs.

Mr Mwelo Nonkonyana, a national committee member of the Congress of Traditional Leaders of South Africa (Contralesa), told the Constitutional Court on the fourth day of its hearings on the new constitution that the proposed Bill of Rights would "inflict an irreparable harm to the entrenched cultural values of the indigenous people of South Africa.

"There is absolutely no role for traditional leaders at local government level," he said.

The 11 judges are sitting to certify or reject the constitution adopted by the Constitutional Assembly (CA) on May 8. They have to rule on whether it accords with the 34 constitutional principles adopted at the Kempton Park talks in late 1993.

The IFP earlier argued that the institution and powers of traditional leaders were protected by constitutional principle 34, guaranteeing the right to self-determination.

Contralesa president and ANC MP Mr Patekile Holomisa resumed his attempt to persuade the constitutional process to entrench unelected traditional leaders in local government structures.

"This land is a land of kings and traditional leaders have their subjects all over the country. They should be represented on a national as well as on a provincial level," Holomisa said.

Mr Justice Albie Sachs said the constitution appeared "hesitant in relation to the matter" and appeared to "marginalise gratuitously" an important sector of the community.

Disciplinary action was fair — Sinclair

Ingrid Salgado

BD 5/7/96

WITS University deputy vice-chancellor June Sinclair believed that her disciplinary actions at the height of student tensions at the university in 1993 had been "scrupulously fair" but she wanted, however, to dilute the public's image of her as simply the person who had "called in police" when students demonstrated.

Sinclair, who has been nominated to replace outgoing vice-chancellor Robert Charlton, was speaking at a Wits Business School seminar yesterday. Referring to a 1993 Supreme Court interdict she obtained prohibiting students from staging protests on campus, Sinclair said: "It was a hard thing to do and it saddened me."

Students called for Sinclair's resignation as a result of the interdict.

She realised she was unpopular among students she had disciplined, but "popularity is not necessarily crucial for the vice-chancellorship". Even President Mandela had taken a hard line against students who damaged property and resorted to violence.

Sinclair said she had not always agreed with the compromises that the university struck with students, such as when the administration relented in its decision to expel certain students and dismiss workers. "Protest action degenerated into unacceptable behaviour.... We must either condone that kind of behaviour or not," she said.

Her vision of a transformed institution would see Wits becoming a modern city university that ensured "multiple interactions" with its students. It should discharge its responsibilities as a publicly funded institution in order to make a contribution to reconstruction and development through quality education.

Sinclair said government's financial aid allocations to students was crippling tertiary education. Research and instruction budgets had dropped substantially, with good academics leaving the sector due to poor salaries. Yet these problems did not suggest that Wits should not do "whatever it can" to undo the ravages of apartheid.

'Powers of traditional leaders being eroded'

(304A) BD 5/7/96

Susan Russell

THE role of traditional leaders should not only be recognised but also explicitly protected in the new constitution, counsel for the IFP David Unterhalter told the Constitutional Court yesterday.

He said the new text contained no entrenched protection of the role of traditional leaders in local government at all. Failure to do so amounted to non-compliance with the constitutional principles agreed on during the Kempton Park negotiations, he said, since these had provided for both recognition and protection of the institution, status and role of traditional leadership.

The IFP was one of a number of groups, including the CP, Volkstaat Council and the Congress of Traditional Leaders of SA (Contralesa) which submitted objections to what they contend is the new constitution's non-compliance with principles providing for self-determination and the role of traditional leaders.

George Bizos said on behalf of the Constitutional Assembly that the constitutional principle setting out the conditions for self-determination did not place a strong obligation on the CA to give effect to it. The principle contained conditions for self-determination which might be met in the future and was kept alive as part of the "solemn pact" between the negotiating parties at Kempton Park.

Hercules Booysen for the Volkstaat Raad said that to comply with the constitutional principles, some form of self-determination for Afrikaners had to be written into the new constitution. Self-determination did not mean secession.

Traditional leaders Chiefs Mwelo Nonkonyana and Phathekile Holomisa, accompanied to court by Contralesa treasurer Winnie Madikizela Mandela, submitted that the new constitution failed to comply with the constitutional principles because it provided no role for traditional leaders in government at any level.

"The constitutional principles are very clear and unambiguous," Nonkonyana said.

"I could have been fooled," Judge Ishmael Mohamed retorted.

Nonkonyana told the court Contralesa also objected to the provision for the horizontal application of the Bill of Rights instead of restricting its application to relationships between the state and citizens. Horizontal application would have a negative effect on traditional values and norms, he said.

He submitted that while the constitutional principles entrenched the role of traditional leaders in all tiers of government, the constitution provided absolutely no role for them in this respect.

Nonkonyana said this was an attempt to render traditional structures irrelevant, so that they died a natural death.

Holomisa said that while the new constitution recognised the authority of other courts in the country, including the Supreme Court and magistrate's courts, the same recognition was not afforded to those presided over by traditional leaders. The traditional courts should have been expressly mentioned, he said.

He said the constitution made it permissible and not obligatory for future governments to provide a role for traditional leaders in government.

In reply, Marumo Moerane for the Constitutional Assembly said the assembly had attempted to solve the problem by formulating the provisions contained in the constitution, which he submitted complied with the required constitutional principles.

Buthelezi wins fight over right to pay chiefs

(304A)

PATRICK BULGER
Political Staff

ARG 5/7/96

IN a judgment with implications for the feud between the African National Congress and the Inkatha Freedom Party over King Goodwill Zwelithini and the chiefs of KwaZulu-Natal, the Constitutional Court today upheld the IFP-led KwaZulu-Natal provincial legislature's right to pay the king and the traditional leaders.

The 11 judges unanimously rejected an ANC application to the court to declare two provincial statutes on the issue unconstitutional.

The ruling was handed down by the Constitutional Court Judge President, Arthur Chaskalson.

It was greeted with delight by the IFP's legal team, which is engaged in a challenge to have the new constitution rejected on the grounds that it encroaches on the power of provincial governments.

Parliament and the KwaZulu-Natal government have been locked in a year-long political and legal battle to determine who has the right to pay King Goodwill and the chiefs.

Last year, President Mandela had the Remuneration of Traditional Leaders Act rushed through parliament, in a move interpreted as an attempt to wrest control of the chiefs from the KwaZulu-Natal government and from IFP leader Mangosuthu Buthelezi.

The 31-page judgment did not rule on whether Mr Mandela's law could still prevail over the provincial statutes.

"That question must be left open for determination if and when it arises," Judge Chaskalson's ruling said.

But the KwaZulu-Natal Amakhosi and Iziphakanyiswa Amendment Bill of 1995 and the Payment of Salaries, Allowances and other Privileges to the Ingonyama Bill of 1995 were not in themselves unconstitutional.

The two Bills seek to restrict the king and amakhosi from receiving payment from any other source but the provincial government.

They were opposed by the ANC in the KwaZulu-Natal provincial legislature, which had them referred to the court.

Judge Chaskalson's judgment referred to the political conflict in the province.

He said: "It is unfortunate that the political conflict concerning KwaZulu-Natal has degenerated to a state in which this (the right to pay the chiefs) should have become an issue".

He said he was not ruling on whether the provincial legislation was "desirable".

"The Ingonyama, amakhosi and iziphakanyiswa (headmen) occupy positions in the community in which they can best serve the interests of their people if they are not dependent or perceived to be dependent on political parties or on the national or provincial governments.

"This ideal is not furthered by making them the subject of conflicting national and provincial legislation".

Moving Parliament could slip off agenda

Star 6/7/96 (304A)

By JEAN LE MAY

The debate about Parliament staying in Cape Town could slip off the Government's agenda.

There are hints of such disagreement among ANC legislators that the Government is diffident about putting it to the vote.

Parliament can be moved from Cape Town only by an act of Parliament and after extensive public consultation.

David Bridgman, co-convener of the Cape Town-based Citizens' Alliance for Parliament, is confident Parliament will stay in Cape Town. However, Pretoria, Bloemfontein and Midrand do not agree. They are still putting their cases to replace Cape Town as the legislative capital.

While Bridgman feels that Bloemfontein – which Free State Premier Terror Lekota says has lots of space, cheap water, is relatively crime free and geographically central – represents the greatest threat to Cape Town, "the cost of building a new parliamentary complex would be ... a burden to taxpayers for generations. Interest alone could amount to R4-billion a year".

With modern technology, it should be possible to set up a management system bridging the administrative and legislative capitals, Bridgman says.

A home for parliament still sought

(304A)

■ David Bridgman, convener of the lobby which wants parliament to stay in Cape Town, says the debate is over – but other contenders disagree.

ARG 6/7/96

JEAN LE MAY
Staff Reporter

THE debate about parliament staying in Cape Town could quietly drop off the government's agenda.

There are hints of so much disagreement among African National Congress legislators that the government is diffident about putting it to the vote in the national assembly, given the ANC rule that nobody breaks ranks. And having failed to wrap up the coloured vote in the local elections, the ANC is particularly anxious not to

possibility that it did, it would then have to go the Council of Provinces, where five out of nine provinces would have to approve.

"We do not believe that would happen, either. Hotly contested clauses before the Constitutional Court at the moment are about the powers of the provinces. We simply can't see five provinces agreeing to a further centralisation of power."

Dr Bridgman said there had been two processes related to the placing of parliament. One was a cabinet committee which considered the implica-

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(30UA)

where jobs would be lost if parliament were to leave.

Johnny de Lange, ANC MP and chairman of the portfolio committee on justice, down-played the issue in an interview with SATURDAY Argus.

The moving of parliament was "an emotive issue", he said. The new constitution laid down that parliament could be moved from Cape Town only by an Act of Parliament and after extensive public consultation.

David Bridgman, co-convener of the Cape Town-based Citizens' Alliance for Parliament, is pretty confident that parliament will stay in Cape Town for keeps. "The argument is over," he told SATURDAY Argus.

But three other contenders – Pretoria, Bloemfontein and Midrand – do not agree and are still putting their cases to replace Cape Town as the legislative capital.

However, two notable supporters for the move to Pretoria, former Minister of Constitutional Development Roelf Meyer and former chairman of the constitutional assembly Cyril Ramaphosa, have since left politics for greener pastures.

And there is a suspicion that Pretoria was promised a shot at parliament in return for having lost its status as provincial capital when the Gauteng legislative capital was established in Johannesburg. Pretoria has claimed that it lost R2,5 billion a year, as well as 5 000 jobs.

Martie Meiring, spokeswoman for the Pretoria Capital Initiative, insisted that the question of parliament had not been decided.

"The decision can be taken by the national assembly," she said.

"It is not entrenched. There are loopholes in the constitutional clause and all three of the contenders for parliament away from the Cape are depending on them," she said.

The constitution said that parliament would stay in Cape Town unless it was decided by an Act of Parliament and for reasons of public safety and security to put it somewhere else, she said.

Mrs Meiring said the whole question of parliament could still be reconsidered by the cabinet.

The crucial auditors' report, which went into the cost of running two capitals, was given to the cabinet on December 5 and, according to her information, could be tabled early during the next session, she said.

But the seat of parliament was not being argued during the current certification of the constitution by the Constitutional Court, said Dr Bridgman.

So as it stands, the constitution says that parliament can be moved only by an Act of Parliament requiring the consent of a majority of members of the national assembly.

"This means 51 percent of all members must vote in favour,' said Dr Bridgman. "Normally, bills must be approved by the majority of MPs present during the vote. Since the quorum is 30 percent of MPs, this means that 15 percent of MPs plus one member can pass a bill. This can't happen with the parliament clause in the constitution. "The crunch is that we don't believe that a bill to move parliament would get that 51 percent majority. But in the remote

tions of moving parliament, and the other was the debate in the constitutional assembly.

The assembly accepted the present clause in the constitution and this "overtook" the cabinet committee, said Dr Bridgman.

Leaving parliament in Cape Town, while Pretoria remained the administrative capital, was in line with the worldwide trend towards decentralising the national government of countries, said Dr Bridgman.

The British were doing it, he said, as were the Germans, who would leave some functions in Bonn when the federal capital moved back to Berlin. The Japanese were also "moving central government functions toward the periphery," he said.

For this reason, Dr Bridgman said that, in his opinion, Bloemfontein presented the biggest threat to Cape Town from the other contenders.

"But the cost of building a new parliamentary complex would be astronomical, a burden to taxpayers for generations," he said. "Interest alone could amount to R4 billion a year."

Bloemfontein's claim to become the seat of parliament is being pressed by Free State Premier Patrick Lekota. Mr Lekota could not be reached for comment but is on record as saying that Bloemfontein had lots of space, cheap water, and was easily accessible. Because it was almost in the middle of South Africa, there would be huge savings in travel costs, he said.

Moreover he claimed that Bloemfontein would be a good place for parliament because security risks were lower in the Free State capital than anywhere else in the country.

Mrs Meiring said the PCI got its own auditors' report in 1992 which found that the cost of unnecessary duplication of services was R75 million, plus another R110 million for transport and hidden costs.

Dr Bridgman responded that MPs would have to travel wherever parliament was. And with modern management technology, "any international corporation could help develop a management system between administrative and legislative capitals."

Dr Bridgman also criticised the PCI's proposal that the old Raadsaal in Pretoria, where the former Transvaal provincial council used to meet, should be restored at a cost of R100 million to accommodate parliament.

"The Raadsaal would be totally inadequate even after restoration and we can foresee Pretoria going back to the country after a few years and saying that a new parliamentary complex must be built at astronomical cost," he said.

The fourth contender for parliament is the Midrand Parliamentary Bid, convened by Midrand councillor Jenny Lehr, with members of Gauteng's North-East metro as supporters.

Mrs Lehr has her own views on why the auditor's report has not been tabled.

"It is being said on the grapevine that the cost of duplication of services by having two capitals is as high as R200 million a year," she said.

Dr Bridgman described this figure as "ludicrous", probably an inflated figure "dreamed up" to support Midrand's bid.

Travelling in style ... President Mandela and Queen Elizabeth sweep through Pall Mall to Buckingham Palace yesterday during Mandela's state visit to the UK.

of 'selling' SA

London – After the first day of a state visit spent mostly with the British royals, President Nelson Mandela is today shifting his focus to political and business leaders.

He is having talks with Prime Minister John Major and the leader of the Opposition, Tony Blair, and then delivering the keynote address to a conference on investment in South Africa.

Mandela told a state banquet at Buckingham Palace last night that his Government appreciated the support Britain had given to promoting increased trade and investment.

"Our delegation is keenly looking forward to its engagement with your business leaders and is grateful for the commitment and the efforts that have been put into making this possible," Mandela said.

"We cherish our links with the rest of the world. We value in particular our burgeoning cultural, historic and economic relations with Her Majesty's government and the people of Britain."

Later today Mandela is to receive honorary doctorates from eight British universities, including Oxford and Cambridge. – Sapa.

► **UK's big boost for SA** ... *Page 3*

Royals turn on the pomp and splendour as Mandela conquers London

(304A) Star 10/7/96

By Liz Clarke

London – There was massive excitement in the British capital yesterday as the procession of horse-drawn carriages carrying Queen Elizabeth and President Mandela swept out from the crowds in Horse Guards Parade, and down the Mall – draped with South African flags – towards Buckingham Palace.

Thousands of well-wishers, standing six and seven deep, lined the route. Hundreds of them had been waiting there since dawn. Many were clinging to statues and lamp posts to ensure a good vantage point.

It was British pageantry at its most colourful – burnished carriages led by a vanguard of the household cavalry in full ceremonial regalia, the salvo of canon fire saluting a visiting head of state, and the flags of both countries fluttering in the breeze.

Neither the rain-filled clouds above nor the sombreness of the presidential dark suit – not yet the time for any of the famous Madiba shirts – could detract from the pomp and circumstance of celebration.

It was Nelson's day, one that not even the Queen herself was going to upstage as she sat back and let her guest bask in a hero's welcome.

In keeping with the joyful atmosphere, one had the feeling that if protocol had allowed, Mandela would have climbed down from the royal carriage and shaken hands with many of the cheering crowd. Among them were schoolchildren, dancing and singing, some with the colours of the SA flag painted on their faces. Many were moved to tears, overwhelmed by an occasion which a few years ago would have been no more than a far-fetched dream.

A small press corps allowed on to the steps of the grand entrance to Buckingham Palace, might have detected just a hint of strain in the president's face as he walked up the red-carpeted steps with his royal hosts. But as momentous as the occasion was, it did not stop him from turning around to the reporters and photographers from South Africa and

► ... *To Page 2*

P.T.O.

A royal welcome for Mandela

► From Page 1

giving them a broad grin – if not quite a thumbs-up.

In anybody's book this was a day to remember, not only for the wealth of regal splendour, but for the number of events packed into one day.

For the early-rising president it began with a 5.30am jog around Hyde Park, dressed in an Olympic tracksuit and ended with a state banquet of glittering proportions.

Among those sharing the main section of the table with the president, his daughter and his royal hosts, were the Queen Mother, the Archbishop of Canterbury, the Prince of Wales, the Duke of York, Princess Anne and Professor Kader Asmal, Minister of Water Affairs and Forestry.

Missing from the line-up was the Queen's youngest son, Edward, and more understandably the Princess of Wales, who has not been included in any of the week's celebrations.

One couldn't help notice the more unusual table accessories, including solid gold cruet sets. The one in front of the president was in the shape of two lobsters, while the one in front of his daughter Princess Zenani was in the form of a giant crab.

Other little touches included a cushion and a footstool for the Queen Mother, now aged 95.

A firm supporter of Nelson Mandela, she was attending her first state banquet in several years.

"She was determined not to miss this one," said a palace spokesperson.

Day begins with a jog, ends with a banquet

In a touching moment, after the president gave the traditional toast to the Queen, he turned to the Queen Mother, clearly wishing to include her in his gesture of goodwill.

For once there was no problem about what to serve for dinner. As the president does not eat red meat, the problem of British beef was not an issue.

The menu consisted of filet of sole, followed by turkey, courgettes, brocolli in a Hollandaise sauce, new potatoes and salad, and finally strawberries with a lemon meringue glacée.

On the wine list was, appropriately, a Hamilton Russell Chardonnay 1993, and also served was Chateau Figeac 1985, Louis Roederer 1986 and Fonseca 1970.

The more serious side of the tour begins today when the president launches an investment initiative at the Barbican Centre – a campaign that many see as one of the greatest challenges of his presidency.

But for the average person in the street, British and South African, there is little doubt that he is winning hearts and minds at every turn.

The Mandela shirt craze is already off the mark. Copies of the black cotton top studded with a Xhosa bead design worn at the banquet, are due to go on sale within the next few weeks, so too is the gold shirt worn at Westminister Abbey for the laying of the wreath at the tomb of the unknown soldier.

Princess Zenani Mandela Dlamini is not far behind in the fashion stakes.

The British press were happy with her royal blue suit worn on day one, and were full of praise for the daring off-the-shoulder scarlet dress she wore for the banquet.

So far, it's been a golden start to a state visit that some say will turn tradition on its head.

Does the Queen mind?

"Not at all," said a Buckingham Palace spokesperson.

"She and the duke (of Edinburgh) are loving every minute of it. It is all very different."

Hero's welcome for Mandela

(304A)

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LONDON — Thousands of flag-waving children gave President Nelson Mandela a hero's welcome to Britain yesterday, cheering and chanting his name as he rode down the Mall to Buckingham Palace with Queen Elizabeth in an open-topped carriage after inspecting the royal guards.

The crowds broke into song as the band played Nkosi Sikiel' iAfrika.

"We usually only get a few hundred people on these occasions and polite applause. I've never heard that kind of noise before with children chanting," said one British official.

London teacher Ann Ford said: "This is history.... He is a hero for me. He shows us peace is possible and I have come to pay tribute to him."

Mandela told BBC radio: "It must not be forgotten that the masses of the people in this country and elsewhere were in the forefront of the anti-apartheid struggle, and it is absolutely necessary, now that we have succeeded, to thank them for that contribution."

Earlier he went for a walk in Hyde Park, shaking hands with commuters.

He will spend his four days in London with his daughter Zenani as guests of the queen at Buckingham Palace.

Bonile Ngqiyiza reports British High Commission spokesman Richard Morgan said British Prime Minister John Major would pledge £60m in development aid to SA when he met President Nelson Mandela in London today. The money would be given out in yearly instalments of R130m over

Continued on Page 2

Mandela

(304A)

BD 10/7/96

Continued from Page 1

three years to promote development in priority areas — education, good governance, health, rural and small enterprise development — agreed on by Mandela and Major.

Specialists were working out projects, he said. The package would be coordinated by the British Overseas Development Administration in conjunction with the London foreign office and the British high commissioner in SA.

Meanwhile, Action for Southern Africa, the successor to the Anti-Apartheid Movement, said that it would use Mandela's visit to urge Britain to fight for a better trade deal for SA. — Reuter.

Picture: Page 4

Brits bask in Madiba magic

Admiring crowds feted President Nelson Mandela yesterday, the second day of a triumphant state visit to Britain, and he declared that his "batteries (had been) recharged" by the trip. Mandela, at 78 the world's most respected national leader, said the reception he had been given by star-struck Britons was "beyond words". Received like a hero in the British capital, Mandela caused an excited scramble when he arrived at Prime Minister John Major's office-residence. "In the 52½ years I have been in Downing Street, I cannot recall an occasion when all the people working here lined the corridor (for a visitor)," Major told reporters after hosting a lunch for Mandela ... ▶ Page 1

TODAY'S NEWS AT A GLANCE

Top stories of the day

Wits shocked by death

Witwatersrand University law professor Etienne Mureinik (42), who plunged to his death from the 23rd floor of a Braamfontein hotel yesterday, had suffered from depression for several months, a colleague said. Police said Mureinik had booked into the Parktonian hotel at 9.45am and asked for a room on one of the top floors. About 45 minutes later he jumped to his death. Colleague and friend, Professor Martin Brassey, said: "He was a person with a really magnificent mind and a passionate commitment to justice. I think the world just overwhelmed him." Wits vice-chancellor Professor Robert Charlton said the university was deeply shocked by the tragic loss ... ▶ Page 1

Journalist's great escape

The thudding of an SANDF helicopter caused excitement in the camp, sending the young hikers racing to a ledge above the snow-bound Ndadema Gorge in the Drakensberg. One youth, dressed in a yellow rainsuit waved his arms furiously while the others shouted and danced on the ledge. The helicopter did another turn in the gorge and then slowly disappeared. For 14 hikers, including nine teenagers and an 11-year-old boy, the arrival of the helicopter had been one of the highlights of the day. The three days before had been a mixture of joy and fear as the snow become deeper and the weather showed no sign of letting up ... ▶ Page 2

ANC rejects 'plot' claim

It was not surprising that claims of an ANC plot to assassinate President Nelson Mandela came from the same people who had deceived the public with disinformation portraying the ANC as a

Star staffer tells how he and his party survived snowy Berg

Light snow fell as they set off, but the group was well equipped and well provisioned and the decision to carry on with the hike was unanimous

*Subeditor **Graham Lizamore** was among the hikers in the Drakensberg when the mountains were blanketed in snow. Friends, relatives and colleagues were frantic about Lizamore and the others in his party, but when he arrived back in Johannesburg last night he had a story to tell of drama and excitement, not fear and danger.*

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The three days before had been a mixture of joy and fear as the snow become deeper and the weather showed no sign of letting up.

When we set off on Saturday morning there had been very light snow and expedition leader Steven de Kiewit, a psychologist working with Wits University and the Van Leer Big Buddy Foundation, had called us together and asked whether we wanted to continue the hike.

The Big Buddy programme had been designed to develop team spirit among potential leaders in socially disadvantaged communities and the teenagers had been selected for their leadership qualities.

The sun shone and the children cheered

We were well equipped and provisioned and the decision was unanimous so the party continued the hike, pressing deeper into the Ndadema gorge.

The snow fell heavily and on Sunday morning De Kiewit decided it was too dangerous to continue along the river because the snow was covering the boulders and we could not afford any injury in those conditions.

A decision was taken to climb several hundred feet up to Elephant Shelter where we could spend another night or, if conditions allowed, find the contour path which would lead us to Poachers Shelter.

With visibility reduced to about 50m, Timothy Bernard (19), Wannie Claasen (22), and Lesley van Wyk (17) opened a path for the rest of us in snow that was a metre deep.

For seven hours, the group, which included three young matriculant girls from Klipspruit High in Eldorado Park, pushed through the snow but by the time we reached Poachers, conditions were too dangerous and De Kiewit, a veteran of some 30 trips through the 'Berg, decided we should head for Leopards Cave some 3km further on.

But the forest had been devastated by the snow and for a few moments we stood listening fearfully as thick branches snapped under its weight.

Fortunately, there was another alternative and in 10 minutes three tents had been set up and we all ate hot spaghetti and meat balls.

Early next morning Kate Fraser, a Telkom sales representative, woke early and yelled: "The sun! Come and look."

Soon after the helicopter arrived and left we set off for the exit to the gorge known as Junction Camp. By mid-afternoon we arrived and set up camp.

Yesterday morning, a helicopter passed overhead and then spotting Paul Lizamore (11) from Graeme College, Grahamstown, playing in the river. The pilot landed and told us about the rescue operation. Asked whether they wanted to be airlifted out the children shouted: "No, we started together and together we will walk out of the mountains!"

Timothy Bernard summed it up: "This has been a transforming experience and I speak for all of us when I say we do not regret the fear and hardship which bonded us into a team and gave us the self-respect that I now know we deserve."

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errorist organisation, the party said yesterday. The Foundation of Equality before the Law, in a submission to the Truth Commission, yesterday alleged that Mac Maharaj, Siphiwe Nyanda and Ronnie Kasrils knew about or planned the assassination.

OAU backs Burundi plan

African heads of state ended their three-day annual OAU summit yesterday by backing a regional military assistance plan intended to end the bloodbath in Burundi. The plan was agreed by a regional summit last month and foresees the use of Tanzanian, Ugandan and Ethiopian troops in Burundi. Spokesman Ibrahim Dagash said the summit also adopted a tough resolution on Liberia and would push for a UN war crimes tribunal to try warlords of the six-year civil war ... ► Page 4

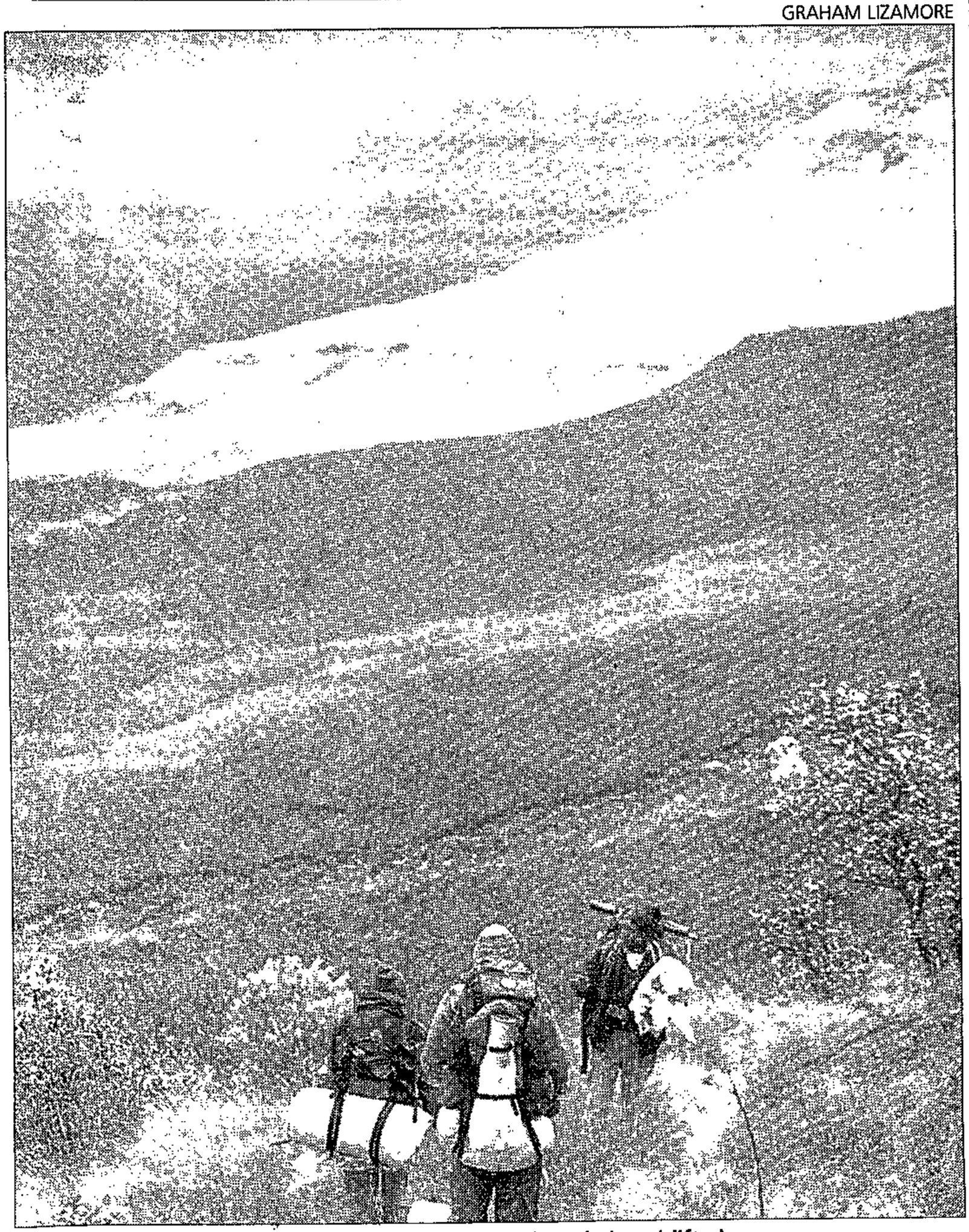
African warming warning

Southern and central African countries are likely to become the main victims of global warming which is already damaging their economies through drought, a report issued by the World Wide Fund for Nature said. Unless a rise in temperatures was halted, among future effects would be the spread of lowland diseases to big African cities and the destruction of wildlife and its habitat. The report was issued as 150 countries debated at a UN-sponsored conference in Geneva whether to set tougher targets for reductions of the greenhouse gas emissions – mainly from coal and oil – widely blamed for warming ... ► Page 5

Bill to protect consumers

A bill which aims to protect the public from unscrupulous businesses is set to become law in Gauteng before the end of the year. Public hearings and written submissions on the draft Consumer (Harmful Business Practices) Bill will serve as a final input before the bill is passed in the legislature. The bill provides for the establishment of six sub-regional consumer complaints offices, and for complaints to be referred to an investigation office. A business could be called before a consumer court, which will have the power to impose fines of up to R200 000 or imprisonment ... ► Page 6

GRAHAM LIZAMORE



Out of danger ... some of the hikers who made it without being airlifted.

Welcome recharges Madiba

Star 11/7/96

► From Page 1

(304A)

terday to encourage more British investment in South Africa.

The centre-piece was a day-long conference in London on investment in South Africa held under the auspices of the Confederation of British Industry (CBI), the Royal Institute of International Affairs and the Committee on South Africa Trade of Britain's Department of Trade and Industry.

Delivering the keynote address to the 600 delegates, Mandela said the South African Government fully realised that the public corporations it commanded had to be restructured.

Firm decisions had to be taken in this regard to privatise some of them; to acquire strategic equity partners for others; and to redefine the role of the remainder. Similar processes were being launched in the airlines and general transport industries.

Mandela, who was given several prolonged standing ovations, said that critical for South Africa as it set out to eradicate the disparities created by apartheid, was that investments by British industry had increased to about £12-billion (about R80-billion) in the key mining, manufacturing and telecommunications sectors.

Prime Minister John Major and the president of the CBI, Sir Colin Marshall, both said they were determined Britain should hold its position as the biggest foreign investor in South Africa.

Major, who later in the day also announced a further £60-million (about R400-million) aid package for South Africa, said South Africa could look to Britain as a channel for investment and as a friend in Europe, he added.

Later in the day, after lunch and talks with Mandela at 10 Downing Street, he elaborated that Britain would do its best to secure the most favourable relationship for South Africa with the European Union.

Pledge to privatise parastatals renewed

Among top South African par

Worst still to come with ice on roads, traffic chief warns

By Troye Lund

The big meltdown in the Free State and KwaZulu Natal's snow-blanketed towns could prove more hazardous than the snow-storms, authorities have warned.

"The bitterest cold is yet to come when snow turns to ice. And melted snow turns to black ice overnight as it gushes across the roads," said Harrismith traffic chief Pottie Potgieter.

Potgieter spent yesterday flying between the Oliviershoek and Van Reenen's passes, opening and closing them as accidents occurred and blocked the steep routes which descend into KwaZulu Natal from the Free State.

Eleven trucks slipped off Oliviershoek and two jack-knifed across the slippery tar.

Minutes after Van Reenen's Pass was opened at noon yesterday it had to be closed again when a truck slid and squashed a car into the embankment. No one was injured in any of the accidents.

By early evening, traffic authorities had advised truckers not to use the passes, but said they were all clear. Potgieter said he was preparing for a few sleepless nights worrying about vehicles on roads that were perfectly clear during the day but were sure to ice over at night for a few days.

Harrismith director of community services Carel van Syl said there were no more reports of people suffering from hypothermia and, despite the icy weather, everything in the region was fair.

But he also expected problems when temperatures dropped as a result of the snow turning to ice. He expressed concern about communities living on the outskirts of towns in iron shacks, saying they would be very cold.

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SUBJECT TO TIMEOUS MATERIAL DELIVERY

MILESTONES

BIRTHDAYS

homas Bowdler
nglish editor of
hakespeare's works
1754-1825)

ul Brynner
ussian-born actor
1920-1985)

1794 Conspiracy by Moderates of the Mountain and Dantonists against Robespierre succeeds in abolishing Commune of Paris in France.
1810 Napoleonic Empire annexes Holland.
1963 Police raid a farmhouse north of Johannesburg that is the secret headquarters of the ANC.
1971 Moroccan government says leaders of a coup against King Hassan have been slain or arrested.
1978 Truck carrying industrial gas explodes and sets fire to campsite on Mediterranean coast in Spain, killing at least 180 people.
1987 United Nations proclaims newborn boy Matej Gaspar in Zagreb, Yugoslavia, as world's 5 billionth inhabitant.
1989 Jailed ANC leader Nelson Mandela releases a statement through the prison service saying the only way to peace in South Africa is through dialogue with the Mass Democratic Movement and the ANC.

THOUGHT FOR THE DAY
You come into the world alone and you go out of the world alone, yet it seems to me you are more alone while living than even going and coming.
Emily Carr, Canadian artist and author (1871-1945).

HE TOP,

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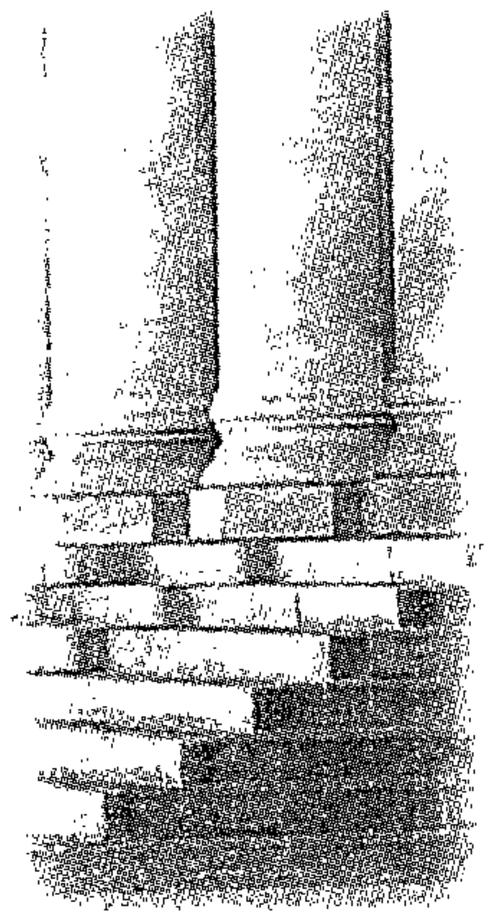

MENTOR
BUSINESS AND COMPUTER SCHOOL

OBITUARY

A very promising writer and passionate about life

Mduduzi Solomon ka Harvey was the life of many a party and portrayed a zest for life that will be sorely missed by his colleagues, friends and family.

The 32-year-old Business Day reporter died in the Hoogland Medical Clinic in Bethlehem in the Free State on Tuesday night after spending three weeks on a ventilator with fractured ribs and a brain injury.

He was one of four reporters involved in a car crash when their vehicle overturned near Harrismith three weeks ago en route to the wedding reception of a colleague in Durban. The Star's city reporter, Lorna Zokufa, was killed instantly.

Ka Harvey, known to friends as "Mdu", started his journalism career at the Mail and Guardian in 1992 before moving to Business Day in February last year.

Mail and Guardian editor Anton Harber said that Ka Harvey "was a very promising writer".

He was the only child of Patricia, the first black women journalist on The World, and Kaizer, a mathematics teacher. – Staff Reporter.

ticipants at the investment conference were Trade and Industry Minister Alec Erwin, Transport Minister Mac Maharaj, Public Enterprises Minister Stella Sigcau, Water Affairs Minister Kader Asmal, and Deputy Finance Minister Gill Marcus.

Yesterday, the second day of the four-day visit got off to an early start with a 7.30am tree planting ceremony in St James Park. He then received Commonwealth Secretary-General Chief Emeka Anyaoku and Leader of the Opposition, Tony Blair, in his Buckingham Palace suite.

He thanked Blair for the Labour Party's role in opposing apartheid.

Late in the afternoon, Mandela received honorary doctorates from the universities of Oxford, Cambridge, London, Bristol, Nottingham, Warwick, De Montford and Glasgow Caledonian in a special ceremony at the palace.

He said empathy, support and assistance from Britain's tertiary sector had been forthcoming over the past two years "to a staggering degree ... for this I wish from the bottom of my heart to voice my gratitude and that of all those for whom I speak today".

Last night he was given the honorary freedom of the City of London. He told the Lord Mayor, Alderman Sir John Chalstrey, and other distinguished guests gathered at Guildhall, that he had first come to London in 1961 "under rather different circumstances" and was delighted to be back.

"I have come to Britain not as a petitioner with begging bowl in hand, but as a partner inviting investors to join hands with us in building a long-term future for our country and southern Africa."

The Star
Established October 17 1887

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CT 12/7/96 (304A)

HE'S NOT HEAVY, HE'S MADIBA: President Nelson Mandela gets a helping hand from the Speaker of the House of Commons, Ms Betty Boothroyd, as he arrives at London's Palace of Westminster yesterday. Mandela chided the British for their colonial past in a speech that some said was one of the most dignified and important that he had ever made. ***PICTURE: AP***

HISTORIC WESTMINSTER HALL SPEECH

Mandela's day of majesty

CT 12/7/96 (304A)

LONDON: President Nelson Mandela gently but firmly reminded Britons yesterday that it was their colonisation in the 18th century that sowed the seeds of white supremacy in South Africa.

THE circle of history closed yesterday as arguably the world's most dignified statesman, President Nelson Mandela, chided his hosts for their colonial past — which he said had caused immense suffering and pain in South Africa — and made a sombre appeal to the world not to neglect the needs of Africa.

In a rare address to parliament in Westminster Hall, Mandela said his presence in London as the head of a multiracial democracy marked the "closing of a circle" that had been two centuries in the drawing.

But for the first time in a triumphal state visit in which he has drawn widespread adulation, Mandela gently but firmly reminded Britons that it was their colonisation in the 18th century that sowed the seeds of white supremacy in South Africa.

In a dignified speech to both houses of parliament assembled in the 900-year-old Westminster Hall, Mandela recalled how his predecessors had come to London 80 years ago to appeal in vain for Africans to be treated equally with whites.

"Despite that rebuff and the terrible cost we had to bear as a consequence, we return to this honoured place neither with pikes, nor with a desire for revenge, nor, even, with a plea to your distinguished selves to assuage our hunger for bread. "We come to you as friends," a tired-looking Mandela said. Earlier Mandela was helped down the steps of the hall by Ms Betty Boothroyd, the speaker of the House of Commons.

Boothroyd told Mandela that his lack of personal bitterness toward those who had imprisoned him for more than a third of his life represented "an outstanding victory of the human spirit over evil".

She said: "I never expected to stand here under the famous hammer beams of Westminster Hall, which have witnessed so many of the great events of British history, and see you honoured so rightly and so full-heartedly by both houses of parliament."

A fanfare by royal trumpeters dressed in gold tunics greeted Mandela, 77, as he held Boothroyd's hand to walk stiffly down the red-carpeted steps of the hall, a magnificent, echoing building with a high wooden-beamed ceiling.

Mandela was the first foreign statesman to be accorded the honour of address in Westminster Hall since France's President Charles de Gaulle in April 1960 — two years before Mandela came to London for the first time to drum up support for the struggle against apartheid in South Africa.

Mandela, responding with "a deep sense of humility", coupled a condemnation of racism as a "blight on the human conscience" with a tribute to Britons who had stood up against apartheid.

Among the 2 000 assembled to hear Mandela was former Conservative prime minister Mrs Margaret Thatcher, who once famously described him as the leader of a terrorist organisation and stubbornly refused to join in international sanctions against South Africa's white regime in the 1980s.

"To close the circle, let our peoples join hands to build on what we have achieved together to help construct a humane African world, whose emergence will say a new universal order is born in which we are each our brother's keeper," he said. — Own Correspondent

Big Band boogie

LONDON: Last night President Nelson Mandela showed the British how to stage a state dinner — at a concert in the Royal Albert Hall with the Big Band sound he loves.

A capacity crowd of 5 000 celebrated to the sounds of Britain and South Africa's brightest and best in celebration of all that is good in Mandela, the two nations and the world.

Performing were Phil Collins, Tony Bennett and Quincy Jones and music legend Hugh Masekela. "Mandela just loves music and he loves to dance," said Masekela, which explains why he chose to entertain the Queen with a concert instead of the customary "return banquet".

Mandela's famous bright shirts have also caused a flurry in London with Harrods expressing an interest in carrying a line of them.

● See Page 6

Women's League is hit by funds freeze

(304A) (BD 12/7/96)

Nomavenda Mathiane

PRESIDENT Nelson Mandela has frozen most of the ANC Women's League's funding, apparently because of its support for Deputy Environmental Affairs and Tourism Minister Bantu Holomisa, who faces disciplinary action from his party.

League sources said league branches had, on instructions from Mandela and the ANC's national working committee, been informed of the decision this week in a memorandum from ANC treasurer-general Arnold Stofile.

Only salaries of the league's provincial staff would be paid. No more funds would be made available for league running costs at regional level.

ANC spokesman Ronnie Mamoepa declined to comment, saying it was an internal party matter.

Regional league secretary and Gauteng provincial MP Lindiwe Maseko said the league would be unable to operate without funding. She had no idea why funds had been stopped.

Continued on Page 2

League

(304A) (BD 12/7/96)

Continued from Page 1

It was not clear if the league's head office staff would be affected. If it was, only full-time administration staff, not office bearers like league president Winnie Madikizela-Mandela and her deputy, Thandi Modise, would be affected by the freeze.

The league's national office said it had been trying since Monday to contact Stofile for an explanation.

Sources in the national office said Mandela had not taken kindly to the league's support for Holomisa after he was berated by the party for telling the truth commission last month that Public Enterprises Minister Stella Sigcau received R50 000 from a bribe allegedly paid to former Transkei leader Kaizer Matanzima by Sun International boss Sol Kerzner. They said this appeared to be behind the move.

Sources outside the league suggested Mandela's instructions had been prompted by alleged maladministration of league funds, which was being investigated by auditors.

However, a member of the national office said the office had not been in charge of any funds since a number of prominent members quit. The ANC had been covering its payments. Unless a sound explanation was given for freezing funds, the league would act against the party, she said.

Meanwhile, Ecna reports that a crisis looms in the league's Eastern Cape branch, where a new executive is battling to take control. Sit-ins and demonstrations have marked the struggle as elected members battle to wrest control of assets from the previous executive. Members are to meet at the weekend to try to resolve the matter.

After the conquest of Britain, it's Nelson's march de triomphe

Mandela!

(304A) ST 14/7/96

PRESIDENT Nelson Mandela's status as the world's foremost statesman will be underlined today when he is granted the rare honour of attending the Bastille Day celebrations in Paris at the side of French President Jacques Chirac.

Mandela arrived in Paris yesterday after ending his visit to Britain as a conquering hero, his trophy the hearts and minds of the people.

Not since Winston Churchill has a head of state been treated to the cheers of 80 000 Londoners in Trafalgar Square.

Not since Charles de Gaulle in 1960 have so many MPs, their spouses, children and even their mothers packed into the 950-year-old Westminster Hall to hear a foreign leader speak.

Mandela arrived on a private Falcon jet at Paris's Orly airport, where he was greeted by the Minister of Economy and Finance, Jean Arthuis, as France geared up for its national holiday today.

After inspecting troops from the elite Republican Guard, he went by helicopter to the chateau of Rambouillet, southwest of Paris.

Mandela is scheduled to hold three sets of talks with Chirac during the state visit, the first last night at Rambouillet.

Meanwhile, Britain's normally cynical political commentators were knocked out by Mandela's performance in their country.

The Daily Telegraph's Boris Johnson wrote: "Not in the past three decades has there been such fantastic ceremony accompanying a state visit. This is an age short of political heroes, of men or women who have managed to keep their halo bright."

According to Rachel Campbell-Johnston of The Times, Mandela is "the embodiment of principled opposition to prejudice".

"He remains the yardstick by which political leaders should be measured."

She added: "In an age when most leaders inspire cynicism, the South African president is a model of dignity and integrity."

Ordinary Londoners waiting in Trafalgar Square for a glimpse of the South African leader were similarly moved.

"He believed in the struggle and he's proved it — he's made the biggest sacrifice, 27 years of his life. People like (British Prime Minister) John Major, they have no idea," said Marcia Grant-Booker as she waited in the glare of the morning sun.

Earlier on Friday Mandela mingled with thousands of well-wishers in Brixton, but his visit to the area had to be cut short after police feared the crowd might overwhelm his party.

His visit to Brixton and his appearance in Trafalgar Square were broadcast live on British television, along with his speech at the queen's banquet two days earlier.

But the political high point of Mandela's visit to London was his address in Westminster Hall to a joint sitting of Britain's Houses of Parliament.

British politicians and journalists confessed to having lumps in their throats as Mandela made his way down the steps of the hall to become the first head of state in 30 years to give such an address.

On their recent visits to London, US President Bill Clinton, Russian President Boris Yeltsin and Chirac barely filled the much-smaller royal gallery.

Today Mandela will tell Chirac and members of Paris's high society, who will attend a lunch in his honour in the grounds of the Elysée palace, that South Africa's May 199 election was the equiva lent of the storming of th Bastille.

He is expected t compare South Africa'i new constitutional order t the French revolution'i ideals of liberty, equalit and fraternity.

Before lunch Mandel will have talks with Prim Minister Alain Juppé.

Mandela will also hol meetings with the Frenc employers' federation an its head, Jean Gandois, i an effort to boost French investment to help build South Africa's economy.

France is the fourth-largest investor in South Africa after Britain, Germany and the US, but with only 125 French companies, compared with 1 500 for Britain, 326 for Germany and 150 for the US.

Trade between the two countries is relatively small: at present France imports one percent of South Africa's exports, and is sixth in terms of foreign imports into the country.

The South African embassy in Paris said it hoped Mandela's visit would prove to be a turning point for economic relations between the countries, which are hoping to boost bilateral trade by 50 percent over the next three years.

By RAY HARTLEY: Paris

LONDON'S PRIDE

HOW THE 'KING OF AFRICA' CONQUERED THE QUEEN'S COUNTRY: PAGE 3

FRENCH EMBRACE . . . Nelson Mandela on arrival yesterday at Paris's Orly airport, where he was welcomed by the Republican Guard

ST 14/7/96

(304)

GERARD FOUET / AFP

Mandela on the second day of his state visit to France yesterday.

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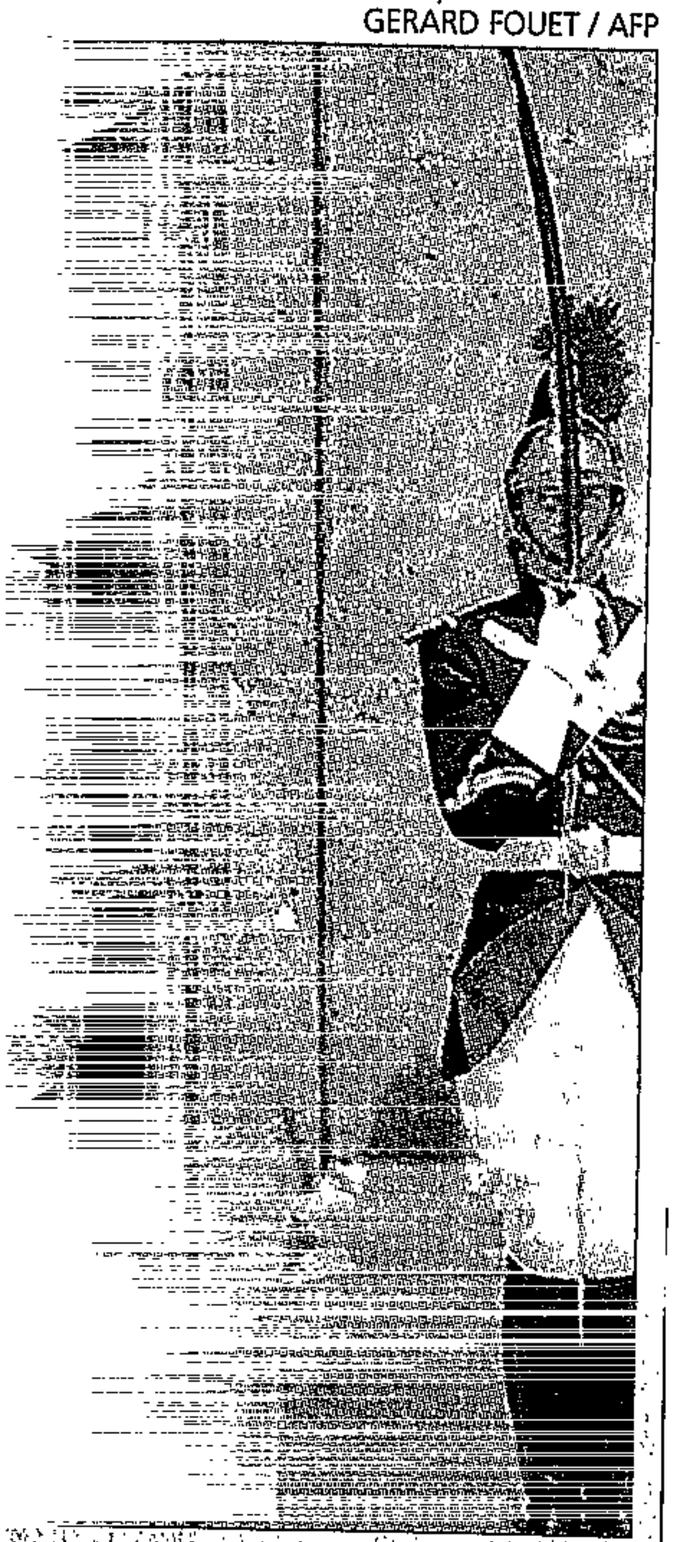
GERARD FOUET / AFP



...wd as they leave the Elysee palace in

(304A) Star 15/7/96

Thousands swamp South African president as he continues to draw adoration and awe on his four-day state visit

Own Correspondent and Reuters
Paris

President Nelson Mandela was mobbed by thousands of cheering young French people in the gardens of the Elysée presidential palace here yesterday.

Earlier, Mandela, who is on a four-day state visit to France, was President Jacques Chirac's guest of honour at the Bastille Day military parade on the Champs Elysée, forsaking his trademark patterned silk shirts for a grey suit.

Chirac then invited Mandela to a garden party with some 3 500 young people from across France, who chanted his name and overwhelmed Republic Guards as they jostled for autographs and pictures.

The young guests burst through the security cordons to get to their idol, and Mandela was badly jostled several times.

But he smiled throughout, insisting afterwards that he was "okay".

"All countries today need to apply affirmative action to ensure that the women, the disabled, also are raised and are equal to all of us," Mandela said to cheers from the youths.

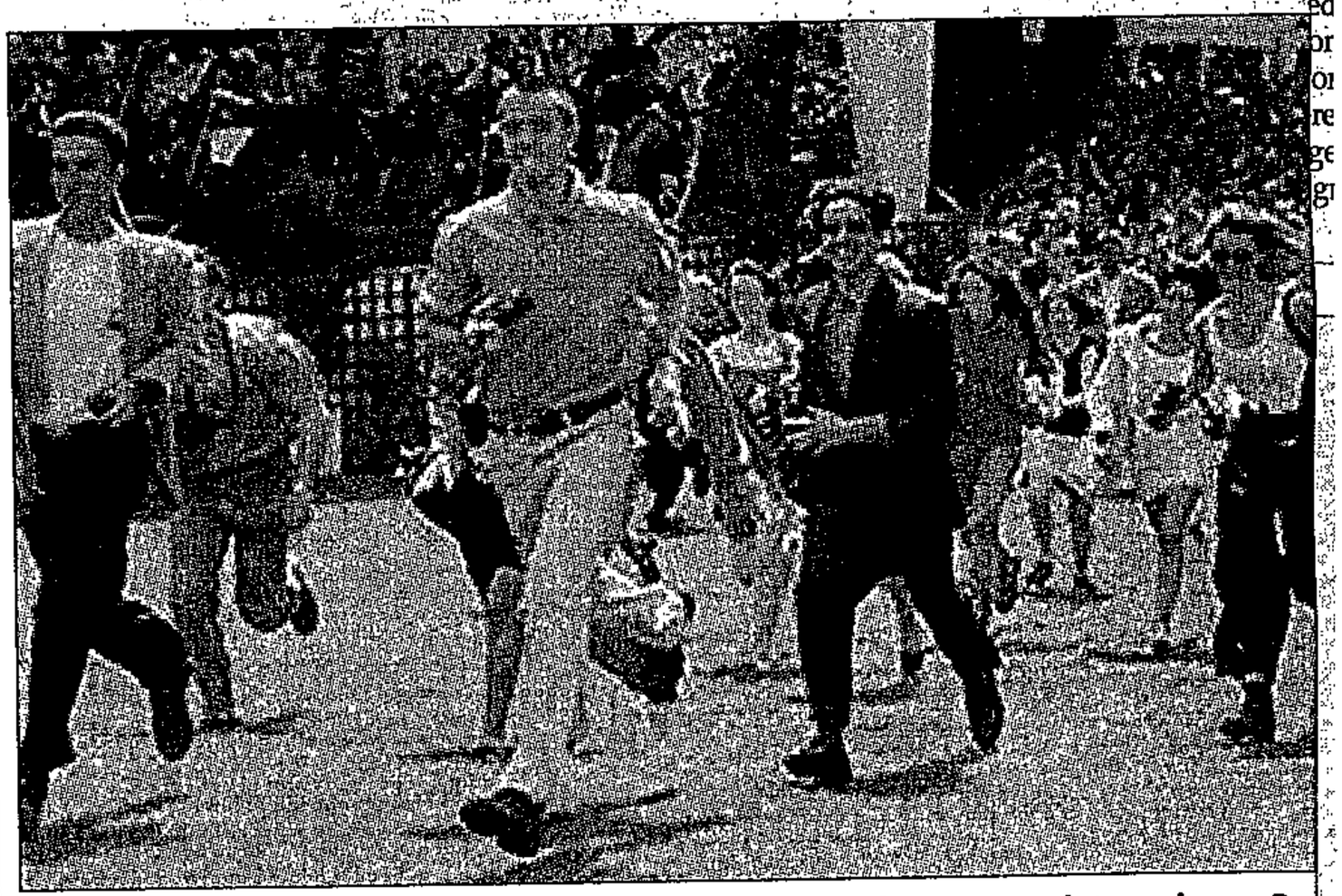
On the second day of his visit to France, after a tumultuous trip to Britain, cabinet ministers shook Mandela's hand with visible awe.

The French media hailed him as personifying not only courage in overcoming apartheid but also wisdom in reconciling black and white South Africans to build a multiracial democracy.

"I have looked forward to this day," Mandela said in his impromptu speech, calling Chirac an old friend and "one of the most outstanding statesmen that we have in the world".

"I will take back to my country the memories of how I was received in the land of Rousseau, of Voltaire and Montesquieu – some of the architects of the doctrine of liberty, brotherhood and equality," he said.

► ... *To Page 2*



Madiba mania ... guests at the traditional Bastille Day garden party rush to welcome Pre

Madiba mag

Vive les Presidents ... President Mandela and French President Jacques Chirac wave to the c
Paris to attend the Bastille Day garden party in the palace grounds yesterday.

STAR
15/7/96

(304A)

France rolls out red carpet for SA president

BD 15/7/96 (304A)

PARIS — France rolled out the red carpet yesterday for Nelson Mandela, the guest of honour at the Bastille Day parade on the Champs Elysées.

The SA president was greeted by crowds of Parisians waving the tricolour as he arrived at the parade commemorating the French Revolution.

The former revolutionary sat elbow to elbow with an attentive French President Jacques Chirac to watch the parade of military might.

The sky was filled with red, white and blue clouds of smoke as the parade got under way, with more than 150 aircraft flying directly overhead down Paris's central artery. For the first time aircraft from the Royal Air Force joined the display, as a tribute to Franco-British military co-operation. Wave after wave of soldiers, horse-backed regiments and armoured cars streamed down the boulevard.

The SA leader arrived in Paris on Saturday to a formal but low-key welcome, unlike the rousing reception he had received at each stop of his earlier state visit to Britain.

But Mandela was to have an opportunity to mingle with the French public later in the day at a garden party. Chirac invited about 3 000 young people aged 15-25 to take part in the reception. Twenty-two of them were to have lunch with Chirac and Mandela.

Tens of thousands of spectators lined the street to view the parade. One said she was happy Mandela was visiting. "France needs to sell arms to SA, there's a real commercial aspect to his visit. I hope we sell them lots of arms because we need the money."

French officials said that Mandela and Chirac had seen eye-to-eye on a range of African and international issues in their talks so far. Mandela will also meet French business leaders and receive an honorary doctorate from the Sorbonne. — Sapa-AFP-AP, Reuter.

Picture: Page 2

Chirac offers a partnership to help build a new Africa

CT 16/7/96 (304A)

PARIS: Praising President Nelson Mandela for embodying "the rejection of infamy", President Jacques Chirac suggested that France and South Africa's ambitions in Africa are complementary.

FRENCH President Jacques Chirac yesterday offered President Nelson Mandela a partnership to help build a new Africa, and Mandela appealed for more investment by French business.

Chirac paid an enthusiastic tribute to Mandela for embodying "the rejection of infamy".

In a speech during lunch at the Elysée presidential palace, Chirac followed in the footsteps of his predecessor Mr Francois Mitterrand, who struggled in vain to build a relationship with Mandela based on a more interventionist South Africa.

"Our experiences and our African ambitions are complementary. I suggest we think and work together on how to develop the African continent," said the heir to the Gaullist legacy of strong colonial ties with Africa.

Chirac underlined that France trusted South Africa's political and economic choices, and promised to spare no effort in drumming up French investment for the country.

At an earlier ceremony marked by academic pomp, Mandela likened his battle against apartheid to France's 1789 revolution and appealed for massive investment in South Africa.

Clad in the black gown of a Paris scholar as he accepted an honorary diploma from the Sorbonne University, he sought to allay concerns at political tension and a crime wave deterring foreign business.

Efforts to improve South Africa's economy, and to come to terms with the sufferings of apartheid, were a vital part of what he called "our revolution" and he appealed to foreign business to become involved.

"The actions of French business in establishing and expanding operations in South Africa and making major investments in South African enterprises, testify to a positive judgment of our future," he said.

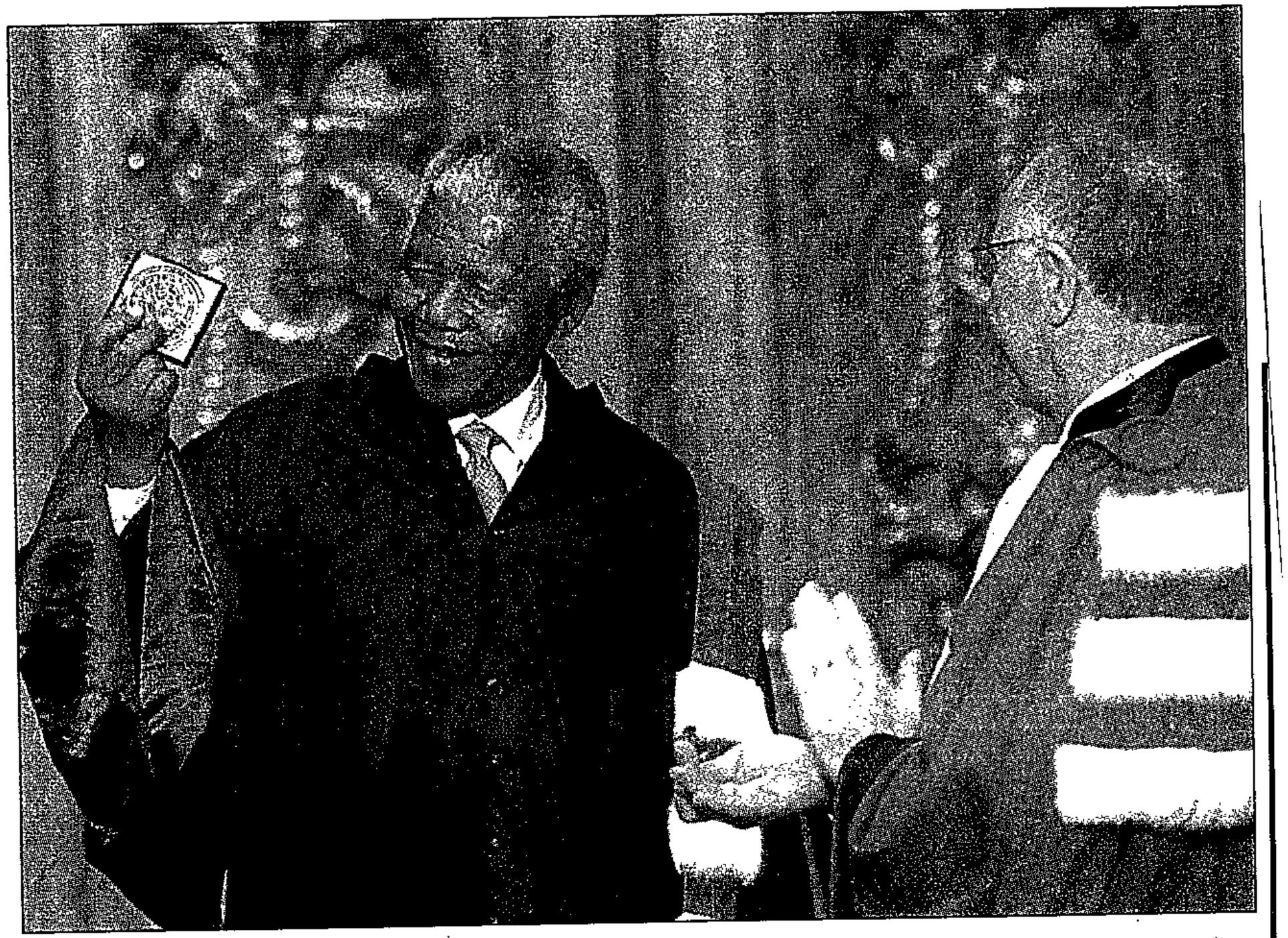
Mandela is to meet French industrialists today to reassure them about remaining exchange controls and delays in the privatisation programme.

In an interview with Le Monde, Mandela shied away from a stronger peacekeeping role for South Africa in the continent's conflicts. "Acting independently would lead to chaos, disorder, and duplication of efforts," he said.

At the ceremony in the amphitheatre of the Sorbonne University, Mandela said: "On April 27, 1994 we too, in our own special way, stormed our Bastille.

"We boast of our constitution's overarching injunction to our nation to address the legacy of past inequalities and to work together to improve the quality of life of all our people in the spirit of nation-building and reconciliation.

"May we pledge ourselves to join hands, France and South Africa, Africa and Europe, and work together to bring about the rebirth of societies devastated by colonial history." — Reuter



MONSIEUR LE DOCTEUR: President Nelson Mandela holds up his medal yesterday after being awarded Docteur Honoris Causa of the Sorbonne by the university president Professor Yves Jegouzo (right) in Paris. *PICTURE: AP*

Star 18/9/96

Commission pushes ahead in its quest to cement US-SA relations

(30L4A)

By Jovial Rantao
Political Correspondent

When Deputy President Thabo Mbeki's delegation meets its US counterparts at the second plenary of the US-SA Binational Commission this week, the commission will continue to build on the considerable progress made in the six committees headed by cabinet ministers from both countries.

The South African delegation, comprising seven cabinet ministers and three deputy ministers, left for the US yesterday in a mission aimed at consolidating relations.

Already, five agreements on human resources, which include a programme to help to establish the National Youth Commission, conservation, environment and water affairs, energy, and science and technology have been signed.

The implementation of the agreements is expected to be discussed when the plenary session gets under way on Monday.

Under the chairmanship of Land Affairs and Agriculture Minister Derek Hanekom and US Secretary for Agriculture R Rominger, the newly formed agricultural committee has made good progress in establishing working relations with the South African parliamentary portfolio committee and members of the US Congress.

Committees to focus on exports and investment

Efforts would be made at this week's meeting to ensure that the committee's terms of reference would be signed. The committee has identified four broad theme areas for co-operation: institutional development, market access, agriculture, and technology for wealth creation.

The inclusion of agricultural trade as a field of co-operation within the terms of reference will also be discussed.

The business development committee has two new co-chairmen after the appointment of Alec Erwin as Trade and Industry Minister and the tragic death of former US Secretary of Commerce Ron Brown. Mickey Kantor has replaced Brown.

On the priority list of the committees at this week's meeting will be consolidating funding for the operation of the Technical Assistance Centre to help emerging business to be able to export to the US.

The committee also has to identify sectors suitable for US investment.

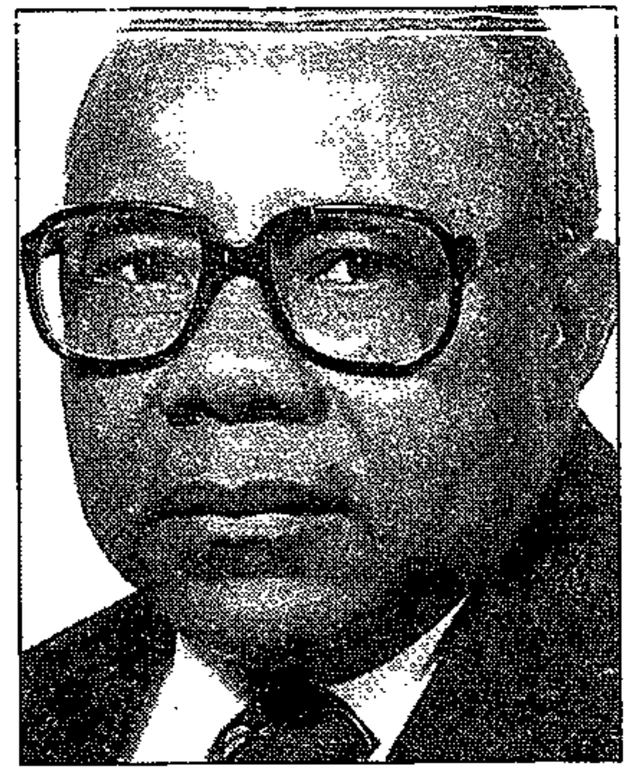
The conservation, environment and water committee, currently the biggest committee in the commission with five working groups, is organising study tours aimed at laying the foundation for future co-operation and entrenching working relations.

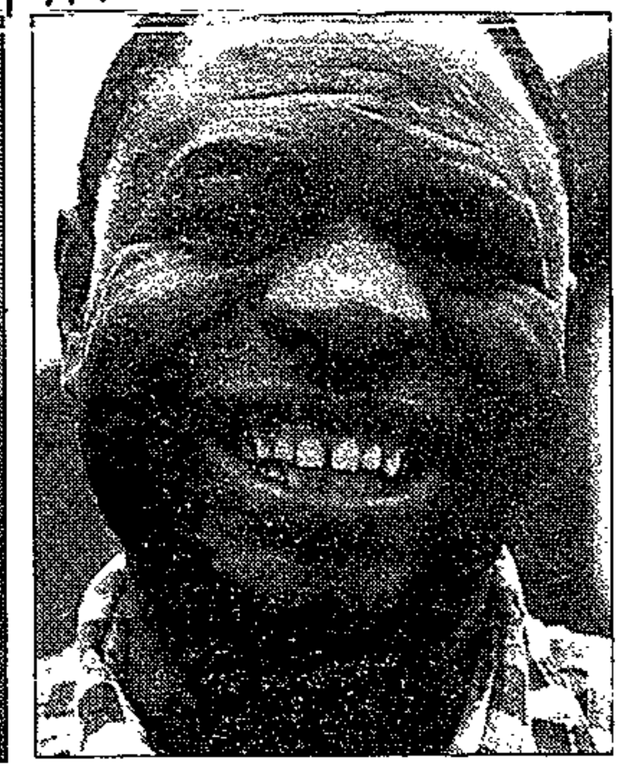
Tours have been organised for officials from fisheries, nature conservation and ecotourism, oceans and atmosphere, water and environment management, and pollution working groups.

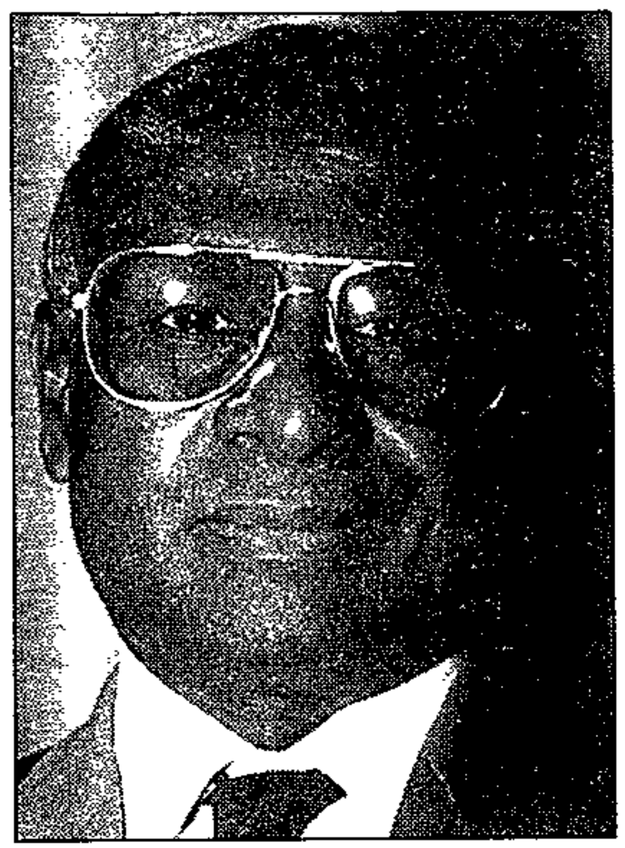
Who's who in Mbeki's private think-tank

(304A) M+G 19-25/7/96

Thabo Mbeki meets monthly with a council of advisers. **Marion Edmunds** names the members of this exclusive group







In the think-tank: (above, left to right) Minister of Safety and Security Sydney Mufamadi, Medunsa rector Professor Ephraim Mokgokong, Defence Minister Joe Modise and Cosatu secretary general Sam Shilowa, and (left) Nocsa president Sam Ramsamy

DEPUTY PRESIDENT Thabo Mbeki has set up a secretive, 24-strong think-tank called the Consultative Council to give him political advice.

All members of the group — which appears to have no constitutional or administrative status despite its title — are black. There are two women.

Two Cabinet ministers are on the council — Minister of Safety and Security Sydney Mufamadi and Defence Minister Joe Modise — as well as Deputy Foreign Affairs Minister Aziz Pahad.

Other members of the group include Cosatu general secretary Sam Shilowa, *City Press* editor Khulu Sibiya, Kagiso Trust chief executive officer Eric Molobi and National Olympic Committee of South Africa president Sam Ramsamy.

The council meets monthly at Mbeki's official residence in Pretoria. The deputy president's parliamentary counsellor, Dr Essop Pahad, appears to act as convener.

The two female members are Ann Letsebe, a lecturer at the Department of Social Work at the University of the Witwatersrand, and Durban-based human rights lawyer Linda Zama.

Five businessmen on the council are involved in African Renaissance Holdings, a broad-based investment syndicate. The chief executive of African Renaissance Holdings Bobby Makwetla is part of the group as well as a number of its directors — Advocate "MacCaps" Motimele, Gabriel Mokgoko, Vincent Msibi, a Mmabatho-based doctor, and Seth Phalatse, who is manager of corporate planning at BMW.

Essop Pahad reluctantly confirmed the existence of the Consultative Council this week. "It's a forum that he calls from time to time. It's meant to meet monthly, but it does not always happen. The people in the group were selected because it was thought that they might be able to offer the deputy president useful advice," Pahad said.

"It is a set number of people and I don't think that they should speak to you about it," he added. Most council members said they could not talk to the media about their membership, or the nature of the council's discussions, referring the *M&G* to Essop Pahad.

Mufamadi denied the council was a kitchen cabinet, or that it was an exclusive sounding board, or club: "I would imagine that a person who was involved in policy-making processes would avoid insulating himself from people who are involved in activities affecting those processes," he said.

"The deputy president felt the need to be in dynamic contact with as many people as possible who are either involved in the ANC, but at the ground level, or who are involved with the community in various formations."

Another member of the council, Windsor Shuenyane, managing director of South African Breweries Centenary Centre in Newtown, Johannesburg, said the council was a way for the deputy president to hear the voice of South Africa's many constituencies.

"The deputy president wanted to be involved at ground level and hear the concerns of every constituency. All major constituencies are represented in this group," Shuenyane said.

"There is a general consensus that it is a confidential task group. We are just meeting and, for example, when the press goes hard at the deputy president we may talk about it and discuss what might be the cause. There is a member of the press there — *City Press* editor Khulu Sibiya — and he will contribute for the press, say how the press is thinking ... yes, there is quite a lot of discussion about the press," he said.

The *City Press* editor would not comment on his position in the group.

The chairman of the Development Bank of Southern Africa, Professor Wiseman Nkuhlu, said the council was in line with emerging black business and community interests. He said he concentrated on discussions on development and black economic empowerment which were his particular interests.

A striking aspect of the council is the absence from its ranks of some of the most influential members of the new black business community — people like Nthatho Motlana, chairman of New African Investments Ltd, the Kunene brothers of Kunene Investments, Vusi Khanyile of Thebe Investments, veteran businessman Richard Maponya and Mohali Mahanyele, head of National Sorghum Breweries.

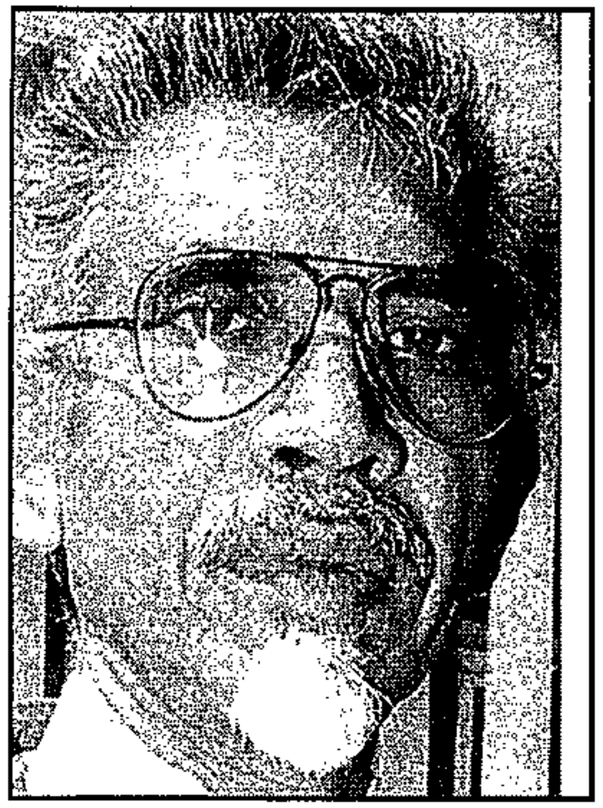
Other members of Mbeki's Consultative Council are: Professor Ephraim Mokgokong, rector of the Medical University of Southern Africa, Medunsa; Dr Vincent Maphai, director of the Department of Social Dynamics at the Human Sciences Research Council; M Maisela, marketing manager of Multi-Choice South Africa; Umtata-based T Boltina; ANC MP Dr Wally Serote; Professor P Zulu and general secretary of the South African Communist Party, Charles Ngakula.

ANC spokesman Ronnie Mamoepa said the organisation's other senior leaders had not been involved in the selection of the group. "We have confidence in the deputy president and we believe that he has established a consultative forum in the best interests of the country so he can explore its richness beyond the government and the alliance."

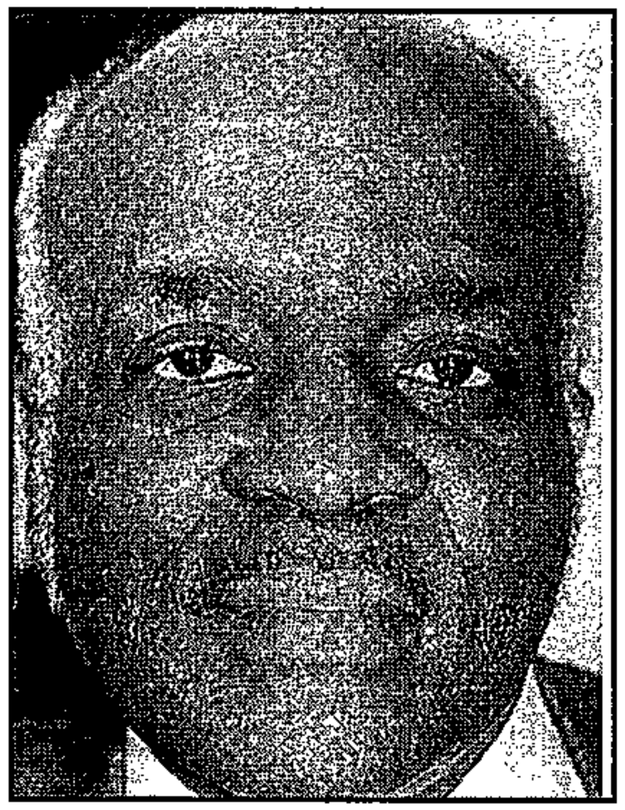
An ANC MP, who did not wish to be named, said there would be some surprise in the party at the composition of the council. "It's not my dream team. There will be members of the ANC who won't be enamoured of this list," he said.

Another gravy train!

ARG 19/7/96 (304A)



Mac Maharaj



Sipo Mzimela

Stella Sigcau

Jeff Radebe

Popo Molefe

USA TODAY

Peter Fabricius

DEPUTY President Thabo Mbeki opened the South African pavilion at the Atlanta Olympic Games yesterday before attending the opening ceremony for the games.

Assisting him in this onerous task – one must assume that the South African pavilion has very heavy doors – were at least four cabinet ministers, one or two provincial premiers, at least three deputy ministers and an unknown number of lesser officials.

Public Enterprises Minister Stella Sigcau, Transport Minister Mac Maharaj, Correctional Services Minister Sipo Mzimela, Public Works Minister Jeff Radebe and Northwest premier Popo Molefe were among them, according to officials.

Mbeki and the deputies will be going on to Washington where they will be joined by seven more ministers and about 80 other officials to participate in the US-SA Binational Commission.

At a stretch one could justify the size of the BNC delegation, since that is a kind of showpiece of relations with an extremely important country and apparently does good works.

But the size and seniority of our bureaucratic Olympic squad surely demand greater explanation.

By way of random comparison, Britain is sending just its sports minister to the opening ceremony and his deputy to the closing ceremony.

That comparison does not flatter a country dedicated to the upliftment of the poor – even if the taxpayers money lavished on all those air fares and hotel rooms would only build a couple of classrooms.

False economy, perhaps.

These games are very important to South Africa; these are after all the first games since the new government took office; they have a special meaning for the ANC because of its historical rapport with black Americans – and especially Atlanta Olympics Games Committee co-chairman Andy Young – for whom these games also have a special meaning; and most of all, of course, because Cape Town is bidding for the 2004 games.

All true.

There is something special about these games for South Africa. In a sense it is the South – and particularly the New South – which is hosting them, rather than America as a whole.

And the New South is in many ways like the New South Africa. Both are recuperating from a segregationist past and making a conscious effort to put it behind them.

Atlanta's brave motto, "The city too busy to hate", – filled with ambivalence – is one which could easily be adapted to South Africa.

For both, the Olympics have great potential to help the healing process. Recall the unifying effect of the Rugby World Cup and the soccer African Cup.

And then there are the enormous economic benefits to be gained from Cape Town hosting the games.

So no-one questions the importance of the occasion; only the assumption that a large ministerial delegation has to go to Atlanta to demonstrate it.

Have they come to learn lessons for Cape Town's bid? The Minister of Public Works, perhaps, but how do they explain the Minister of Correctional Services?

Maybe this is flogging a dead horse; so the gravy train is going to Atlanta this time, big deal, end of story.

But there is a slightly wider issue here; the peculiar susceptibility of the government at this time to what is after all a pretty universal malaise.

This will not be the first time that an official overseas delegation has confused business and recreation, and probably sincerely.

South Africa's – and especially President Mandela's – new-found popularity in the world seem to have deceived some politicians into thinking they have a social obligation to go abroad to be feted or the world will be offended.

In that they are confusing the importance and prestige of the country and President Mandela with their own.

Fear not, conscientious ministers! The world will not be hurt if you do not come to the party.

President Mandela's triumphant reception in Britain last week, for example, was a tribute to Mandela the man.

The world hardly knows anyone else in his government and if it did, would probably respect them more for staying at home and getting on with it, especially at a time when the level of government spending is beginning to cause international concern.

It is appropriate that Mbeki should represent South Africa in Atlanta but for the rest, government ministers should remember they are not the only representatives of the country.

If it were absolutely necessary for South Africa to have put out more flags in Atlanta, perhaps this could have been done by sending a delegation of, say, underprivileged but promising athletes, ideally, sponsored by private business. (if that has not already been done)

You could call it privatising the gravy train.

Probe home affairs 'corruption', says NP

(304A)

■ Details of alleged corruption in the department of home affairs will be taken up in parliament, according to the National Party's spokesman on home affairs Frik van Deventer.

ARG 20/9/96

GLYNNIS UNDERHILL
Staff Reporter

THE department of home affairs would give its "full co-operation" should the government find it necessary to institute a judicial inquiry into allegations of corruption within the department.

The department was responding to the call by the National Party MP and spokesman on home affairs, Frik van Deventer, for a judicial inquiry into allegations of corruption in the department.

"To protect South Africa's bona fides and integrity, the National Party urgently requests the government to order a judicial inquiry to establish whether rumours of corruption in the department of home affairs are true, and if so, to take decisive steps against the guilty parties," he said.

However, Mr Van Deventer declined to elaborate on the allegations when contacted by SATURDAY Argus. They involved people who were trying to get residence permits, he said.

Allegations had been circulating about officials taking money and gifts in exchange for residence permits, but it would be impossible to prove whether they were true without a judicial inquiry, he said.

Department of home affairs spokesman Hennie Meyer said he believed Mr Van Deventer was referring specifically to alleged corruption in the home affairs offices in the Northern Province. Allegations had been reported in a daily newspaper, he said.

"This allegation was based on incorrect information and was untrue," said Mr Meyer.

But Mr Van Deventer said the corruption allegations involving the department of home affairs had been circulating for "a long period" and appeared to still be circulating.

"President Mandela wants people to back South Africa, but you will never get people to back the country if there is corruption in the department of home affairs," he warned.

Mr Van Deventer said he would be taking the matter up in parliament. His statement pointed to "rumours" of corrupt behaviour by officials concerned with handling residents permits in the Northern Province. Similar allegations also were being heard elsewhere, it claimed.

"The government, and specifically the minister concerned, Dr Buthelezi, has an obligation to attend to the matter immediately," Mr Van Deventer said.

The department has an inspectorate which investigates all reported cases of alleged irregularities, according to Mr Meyer. "Where irregularities of criminal nature are confirmed, these are handed to the police for criminal investigation," he said.

SA can make grade without a superhero when Mandela goes

(3044A)

HILARY JOFFE

BD 22/7/96

ONE problem with being a superhero is that it is difficult to work yourself out of a job. Another is that the way in which you choose to do it could help to make or break our political future.

The superhero is, of course, the president, whose status was confirmed by his reception in Britain and France last week.

However, nice as the adulation may be, the affection with which Mandela was greeted abroad is as much a problem as a blessing. Behind the cheering crowds and adoring elites lie the assumption that our political transition and its future rests on one man. Since the man is in his late seventies and committed to retiring in 1999, it creates the impression that our new democracy has about three years to run.

Mandela is acutely aware of this danger: countering it is his chief preoccupation. Perhaps the greatest irony of his British and French reception is that one of his key goals on the trip was not to "sell" himself but his presumed successor, Deputy President Thabo Mbeki.

Whether he succeeded we do not know — he must have had to work hard to sell Mbeki amid the din of praise for Mbeki's sponsor.

The important issue for this country over the next decade, however, is not what Mandela is doing abroad to convince doubters that Mbeki can run the government, but what he is doing at home.

The fact that Mandela's chief project at the moment is strengthening Mbeki's ability to take over is remarkable. There are few leaders of new democracies — particularly on this continent, where presidential personality cults have abounded — willing to devote so much time and effort to preparing for their departure from public life. Mandela's commitment to this confirms he is indeed a politician of rare calibre.

However, the way in which his project is being pursued may yet hold severe costs.

The past year or more has seen an increasing accumulation of power and responsibility in the office of the deputy president. Mbeki's office is in charge of the planned national growth and development strategy, the government's planned economic policy framework.

It is now responsible also for the RDP — or what remains of it. Youth policy is another addition to the office's portfolio. Mbeki is, of course, in charge of the office. And, if political insiders are to be believed, he is in charge of a great deal more. He appears to be the driving force behind our foreign policy and is said to be a major influence on the housing ministry. According to reports, he played a big role in KwaZulu-Natal peace negotiations. Indeed, it is becoming increasingly rare to hear of a government initiative in which he is not a key figure.

Mbeki's critics in the ANC see this as evidence of the deputy president's desire to "build an empire". They insist that he is determined to concentrate as much power as possible in his own hands.

His supporters insist that he is only doing what the president wants him to do — that Mandela has encouraged, indeed initiated, Mbeki's growing set of responsibilities.

Whatever one's view of Mbeki's political style, there seems little doubt that the president is eager to see him play an increasingly central role in government. The reason, of course, is his desire to ensure a smooth transition by preparing Mbeki for the presidency and ensuring that SA becomes used to his leadership. In theory, by the time Mandela retires, Mbeki's pivotal role should be so entrenched that the change will hardly be noticed.

Whether the strategy will succeed is not yet clear. ANC supporters remain firmly committed to Mandela and may take time to adjust to a leadership transition. Non-ANC interests might find the change less difficult if only because they are no longer buoyed by the Mandela aura: it is hard to imagine people in the suburbs complaining more under Mbeki than they do now, and analysts say foreign sentiment is indeed getting used to Mbeki.

MBEKI

Even if it does succeed, the costs may be high. The most obvious one is that the new president will take office with enormous power and responsibility. This could ensure a highly centralised government — one in which differences within the ANC will not find expression because most key decisions will be taken in the president's office.

The risks of getting the personality cult which we avoided first time around would clearly grow.

Democracy may not be the only loser. The ANC is likely to be the majority party for at least the next couple of decades. But the ANC camp includes people and groups with many differing interests and values. If these are not able to find expression in democratic politics — and they would not if power was concentrated in this way — the risk that differences would be expressed in other ways would grow.

Secondly, gathering power and responsibility in Mbeki's office — and "selling" an Mbeki presidency in general — risks achieving precisely the opposite of its intention.

A strategy which insists neither foreigners nor South Africans need worry about the retirement of the remarkable individual in charge now as he will be replaced by an equally remarkable one sends the message that our transition depends on strong individual leadership. The claim that our transition depends on one man is answered by insisting that it really relies on two. In reality, it does not. Leadership does matter in politics, as the British and French acknowledged last week. Mandela's matters more than most. But this is far too complicated a society to depend on one or two figures. Our transition has been underpinned by a range of people and groups — and not only in politics. Business and trade union leadership, professionals, intellectuals and artists have all played a role.

For all the troubles the governing party faces — and they are many — it is hardly credible to claim that its only assets are Mandela and Mbeki. Given that, the attempt to boost Mbeki may be a clear case of doing the wrong thing for the right reason.

It is necessary for the governing party — and society — to adjust to the reality that Mandela's presidency will not last beyond 1999.

The answer surely does not lie in insisting that our current superhero will be replaced by another: it lies, rather, in preparing for a future in which we will not have to rely on a strong individual to hold us together and to confront the enormous challenges which face us.

For the ANC leadership, that means an attempt to strengthen internal democracy and as wide as possible a sharing of government tasks. For opposition politicians, it means enhancing their ability to take part effectively in politics in a way that binds their supporters to the new society while retaining a clear identity and set of alternative policies.

For key leadership groups in society — and citizens in general — it means taking even more responsibility for shaping the future of the society and holding it together.

In short, the message we ought to be sending — and the reality for which we ought to be preparing — is not that we can find a new superhero to replace the current one. It is, rather, that our society can survive and grow without a superhero, regardless of who is elected president.

The Star ... Tuesday July 23 1996

Hospitals to lose their apartheid-era names

(304A)

Committee will identify those that evoke bitter memories and distort history

Star 23/7/96

By Karin Schimke
Gauteng Reporter

Apartheid-era names of Gauteng's public hospitals are to be banished and the hospitals renamed to reflect their physical location.

The process began yesterday when a committee of the provincial legislature announced dates for public hearings where new names for 71 provincially-run state institutions will be aired.

Gauteng's health department is taking the first steps towards renaming the institutions and will be followed by other departments.

Petitions and public participation standing committee chairman, Vusi Mavuso, said the process would be undertaken "without deepening controversy.

"Many of them will be considered for renaming but not all of them will necessarily be changed," he said.

The committee would identify controversial names, "particularly those that evoke bitter memories and distortions of our history".

While most of Gauteng's public clinics, hospitals and laundries have inoffensive geographical names, two Gauteng hospitals are named after former apartheid-era prime ministers.

They are J G Strijdom in Johannesburg and H F Verwoerd in Pretoria. Mavuso said there was an urgent need to get rid of all forms of apartheid and racial division.

The committee intended to ensure that public health institutions were "user-friendly" and provided a sense of ownership to communities. Renaming costs would be borne by the health department and not the hospitals.

As far as possible, institutions would not be named after living people and preference would be given to names that indicated geographic location.

"In this way, we avoid a renaming of institutions when governments and sentiments change," said Mavuso.

The first of six public hearings takes place next Tuesday at the legislature in the Old City Hall in central Johannesburg.

Others will be held at Baragwanath Hospital and also at Pretoria, Benoni, Carletonville, Krugersdorp and Vanderbijlpark.

Court puts 'dubious' land claim on hold

BD 23/7/96

Louise Cook

GOVERNMENT's land restitution policy backfired yesterday when the Land Claims Court ordered that a dubious land claim notice be withdrawn with costs pending further research.

The action followed after several Pietersburg land owners, led by the National African Farmers' Union president and farming tycoon Matome Maponya, took the regional commissioner to the Land Claims Court for gazetting a questionable land restitution claim by the Mmaboi community.

Costs have not been finalised but those of one legal team could run to R100 000.

The Northern Province regional land claims commissioner said in a statement the contesting parties eventually agreed that the commissiomer would withdraw a notice gazetted in September 1995.

The notice, which said the commission accepted the Mmaboi claim for further investigation, effectively had barred any further development on the land until the claim was finalised.

The statement said the withdrawal of the notice implied that the Mmaboi claim required further investigation before the commissioner could decide whether it was a valid claim in terms of the Restitution Act.

Sources said that last year the Mmaboi community claimed 41 662ha of prime farmland in the Pietersburg district after consultations with Witwatersrand University academic Richard Levin.

In a memorandum submitted to the court, Levin said the central issue of the restitution claim was that the 1913 Land Act had eroded the Mmaboi's tribal land rights and converted the community into labour tenants.

However, current land owners told the court the Mmaboi community never had lived on the claimed land.

SA Agricultural Union legal spokesman Analize Crosby said the SAAU supported any move to block dubious land claims.

Regional land claims commissioner Emma Mashinini and Maponya were not available for comment.

Meanwhile, it appeared Agriculture and Land Affairs Minister Derek Hanekom was deliberately seeking confrontation with farmers, the Transvaal Agricultural Union said yesterday, reports Sapa

In Pretoria TAU vice-president Willie Lewies said existing legislation adequately protected workers against unfair evictions by farmers. "Further legislation will lead to conflict."

Hanekom said last week unfair evictions had to be stopped and measures to protect labourers could be tabled in Parliament in February.

Gauteng hospitals to be renamed

BD 23/7/96 (304A)

Ingrid Salgado

THE Gauteng government is to rename hundreds of public institutions, particularly those with names reminiscent of the apartheid era.

The renaming process would attempt to avoid renaming institutions after deceased or living people, Vusi Mavuso, chairman of Gauteng legislature petitions and public participation standing committee, said yesterday. Names based on geographic location should be considered where possible.

The committee — which will first target public health institutions — is to recommend name changes to Gauteng's executive committee after hosting public hearings across Gauteng to solicit the views of users, employees and communities. The first hearing starts in Johannesburg at month-end.

Hospitals whose names could be changed include Pretoria's HF Verwoerd Hospital and Johannesburg's JG Strijdom Hospital — named after former NP prime ministers. Others are Baragwanath Hospital in Soweto, named after the developer JA Baragwanath, and Coronation Hospital in Newclare, which refers to the crowning of Britain's Queen Elizabeth II.

Mavuso said it was not government's intention to embark on the renaming exercise "for the sake of it". There was an urgent need to rid SA of racial division and all vestiges of apartheid. He hoped Gauteng's education and safety and security departments would consider renaming buildings such as Johannesburg's police headquarters, John Vorster Square.

(304A) Sowetan 24/7/96

Billions missing

Former homelands governments accused of widespread corruption

By Waghied Misbach
Political Reporter

THE Eastern Cape auditor-general's office has accused the former Transkei and Ciskei governments of widespread corruption involving billions of rands.

In a special interim report released to *Sowetan* this week, Auditor-General Mr Chris Oosthuizen said he had found that there had been theft of pensions and social benefits, bribery and poor accounting procedures which had resulted in "the loss of billions of rands".

Oosthuizen said he could not give exact figures of the money involved but said it ran into billions. The final figure would only be available when the investigation was completed.

In reaction to the report, Eastern Cape director general Mr Thozamile Botha denied allegations by Oosthuizen that the provincial government lacked trained staff to deal with administrative problems.

Botha said his staff were qualified and that financial consultants had been brought in to bring the accounting system up to date.

Botha said the Eastern Cape government was still trying to root out corruption but was faced with "syndicates of people inside and outside the civil service".

He said the provincial government was doing its job and the police were investigating 200 cases of fraud.

Poor control

The report states that cash had been misappropriated from the former Transkei where budgetary controls were inadequate. There was "poor control" over tax assessments and returns from the districts frequently contained numerous errors and miscalculations.

The auditor-general found that control of the issue of manual and computer-generated cheques was inadequate; there were allegations of "bribery and misrepresentation" of development projects and in the allocation of tenders.

The report also contains allegations of theft of pensions and social benefits by "both officials and third parties". It also found widespread maladministration in the salaries and wages system, with internal checking and controls being "inadequate".

Salaries and allowances were paid to former employees who had already left government service. Other people were given salaries and allowances that exceeded the approved salary scales.

The report also found that government vehicles were used as private transport; there was no follow-up of tribal levies and trust accounts and the records of tribal authorities had not been updated "for years".

The auditor-general found similar problems in the administration accounting procedures of the former Ciskei government.

The auditor-general's report follows hot on the heels of a report from the national auditor-general's office last week that found 92 civil servants in Bisho had given themselves R3,6 million in "unauthorised" salary increases.

DIPLOMATIC VIEW

Closed shops

Jean-Jacques Cornish

CT(BR)24/7/96(304A)

South Africa is in the middle of a debate on how the United Nations Security Council should be restructured and, to date, the country's foreign policy formulators have not raised a hand.

In Paris last week, President Nelson Mandela said he was unhappy with the status quo. Mandela and Jacques Chirac, the French president, met to discuss the council, among other issues.

"We find it unacceptable that five countries should have the right of blocking decisions of the entire international community. We find this totally unacceptable," Mandela told a press conference. He did not, however, elaborate on what South Africa would like to see.

The issue was on the agenda for talks Klaus Kinkel, the German foreign minister had in Pretoria this week with Mandela and Foreign Minister Alfred Nzo.

Germany is a shoo-in, along with Japan, to become a permanent member of the United Nations powerhouse. The burning question was how else the council should be reformed.

There is general agreement that the body will have to be enlarged by at least 10 members, taking it to 25, to reflect the modern world realities since the UN was formed after World War 2. But unless real power is shifted away from the existing five veto-holding powers (the US, Russia, China, France and Britain), this might merely turn the council into a smaller version of the General Assembly which is nothing more than a talk shop.

The permanent members are guarded on this point. Virtually any enlargement of the council would result in the South holding a majority. They could accept this, provided they continued to hold the reins.

Germany maintains it could live with a Third World majority on the council. Its sole proviso was that its proposed permanent membership was given the same status of other permanent members.

At an OAU summit in Yaounde last week Germany proposed a system of permanent regional seats on the council. These could be permanent or rotating, according to the wishes of each region. Germany maintain this would address the needs for greater, more meaningful representation by countries in the new world order.

"Our real concern is to get the debate going in a positive direction," Uwe Kaestner, the German ambassador, said. "We wanted to have this thing settled for the 50th anniversary of the UN last year. This was not possible.

"Now it seems the only thing that will happen this year is the working group investigating Security Council reform will have its mandate extended.

"We think it is important to avoid a fight. But time is crucial in this matter. There are increasing demands on the UN and the world organisation deserves better.

"We cannot afford to continue the wastefulness and duplication. We must give the UN the power to act with authority and not to be forced, as in the past, to abandon operation because of lack of support," Kaestner said.

South Africa was drawn into the debate because of its widely recognised candidacy should Africa get a permanent seat. Kaestner said South Africa had been drawn in by gaining the presidency of the UNCTAD, the UN's development arm. "You have gone some way already towards reforming UNCTAD, and its reform is a test of the reformability of the the whole UN structure," he said.

The problems with the council were a part of a whole, including the UN's financial crisis caused by countries refusing to contribute to its operations, particularly peacekeeping missions.

"We must end the situation where countries withhold their contributions because they are unhappy with the UN," said Kaestner.

Proposed code will keep tabs on MPs' freebies

CT 24/7/96 (304A)

POLITICAL STAFF

DURBAN: Parliament is expected to keep tabs on ministers and MPs shortly after it resumes sitting next month, by adopting a code of conduct designed to blow the whistle on free trips abroad.

This follows the row over state-sponsored visits to the Olympic Games in Atlanta by at least 16 national ministers and deputy ministers and at least one provincial minister.

PAC MP and Rules Committee member Ms Patricia de Lille said the provision of free tickets by SA Airways to two ministers with interests in transport was exactly the sort of issue that would come under focus in future.

The pair are Public Enterprises Minister Ms Stella Sigcau and Transport Minister Mr Mac Maharaj. Maharaj's family also received courtesy flights.

Under the code, which seems certain to be adopted, all MPs (including ministers) will have to provide details of all foreign travel at taxpayers' expense in a register to be kept by a senior parliamentary official, who will be known as the Registrar of Members' Interests.

Yesterday Land Affairs Minister Mr Derek Hanekom denied he had been to Atlanta, as had been reported.

However, it emerged that KwaZulu-Natal ANC Transport Minister Mr Sbu Ndebele was in Atlanta.

Ms De Lille said government had to realise that there were "no free lunches and no free tickets" and that gifts to public representatives had a price. "There are always strings attached."

The rules committee, chaired by Water Affairs Minister Mr Kader Asmal, will present the code to the National Assembly on August 14.

Safe- with a target of at least
the workers who gathered at the Union over the next take".

University suspends staff member

DURBAN — A senior faculty member at the University of Zululand was suspended yesterday pending investigations into allegations that some university officials had sold fraudulent degrees to students.

University spokesman Carl de Villiers said more suspensions were expected. He said the university had been swamped with queries from concerned employers asking whether their employees had genuine degrees.

Official estimates suggested only about 20 fraudulent degrees had been obtained, De Villiers said.

"We were tipped off about a month ago by a student who was involved with someone who received a false credit. She set the ball rolling".

He said a university investigator had been appointed and computer records seized.

Fifteen fraudulent degrees had been detected shortly before the university's June graduation ceremony, but some had probably "slipped through the net", he said.

Many past graduates had already expressed their concern, as had many university donors, De Villiers said.

"Of course the people who suffer the most are those students who have studied legally and who might now come under suspicion."

SA Democratic Teachers' Union spokesman Ndaba Gcwabaza called for an independent investigation. "It's a very serious scandal indeed and it needs thorough investigation. It affects us in the sense that some of our members could be discredited academically." — Sapa.

BD 24/7/96

Derrick Mdluli was due to meet the striking prisoners and prison management later yesterday.

Anderson said that the awaiting trial prisoners had on July 18 asked to speak to the chief magistrate to register their complaints.

"However, when the magistrate (duly) visited the prison... the prisoners refused to speak to him and started to boo him, whereafter he left."

The organisation said prisoners had embarked on a hunger strike as a protest against their delayed court hearings due to the prosecutors' work-to-rule action.

The situation at the prison was reported to be calm yesterday. — Sapa.

Cape Town stays firm on Parliament

Linda Ensor

BD 24/9/96

(304A)

CAPE TOWN — The Free State attempted at a joint cabinet meeting yesterday to solicit the Western Cape's support for its efforts to get the seat of Parliament relocated to Bloemfontein.

The bid was doomed to failure given the enormous economic and prestige value Cape Town derived from being home to the seat of government, and the two governments agreed to disagree.

However, the meeting had positive spinoffs in terms of strengthening interprovincial co-operation on matters of mutual concern such as provincial safety and economic relations and it was agreed that further meetings be held.

Western Cape premier Hernus Kriel said the province was committed to retaining Parliament in Cape Town.

Free State premier Patrick Lekota argued there were sound historical reasons for supporting Bloemfontein's case: major political parties — the ANC and NP — as well as the trade union movement were all founded in the city.

However, there was agreement that provincial governments needed effective powers to govern. Western Cape local government MEC Peter Marais said that he and his Free State counterpart agreed to meet regularly and exchange ideas and information.

Provincial powers were insufficient, especially in the spheres of safety and security, local government, economic affairs, and education. Powers existed more on paper than in reality, Marais said.

The disturbing depopulation trend of the Free State platteland and urbanisation of the Cape metropole would be addressed, a media statement reported.

DOWN TO BUSINESS: US Vice-President Al Gore watches as South African Deputy President Thabo Mbeki answers a question during their press conference in Washington as part of the US-SA Binational Commission meeting. The commission's aim is to strengthen ties between the two countries over a broad range of interests.

Gore and Mbeki sign major deal to forge top-level US, SA links

(304A)

ARG 24/7/96

PETER FABRICIUS
and RICHARD MKHONDO
The Argus Foreign Service

WASHINGTON – United States Vice-President Al Gore and Deputy President Thabo Mbeki signed a joint agreement here pledging high-level co-operation in fighting crime and US help to South Africa in its fight against the crime wave.

This could include the establishment in Pretoria of offices of the Federal Bureau of Intelligence legal attache office and the Drug Enforcement Administration to help the South African police fight crime and combat international drug trafficking.

The agreement was signed at the end of the second summit of the US-SA Binational Commission chaired by Mr Gore and Mr Mbeki, an organisation established to promote and co-ordinate relations between the two countries and especially to increase the transfer of technology and boost investment and trade.

Mr Gore and Mr Mbeki pronounced the summit a great success.

Mr Gore confirmed that in private discussions this week, he and Mr Mbeki had extensively discussed the major irritant in relations - the four-year-old US indictment against the South African government arms agency Armscor for alleged arms smuggling during the apartheid era.

Mr Gore expressed "cautions optimism" that the issue would be resolved but said he and Mr Mbeki had agreed not to discuss it further, to avoid upsetting "very delicate" negotiations.

The two leaders also formally signed civil aviation agreements reached earlier to increase and regulate commercial air traffic between the US and South Africa and signed a new agreement to include South Africa in an international youth programme to exchange environmental knowledge on the Internet. They also announced that the US Overseas Private Investment Corporation was launching a new $120 million fund to make equity investments in South African businesses to create jobs.

NP launches institute for political leadership

Star 25/7/96 (304A)

By Mondli Makhanya
Political Reporter

A few weeks from today, 50 politicians will shuffle into a conference room where they will be taught anew the art of conducting politics.

The group, ranging from national parliamentarians to city councillors, will be the first students of the NP's Institute for Political Leadership (IPL), due to be launched by the party next week.

They will be taught negotiations skills, fund-raising methods and political theory, and the basic practice of conducting meetings.

There will also be courses consisting of political theory centring on core NP ideology such as federalism and "Christian values".

While a number of political parties already run research units and conduct periodical training for their members, the IPL will be the first fully-fledged institute attached to a political party.

Based at the NP's Pretoria headquarters, the IPL is modelled on similar institutes in Western countries.

Many aspects of the academy have been drawn from Germany's conservative Konrad Adenauer Stiftung, which acts as a think-tank for Chancellor Helmut Kohl's Christian Democratic Union.

"We realised that something had to be done to improve the political leadership of the NP. This became more urgent when new people came into parliamentary politics in 1994 with no experience at all. The IPL will be used as an engine to develop good candidates for the 1999 elections," said IPL manager Danie du Plessis.

The first group of students has been selected by provincial leaders from the three tiers of government.

Du Plessis said most of the candidates going on the course will be drawn from African, Indian and coloured communities.

It will form part of the NP's attempt to transform itself from the bulwark of Afrikaner nationalism and develop leaders who will be at the head of the new conservative movement into which the NP is trying to fashion itself.

Mandela fires Holomisa

ARG 26/4/96

Peter Mokaba to take over deputy environment portfolio

Bantu Holomisa

CLIVE SAWYER
Political Correspondent

PRESIDENT Mandela today fired Bantu Holomisa as Deputy Minister of Environmental Affairs, replacing him with Peter Mokaba.

The dismissal of Mr Holomisa follows two written charges against him last month of bringing the African National Congress into disrepute by reiterating statements, first made by him to the Truth Commission, that former Transkeian leader Stella Sigcau, now a cabinet minister, had been involved in corruption.

Mr Mandela told Mr Holomisa of his decision at a meeting in Pretoria today.

Also appointed today was ANC MP Essop Pahad as Deputy Minister in the Office of the Deputy President.

The changes will take effect on August 1.

Dr Pahad, a member of the national assembly, who serves as Thabo Mbeki's parliamentary counsellor, is known to be a key adviser to Mr Mbeki.

Presidential spokesman Joel Netshitenzhe said it was not customary for the president to give reasons for appointments to or dismissals from the cabinet or the ranks of deputy ministers.

ANC spokesman Ronnie Mamoepa said it was the prerogative of the president to bring about changes in the executive in the best interests of the country.

"We welcome the new appointments ... we are convinced they will add impetus to current efforts by colleagues to create a better life for all our people," he said.

Mr Mamoepa said that the ANC's disciplinary action against Mr Holomisa was still proceeding.

This action has caused tension within the ANC alliance, with the Women's League supporting Mr Holomisa and the Youth League backing the leadership.

Mr Mokaba, who will vacate his post as head of the national assembly committee on environmental affairs and tourism, rose through the ranks of the Youth League and is generally seen as a militant.

Ironically, shortly before his firing, Mr Holomisa was among a delegation to the United States accompanying Mr Mbeki for talks with US Vice-President Al Gore on the binational commission.

Mr Holomisa was not available for comment today.

NP spokesman Patrick McKenzie said Mr Holomisa's dismissal came as no surprise to the party in the light of his clashes with the ANC hierarchy.

However, it would regrettable if Mr Holomisa had been dropped because of his evidence to the Truth Commission. It was the right of every citizen to appear before the commission without clearing it with their political party first.

The appointment of Mr Mokaba was "going from the frying pan into the fire," said Mr McKenzie, because Mr Mokaba's political style was the same as that of Mr Holomisa.

Sacked Bantu says: 'I will not retract'

Star 27/7/96 (304A)

By ESTHER WAUGH and MXOLISI MGXASHE

Deputy Environmental Affairs and Tourism Minister Bantu Holomisa says he was given no reasons by President Mandela for his dismissal – and he is unrepentant about statements to the truth commission that may have led to his dismissal.

Soon after he was fired yesterday, Holomisa told the *Saturday Star*: "No reasons were given, nor did I ask them." It was "unethical" to ask a head of government for such reasons.

Holomisa has been replaced by the National Assembly's chairman for environmental affairs and tourism, Peter Mokaba. Deputy President Thabo Mbeki's parliamentary counsellor, Essop Pahad, has been appointed a deputy minister in the deputy president's office.

Holomisa disclosed that he knew three weeks ago he was going to be fired after "learning that Deputy President Thabo Mbeki had recommended that he be removed from the Cabinet".

Testimony

The firebrand former general said he believed he was dismissed because he had not shown the ANC leadership a copy of his statements before testifying before the Truth and Reconciliation Commission.

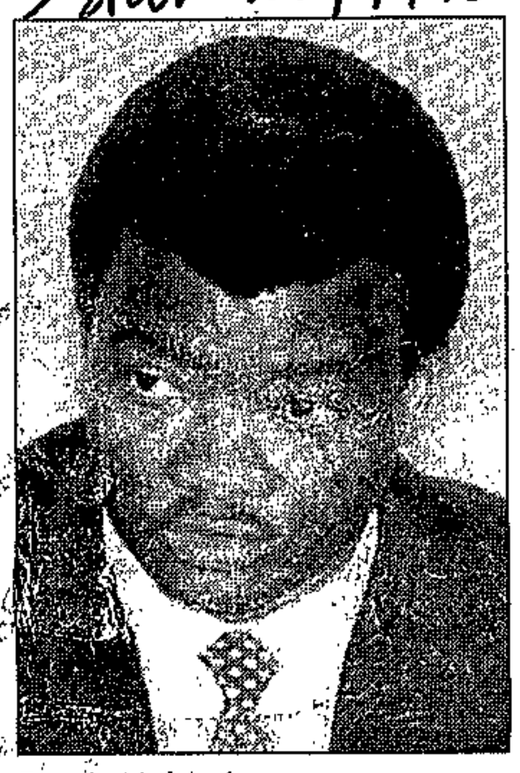
"If my dismissal has anything to do with my testimony about Stella Sigcau, then it is unfortunate, but I will never retract a bit from it. I still stand by everything I said."

Holomisa said he was not bitter. "I am leaving my ministerial job with a clean record, without any taint of corruption or a scandal. At least I can walk with pride, with my head high."

He said he was warned some time ago by "impeccable sources" that Mbeki had recommended his removal.

Holomisa, on his return from an overseas trip on Thursday, said he had been informed by the President's Office that Mandela wanted to meet him yesterday at his home in Houghton.

The former Transkei military ruler said that when he received the message, he wanted to meet the president on Thursday but was advised to keep to the arranged time yesterday.



Bantu Holomisa

He said the meeting lasted between 10 and 20 minutes.

"The President told me he had decided to reshuffle the Cabinet. He should have effected the decision two weeks ago but there had been no time to inform me then.

"With effect from August 1, he decided to drop me from the Cabinet," he said.

Holomisa, who received the highest number of votes in the elections for the ANC's national executive committee (NEC) in 1994, said he thanked the president for having given him the opportunity to have served as a deputy minister.

He was not bitter about his dismissal. The move, he said, came as no surprise to him.

"I would have been fooling myself if I did not read the signals from leaks to the media and the suggestions that I be fired or expelled (from the ANC).

"Unfortunately for them, I was tipped off three weeks ago, even as to who would be appointed in my place."

His successor, Mokaba, said yesterday that Mandela had telephoned him on Thursday, saying he was considering appointing him as the deputy minister of environmental affairs and tourism.

Mokaba, a former ANC Youth League president, said he regarded the appointment as "another challenge". He noted that he had researched the two areas before he became the chairman of the parliamentary standing committee.

"With or without the post, I really believe in the (tourism) industry to produce economic growth and community development."

Mokaba said he and his predecessor were close friends and were not in competition for government posts. "Appointments are made by the president," he said.

While the Democratic Party labelled Mokaba's appointment "highly controversial", the National Party said the president had erred in the appointment.

The NP demanded that he not be sworn in as a deputy minister until the attorney-general's investigation into the National Tourism Forum, in which Mokaba was involved, had been completed.

Details

Pahad, speaking from Chicago yesterday, said: "I'm very privileged and very honoured to be offered this position. It is obviously a very challenging and very responsible position.

"The details of the job will now have to be worked out."

Holomisa said he would return to Parliament in August as an ANC MP and would serve on the environmental affairs and tourism standing committee.

He said he would continue working with interest groups he had met in the two fields and was looking forward to working with Environmental Affairs Minister Pallo Jordan – and Mokaba.

The former deputy minister cited the formulation of policy on tourism and environmental affairs as his main achievements while in office.

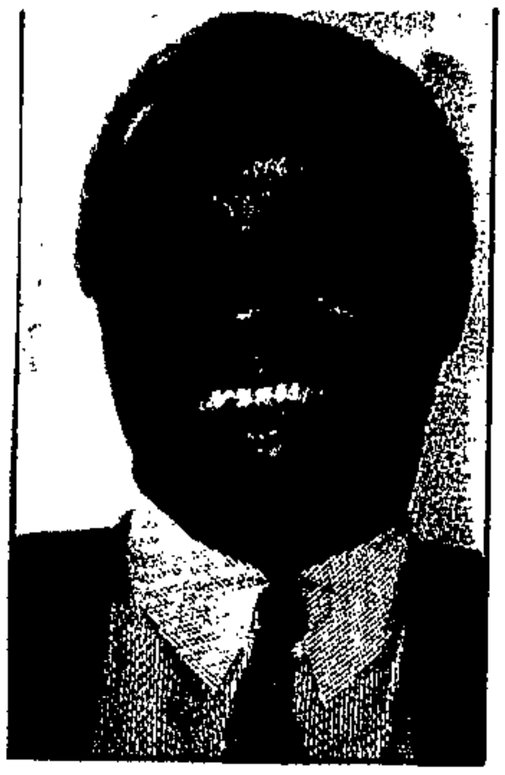
However, Holomisa's ANC membership remains in the balance as he is still facing an ANC disciplinary hearing for misconduct.

TO PAGE 2

P.T.O.

Mbeki fires Holomisa

ARGUS 27/7/96 (304A)



❑ **PRIME MOVER:** Deputy President Thabo Mbeki wanted him out.

❑ **EX-DEPUTY MINISTER:** Bantu Holomisa 'not bitter'.

Environmental Affairs and Tourism Bantu Holomisa, who was fired yesterday by President Mandela, is unrepentant over statements to the Truth Commission that may have led to his dismissal.

MXOLISI MGXASHE
Staff Reporter

DISMISSED Deputy Minister of Environmental Affairs Bantu Holomisa has disclosed that he knew three weeks ago he was going to be fired after learning that Deputy President Thabo Mbeki had recommended that he be removed from the cabinet.

President Mandela fired Mr Holomisa yesterday, but did not disclose any reasons for the move.

He is to be replaced by controversial ANC MP Peter Mokaba.

The firebrand ex-general said he believed he was fired because he had not shown the African National Congress leadership a copy of his statements before testifying before the Truth and Reconciliation Commission (TRC) recently.

Mr Holomisa had testified before the TRC that Public Enterprises Minister Stella Sigcau had received a R50 000 bribe. This led to an outcry in certain circles of the ANC.

Mr Holomisa was summoned to appear before an ANC disciplinary committee.

He was also reprimanded publicly by Mr Mbeki for suggesting that Mrs Sigcau took a bribe.

"If my dismissal has anything to do with my testimony at the Truth and Reconciliation Commission about Stella Sigcau, then it is unfortunate. But I will never retract a bit from it. I still stand by everything I said," Mr Holomisa told SATURDAY Argus after Mr Mandela had dismissed him, with effect from August 1.

Mr Mandela did not give reasons for Mr Holomisa's sudden dismissal and presidential spokesperson Joel Nentshitenzhe said it was not part of the President's custom to provide reasons for appointments to, or dismissals, from, the cabinet.

Mr Holomisa said he knew three weeks ago that he was on his way out after he received information that Mr Mbeki had recommended that he be dismissed from the cabinet.

He denied being bitter as he was leaving his ministerial job with a "clean record, without any taint of corruption or a scandal. At least I can walk with my head held high."

He denied being frustrated by the dismissal as he had been warned some time ago by some "impeccable sources" that Mr Mbeki had recommended his removal from cabinet.

He said he would continue as an MP and make his contribution in the Environment, Tourism and Defence committees.

"I'm not bitter, not all, not after the tip off I got three weeks ago. My impeccable sources have at least saved me that agony," Mr Holomisa said.

● Meanwhile the National Party has reacted unfavourably to the appointment of Mr Mokaba to replace Mr Holomisa.

In a statement released yesterday NP spokesman Jan Bosman said Mr Mandela should be conscious of the investigation into Mr Mokaba's activities in the National Tourism Forum.

"A big cloud of uncertainty and of irregularities, in which Peter Mokaba was directly involved, is hanging over the National Tourism Forum."

Midrand cocks a snook at Mother City

(3049)

Sunday Times Reporter

ST(M) 28/7/96

THE Midrand Town Council has spent R400 000 on a grandiose plan to seduce Parliament away from Cape Town and beat off rival attempts to have it relocated to Pretoria.

The council is hoping to put Midrand on the map with an ambitious R400-million project that would turn the National Assembly and the Constitutional Court into a huge political theme park.

It outdoes any other bid in political correctness, with a Square of the People and a memorial to victims of violence.

The organisers want to build a National Parliamentary Territory, with lushly landscaped gardens, a museum and market on a 30 ha piece of veld next to Grand Central Airport.

"With its wide vistas and boulevards, it is redolent of Paris or Washington," said Erky Wood, the project's urban planner.

A creative financing scheme would give the public a stake in the parliamentary buildings, which would be a symbol of the new South Africa, free of stigmas of the past.

"We are looking at creating a capital region, not a new capital city."

Wood said Cape Town should concentrate on becoming the country's tourist capital. The parliamentary buildings could be sold and turned into hotels and conference centres.

ST 28/7/96 (304A)

'Trustworthy' Mbeki charms US businessmen

By SIMON BARBER
Washington

DEPUTY President Thabo Mbeki did much this week to settle the nerves of US business about South Africa's prospects after President Nelson Mandela leaves the stage.

His visit to Washington, to co-chair the third biannual meeting of the US-South Africa Binational Commission with Vice-President Al Gore, was a low-key affair but it is nevertheless likely to pay considerable dividends.

The most important single outcome was the resolution in principle of unfinished business from the apartheid past: the 1991 indictment of Armscor for conspiracy to violate US arms export controls.

By dropping his earlier insistence that the state-owned arms procurement company should be immune from prosecution in US courts, Mbeki opened the way for the early lifting of UN sanctions on Denel.

But even before the breakthrough was announced on Wednesday evening, Mbeki — viewed as Mandela's heir apparent although he himself humbly demurs on the subject — had been impressing the US corporate community.

The director of a major US business group said that, while Mbeki did not have Mandela's "charisma quotient", he had come across as "trustworthy, reliable and workmanlike . . . He has a subtle, extremely sophisticated mind."

Mbeki did not bang the drum (or tin cup) for investment, letting his American hosts do it for him instead. In his major address to business leaders on Monday he simply underlined his commitment to the government's macro-economic plan, and its dependence on long-term foreign capital.

His, perhaps innate, inability to play the salesman — he was utterly frank about crime — made him seem all the more sincere, as did the fact that when he did pay US corporations a compliment he did it out of their earshot. At a meeting with local, mostly African-American, entrepreneurs in Baltimore, it was put to him that US firms in South Africa were doing nothing for black South Africans. This was incorrect, he replied. Aside from making a profit US companies had "systematically looked at what else they could do to help . . . in the transformation of the country".

By general consensus, the latest meeting of the Binational Commission — which brings together cabinet members, officials and technocrats to foster co-operation in areas from trade to science — was the most successful yet.

This was not because there were any big initiatives to announce, apart from a declaration laying the basis for stepped up involvement in Pretoria's crime-fighting efforts. What impressed participants was the meatiness of talks covering everything from anti-dumping duties to gas policy.

Previously, some US participants were worried the commission was in danger of being nothing more than an excuse for junketing. This time, said a member of its business development committee, "everybody sensed the atmosphere was healthier, and Thabo personifies that".

There had also been fears that the committee, the only commission subgroup which includes private-sector representatives, and the most important in promoting US investment, might flounder with the death of its original chairman, US Commerce Secretary Ron Brown, and the departure of his counterpart, Trevor Manuel, to finance.

But there were rave reviews on both sides for their successors, Mickey Kantor and Alec Erwin, and the "chemistry" which was evident between them.

Holomisa's axing splits ANC militants

(304A) (~~[illegible]~~) ST 28/7/96

By RAY HARTLEY
Political Correspondent

THERE'S a rumour doing the rounds in the ANC that, soon after Peter Mokaba was asked to be deputy environmental and tourism minister at the expense of Bantu Holomisa this week, he received a call from Winnie Madikizela-Mandela.

The message from Madikizela-Mandela, who was herself fired from a deputy ministry last year, is said to have been: "Don't take the job, they're trying to divide us."

Mokaba would not confirm that Madikizela-Mandela had spoken to him, but he did hint at what he would have said in reply: "My problem is with this word 'us'. I don't see myself as part of a faction."

He took the job.

The elevation of Mokaba and the dismissal of Holomisa have dealt heavy — perhaps even fatal — blows to the group of ANC militants to which the two leaders belonged.

In 1994, the group included the late Harry Gwala, Madikizela-Mandela, Mokaba, Holomisa and the Defence Committee chairman, Tony Yengeni. They could count on the influence of the ANC Women's League, over which Madikizela-Mandela presided, and the ANC Youth League, which Mokaba led.

At the ANC's December 1994 conference, Holomisa, Mokaba and Madikizela-Mandela rode a wave of impatience with delivery to take three of the top five places in the organisation's national executive committee elections. Holomisa came first, Mokaba third and Madikizela-Mandela fifth.

But, by the time Friday's firing of Holomisa came around, the militants were in tatters. Gwala passed away last year, Madikizela-Mandela was fired from her ministry, while Mokaba and Yengeni had toned down their militant rhetoric in favour of quiet work on the parliamentary tourism and defence committees respectively.

Although the women's league remained loyal to the militants, it was divided, with a host of senior officials leaving and its finances in a state of chaos.

The youth league, meanwhile, signalled that it had changed tack, going so far as to back the Springbok as an emblem for the national rugby team.

Holomisa has attributed his firing to what he describes as a campaign by "some ANC leaders" to label him a populist and remove him from a position of influence.

And he has labelled an ANC disciplinary inquiry into his testimony before the truth commission that Public Enterprises Minister Stella Sigcau took a R50 000 bribe, a "kangaroo court".

ALLIES, ONCE . . . Nelson Mandela and Bantu Holomisa in 1993 Picture: HERBERT MABUZA

Holomisa traces the start of his political troubles to his stunning electoral success at the 1994 congress. "From the time I joined the ANC and was appointed a deputy minister, everything went nicely. Then, in December 1994, I was elected first on the national executive committee list. In January and February of 1995, I started to notice campaigns against me.

"There are individuals in the ANC who have influence and power enough to portray one in a certain way," he said.

But, while President Nelson Mandela and his deputy, Thabo Mbeki, have wanted to fire him for some time, the trigger for their decision may have been his statement that the former ANC secretary general, Cyril Ramaphosa, and Mbeki needed to "get their houses in order".

He made the statement after the two criticised his testimony before the truth commission that Sigcau had received R50 000 in bribe money from the former Transkei president George Matanzima.

Mbeki is said to have decided there and then that he could not accept public criticism from a deputy minister and that he needed to show he could exert discipline.

He and Mandela agreed to fire Holomisa three weeks ago, but decided to wait until Mandela had returned from London and Paris and Mbeki was back from Washington this week.

Then, early this week, a letter from Madikizela-Mandela to Mbeki, in which she came to Holomisa's defence, was leaked to Johannesburg newspapers.

Seen as a move by Holomisa to head off his firing, the leak prompted Mbeki and the President to bring forward the date of execution.

They decided that the deputy minister would be given his marching orders on Friday, a week earlier than planned.

Holomisa and Madikizela-Mandela now have to decide whether to mount a last stand against an increasingly hostile ANC leadership or finally to subordinate themselves to the organisation's discipline, confining their criticisms to what ANC leaders are fond of calling "the appropriate structures".

The signs are that Holomisa, at least, intends to fight until the bitter end.

He said on Friday that he accepted "the judgment of my father", but he has continued to defend his statement to the truth commission and to attack the legitimacy of the ANC inquiry into the incident.

Holomisa lashed out at the ANC's disciplinary proceedings against him.

"How can the chairman of the disciplinary committee hold a press conference and convict me? That's a kangaroo court," he said.

He said that he had handed a copy of his testimony to Mandela's office before he had submitted it to the truth commission, in compliance with the ANC's guidelines on how testimony should be handled.

For his part, Mokaba has decided to work within the system.

"The appointment of ministers and deputy ministers is the prerogative of the President and should not lead to tension," he said.

"Our main objective is to remain in the mainstream of the ANC. We should never allow ourselves to become a faction on the outside."

Right now, both Holomisa and Madikizela-Mandela are on the outside — and more isolated than they have ever been.

SA's political winter

Sowetan 30/7/96

Major political parties in South Africa have recently gone through some turbulent times. This could be an indication that democracy is working, Political Editor **Mathatha Tsedu** explains... 304A

NORMALLY PEOPLE TALK of the December period as the season of goodwill and of June and July as the winter of discontent. This particular winter is no exception, more so for South African political parties.

This weekend the Inkatha Freedom Party held its annual conference at Ulundi and internal discontent emerged as one of the issues it dealt with.

IFP leader Mangosuthu Buthelezi publicly called for the cutting off of dead branches and threatened to expose leaders who did not toe the party line.

IFP Gauteng member Musa Myeni publicly accused his chairman, Dietmar Lang, of bringing bugged telephones to the office, hiring his alleged "live-in mistress" without advertising the post and buying office computers that never reached the office.

This "can of worms", as Buthelezi called it, was not restricted to the IFP. Earlier this year we were treated to the public self-humiliation of the Pan Africanist Congress as internal discord spilled into the open.

The African National Congress, home of disparate individuals from capitalists to socialists, has over many years been able to contain its problems.

Exigencies of government

But the exigencies of government are making this more and more difficult by the day. The axing of both Winnie Madikizela-Mandela and Bantu Holomisa as deputy ministers is one example. The infighting in the ANC Women's League is another.

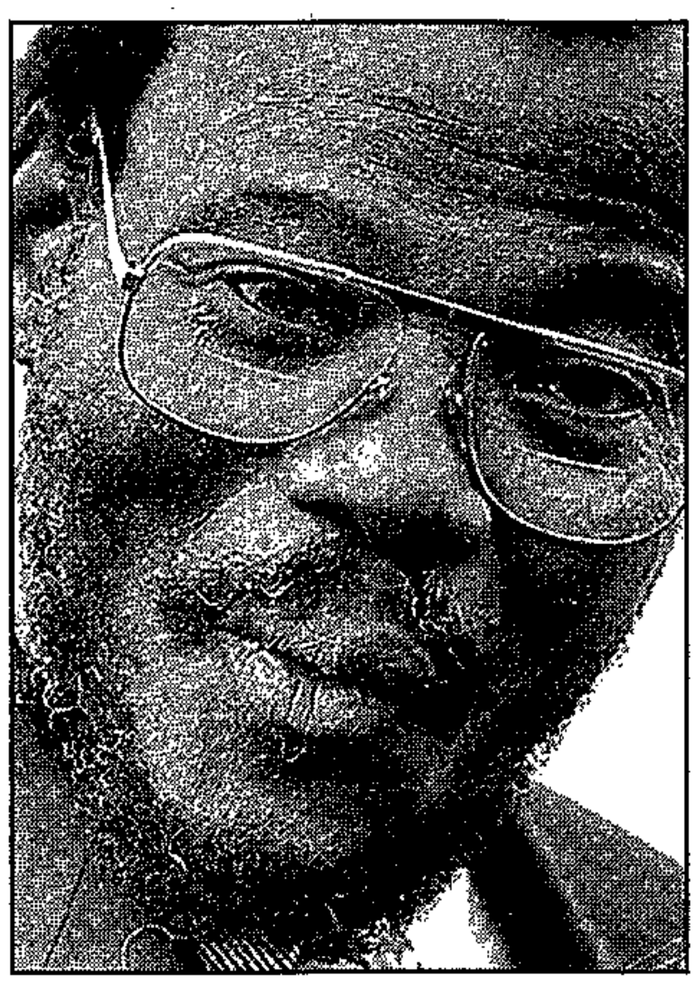
And the unfolding differences between the ANC and the Congress of South African Trade Unions and the South African Communist Party over the privatisation of state assets and the direction of the economy threaten to split the alliance.

The Azanian People's Organisation is also faced with internal rumblings that centre on personalities and tensions between those who were externally based and some of those who were in the country in the years of struggle.

The National Party, which has just spent its first month in over 48 years without exercising power over the country, faces a bleak future after the resignation of key individuals such as Pik Botha and Leon Wessels.

It is truly a winter of political discontent. And the fact that these rumblings are in the main taking place in the open is a reflection of the maturity of our system, and that of our parties and leaders, to withstand the public scrutiny that comes with a democratic order.

The latest developments in the IFP are worthy of closer scrutiny. Buthelezi announced major decisions at the conference, including the removal of Arts, Culture, Science and Technology Minister Ben Ngubane from the Government of National Unity to head the province's finance ministry.



IFP leader Mangosuthu Buthelezi has threatened to expose leaders who do not toe the party line.

Ngubane, as many will remember, was the IFP's chief negotiator – a key party man who spoke authoritatively for the IFP in its dispute with the ANC before the elections.

He was the man tasked with negotiating the role of King Goodwill Zwelithini and, together with Frank Mdlalose, led the IFP walkout from the negotiations at Kempton Park.

That was then. Since his appointment as minister by President Nelson Mandela, Ngubane has thrown himself into his job and has had no discernible public role as an IFP leader.

Indeed, when the IFP said it would boycott the first anniversary celebrations of our freedom last year, Ngubane – as the minister responsible for the celebrations – stuck to his job and even got a mention from Mandela for that.

He has operated more as a national minister of state than as an IFP minister and there are concerns that his removal could have been motivated by this, with Buthelezi wanting him to be more party-based and using his talents and energy in an environment that will bring political credit to the party.

On the other hand, Ngubane has proved himself as a cool-headed man who will not allow party issues to cloud his work. In a provincial cabinet that includes known secessionists, his presence could be positive, senior ANC leaders say.

For the province to have someone like him controlling the purse strings will introduce a relationship in the province's cabinet that can only benefit everyone, especially the poor and poverty-stricken who have stood by the roadside watching as political infighting blocked every attempt to bring development to their areas.

Ngubane's personal preference is known to have been to remain in the GNU. When his possible removal was raised with Deputy President Thabo Mbeki, the national Government supported his view.

Withdrawing to laager

The shift of Ngubane and Walter Felgate from the national level to the province means the IFP is withdrawing to the provincial laager, almost as if they were giving up the national stage to consolidate their position in the province.

This consolidation will not be complete until Buthelezi himself ditches Cape Town and heads back for Ulundi and Maritzburg. This might not be easy, as this would involve the jobs of many people.

But, above all, the IFP – and Buthelezi in particular – do not want to be seen as following the NP in its withdrawal from the GNU in June.

The party may have to bide its time and wait for an opportune moment to get out. Such a moment could be precipitated by Buthelezi's choice of a replacement for Ngubane in the national Government.

If he presented a candidate totally unacceptable to Mandela, this could trigger a fight that will offer the IFP the excuse it might need to ditch the GNU.

The next few weeks should give an irrefutable indication of the next chapter in this discontent of our political winter.

US-SA commission more than a mere flash in the pan

(304A) BD 30/7/96

SIMON BARBER in Washington

THE US-SA binational commission is not very sexy. At the public level, its face is overcaked with the mascara of symbolism. Too many of what are touted as the accomplishments of its twice-yearly meetings are either ceremonial rehashing of old news — last Tuesday's signing of a bilateral air services agreement, for example — or are mind-numbingly vaporous.

Was it really necessary to have Deputy President Thabo Mbeki come to Washington with a small army of Cabinet members, deputies and lesser functionaries to sign, in Vice-President Al Gore's words, a "declaration of intent to help bring SA into the growing community of schoolchildren, teachers and scientists around the world that participate in a programme we call Globe or Global Learning and Observation to Benefit the Environment"?

Having school kids count the neighbourhood tree population and share the data on the Internet is a neat idea. But for this we need a mini "summit"?

While they were about it, Gore and Mbeki signed a declaration on mutual anti-crime co-operation. Sounds significant. Maybe it actually is. But you cannot tell from reading the text. "The US and SA are convinced that their mutual co-operation in fighting the scourges of organised crime, drug trafficking and international terrorism can result in tangible benefit to the mutual societies, the surrounding regions and the world."

Fine. The US and SA, one assumes, are in favour of mothers, too. But what are they concretely going to do about it?

Co-operation "may include" the stationing of US Drug Enforcement Agency personnel and an FBI legal attaché at the US embassy. It "may" also involve training and exchange visits and anything else deemed "mutually desirable".

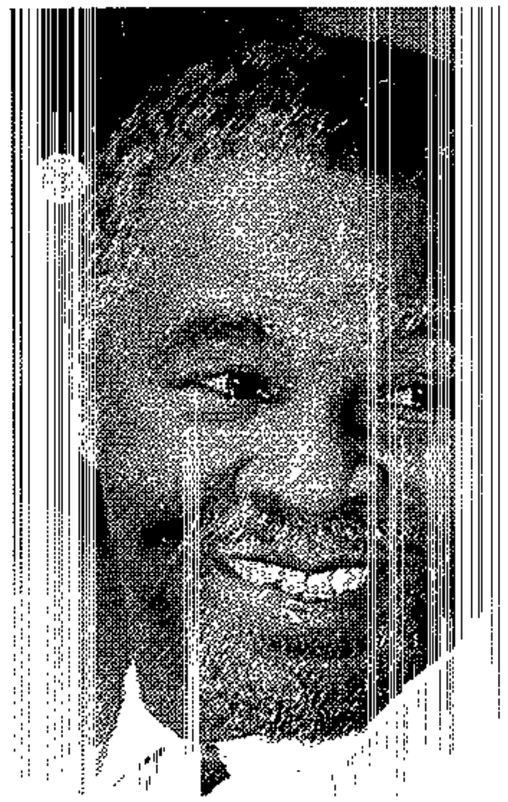
Please. Was it really so necessary to get Gore's and Mbeki's signatures on this bit of paper that they could not wait until they had moved from the "may" to the "will" phase?

One other example. Gore proudly announced that Ruth Harkin, president of the US Overseas Private Investment Corporation (OPIC), whose chief achievement in SA to date is backing a hitherto not terrible repetition of what he told his children as they watched television pictures of Nelson Mandela's release from "Robin's Island" in 1990, the binational commission is a more than worthwhile exercise.

nesses in SA owned by the country's majority population".

Again, this was a frantic attempt to produce an accomplishment. What happened here was that OPIC, a state-owned entity that supports foreign investment by US firms by providing risk insurance and loans, agreed to supply guarantees to help the North Carolina-based Sloan Financial Group establish a fund to back joint ventures between US companies and regional entrepreneurs. A small detail was missing, however: it remains to be seen whether Sloan will actually be able to raise the $120m.

For all that, once you cut through the blather and tune out Gore's end-



The US, whether you like it or not, is the Rome of the modern world, hugely powerful, hugely dynamic, hugely rich. As it proceeds about its business, little countries like SA, for all the emotional appeal of Mandela and the peaceful transition from apartheid, tend to slide off its radar screen. The binational commission keeps it engaged.

The commission obliges the various US government departments represented on its six standing committees to devote attention and man-hours to SA. At the most basic level it ensures that if Trade and Industry Minister Alec Erwin wants to talk to his counterpart, Commerce Secretary Mickey Kantor, Kantor will take his call and make sure his staff follows through on whatever the subject is. Very few other governments in the world have that going for them.

It is important that Kantor and Erwin — and their officials — have this kind of relationship. Likewise, the countries' energy, agriculture, education, environmental and science bureaucracies.

This is not only because SA needs technical assistance. It is because the issues that these departments deal with are the meat of mutually beneficial relations. By contrast, Secretary of State Warren Christo-

al diplomats do not have much place in the bilateral scheme of things.

The fact that Pretoria and Washington do not see entirely eye to eye on Cuba or Libya or Iran is a sideshow so long as SA does not do something dumb like selling Libyan leader Muammar Gaddafi weapons systems. Of far greater consequence are issues that affect market access and investment flows: unglamorous and complicated matters like protection of intellectual property rights, tariffs, anti-dumping duties, textile quotas, exchange controls, tax and competition policy, and even whether the US agriculture department will lift its phytosanitary ban on Cape oranges.

The commission provides an institutional forum for both governments, and in the key business development committee, their private sectors, to guide each other's policies in helpful ways and educate each other about their perspectives and peculiarities.

If it has not reached its potential yet, that is partly because it is new and both sides are still learning how to use it. The South Africans, especially on the education front, are missing an opportunity to take more control of how the US allocates its SA aid money.

For their part, the Americans need to recognise the institution does not need goofy symbolic announcements and signings every six months to make it seem worthwhile. The truth is, that stuff detracts from the value of the process.

The biannual meetings should provide deadlines for reaching real decisions. As, indeed, this latest one did, although on a matter outside the commission's formal purview.

Both sides used the event to try to push the other into making concessions on Armscor's 1991 arms smuggling indictment.

The US got the better of the tussle, finally prevailing on Mbeki to drop his insistence that Armscor should be immune from prosecution as a "sovereign" entity. In return for Armscor agreeing to plead no contest to the charges and pay a fine, the US agreed to lift the sanctions that have been hurting Denel's ability to win international contracts.

The commission provided not only an effective deadline but an ideal environment for getting this piece of old business resolved with no loss of face. Mbeki has reason to be pleased with what he achieved here. He genuinely impressed his audiences, especially the US business community, and did much to calm jitters about the post-Mandela era. Words likes "workmanlike", "trustworthy", "a subtle mind", "very, very sophisticated" were used to describe him.

It helped that he had a significant chunk of his government with him under circumstances that called for substantive discussion of nuts and bolts issues.

"The thought I came away with," said one participant in the meetings, "is that the euphoria is over and these people are now seriously

Seven new ambassadors as 41 diplomat rankers retire

(304A) Star 31/7/96

By Mondli Makhanya and Jean-Jacques Cornish

President Nelson Mandela has appointed seven new ambassadors to a number of countries, including Romania, Switzerland and Saudi Arabia.

The ambassadors, announced by Foreign Affairs Minister Alfred Nzo yesterday, are expected to leave South Africa soon to take up their postings.

The list includes veteran businessman and ANC senator Sam Motsuenyane and ANC parliamentarian Ruth Mompati.

The others are Henry Chiliza, Dr Eltie Links, Ebrahim Saley, Frank Land and Peter Goosen.

Earlier this year former National Assembly Deputy Speaker Dr Bhadra Ranchod was appointed High Commissioner to Australia.

Motsuenyane will be posted to Saudi Arabia. He has served as chairman of the African Bank.

Mompati, who will represent SA in Switzerland, is a member of the ANC's national executive committee. Another ANC appointee, Chiliza, will be going to Romania.

Heading off to the European Union in Brussels will be Links, who is currently the Chief Director of International Development Finance in the Department of Finance.

The ANC's former Egypt representative, Saley, will be heading the South African mission in Tunisia.

Veteran diplomat Goosen will take up the Ukraine post. He has served in missions as diverse as Umtata and Helsinki.

The sensitive post in Israel will be taken up by another veteran diplomat, Land.

South Africa's corps of foreign affairs experts will be thinned out today with the departure of 167 officials who have taken early retirement or severance packages.

Director-General of Foreign Affairs Rusty Evans said yesterday his department would lose 104 people, 41 of diplomatic rank, in terms of the rationalisation measures laid down by the Public Service Commission. They have served three months notice.

ednesday July 31 1996

Holomisa's firing 'decided prior to TRC submission'

(304A)

By Justice Malala
Political Staff

Star 31/07/96

The decision to fire Bantu Holomisa from his position as environmental affairs and tourism deputy minister was taken before the former homeland leader made his controversial submission to the Truth and Reconciliation Commission, ANC sources said yesterday.

It is also understood that the ANC had early this year instructed its branches in the Eastern Cape, Holomisa's stronghold, not to invite him to address any rallies or meetings there.

President Mandela is understood to have canvassed various sections of the ANC-SACP-Cosatu alliance in the past few months and had gained wide support that the former Transkei military leader should go.

Mandela announced on Friday that he had decided to sack Holomisa and replace him with fiery former ANC Youth League leader Peter Mokaba, who is chairman of the parliamentary portfolio committee on environment affairs and tourism.

"Large sections of the alliance felt that he (Holomisa) had brought the movement into disrepute for far too long and the move was not unexpected among many. The issues he has raised in the past could have been raised within party structures, and he has been disrespectful," the source said.

Holomisa now faces disciplinary action from the organisation after he renewed allegations, in a submission to the TRC, that Public Enterprises Minister Stella Sigcau had received R50 000 from an alleged R2-million bribe to her predecessor, Transkei prime minister George Matanzima.

The party's decision to discipline Holomisa raised serious concern from TRC commissioners that ANC members would be afraid to testify before it. It also raised concern that if people had to show their submissions to the organisation this may lead to their being muzzled.

TRC chairman Archbishop Desmond Tutu first raised the concern when the ANC said it would hold a disciplinary hearing on the matter in early June.

ANC spokesman Ronnie Mamoepa said yesterday the organisation never announced dates and venues for disciplinary hearings, and only after they had taken place was the ANC's national executive committee handed a report.

Some of the reasons cited for Holomisa's ultimate fall are his jumping to the defence of Winnie Madikizela-Mandela when she was fired from her deputy ministership last year and his railing against "elite" in the ANC for allegedly wanting to get rid of him.

Holomisa yesterday said he would not retract any of the things he had said at the TRC and that he would continue to work as an ANC MP. He said his submission had been general.

Sapa reports that President Mandela told reporters in Pretoria yesterday that he would not give reasons for the dismissal.

Putting state's case

The Government needs a news agency to get its message through to the people. But who is going to pay for this? The taxpayer again? Features writer **Sharon Chetty** looks at the issue... (304A)

Sowetan 31/7/96

KEEPING in touch with the people they rule is an urgent priority of the Government – but how they will go about doing this is still being worked out.

The head of the South African Communication Service (SACS), Mr Solly Kotane, would ideally like to see a government news agency set up to serve the fast-growing community radio and newspaper market.

Through a news agency, run by the SACS, he hopes government news will be filtered down to remote towns served by community newspapers and radio stations.

He maintains that SACS is currently not geared towards mass communication as it has a lot of fragmented departments that are not effective.

For there to be a proper link between people and the Government, the SACS needs to be restructured and needs a budget at least three times the R50 million it got this year.

But is he merely trying to keep himself in a job by ensuring the continued existence of the SACS?

"Government must have some vehicle, whether it be a news agency or TV channel, it doesn't matter... But it is an obligation of government to communicate and the news agency was mentioned in this context," says Kotane.

Since he first mentioned a government-controlled and funded news agency to Parliament, the suggestion has been met with much reservation in the Press – the state using taxpayers' money for its own propaganda purposes has been a particular criticism.

Confined to leaflets

"This is a matter of debate. At present there is no government statutory policy or communication policy. It was left to me to express my personal opinion – until we have the recommendations of Deputy President Thabo Mbeki's national task group on communications, there's not much we can do," he says.

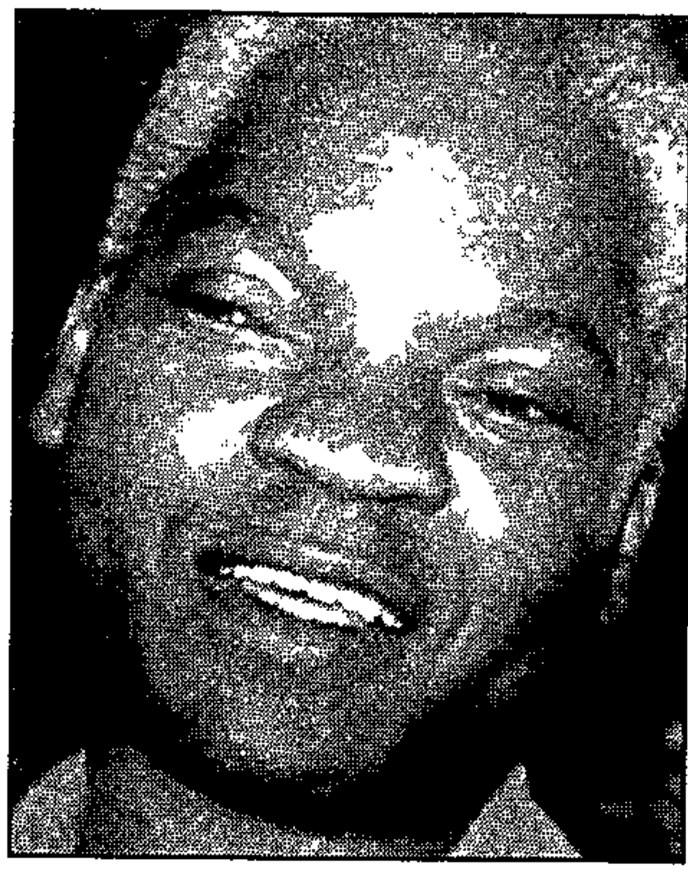
"Present government communications are confined to a handful of leaflets and that is not adequate."

The SACS has nine offices across the country with the head office in Pretoria, the idea is for these offices to serve as the base.

There is no doubt that the SACS in its present guise is not the answer and that some means of reaching people have to be worked out. But, besides a news agency, Kotane is unable to offer any other suggestions.

Meanwhile Comtask, the task group on government communications, is expected to present an interim report on its work by September.

Chairman Mandla Langa says the report will take into consideration the numerous submissions made to them by, among others, journalist unions, Conference of Editors, Black Editors Forum and Independent Newspapers.



Mandla Langa ... more voices must be heard in the communication debate.

Earlier this year team members visited 16 countries, including the United States, Canada, Brazil, Belgium, India and Malaysia. In August they will research government communications in Africa by visiting Tanzania, Ethiopia, Ghana, Senegal, Mozambique, Namibia and Botswana.

Last week they met with provincial communication directorates and will go to provinces over the next month. "We will collate all the information and see to what extent it can be adapted to the South African situation."

One of their most important tasks, he says, is to see "to what extent we can enhance the effectiveness of government to communicate with the electorate and how to provide forums for comprehensive dialogue".

"In a number of areas, South Africa is at two levels: there are the well-heeled and informed versus those beyond the pale." Bridging the gap is their challenge.

Some of the areas in which they will make suggestions will include: the media liaison sections of the various government departments and how they can be streamlined and improved, strengthening community media, especially with regard to training and funding, and how the public broadcaster, the SABC, can be used by government to maintain constant and effective contact with the electorate.

Some of the best communication examples, says Langa, were found in Canada, the US and Brazil.

Among these were the C-Span channel on television, which provides non-stop coverage of the various houses in parliament: cameras record the goings-on in government and the viewer can see how the system works.

In the US a very authoritative person gives a media briefing every week and President Bill Clinton appears regularly on TV to talk to the nation, which also helps substantially.

Communication is one of the most important things government can invest in, Langa says, and being more efficient is likely to help raise some of the money.

Central buying

For example, there can be a central buying of advertising space in newspapers, which would cut out duplication and ensure the target market is reached. In the United Kingdom this practice was found to save up to 30 percent of the cost per year.

In rural areas radio will play a key role in communication, while mobile communication units in trucks can be used in projects like Aids education.

"Stuff like that used to be done before. I remember when I was growing up in KwaMashu, trucks would come around and show a 'bioscope' on things like venereal diseases."

South Africans have been one of the most lied to nations in the past and the new Government has a lot of work to do in restoring the credibility of the Government.

"There is still a lot of lopsided news reporting and the agenda is still set by a small group of liberal whites."

"We have to move to a system where the most voices are heard. Debate is important and even though South Africans may think we are well informed, we are not."

There is no attempt by government to weaken the media, he says; instead they want greater cooperation.

Mandela appoints eight new ambassadors

(3044) BD 31/7/96

Stephen Laufer

PRESIDENT Nelson Mandela had named eight new ambassadors including veteran ANC activists, foreign affairs officials and the former NP deputy speaker of parliament, Bhadra Ranchod, Foreign Minister Alfred Nzo announced yesterday.

A former chair of law at Durban Westville before entering politics, Ranchod becomes high commissioner in Australia.

ANC senator Sam Motsuenyane, who leads the upper house and is a member of the foreign affairs committee, becomes ambassador to Saudi Arabia.

A former head of the National African Federated Chambers of Commerce, he chaired an ANC commission into human rights abuses in ANC camps, and was credited with taking an impartial and balanced approach.

The ANC's former chief representative in Tanzania, Henry Chiliza, becomes ambassador to Romania. He has worked for the foreign affairs department since integration with the ANC's international affairs department.

Ruth Mompati, who worked in the law firm of Mandela and Oliver Tambo in the 1950s before going into exile, becomes ambassador to Switzerland.

A former ANC chief representative in London and chairman of the Northern Cape ANC from 1991 to 1994, she is an MP and on the ANC's national executive.

Economist Elias Links becomes ambassador to the European Union, taking responsibility for negotiations on a free trade agreement. The ANC's former chief representative in Egypt, Ebrahim Saley, becomes ambassador to Tunisia. His counterpart in the Ukraine is to be Peter van R Goosen, a foreign affairs official who previously served in Finland, the US, and the Transkei and Ciskei former homelands.

The former deputy chief of the SA mission to the UN, Frank Land, becomes ambassador to Israel. He worked for the department of information from 1966 and was later absorbed into foreign affairs.

Elections confirmed ANC supremacy

BD 1/8/96 (304A)

Tim Cohen

CAPE TOWN — Enough scepticism has been expressed about ordinary statistical analysis for even the most mathematically enamoured to harbour some doubts. The dangers grow exponentially when dealing with data on election results and political trends — especially in SA.

Yet the results of the national and local government elections are the only election results of a broad base, so using this data is unavoidable. And a comparison between the two elections (not attempted so far because the local government task force has only recently released comprehensive data) is a surprisingly rewarding exercise.

Unfortunately, a comparison at local level is all but impossible because the national election was based on old municipal boundaries, and in many areas local boundaries were redrawn for the local government election.

A more substantial complication is that voters often cast their ballots differently when voting at local level as compared to national level.

Nothing demonstrates this better than the fact that substantially fewer than half of those who voted in the 1994 election bothered to vote at the local government poll.

The differences are, however, mitigated by the fact that both national and local government elections included proportional representation elections — and these tend to operate like simple popularity contests.

Hence, the provincial proportional election vote (the second ballot) in the national election and the proportional representation section of the local government election are loosely comparable. So, what does the comparison show?

Firstly, it demonstrates that outside KwaZulu-Natal talk of large-scale fraud at the time of the 1994 election was false. Large deviations in polled support across the country were rare, and in only three instances did very large declines in support occur (for the Freedom Front in the Free State and the IFP in Northwest and Western Cape).

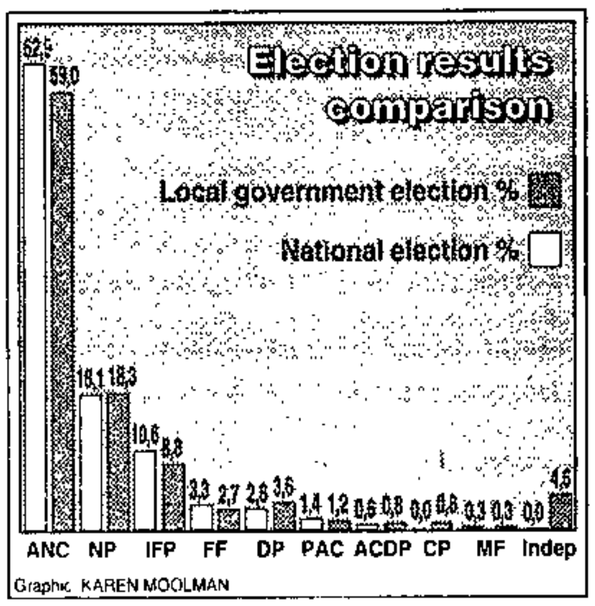
In KwaZulu-Natal, the IFP did experience a large drop in support, although there may have been other reasons for this.

The comparison also shows that even though all parties claimed victory (or a form of victory) in both elections, some parties did in fact lose support!

In fact, all parties other than the DP and, marginally, the NP lost support, mainly to technically unaligned organisations in the local government election.

ANC support dropped by just under four percentage points from 62,9% to 59%, with slippage in seven of the nine provinces and gains in both the Capes.

The provinces where ANC declines were sharpest — Free State (down from 78% to 69%) and Northwest (down from 83,5% to 75,5%) — coincided with the provinces where support for ratepayers' organisations was the largest. The two provinces involved were also those where party leadership struggles had taken place.



Although the ANC recorded declines, these were small and the party's support margins so overwhelming that the scale of fall-off could be considered a reason for cheer on the part of the ANC.

The first two years have been testing for the new government, and delivery of new services has been slow. However support for the party is generally holding, despite (or perhaps because of) the party's identity gelling into a more centrist position than some thought likely.

Furthermore, gains were actually made in two of the provinces where the party was weakest. The one area of concern for the ANC is KwaZulu-Natal. Contrary to earlier reports, the ANC picked up very little support in the province — less than a percentage point — despite the fact that the IFP lost ground.

Is the ANC's small overall decline the harbinger of a more fundamental realignment in SA politics? Most analysts say no, mostly because decline in ANC support can largely be ascribed to numbers of rural dwellers not voting in the local government poll, which skewed the results slightly in favour of the urban-based parties.

Opposition parties see cracks in the ANC monolith, suggesting that many voters opted for ratepayer associations as a first step toward breaking from the ANC completely; but this is speculative, and probably wishful, thinking.

For the NP, the outcome is mixed. Surprisingly maybe, the NP actually marginally increased its support nationwide, although it lost support in six provinces. NP analysts put no faith in this marginal increase from 18,1% to 18,3%.

This is due to the fact that a larger proportion of urban voters took part in the local government election — a factor generally considered to count in the NP's favour. It recognises that overall support has slipped slightly. Especially concerning is a serious decline in the Western Cape, of about 5%, although some ground was made in the Northern Cape.

The NP generally lost support to the DP, but held on its right flank. NP strategists take heart from the fact that support has been maintained even after the announcement of the intention to seek realignment, suggesting its constituency can be maintained through transition.

The IFP lost its outright majority in KwaZulu-Natal and haemorrhaged in the rest of the country. In Northwest, for example, only 303 people voted for the IFP compared to about 6 000 in the national poll.

The results will serve to bolster allegations that the IFP has only regional significance, although the municipal elections do prove to all continuing doubters (and there were many) that it has solid, large-scale support in KwaZulu-Natal, where it remains the biggest party.

The results partly explain internal stress in the party and its rather complex relationship with the ANC, which seems to be undergoing a peculiar series of gyrations.

The Freedom Front had to test the local government elect against the CP, which it did not in the national election, and large for this reason its vote was cut and lost claim to being the country fourth largest party to the DP.

Some say the Front lost suppo because it has been able to show tle progress towards the goal of Afrikaner Volkstaat. Yet the party did demonstrate its supr cy over its main, and theoretic more established, rival.

Even though its overall suppo dropped from 3,3% to 2,7%, it all assigned the CP — which manage less than a single perc age point of the total vote — to status of historical artefact.

The big winner in the local go ernment elections was the DP which increased its support about 30%, although overall bers remain minuscule. The DP gain is partly a factor of the party historically better performance lower levels of government (the D got almost twice as many votes the provincial vote as it did in t national vote in the 1994 election).

The gains reflect frustrations the urban middle class, which is set about issues such as crime punitive taxation and which to the combativeness of new pa leader Tony Leon.

Ironically, the success of the D in the elections places it at a crossroads: having now won the support it lost to the NP in t 1994 election, what next?

For the PAC, the local gove ment election results are tous. For this once proud move which formerly shared interna al platforms with the ANC, to d back even further from the alread dismal 1994 results is devastating.

And that this decline took in a context where it had seams of dissatisfaction to mine especially embarrassing. More lots were spoilt than cast for PAC in the local government poll.

However leaving aside details the comparison, one overwhelm fact stands out: namely that ANC towers over SA's politics.

The party still has more three times the support of its est rival and this is the issue will remain on the forefront of political agenda for some time.

SA accuses Zimbabwe paper of insulting Mandela

BD 2/8/96 (304A)

Michael Hartnack

HARARE — The SA high commission in Harare accused the state-controlled Herald newspaper yesterday of insulting President Nelson Mandela in an editorial which suggested SA was reviving Cecil Rhodes's dream of dominating the region.

In a letter to the editor, a spokesman for the high commission said an editorial titled "SA cannot control whole region", ran "contrary to established facts and is insulting to SA and its partners in the Southern African Customs Union and the Southern African Development Community.

"To talk of a revival of the old dream of SA regimes before the arrival of democracy, a dream that goes back to Cecil John Rhodes, in the light of SA's stated foreign policy objectives in relation to the region is to insult Mandela and all those who have contributed to the new SA and to the ideals of a peaceful, stable and economically sustainable Southern Africa," the letter said. "To further accuse SA of an arm-twisting, big brother attitude, superiority, impoverishing its neighbours and delaying tactics is inconsistent with the facts."

It said: "The high commission is perturbed by an editorial premised on the self-declared basis of rumours, with no attempt at verification or objectivity."

Talks on bilateral trade had made real progress since June 10, and SA was co-operating with its neighbours to draw up a regional trade protocol, it said. SA was one of the largest investors in Zimbabwe last year and its assistance with the Maputo corridor "is hardly an example of a colonial attitude towards the region and impoverishing neighbours", protested the high commission.

The letter continued: "The Herald should become a vehicle for constructive dialogue among our people and those of the entire region."

The Herald is closely controlled by President Robert Mugabe's Mass Media Trust and information ministry, its editor receives regular briefings from ministers, and editorials usually reflect government thinking.

A letter published under the pseudonym Nicholas immediately below the high commission protest accuses SA of "doing anything and everything to lure from Third World Zimbabwe not only our doctors, teachers and journalists, but even holders of O and A levels".

Mbeki, Tshwete linked to Kerzner

Holomisa risks expulsion after attack on ANC

(304A)

BD 2/8/96

Drew Forrest

SACKED deputy environment affairs minister Bantu Holomisa risks expulsion from the ANC after he attacked the party and certain of its leaders yesterday, claiming they had received financial favours from hotel magnate Sol Kerzner.

Holomisa claimed in Johannesburg yesterday he would not get a fair disciplinary hearing from the ANC because it had benefited from Kerzner's largesse. He specifically targeted Deputy President Thabo Mbeki, who he said had a major influence over his case. Kerzner's sponsorship of social events of ANC leaders had included bankrolling Mbeki's 50th birthday party, he claimed.

Holomisa said he had privileged information that Kerzner had financed the ANC's 1994 election campaign. As "a loyal ANC member" he wanted to resist the inference that the price paid by the ANC for Kerzner's aid had been his immunity from prosecution.

Holomisa said he would provide details of Kerzner's assistance to the ANC, if necessary under oath, if the party denied it.

He claimed Sports Minister Steve Tshwete, who lodged the complaint against him, had received free accommodation at Sun City while attending a boxing match last year.

The ANC denied the accusations yesterday, describing them as "scurrilous" and "repugnant". A well placed source said the ANC's national working committee was to consider Holomisa's statements at its meeting last night. It was likely to decide on his expulsion from the party and to seek ratification for the decision at the national executive committee meeting in a fortnight's time. Sapa reports Tshwete said yesterday Holomisa no longer had a future in the party. Kerzner also denied Holomisa's claims, saying they were outrageous.

Holomisa already faces an ANC disciplinary inquiry relating to his evidence to the truth commission that Public Enterprises Minister Stella Sigcau received a R50 000 cut of a R2m bribe allegedly paid by Kerzner to the former Transkei leadership.

In a letter to ANC secretary-general Cyril Ramaphosa, released yesterday, Holomisa said the real issue was Kerzner, not Sigcau.

Mbeki, Holomisa said, had failed to hear his side of the story and had publicly branded his remarks as malicious and ill-informed, indicating that he (Mbeki) considered him guilty.

Because of Mbeki's influence in the ANC, the disciplinary findings might be "more in line with the expectations

Continued on Page 2

Holomisa

(304A)

Continued from Page 1

BD 2/8/96

of the deputy president than the merits of any case I might be able to put. The bottom line is that you must get yourself out of Kerzner's top drawer first — then you can point fingers."

Holomisa said the moves against him were the work of a clique in the ANC and that his case had not been fully canvassed in party structures.

Sacked deputy minister Winnie Mandela-Madikizela had been similarly ill-treated. As a result he was communicating directly with the party rank and file.

He said the public was finding it "extremely difficult" to separate his dismissal from government from his testimony to the truth commission, and that the disciplinary charges strengthened these perceptions. "The work and credibility of the commission will be extremely compromised." The ANC had no jurisdiction over him regarding his evidence on Sigcau, as he had said nothing new and had referred to a historical event "that can hardly be seen to be relevant to the ANC".

Picture: Page 8

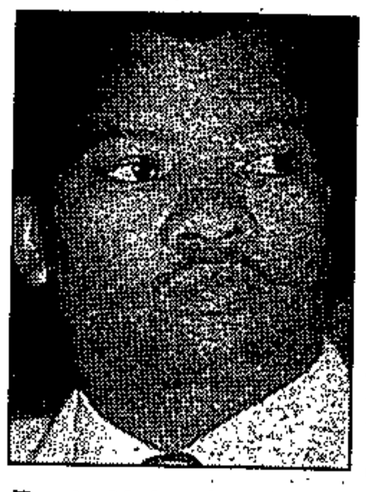
Holomisa refused Mandela's appeal

M+G 2-8/8/96 (304A)

If Bantu Holomisa had heeded President Mandela's appeal that he apologise, his sacking could have been avoided, writes **Gaye Davis**

PRESIDENT Nelson Mandela tried to persuade axed deputy minister of environmental affairs and tourism Bantu Holomisa to apologise for remarks he made about Public Enterprises Minister Stella Sigcau before the truth commission, saying this would enable him to neutralise the forces against the former Transkei military ruler.

Holomisa told the *Mail & Guardian* the president's appeal came soon after African National Congress secretary general Cyril Ramaphosa publicly announced he would face a disciplinary hearing for saying Sigcau received a R50 000 cut of a R2-million bribe allegedly paid by hotel magnate Sol Kerzner to then Transkei president George Matanzima to secure gambling rights.



Bantu Holomisa: Refused to apologise

"President Mandela called me from Transkei but couldn't get me. His last call to my wife was at 3am. He called my drivers, he left a message on my cellphone which was in my hotel. I got his messages in the morning and phoned him at about 10am.

"He advised me to apologise for what I said about [Sigcau] at the truth commission so that the whole thing could be handled. He said this issue would divide the organisation and my opponents would find an opportunity to go at me.

"He said if I said I was asked by him to apologise he would be able to neutralise the forces against me — that was how he put it."

Holomisa, whom Mandela sacked as deputy minister last Friday, said he told the president that by apologising he would be "putting my credibility on the line": he had toppled the Transkei government in the 1987 coup because of the corruption riddling it. "The entire military council which took that decision in 1987 as well as the Transkei Defence Force would find it difficult to do that.

"I found it ethically impossible [to apologise]. I differed with him [Mandela] fundamentally. God will forgive me if I had taken the wrong judgment on not taking his advice. He is always accused of protecting Holomisa. He knows the people who are against me," Holomisa said.

Holomisa on Thursday suggested the government had been compromised by Kerzner. It was "common cause that as a result of the R2-million bribe" Kerzner faced criminal prosecution, and "I have been most insistent that Sol Kerzner be charged", Holomisa said.

While he could understand why the National Party government deliberately frustrated such prosecution from taking place, he could not understand why "the democratic government has been compromised". He said he had "privileged information" relating to Kerzner's financial aid to the ANC to contest the 1994 elections and said it was known he had funded social events of leading ANC members, including Deputy President Thabo Mbeki's 50th birthday party.

However, "as a loyal member of the ANC" he wanted to "resist the inference that the price that our organisation had to pay in return" was that Kerzner would not be prosecuted.

In a handwritten post-script to the letter to Ramaphosa setting out his objections, Holomisa wrote: "The bottom line: get yourselves out of Sol Kerzner's top drawer first, thereafter you can point fingers. Many in this country would agree with me that there is a symbiotic relationship between Kerzner's R2-million payment to the former Transkei officials and the subsequent favours offered by Mr Kerzner and his company to some of us."

Holomisa was making public his objections to the hearing, set down for Cape Town on August 14. He contends the ANC has no jurisdiction to charge him for testifying as a "concerned citizen and former head of the then government of Transkei" and mentioning Sigcau "in passing" as a member of the former homeland administration.

The issue was "not so much about Minister Stella Sigcau" as it was "about Sol Kerzner", Holomisa said.

A further objection is that he believes the disciplinary hearing will be biased against him on the basis of Mbeki's earlier remarks that Holomisa's testimony was "ill-informed and malicious.

"This leads me to the irresistible conclusion that even without hearing my side of the story, he had come to the conclusion that I was the guilty party.

"His influence in the organisation cannot be underestimated and therefore it is conceivable that whoever presides might be constrained to return a verdict that would be more in line with the expectations of the deputy president than the merits of any case I might be able to put before the disciplinary committee, however persuasive ordinarily those merits might be."

It was now clear he was being charged for having testified before the truth commission. While the ANC had denied members first had to have their testimony vetted, "as long as Deputy President Mbeki's state views ... prevail the work and credibility of the TRC will be seriously undermined.

"Already the TRC as well as the public are finding it extremely difficult to separate my dismissal from government from my having testified in the TRC... pressing charges... will only serve to confirm that public perception."

Holomisa has asked Ramaphosa to respond to a letter setting out his objections in writing before August 14. He could be expelled from the party, in which case he loses his seat as an MP, or suspended, or sentenced to some form of community service.

He said he had been informed that he would be asked to apologise and that if he declined to he could be suspended or expelled.

Mokaba move welcomed

Gaye Davis

PETER MOKABA'S elevation to deputy minister has been hailed with a sigh of relief by members of the National Assembly's Portfolio Committee on Environment Affairs and Tourism.

They hope that as deputy minister he will make the portfolio more of a priority than he did when he was chair of the committee. Intended to function as a bridge between voters and the ministry, the committee had relatively few meetings and members complained it was difficult to get work done because Mokaba was rarely around to provide the leadership required.

Matters first came to a head soon after Mokaba's National Tourism Forum collapsed in a welter of corruption scandals early last year and he was carpeted by ANC chief whip Reverend Arnold Stofile.

"Things improved a bit but not much," a member said, adding that Mokaba was an extremely good chair "when he was there".

More recently, Mokaba was taken to task by ANC whip Naledi Pandor for failing to consult a committee member dealing with the fishing quotas controversy before making comments on television.

While Mokaba was seen to be extremely able, with political savvy and an ability to get on top of issues quickly, members from all parties felt he had not made his chairmanship a priority over a plethora of other interests, including the chain of hairdressing salons he owns, a master's degree he was reading for and a presidential lead project he was in charge of.

Mokaba's appointment to replace sacked deputy minister Bantu Holomisa was being seen as a shrewd move in political circles this week, as it made it difficult for the action against Holomisa to be read as an attack on leading ANC personalities described as populists — including Winnie Madikizela-Mandela, Tony Yengeni and Mokaba himself.

Revamped NP aims to become a reforming party

CT 2/8/96 (304A)

BARRY STREEK

THE National Party last night re-launched itself as "an opposition with a mission" and set 2004 as the year it would regain power.

Leader Mr F W de Klerk said NP opponents liked to portray it as a party of the past.

"They are in for the surprise of their lives. The NP is ready for the future and raring to go," he told cheering delegates to its federal congress in the Good Hope Centre.

The congress, the first the party has held since it quit the government of national unity at the end of June, is aimed at re-focusing the party in its new role as the largest opposition party in South Africa.

The NP, according to a "vision" document distributed at the congress, would "play a leading role in redefining South African politics by bringing together a majority of all South Africans in a dynamic political movement based on proven core values and Christian norms and standards".

However, while it expressed its support for the "abolition of all forms and manifestations of racial discrimination", it supported "the right of all cultural communities to have autonomy over all matters that affect the protection and promotion of their languages, culture, religions and traditions in particular", including the right of parents "to raise and educate their children in accordance with their cultural, religious and moral heritage".

In essence, the NP is trying to position itself as a reforming party, supporting the transformation of South Africa, but also promoting the right of "cultural communities", such as Afrikaners, to protect themselves.

The NP would not be negatively critical but would constructively work with all who agreed with it.

The ANC had lured millions of voters into voting for them on the basis of its RDP policy, but had failed to manage it as a comprehensive or cohesive anti-poverty action plan, De Klerk said. As a result, the NP had decided to launch an initiative to address the issue.

SACKED DEPUTY MINISTER UNREPENTANT

Holomisa accuses Mbeki

CT 2/8/96

(BOLIA)

JOHANNESBURG: The ANC has noted Mr Bantu Holomisa's "scurrilous allegations" and says a disciplinary committee will look into his attempts to draw it into public debate.

AXED deputy minister Mr Bantu Holomisa appeared to sign his own death warrant in the ANC yesterday by suggesting that senior party leaders, including Deputy President Thabo Mbeki and Sports Minister Mr Steve Tshwete, accepted favours from hotel magnate Mr Sol Kerzner in return for protecting Kerzner from prosecution.

He also alleged the ANC had accepted financial assistance from Kerzner for its 1994 general election campaign.

Tshwete, a fellow ANC national executive committee member, said he believed Holomisa had no future in the party after his latest allegations — which the ANC and Kerzner have denied.

Holomisa, sacked as Deputy Environmental Affairs Minister for "political indiscretions", also faces an ANC disciplinary inquiry for statements he made to the Truth and Reconciliation Commission.

He claimed Public Enterprises Minister Ms Stella Sigcau was implicated in corruption as a former Transkei homeland government minister.

In a brief statement issued from its head office, the ANC said it had "noted the scurrilous allegations made by Bantu Holomisa on collusion with Sol Kerzner" and said its disciplinary committee would look into Holomisa's attempts to draw the ANC into public debate.

Holomisa's allegations are contained in a formal response to the disciplinary charges served on him on Wednesday, which he made public at a press briefing yesterday morning.

He said it was clear the charges were related to his TRC testimony, in which he had renewed allegations that Sigcau had accepted a R50 000 cut from a R2-million bribe paid by Kerzner to former Transkei prime minister Mr George Matanzima for exclusive gambling rights.

ACCUSER: Bantu Holomisa

Complaints by Sigcau and Tshwete led to the ANC taking disciplinary action against Holomisa.

Holomisa claimed he would not get a fair hearing at the inquiry, to be held on August 14.

Holomisa's response, addressed to ANC secretary-general Mr Cyril Ramaphosa, alleges ANC members other than Sigcau had accepted "certain favours" from Kerzner, who is still the subject of a criminal investigation by the Transkei attorney-general, Mr Christo Nel.

There was therefore a conflict of interest and any internal ANC inquiry would prejudice his case.

Holomisa claimed Kerzner financially assisted the ANC in the 1994 elections and said he had privileged information about this that he would make public.

"As a loyal ANC member, I want to resist the inference that the price that our organisation had to pay in return for financial assistance was that ... Sol Kerzner would not be prosecuted."

Holomisa said Kerzner had also funded social events of leading ANC members, including Mbeki's 50th birthday party.

He also alleged that various ANC leaders, including Tshwete, had accepted free accommodation at Sun City in October 1994 when boxer Chris Eubank defended his world title against Dan Schommer.

Kerzner, on holiday in Europe, said Holomisa's claims were "outrageously false". — Sapa

'Shake-up' looms in SA politics

CT 2/8/96 (304A)

LOCAL ELECTION results in both KwaZulu-Natal and the Western Cape all point towards a future realignment of South African party policies. **DANIEL SILKE** examines the electoral trends and suggests that all the mainstream political parties will shift in policy to accommodate a changing political environment.

IT IS clear from voting patterns in both regions that little has changed to swing voter loyalties among either supporters of the ANC or of other opposition parties.

While the election results in the Western Cape indicated a marginal increase in support for the ANC at the expense of the NP, the voter shift was so negligible as to simply confirm the 1994 election results.

In KwaZulu-Natal, the ANC vote was virtually the same as that in 1994. While the IFP was down some 6%, it nevertheless retained a healthy share of the vote and is still clearly the largest party in the province even if its support is no longer above the critical 50% figure.

The NP remained largely static with only a few white voters who once supported the IFP returning to the fold. While the DP did proportionately better in KwaZulu-Natal than in the Cape Town Metropole, none of the major parties showed any dramatic growth.

What is significant in both provinces, and nationally, is the almost complete annihilation of SA's more extremist political entities. While the PAC has all but disappeared in terms of securing elected public representatives, a similar fate looks set to befall the Freedom Front.

Indeed, in the Western Cape, many FF supporters returned to the NP fold thus boosting that party in the region. South African politics is therefore converging towards the centre and may yet take a shift to the right in future.

Given the apparent hiatus in voting support for the various political parties, the new-found ANC control of some urban sub-structures in Cape Town and Durban/Maritzburg is based upon the vagaries of the electoral system in both provinces.

In Cape Town's central substructure, the 50/50 split afforded the ANC more wards than it would have won on a purely equitable distribution of voters.

In KwaZulu-Natal, it is clear that while the ANC does dominate the urban areas, the IFP remains the preeminent party in rural areas and thereby enjoys immense popular support. While the IFP has certainly failed to gain any national support and has also lost ground, particularly among white voters, it nonetheless remains a powerful regional force not to be diluted with the strong urban showing for the ANC.

VOTING PATTERNS: WESTERN CAPE AND KWAZULU-NATAL

	W Cape '94	CT Metro '96	KwaZulu-Natal '94	KwaZulu-Natal '96
NP	53,3%	48,2%	11,2%	12,8%
ANC	33,0%	37,9%	32,2%	33,25%
IFP			50,3%	44,5%
DP	6,6%	6,7%	2,2%	3,3%

The only surprises in the elections are as a result of the introduction of wards as opposed to the pure proportional representation ballot of 1994.

Had there been similar wards in 1994, there would have been similar urban victories for the ANC in KwaZulu-Natal and a strong swing to the NP in formerly strong DP wards, particularly in the Cape Town Metropole.

These trends are not new for 1996; they were present in 1994 but were obscured by the grand totals of the proportional representation system.

And, given these trends, the ANC can hardly claim to have dramatically increased its vote. It has barely held on its upper limits of support as tested in the 1994 election. Essentially therefore, it has been the anti-ANC or opposition vote that has redistributed itself among a variety of actors rather than consolidate to form a single and potentially powerful anti-ANC block.

The failure of the IFP to secure white or Indian votes, the failure of the NP and DP to elicit any meaningful black support and the overall failure of the opposition to the ANC to grow in any numbers in what is essentially a mid-term test for the government of the day must pose a dilemma for position in the country. Similarly, the inability of the ANC to break out of its own ethnocentric support base shows a stagnation in that party's appeal.

South Africa's anti-ANC movement is now clearly fragmented. No party is able to claim to be a government in waiting. Ethnic loyalties contribute to this fragmentation.

While the NP can lay claim to a healthy majority of white and coloured support, this is barely enough to make a dent on ANC majorities. While the IFP holds some 80% of the Zulu rural votes, this is merely sectional and regional in scope. The DP's support continues, as before, to reflect small pockets of white voters — hardly a base to attract a growing rainbow membership.

Where does this leave opposition in SA? Continued rumblings from the NP about a name change and the introduction of "Christian" values into its set of political principles will shift white and coloured opposition to the right. While the NP might claim some support from the IFP in its quest to rid the country of an ANC government, the focus of opposition from this quarter looks set to take on a more reactionary, conservative thrust. The NP and IFP need each other for electoral alliances. Both parties are compatible with a conservative stand on abortion, the death penalty, free-market economics and family values. These are issues on which the ANC might perceive to be "soft" and can electorally benefit a new, re-invigorated rightist opposition.

The DP, however, fundamentally differs from this approach. The liberal doctrine is in direct conflict with many of these issues and will prevent the party's core activists from associating itself with such a movement. A shift to the right among the non-ANC opposition might also move mainstream ANC thinking to the centre. As parties vie for the floating "Christian" vote, so the ANC will attempt to counter with a commitment on these issues.

In turn, the ANC risk the alienation of its more "leftist" elements but will also gain from more "liberal" whites who traditionally supported the DP as well as from some Inkatha supporters.

SA is set to witness a long overdue but very gradual "shake-up" of its party politics as it moves towards 1999 and beyond. This will fundamentally affect every political party and move them from representing the interests of the old order to a new *realpolitik* for the new millennium.

❑ *Daniel Silke is a research assistant at Professor Robert Schrire's Institute for the Study of Public Policy at UCT and acts as an independent political analyst. He is also a city councillor in the central substructure of Cape Town.*

Holomisa turns on Mandela in row over Kerzner

(304A)

Star 3/8/96

By NEWTON KANHEMA

The row between the ANC and sacked deputy minister of environmental affairs and tourism Bantu Holomisa appears headed for the courts.

Yesterday an unrepentant Holomisa turned up the heat in the public slanging match, charging that President Nelson Mandela had been aware of a R2-million donation to the ANC's 1994 election campaign from hotel magnate Sol Kerzner.

The president's office refused to comment on the claim, saying the ANC was handling the issue. The ANC said it and party members named by Holomisa were investigating the legal implications of his claims.

It is understood that Holomisa is also considering applying to the Supreme Court to demand reasons for his firing last Friday.

The row and corruption allegations have angered senior ANC members and it seems certain that Holomisa will be ejected from the party.

The ANC's national working committee met on Thursday evening to discuss Holomisa's statements. Afterwards party deputy secretary-general Cheryl Carolus said the committee was "of the firm view that these statements are not only blatantly false but also malicious and defamatory". It had ordered a probe of "the legal consequences of these and any further such statements, as well as implications of their publication".

UNREPENTANT: Sacked deputy minister Bantu Holomisa

Carolus denied Holomisa's claim that Sports Minister Steve Tshwete had stayed at Sun City for free. "We asked Steve Tshwete whether Kerzner paid. He said no."

Of the claim that Kerzner had paid for Mbeki's birthday party in 1992, Carolus said it was not "anybody's business who paid". It was unnecessary to disclose who paid unless it involved taxpayers' money or corruption, and everybody was entitled to some privacy, she said.

Of the claim that Kerzner donated R2-million to the ANC's 1994 election campaign, Carolus said the party would not disclose donations it had received because donors were entitled to privacy. The ANC was under no obligation to disclose donations unless corruption was involved.

Holomisa yesterday named Mandela as his source of information on the alleged R2-million donation from Kerzner for the election campaign. He said Mandela had summoned him to the Carlton Hotel in Johannesburg in 1994 to brief him on Kerzner's donation and discuss the possibility of the Transkei Military Council's bribery charges against Kerzner being dropped.

TO PAGE 2

◆Holomisa

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Holomisa claimed Mandela had told him that Kerzner had agreed to give the ANC R2-million and had asked whether the charges against him could be reviewed.

Holomisa said he had advised Mandela not to accept the donation and to avoid intervening in the charges against Kerzner.

Last night, presidential spokesman Joel Netshitenzhe said the president's office would not engage in public debate with Holomisa.

Sapa quoted another presidential spokesman, Parks Mankahlana, as rejecting any inference that Mandela had or would interfere in the investigation of Kerzner's affairs.

Transkei attorney-general Christo Nel said he had not been approached by any ANC leader to stop the investigation.

He had approached Safety and Security Minister Sydney Mufamadi to second a South African investigating officer to Transkei to help with the Kerzner matter, and the request was granted.

Nel confirmed that he had met Kerzner's advocate, Fanie Cillier, and that on March 9 1994 had written to Holomisa to brief him about the talks.

Among the matters discussed with Kerzner's legal team was whether the hotel magnate could receive indemnity from prosecution. Nel said this was beyond his jurisdiction.

The ANC on Thursday denied that Kerzner had paid for Mbeki's 50th birthday party, but Holomisa said yesterday that a businessman, whose name was given to the Saturday Star, had acted as Kerzner's go-between in paying for the party.

Holomisa said he declined the businessman's offer to arrange dinner with Kerzner. He did, however, speak to Kerzner on the telephone after the businessman phoned him.

Holomisa, who faced a party disciplinary hearing for misconduct, said he had written to the ANC recommending it drop the charges against him as he would not receive a fair hearing.

Carolus, however, said the disciplinary committee would handle the matter in an "even-handed manner".

Last night Holomisa said he would not be silenced unless by a Supreme Court interdict. The threat of legal action was "tantamount to gagging", he said.

ARG
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(504A)

policy

the document also has to be addressed. This is the assumption that it is in some way obvious what the phrase the foreign policy of a democratic South Africa is supposed to mean.

Either a minimalist or a maximalist interpretation of this phrase is possible. To the minimalist, the trappings of parliamentary elections, formal public accountability, media scrutiny, etc would be sufficient to justify the use of this phrase. However, a maximalist reading is also prevalent, one which demands a fundamental re-orientation of the focus and content of our foreign policy.

The fact that the discussion document does not even begin to address these divergent readings of the phrase, suggests to me that the authors simply assume there is some underlying shared interpretation of what democratisation means, also in the foreign policy domain. This may not be the case.

What is important to remember is that, apart from the short-lived sub council on foreign affairs of the TEC, we have had no formal forum in which the different foreign policy traditions and assumptions could be put up for public scrutiny and for negotiation.

In fact, foreign policy may be the one area of public life which has been passed by in the building of the compromises and mutual understandings which carries our democratisation, fragile though it may be.

This means that in the course of conducting foreign policy during the past two years, fundamental differences sometimes have simply been papered over in attempts by the DFA to get itself restructured and to get on with the job. No one can blame them for that, and they have done a remarkable good job given their many constraints.

Yet, the question remains whether we do not need some forum in which potential divisive foreign policy issues can be "negotiated". Of course, no democracy should wish for unanimity, but a lot of misunderstanding, suspicion and mistrust can be removed if we try and develop some kind of common understanding about the meaning of a phrase such as "the foreign policy of a democratic South Africa".

Such a debate would also provide the opportunity to debate such troubling issues such as national interests, foreign policy means, and longer term goals. The release of this discussion document is a useful start, but the process needs to be carried forward, perhaps in a council on foreign relations (which should not be an advisory council for the government, but should rather be independent). Unfortunately, the discussion document is silent on how common understandings and a common foreign policy culture in South African could be built.

Thus, my main concerns about this document is that a) it does not really amount to an evaluation of the foreign policy system in South Africa because it fails to thematise the system as a whole; and b) that its reconceptualisation must be preceded by the cultivation of common understandings about the nature, process and direction of foreign policy.

■ *Philip Nel is in the department of political science at the University of Stellenbosch.*

Rethinking SA's foreign

ARG 3/8/96 (304A)

■ The release by the Department of Foreign Affairs of a discussion document on South Africa's foreign policy is an event of major importance. Not only is it the first time this aspect of public policy-making has been the subject of a public document, it is also the first time an opportunity is being created for widespread public participation in the discussion, if not the formulation, of foreign policy in South Africa. **PHILIP NEL** reports.

THREE crucial points have emerged from the discussion document on South African foreign policy.

First, the document presents a strong case for a rethink of our multilateral efforts – given the rapid increase of South African membership of international organisations, and given our lack of academic and practical experience in the multilateral field, this call should not go unheeded.

Second, the section dealing with the regional and country-specific dimensions of our foreign policy helps the reader to get a reasonable insight into some of the policy challenges we face in specific contexts. This type of policy information is vital if we want to ensure we have a better informed public debate on foreign policy in South Africa. I welcome the promise made in the document that more discussion documents on specific bilateral issues will be published soon.

Third, the drafters took the trouble to give us an insight into how they, and presumably the Department of Foreign Affairs (DFA), view the global context in which South Africa has to develop its foreign policy. Although the assessments provided on specific trends in the world are sometimes very brief, it is encouraging to see the extent of the DFA's engagement in trying to understand global trends. Naturally, different observers will have different evaluations of these trends and how it may or may not affect South Africa. Such evaluations will obviously reflect different theoretical, value and even ideological positions: things on which a wide spectrum of opinion exists (and should exist).

While we as a foreign policy community in South Africa have to engage in the type of theoretical and value debates called forth by the trends analysis in the discussion document, I think it will be a mistake if we jump right into that, before taking the time to ask some questions about two of the more important underlying assumptions on which the document seems to be based.

The first and overriding assumption is that the foreign policy system in South Africa can be adequately addressed from the perspective of the department of foreign affairs only. As the final sections of the document make clear, the DFA has a central, officially prescribed role, and the interests of the DFA must, therefore, feature very strongly in a discussion document of this nature.

However, the idea behind a discussion document on South Africa's foreign policy is surely to provide a comprehensive survey and evaluation of the foreign policy system as a whole, its environment, and the effectiveness or not of its outputs.

Such a discussion document, especially if the aim is that it should form the core of a White Paper, should make use of the rare opportunity I referred to at the beginning – to conduct an analysis of the strengths, weaknesses, opportunities and constraints of the whole system.

I can understand very well why the authors approached the document-drafting process from a narrow departmental perspective. Clearly, the DFA experiences continuous encroachment on its "turf" due to the internationalisation of many state departments and levels of government.

Combined with the uncertainty created by ongoing internal restructuring, increasing operational demands, and a sometimes less than favourable media reception, this encroachment factor had to lead to a situation where the department devised and drafted a foreign policy discussion document in a somewhat parochial manner.

Naturally, foreign policy is the preserve of the DFA, but that does not mean a fundamental rethink and "open-think" of foreign policy should be departmentally oriented to the virtual exclusion of all else. Whether my explanation for this narrow focus is correct or not, the fact remains that important dimensions of what any knowledgeable outsider would deem to be crucial parts of the foreign policy scene in South Africa are not addressed in this document.

Reference is made to the functions of other departments, the various co-ordination mechanisms between the departments, the role of parliament, and the role of civil society. Yet, the drafting of this document provided a unique opportunity to develop a detailed overview of who and what is involved in making foreign policy in this country, and whether the system needs some change. The purpose of such an overview is not simply comprehensiveness, but it is above all to provide the opportunity for an evaluation of the strengths and weaknesses of our system.

To give an example: what is sorely missing from this document is a question such as, should South Africa not consider merging its DFA with the trade sections of the department of trade and industry (DTI)? This is a crucial question, not only because other states have set interesting examples in this regard (viz Denmark), but because the external environment leaves us with no other choice than to have a formal foreign policy apparatus that is functionally integrated and flexible.

It may be that this question has arisen in internal DFA and DTI discussions, and that a merger has been rejected for good reasons. It may also be that this issue will come up in the special interdepartmental committee which is mentioned in the document.

What is important, though, is that a discussion document must at least tell its readers why this idea is being rejected. I appreciate the DFA's and the other departments' attempts to co-ordinate, but alternative ways to achieve maximum effectiveness clearly have to be discussed in a document such as this.

Similarly, other crucial aspects of the foreign policy system are ignored. How do the drafters suggest we should think about the role of an advisory council, about the role of parliament, the media, the academic community, etc. These things are mentioned in passing, but that is it.

And what about the evolving foreign-policy functions of the provinces and local governments in major cities? It does not help to assume in our day and age that foreign policy simply is that which is being done by a DFA.

It is not in this point that this discussion document compares very poorly with the thorough and indepth discussion document which led to the Science and Technology White Paper (to take just one recent example). The S&T document went out of its way to analyse and evaluate the whole policy system, and to come up with suggestions how it should be changed. Naturally, the department of arts, science and technology (DAST) is a new department and it had to define the whole policy system *ab novo*, so to speak.

But we find ourselves in at least an analogous situation as far as foreign policy is concerned, given the fact that the government has committed itself to a foreign policy which is supposed to differ fundamentally from the policies of the past. Here was an opportunity to review and evaluate our whole policy system. It is a pity we let this opportunity slip by.

We cannot simply assume that our system is perfect, or needs only fine tuning here and there. South Africa is blessed with good and very professional diplomats, but that in itself does not mean that they work within a system which provides the best possible context to fulfil their professional duties.

An overview of the whole foreign policy system would also have provided the opportunity for all participants to evaluate their performance, and not only that of the DFA.

One of the unfortunate unintended consequences of the narrow focus of this discussion document is that it again focuses all the critical attention on one player only, while all of us actually have to ask ourselves such awkward questions such as why has there been no public opinion survey concerning foreign policy issues since 1994; are we (especially in the media and academia) doing enough to make South Africans more literate as far as international issues are concerned; how good is our research on international issues in this country, compared to world standards; and are we really satisfied with how we train future diplomats and other foreign policy actors?

Over time, it will be high scores on these dimensions that will ensure an effective and democratic foreign policy. Why do the authors of the discussion document not challenge all of us to more introspection? Is it because they themselves would prefer to take a critical look at their own institution, or was it simply a case of an oversight on their part?

This brings me to a second assumption on which

Now Holomisa names Mandela

ARG 3/8/96 (304A)

NEWTON KANHEMA
Own Correspondent

■ The ANC said it may take legal action against Bantu Holomisa for suggesting the party accepted bribes from casino king Sol Kerzner.

AXED Deputy Environmental Minister Bantu Holomisa named President Nelson Mandela as the source of his information that hotel magnate Sol Kerzner funded the 1994 African National Congress election campaign.

Mr Holomisa said Mr Mandela also told him that Mr Kerzner had asked the ANC for help in quashing the bribery investigation against him.

Less than an hour after Holomisa's statements the ANC announced it was considering its legal options against him, in addition to the internal disciplinary inquiry he already faces on August 14.

Yesterday an unrepentant Mr Holomisa continued to turn up the heat in the public slanging match when he charged Mr Mandela had been aware of a R2-million donation to the ANC's 1994 election campaign from Mr Kerzner. The president's office refused to comment on the allegation, saying that the ANC was handling the issue.

The ANC said it and individual party members named in public statements by Mr Holomisa were investigating the legal implications of the claims and their publication. It is understood that Mr Holomisa is also considering applying to the Supreme Court to demand reasons for his firing last Friday.

The row and corruption allegations have deeply angered senior ANC members and it now seems certain that Mr Holomisa will be fired from the party itself.

The ANC's national working committee meeting on Thursday evening discussed Mr Holomisa's recent statements.

ANC deputy secretary-general Cheryl Carolus yesterday told a media conference: "The NWC is of the firm view that these statements are not only blatantly false, but also malicious and defamatory."

"In this regard, the NWC ordered an investigation into the legal consequences of these and any further such statements, as well as implications of their publication and broadcast."

Ms Carolus refuted Mr Holomisa's claim that Sports Minister Steve Tshwete had stayed for free at Sun City. "We asked Steve Tshwete whether Kerzner paid. He said no."

On Mr Holomisa's allegation that Mr Kerzner paid for Mr Mbeki's birthday party in 1992, Ms Carolus said it was not "anybody's business who paid".

She said it was unnecessary to disclose who paid unless the payment involved taxpayers' money or corruption. The deputy secretary-general added that everybody was entitled to a certain amount of privacy.

Turning to Mr Holomisa's claim that Mr Kerzner donated R2m to the ANC's 1994 election campaign, Ms Carolus said the ANC would not make public donations it received as donors were entitled to privacy. She said the ANC was under no obligation to disclose donations unless corruption was involved.

Mr Holomisa yesterday named Mr Mandela as his source of information on the alleged R2m donation from Mr Kerzner for the ANC's election campaign.

Mr Holomisa claimed Mr Mandela summoned him to Johannesburg in 1994 to brief him on Mr Kerzner's donation. Mr Holomisa claimed he was told by Mr Mandela at the time that Mr Kerzner agreed to give the ANC R2m. According to Mr Holomisa, Mr Mandela said Mr Kerzner had asked whether the charges against him could be reviewed.

Mr Holomisa said he had advised the president not to accept the donation.

Last night presidential spokesman Joel Netshithenze said the president's office would not engage in a public debate with Mr Holomisa and that the ANC was "handling the matter".

Presidential spokesman Parks Mankahlana rejected any inference that Mr Mandela had or would interfere in the criminal investigation against Mr Kerzner.

Transkei attorney-general Christo Nel also said yesterday he had not been approached by any ANC leader to stop the investigation against Mr Kerzner.

Mr Nel said he had in fact asked Safety and Security Minister Sydney Mufamadi to second a South African investigating officer to Transkei to assist in the Kerzner matter, and that the request was granted.

Mr Nel confirmed he had met Mr Kerzner's advocate Fanie Cillier, and that on March 9, 1994, he had sent a letter to Mr Holomisa to brief him about the talks.

Among the matters discussed with Mr Kerzner's legal team was whether the hotel magnate could receive indemnity from prosecution, which Mr Nel had said was beyond his jurisdiction.

The ANC on Thursday denied that Mr Kerzner had paid for Mr Mbeki's 50th birthday party, but Mr Holomisa said yesterday that a businessman had acted as Mr Kerzner's go-between in paying for the party.

Mr Holomisa said he declined an offer by the businessman to arrange dinner between himself and Mr Kerzner.

But he did speak to Mr Kerzner on the telephone after the businessman had phoned him.

Mr Holomisa still faces an ANC disciplinary hearing for misconduct.

He said that he had written to the ANC, recommending that they drop the charges against him on the basis that he would not receive a fair hearing.

But Ms Carolus said the disciplinary committee would handle the matter in an "even-handed manner".

Last night Mr Holomisa said he would not be silenced until he was interdicted by the supreme court. The threat of legal action was "tantamount to gagging", he charged.

De Klerk unveils plan to regain power by 2004

(304A) ST 4/8/96

THE leader of the NP, F W de Klerk, committed his party at the weekend to an ambitious repositioning as a fully fledged official opposition — with the ultimate aim of grabbing power from the ANC by the year 2004.

To achieve this goal, the party has a strategy to take on board "the majority of all South Africans", whom it will galvanise into "a mighty political movement based on shared values and beliefs".

In this regard, the NP announced that it had embarked on a new socio-economic initiative to alleviate the poverty of millions in historically disadvantaged communities.

It offered the initiative as an alternative to the ANC's reconstruction and development programme.

The NP plans to implement the programme in extensive consultation with grassroots members and, significantly, with "other forums, with community-based organisations and with non governmental organisations".

The initiative, part of the NP's "Opposition with a Mission" strategy, will culminate in a national anti-poverty conference.

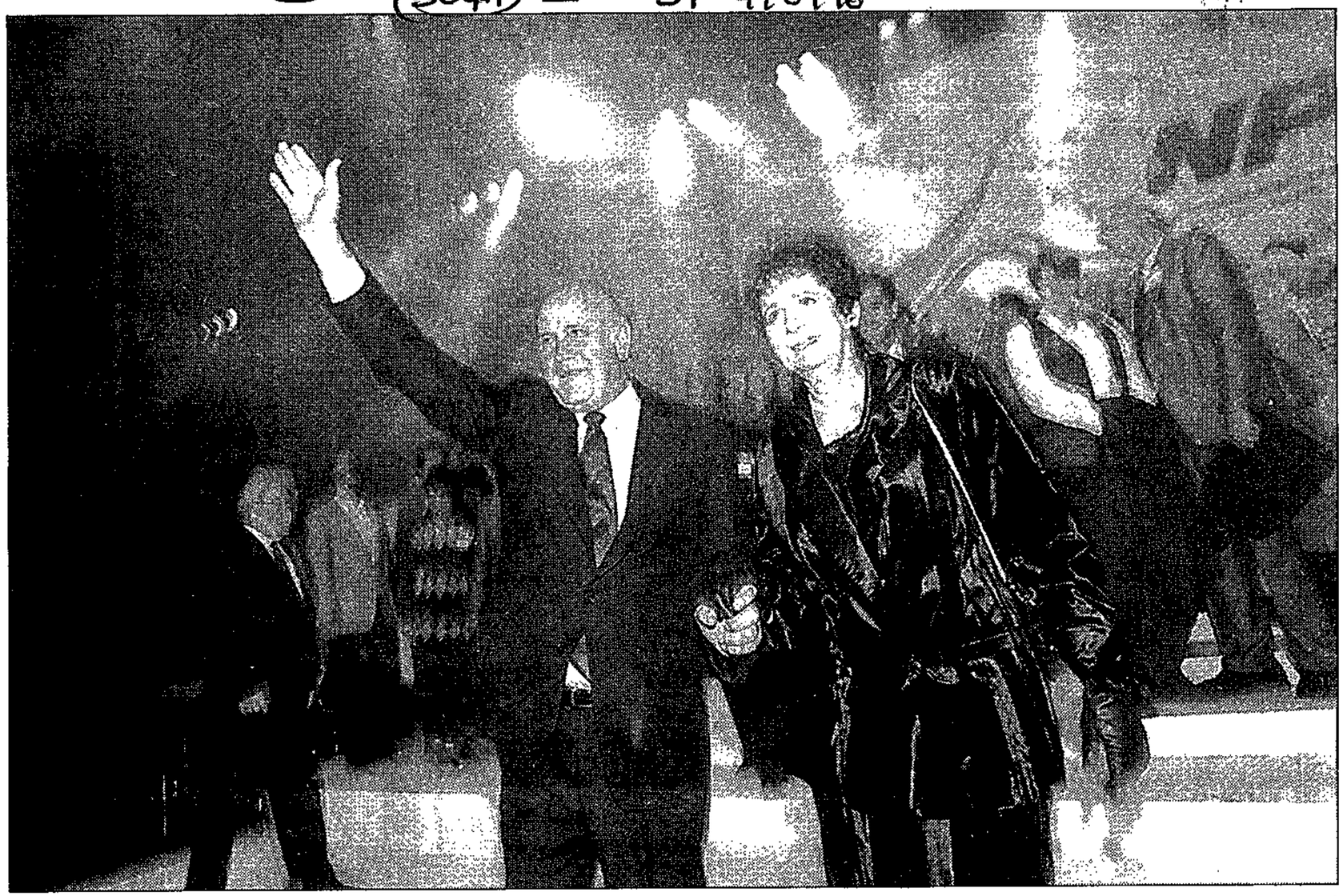
But there is a large thorn in the side of the party's plan to galvanise the majority: the NP's top hierarchy remains white, reflecting its failure during the past seven years to recruit credible members of other races.

The exception is in the Western Cape, where coloured support helped secure the NP 53 percent of the vote in the 1994 elections and 48,2 percent in local government elections.

The NP realises that it has to become more attractive to black voters to stand any chance of toppling the ANC, but there is scant evidence it is making any meaningful inroads.

For example, only six of the 25 spokesmen on the NP's policy committee, or shadow cabinet, are not white, although four of the seven deputy spokesmen are coloured.

There are six ex-officio members on the policy committee, of whom only the assistant secretary general, Senator David Malatsi, is black.



ROUSING WELCOME . . . National Party leader F W de Klerk and his wife, Marike, were the stars at the opening of the federal congress in Cape Town this week
Picture: TERRY SHEAN

By NORMAN WEST
Political Reporter

The NP has a more even racial distribution of leaders in the Western Cape. Of the seven NP posts in the provincial cabinet, three are held by coloured ministers, and it is widely believed that a coloured premier will replace Hernus Kriel if the NP repeats its past success in 1999.

Under proportional representation, the ANC has four ministers, a situation which has caused intense unhappiness among NP legislators. Kriel finds himself almost the only protagonist for a clause in the new Western Cape constitution entrenching a government of provincial unity well into the next century.

The ANC, optimistically hoping to win the 1999 elections in the province, wants nothing to do with the Kriel clause.

Kriel's coloured colleagues also reject the idea, demanding that proportional representation be scrapped so that the four ANC ministers in the province can be fired and their positions taken over by coloured NP legislators.

Despite the lack of colour at the top of the NP's national hierarchy, the audience at the party's federal congress this weekend — the first since it quit the government of national unity — showed that coloured support for the NP at past hustings were no election-day wonders.

Further proof that the party has changed was the US-style razzmatazz, complete with criss-crossing coloured laser beams, that preceded the opening.

De Klerk intimated that part of the NP's new strategy would be to reach out to other political formations with a view to forming a loosely aligned broad political movement.

The NP had already held discussions along these lines with Inkatha.

'incompetent liar'

bribe row

(304A) ST 4/8/96

EXCLUSIVE: Sun king calls Holomisa an

Sol hits back in

By RAY HARTLEY
Political Correspondent

A FURIOUS Sol Kerzner has hit back at Bantu Holomisa, denying that he paid R2-million to the ANC's election fund and describing the former Transkei leader as "a manipulative, incompetent liar".

Meanwhile, a defiant Holomisa yesterday challenged ANC party bosses to act on their threats to sue him, saying he would willingly defend his claims about Deputy President Thabo Mbeki and Sports Minister Steve Tshwete in court.

Kerzner's statement and Holomisa's taunt were the latest salvos in a war of words caused by Holomisa's firing as deputy minister last week, a row that has threatened to shatter unity in the ANC.

In sensational developments this week Holomisa claimed that:

- Mbeki and Tshwete had "accepted favours" from Kerzner;
- Kerzner had offered the ANC R2-million to bolster its election coffers; and
- President Nelson Mandela had discussed bribery charges pending against Kerzner in Transkei in light of the offer of the R2-million donation early in 1994.

Angry ANC officials replied that:

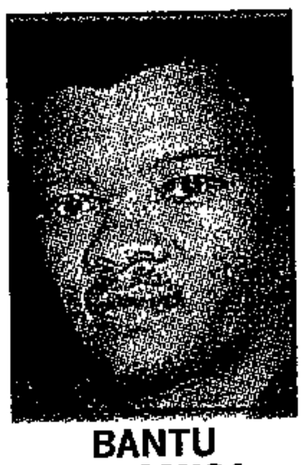
- Holomisa's claims were "defamatory in the extreme";
- Kerzner had not paid for Mbeki's birthday party nor for Tshwete's stay at a hotel, as claimed by Holomisa; and
- The organisation was seeking legal advice on Holomisa's statements.

In an exclusive interview with the Sunday Times yesterday from his holiday home in the south of France, an angry Kerzner said he intended taking legal action against Holomisa.

He denied he had paid R2-million to the ANC to help it fight the 1994 election, but he did not rule out having contributed to the organisation altogether.

"Whether I contributed or not, the question is: why single me out? What I contribute is my business and I have never contributed to any cause in return for favours," he said.

He denied contributing to Mbeki's birthday party. "There's no truth to it at all and there's no way in the world he will ever prove it."



BANTU HOLOMISA

Turning to Holomisa's running of the deputy environmental affairs and tourism portfolio, Kerzner said: "Thank God they fired him because I believe in SA tourism. Thank God he's not handling it anymore."

Responding to claims that he was staying out of the country to avoid charges in Transkei, he said: "I intend coming back to South Africa before the end of the month."

But he would not discuss the statement by Umtata Attorney General Christo Nel that he intended proceeding with bribery charges against Kerzner.

"Mr Nel must do what he must do," Kerzner said.

Nel has said he intends charging Kerzner for bribing one-time Transkei ruler George Matanzima.

Kerzner admitted to the 1989 Harms inquiry to paying Matanzima R2-million for exclusive gambling rights in the former homeland.

Stella Sigcau, the Minister of Public Enterprises, has admitted to receiving a R50 000 "gift", from Matanzima — money which Holomisa claims was part of the R2-million Kerzner bribe.

Holomisa said yesterday: "What I've said so far, I will repeat in a court of law. I will stand by it in any court."

And Mbeki would have to explain himself in court, too, he added.

"He said I'm ill-informed and malicious and he will have to explain what he meant by that."

Mandela's office has rejected suggestions he would interfere in any prosecution of Kerzner.

The row has added to the ANC's woes, with the party's alliance with Cosatu and the SA Communist Party reaching an all-time low. Following a meeting between ANC deputy secretary general Cheryl Carolus, Cosatu's Sam Shilowa and the SACP's Charles Nqakula last week, the three organisations failed to reach agreement on a joint statement on the government's macro-economic plan.

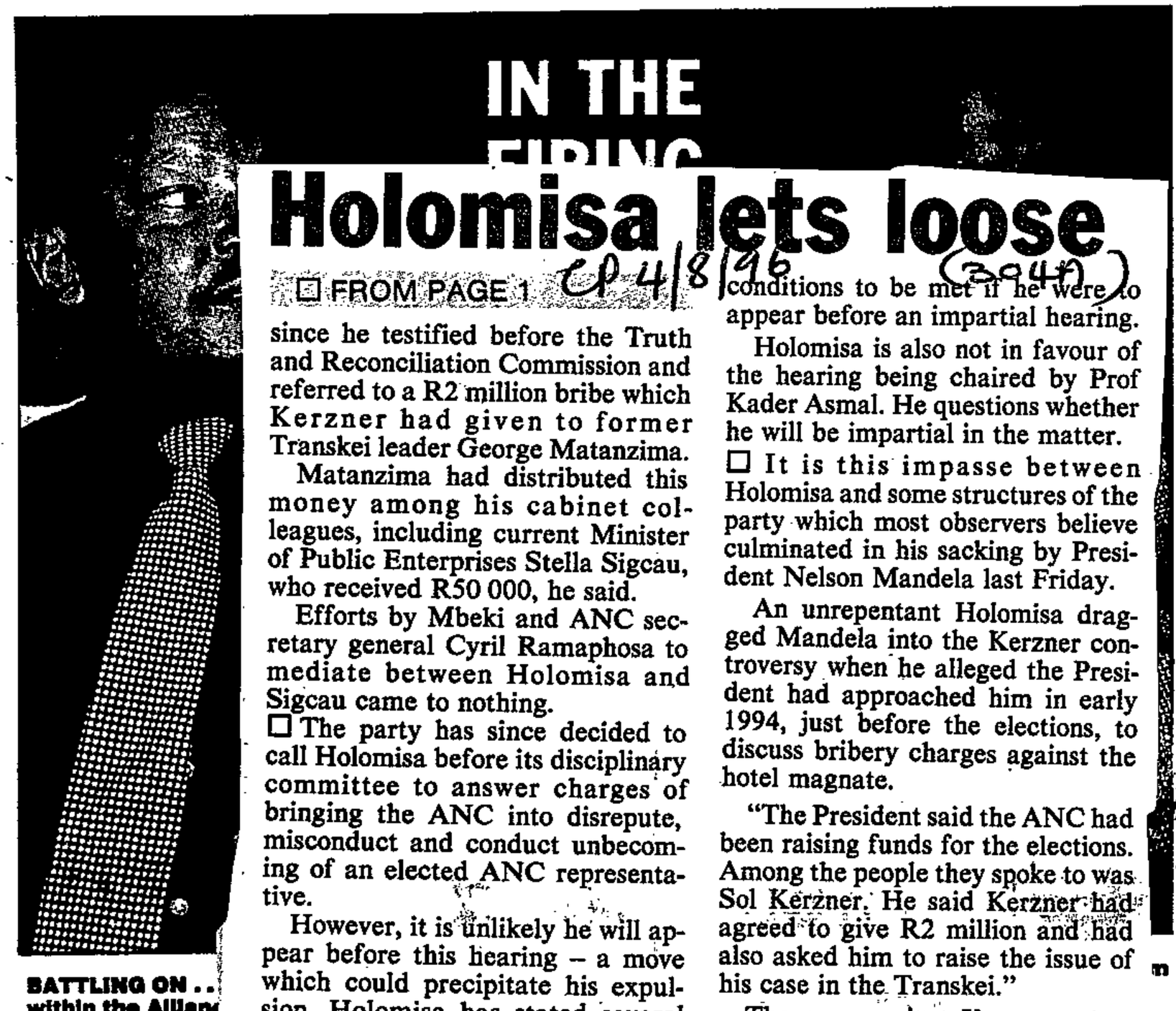
This weekend, Cosatu was set to present its own economic model to ANC leaders.

Meanwhile, Northern Cape Premier Manne Dipico has ordered an investigation of ANC provincial secretary general Willem Steenkamp following reports that Steenkamp has been plotting to oust him.

In another development, it has been suggested that North West Premier Popo Molefe could face a challenge to his position as provincial leader later this year.

HOLOMISA LETS LOOSE

CP 4/8/96 (304A)



BATTLING ON .. within the Allian

IN THE FIRING

Holomisa lets loose

CP 4/8/96 (394A)

☐ FROM PAGE 1

since he testified before the Truth and Reconciliation Commission and referred to a R2 million bribe which Kerzner had given to former Transkei leader George Matanzima.

Matanzima had distributed this money among his cabinet colleagues, including current Minister of Public Enterprises Stella Sigcau, who received R50 000, he said.

Efforts by Mbeki and ANC secretary general Cyril Ramaphosa to mediate between Holomisa and Sigcau came to nothing.

☐ The party has since decided to call Holomisa before its disciplinary committee to answer charges of bringing the ANC into disrepute, misconduct and conduct unbecoming of an elected ANC representative.

However, it is unlikely he will appear before this hearing – a move which could precipitate his expulsion. Holomisa has stated several conditions to be met if he were to appear before an impartial hearing.

Holomisa is also not in favour of the hearing being chaired by Prof Kader Asmal. He questions whether he will be impartial in the matter.

☐ It is this impasse between Holomisa and some structures of the party which most observers believe culminated in his sacking by President Nelson Mandela last Friday.

An unrepentant Holomisa dragged Mandela into the Kerzner controversy when he alleged the President had approached him in early 1994, just before the elections, to discuss bribery charges against the hotel magnate.

"The President said the ANC had been raising funds for the elections. Among the people they spoke to was Sol Kerzner. He said Kerzner had agreed to give R2 million and had also asked him to raise the issue of his case in the Transkei."

The case against Kerzner arises

By SEKOLA SELLO

SACKED Environmental Affairs and Tourism Deputy Minister Bantu Holomisa continued his fight with the African National Congress yesterday – unmasking a businessman who allegedly acted as a middleman between Sun International hotel magnate Sol Kerzner and the ANC to fund Deputy President Thabo Mbeki's lavish 50th birthday party.

Holomisa claimed the businessman was Paul Ekon – who was merely acting as a middleman for Kerzner had bankrolled Mbeki's party, he reiterated.

Holomisa said Ekon, who once owned a business at Hyde Park Corner, Johannesburg, was well known to him and a close friend of Kerzner.

Using middlemen was a practice favoured by Kerzner, he said.

"This was how he paid the Matanzimas R2 million – a go-between businessman from Elliot was used."

☐ Earlier, the ANC denied that Mbeki's birthday bash had been funded by Kerzner and charged that the allegations were "repugnant and scurrilous".

A daily newspaper claimed people close to the deputy president had said the party was funded "by a private donor and Kerzner had just been present at the event".

☐ Holomisa said he knew it was Kerzner who had funded the party.

"The ANC also denied my other claim that (Sports Minister) Steve Tshwete was given free accommodation at Sun City during the Chris Eubank fight. They claimed his accommodation had been paid for by a Berman. Fight promoter Rodney Berman denied this."

☐ Holomisa claimed that Mbeki had asked him as early as 1990 to be briefed about the Kerzner case – which he did. "What was his interest in this?" asked Holomisa.

☐ Mbeki's spokesman Ricky Naidoo declined to comment on the matter and said it was being handled by the party's department of information and publicity.

☐ Ekon was said to be in London this week.

☐ Holomisa has had a series of fights with the ANC leadership

☐ TO PAGE 2

Confident Holomisa thanks Kerzner for comments on battle with ANC

(304A) BD 5/8/96

Tim Cohen

CAPE TOWN — Embattled former environmental affairs and tourism deputy minister Bantu Holomisa yesterday welcomed hotel magnate Sol Kerzner's intervention in his war of words with his party, although ANC sources say Holomisa's recent statements have sealed his fate.

Despite being called a "manipulative incompetent liar" by Kerzner, Holomisa responded with characteristic eccentricity, expressing his thanks to his long-time foe for his comments.

Holomisa, voted the ANC's most popular non-executive member at its last conference, noted that although Kerzner had denied contributing R2m to the ANC, he had not ruled out having contributed to the organisation. He said this comment strengthened his argument that the ANC could not be acting independently in hearing a case against him which involved Kerzner.

Holomisa faces an internal disciplinary inquiry for allegedly bringing the party into disrepute following statements made to the truth and reconciliation commission that Public Enterprises Minister Stella Sigcau accepted R50 000 of a R1m bribe allegedly given by Kerzner to Transkei's then leader George Matanzima.

It was now impossible for the ANC leadership to claim that there was no conflict of interests in bringing the charges against him, Holomisa said.

Holomisa made these comments despite being served legal papers at the weekend by Deputy President Thabo Mbeki and Sport Minister Steve Tshwete. The papers said recent allegations made by Holomisa about the two ministers were "spurious, untrue and defamatory" and advised Holomisa to desist.

Meanwhile, senior ANC members said the charges against Holomisa would probably be widened or new charges drawn against him. Whereas expulsion from the party was unlikely before, expulsion would now be very much on the agenda.

One senior ANC member said Holomisa would probably have beaten the original charges because he had good arguments on his side. But his subsequent actions had made it all but impossible for investigators to do anything other than ask for his expulsion.

Holomisa said he did not expect to be expelled, restating his belief that all he did from was to defend himself against unfair charges. "The ANC must ask itself if it is me or them who are bringing the name of the organisation into disrepute," he said.

Comment: Page 10

NP rejects a move towards establishing a black caucus

(304A)

Tim Cohen

CAPE TOWN — The NP has rejected a creation of a black caucus after lengthy internal debate, although the party's growing black membership remain divided about the idea.

The concept was not canvassed openly at the NP's federal congress at the weekend, but NP MP David Chuenyane conceded in an interview that he still supported the idea even though it had been rejected by NP leader FW de Klerk.

But Chuenyane's approach was not shared by Senator David Malatsi who said the establishment of a black caucus would be "divisive" and would be contrary to the party's commitment to a non-racial approach.

Chuenyane argued that because the NP was still overwhelmingly white, black South Africans felt that if they joined the party, their opinions would be swamped. A black caucus would therefore contribute to attracting new members to the NP. The black caucus would also have the opportunity to voice differences it might have to the majority view of party members on issues such as the Potgietersrus school incident.

But Chuenyane said De Klerk was against the establishment of such a forum because he felt it would create a precedent for other caucuses to be created in the party. This development could create tensions within the party, particularly if there was a caucus for conservative Afrikaners, for example.

Malatsi, who became the NP assistant secretary-general, said he thought Chuenyane had been influenced by the US system, where there was a black caucus in both the Democratic and Republican parties. But this system could in fact be "quite destructive", particularly as the party was hoping to attract new members on the basis of its policy, not on the basis of culture or ethnicity.

BD 5/8/96

See Page 2

SA society one of world's most stressed – report

South Africans were one of the most stressed societies in the world, said the Psychological Society of South Africa in a report released yesterday.

PsySSA president Dr Theo Veldsman said there were worrying and unmistakable signs that the psychological well-being of South Africans was under severe threat.

The society called for the urgent implementation of a national strategy to deal with the problem.

The PsySSA would forward its proposals for a national well-being strategy to the health ministry.

"The South African society is one of the highest, if not the highest, stressed societies in the world," Veldsman said.

He said this was manifested in the frequency, severity and widespread occurrence of acts of violence and aggression, child and substance abuse, family breakdowns, depression and lifestyle diseases.

Veldsman identified the most important sources of stress as:

- The cultural, socio-political transformation occurring in South Africa.
- The process of working through past injustices, traumas and guilt.
- The realignment of individuals and communities with the new dispensation.
- South Africa's transition from a developing to a developed country.

He explained that urbanisation, unemployment and the constant need to adapt emotionally to change, caused insecurity, anxiety, stress and distrust.

The situation was exacerbated by a shortage of psychologists and government resources and skills for dealing with the problems, Veldsman said. – Sapa.

(304A) Star 5/8/96

SA walks a tightrope

The country's foreign policy on Taipei and Beijing has been subjected to much debate and criticism. But some critics believe Pretoria's foot-dragging could pay off in the long run. **Chris Landsberg** explains...

Sowetan 5/8/96 (304A)

TO SWITCH TIES, or to strengthen ties? That is the question confronting South Africa: should it establish ties with mainland China and downgrade relations with Taiwan, or should it maintain the *status quo*?

South Africa, it seems, cannot have both. Tapei is docile; but Beijing is not. The mainland government has made it clear that dual recognition is a non-starter. South Africa cannot have its cake and eat it; it must choose.

When South Africa's Foreign Minister Mr Alfred Nzo visited Beijing in March and Taipei in June, great expectations were raised that Pretoria would ditch Taipei in favour of Beijing.

But it soon turned out that these were little more than diplomatic bluffs. It appears South Africa has long made up its mind: it prefers the *status quo*, at least for the foreseeable future.

Since the 1994 elections, the management of South Africa's foreign policy has been berated. Many critics maintain that the great expectations about South Africa's return to the legitimate community of states have been dashed.

Most critics argue that South Africa's foreign policy is in a state of disarray. The so-called "two Chinas dilemma" is often cited as an illustration of this roller-coaster policy.

Two China policy

But Pretoria's new foreign policy elite is convinced that criticism of its "two China" policy, while fashionable, is misplaced. It argues that diplomacy and international relations in the post-Berlin Wall world are complex.

President Nelson Mandela's Government is quick to point out that in the wake of the Cold War, challenges facing states have increased. Foreign policy is no longer simply a matter of taking sides, but of selecting priorities.

The Government also defends inaction on the two Chinas on the basis of a "universality" and "open door" doctrine in foreign affairs. This is an attempt to conduct friendly relations with as many states as possible.

But, once again, critics maintain that this is a flight from responsibility and tough choices in the conduct of diplomacy.

The Government insists that its current thrust should be seen as flexible rather than contradictory. It asserts that it is not adopting a doctrinaire approach but is manoeuvring effectively to maximise its most pressing interest: investment and trade.

But the Government's current position – that it can persuade Beijing to accept the "logic" of dual recognition of the two Chinas – is irrational and quixotic as the mainland government regards Taiwan as a renegade province, not an independent state.

South Africa's diplomatic ties with Taiwan is an implicit, if not explicit, recognition of Taiwan, and a rejection of mainland China. The result is continued recognition of Taiwan alone.

President Lee Teng-hui ... Taiwan is pursuing an aggressive form of cheque-book diplomacy to win South Africa's favour.

That is official South African policy, and under the leadership of Mandela, this is likely to remain the case – at least until the end of his term.

Taiwan and its embassy officials in South Africa are vigorously wooing the African National Congress-led government. The ANC received about R40 million in 1994 from Taiwan for its election campaign.

And more than 120 South African parliamentarians and academics have visited Taipei since the 1994 elections. The Taiwanese are also aware of the ANC's obsession with investment.

President Lee Teng-hui's Taiwan is therefore pursuing an aggressive form of "open cheque book" diplomacy in order to win SA's favour.

More than 619 Taiwanese companies have invested in South Africa (investments are worth about R6 billion, and employ 41 240 people).

But, on July 1 1997, Britain's 99-year lease of Hong Kong will end. Hong Kong will then become a province of the Chinese mega-state.

And Chinese officials are quick to remind Pretoria that this will have an unprecedented impact on the mainland's policies, especially in the economic sphere. In 1994, for example, China and Hong Kong's joint trade with South Africa – worth about R8,2 billion – outweighed Taiwan's.

Because the mainland is certain to be a major economic power and market in the next century, many critics of South Africa's "two Chinas" policy perceive Pretoria's obsession with Taiwan as shortsighted.

They therefore call for a tilt towards mainland China even though Taiwan is an important investor in South Africa and has indicated a robust enthusiasm for the Reconstruction and Development Programme.

But, Pretoria insists, its pro-Taiwan position may be more rational than it seems, especially in the short to medium term. Despite the mainland's economic potential, it is going through a period of potential instability.

Slowly losing power

Beijing is slowly losing power to the regions, especially dominant ones like Guandong. Its neighbours (Japan, Russia and South Korea) all have an interest in supporting this trend because it will check the mainland's power.

There is also no telling how developments will unfold after the departure of Deng Xiaopeng. South Africa therefore also regards the Chinese dilemma as an internal dispute for the two Chinas to resolve.

In short, diplomatic links with the mainland, which would necessarily entail breaking off those with Taiwan, could be to back a loser and so alienate a longer-term winner. Pretoria therefore seems to question the feasibility of mainland China's future "superpower status".

More importantly, a strong body of opinion, both inside and outside Government, suggests that "foot-dragging" on this issue is the best option, as it will retain the interest of both Chinas and maximise the prospects of receiving economic benefits from both.

In fact, it is suggested by many that this procrastination will eventually persuade Beijing to accept the logic of "dual recognition".

(The writer is a researcher at the Centre for Policy Studies, Johannesburg.)

FW PREDICTS '99 POLL OUTCOME

Non-racial NP confident of making gains

CT 5/8/96 (304A)

THE NATIONAL PARTY relaunched itself at the weekend as a non-racial opposition party, but the composition of its leadership and its history mean it still has a long way to go. Political Writer **BARRY STREEK** reports.

THE relaunching of the National Party as a non-racial opposition party, with claims that it is the only political movement capable of challenging the ANC in the 1999 elections, ended at the weekend with confident predictions by party leader Mr F W de Klerk.

De Klerk, who has refused repeatedly to predict the outcome of elections, said the NP would win 60% of the vote in the Western Cape, capture the Northern Cape, hold the balance of power in KwaZulu-Natal and ensure the ANC did not win a majority nationally or in Gauteng.

The NP's federal congress, which included more black people than before among its 1 000 delegates, applauded De Klerk.

The NP has carefully repositioned itself as a socially-concerned party, with an emphasis on service and tackling poverty.

The NP has adopted a conservative position on key social issues: it is opposed to abortion and free choice, supports the death penalty, is explicitly Christian and now favours an unrestricted free market.

Veteran politician Senator Alex van Breda spelt out the NP's targets: it had to win one third of the vote in 1999, wipe out peripheral parties like the DP and the Freedom Front and become the majority party five years later.

All this ignores the enormous baggage the NP carries, particularly in terms of its leaders and history.

The party is still controlled by white Afrikaans-speaking men, all of whom earned their spurs in the P W Botha days. This category includes its leader, until recently all its provincial leaders, its only premier, its secretary-general and its chief whip. Also, 76% of its shadow cabinet members are white.

Party leaders argue this is so only because the NP's most experienced members happen to be white.

On the periphery this is changing. Senator David Malatsi is one of the NP's assistant secretary-generals and is acting party leader in Mpumalanga.

The congress elected five deputy chairpersons, none of them Afrikaans-speaking: Mr Gerald Morkel, Mrs Sheila Camerer, Mr Pieter Simon, Mr John Mavuso and Mr S V Naicker.

De Klerk told the congress: "We are a truly non-racial party."

Then, there is the NP's past. The party argues, with some justification, that it has reformed and the policies it pursued between 1948 and 1994 were a mistake.

Despite the NP's dismal record on housing, a booklet handed out to delegates claimed: "Many of the houses built by the new government thus far were not built by using budgeted funds ... instead the budgets of the House of Representatives, House of Delegates and House of Assembly were used."

CARRYING THE BANNER: Young supporters display the new National Party flag high during the opening of the party's federal congress at the Good Hope Centre on Friday.

PICTURE: THEMBINKOSI DWAYISA

The NP bequeathed a huge foreign debt to the new government in 1994. The same booklet cited as one of the new government's failures its "spend(ing) six times more on interest on government debt than it does on the RDP".

Even if the party has changed, it has a past that will remain a major political liability.

During the next few years, the Truth and Reconciliation Commission will remind South Africans continually of this past. Somewhere along the line, the NP will have to accept overall political responsibility for it.

The party may be able to persuade the majority that it should be forgiven, but this is a gamble few would bet on.

Despite this, delegates, particularly black delegates, opposed any change to the party's name and argued that voters knew where it stood. De Klerk spoke out against gimmicks, such as a name change, but said it could be different if there was a major political realignment that included elements of the ANC.

Clearly the NP, now as the official opposition and the second-largest political party, is prepared to gamble. This weekend it looked confident about its bet.

NP and DP to call for inquiry into Holomisa claims

(304A) CT 5/8/96

CHRIS BATEMAN AND BARRY STREEK

CALLS are mounting for an independent probe into allegations of corruption within the top ANC leadership.

The National Party's assistant secretary-general, Senator David Malatsi, and the Democratic Party's Mr Douglas Gibson have said their parties will make representations to the Public Protector, Mr Selby Baqwa, to launch an immediate probe.

Former Transkei leader Mr Bantu Holomisa has refused to back down over his allegations about the relationship between certain party office-bearers and hotel magnate Mr Sol Kerzner.

Holomisa, who has been fired from his post as Deputy Environment and Tourism Minister, is taking legal advice on a "warning writ" from Deputy President Mr Thabo Mbeki and Sports Minister Mr Steve Tshwete. He has alleged both received favours from Kerzner.

STANDING HIS GROUND: Bantu Holomisa

Holomisa has also claimed that President Nelson Mandela discussed the bribery charges pending against Kerzner in Transkei in the light of a R2-million donation to the ANC early in 1994.

Kerzner, hitting back at Holomisa at the weekend, described him as "a manipulative, incompetent liar" and said he intended taking legal action.

He denied he had given the ANC R2m for its election campaign in 1994. Any contribution he might have made was his business and he had never made contributions in return for favours, Kerzner said.

He also denied Holomisa's claim that he had contributed to Mbeki's 50th birthday party.

Holomisa has suggested that the favours were in return for protecting Kerzner from prosecution on the bribery charges.

Mbeki and Tshwete have denied the allegations.

They have served Holomisa a letter of warning that he should not repeat allegations that they accepted favours from Kerzner.

The letter, written in line with a decision by the ANC National Working Committee, described Holomisa's allegations as "spurious, untrue and defamatory". It told Holomisa that if he failed to heed the warning, legal action would be taken against him, it was reported yesterday.

The ANC is also battling to play down serious internal party wrangles over its premierships in at least three provinces.

In the Free State, Premier Patrick Lekota had a firm hold on the reigns by last night. The Democratic Party and the South African National Civics Organisation, citing Lekota's "proper fiscal control" against party elements bent on ousting him, rallied to his defence.

Lekota suggested "mischief-makers" were feeding the media the "misinformation" that he was to be removed shortly by the ANC and offered the ambassadorship to Japan.

The ANC's National Working Committee discussed the Free State wrangles, but said only that it would "continue working to build unity in the ranks of the ANC in the Free State".

In the Northern Cape, Premier Manne Dipico has set up a commission to probe claims that the ANC's provincial secretary-general, Mr William Steenkamp, masterminded a campaign to replace him with a coloured person.

In North West province, Premier Popo Molefe is said to be preparing for an internal challenge to his leadership later this year.

To add to the ANC's troubles, its relationship with Cosatu and the SA Communist Party has plunged to an all-time low over the government's macro-economic plan.

Mandela 'not ditching Nzo'

304A

JOHANNESBURG. – President Mandela's office has quashed speculation that Foreign Minister Alfred Nzo is to be replaced.

"The office of the president wants to refute as unfounded and irresponsible suggestions that there may have been a decision by the president to replace the minister of foreign affairs at any point," said presidential spokesman Parks Mankahlana.

"The president has absolute confidence and faith in the ability of the minister. Mr Mandela believes the minister can carry out the responsibilities he has assigned to him."

News reports had quoted senior government sources as saying the president had been looking for a replacement for Mr Nzo.

They said the foreign affairs portfolio was offered to Water Affairs and Forestry Minister Kader Asmal, but he declined. – Sapa.

ARG 6/8/96

Holomisa's claims outside jurisdiction

(304A) BD 6/8/96

Wyndham Hartley

CAPE TOWN — Public protector Selby Baqwa is unlikely to investigate axed deputy environment minister Bantu Holomisa's allegations of corruption against ANC officials, as they are outside his jurisdiction.

The DP and NP said on Sunday they would appeal to Baqwa to investigate Holomisa's allegations that casino magnate Sol Kerzner gave R2m to the ANC before the 1994 elections.

Spokesman for the public protector Thinus Schutte said no formal complaint had been received with regard to the Holomisa allegations. But he said it was likely that such complaints would fall outside the purview of the public protector because it did not involve wrongdoing by an official of the state.

Schutte said the matter was open for debate and he did not want to "jump the gun". On receipt of a complaint the first step would be to establish that it was within the jurisdiction of the public protector's office.

Holomisa's allegations last week against Deputy President Thabo Mbeki and Sport Minister Steve Tshwete has prompted a warning writ from the two not to repeat the allegations that they received money from Kerzner. According to ANC sources, Holomisa is certain to be expelled from the party at his August 14 disciplinary hearing.

The ANC in the Eastern Cape, Holomisa's home ground, yesterday turned on him with a letter urging expulsion and a resolution of the matter as soon as possible.

The East Cape News Agency reported a confidential source as saying the East Cape ANC had sent a letter to ANC secretary-general Cyril Ramaphosa recommending Holomisa be expelled for "seriously blackening" the image of the movement. Ecna said ANC provincial secretary Bongani Gxilishe could not confirm that the organisation had called for Holomisa's expulsion, but did say the region wanted the matter dealt with immediately.

In a radio interview yesterday ANC spokesman Carl Niehaus said the press should stop reporting on speculation and allow the ANC's disciplinary procedures to run their course.

Comment: Page 12

Holomisa urges Kerzner to open book on party aid

(304A) CT 6/8/96

POLITICAL WRITER

HOTEL magnate Mr Sol Kerzner should tell the public whether he gave financial support to the National and Democratic parties, former deputy minister Mr Bantu Holomisa said yesterday.

The NP and DP should also disclose whether they received financial support from Kerzner, he added.

Holomisa, who is to face an ANC disciplinary inquiry next Wednesday, said Kerzner had conceded that he had made financial contributions to political parties.

In the light of this, he was obliged to say which political parties he had supported.

"He should now declare which political parties he assisted, particularly between 1988 and 1994," Holomisa said.

"If he has paid parties like the National Party, (this) would have been used to exercise ... influence to prevent him being extradited to face bribery charges."

Has the ANC been bought?

(304A) Star 7/8/96

What we need is an independent commission of inquiry, writes Kaizer Nyatsumba

ONE IN YOUR EYE

For almost two weeks now, South Africans have been fascinated by the ongoing ANC-Bantu Holomisa controversy. There have been some who have enjoyed every minute of the saga, eagerly awaiting each new turn as if it were a TV soap. Others have been worried by the developments, but especially about what these things tell us about our ruling party.

Although the history of Holomisa's ongoing conflict with the ANC – or, more specifically, some individuals within the organisation – goes back to at least about a year ago when Winnie Madikizela-Mandela was sacked as deputy minister, we should now go no further than Friday, July 26.

On that day President Nelson Mandela issued a short statement announcing that he had decided to sack the former Transkei military ruler as Environment Affairs and Tourism Deputy Minister and replace him with former fiery ANC Youth League president, Peter Mokaba. Mandela was well within his rights to relieve Holomisa of his ministerial responsibilities.

It is his prerogative as president to appoint and dismiss ministers and their deputies, without having to give reasons. This is a prerogative he has now exercised thrice since ascending to the presidency, with his ex-wife, Winnie Madikizela-Mandela, Dr Pallo Jordan (who has since been re-appointed to the cabinet) and now Holomisa having been on the receiving end.

One cannot help noticing that there appears to be a pattern to these dismissals. What Madikizela-Mandela, Jordan and Holomisa have in common is that they are all independent people who do not hesitate to speak their minds.

But back to Holomisa. He said he had known for at least three weeks that he was going to be fired, and that he respected Mandela's decision. He went on to say that some people in the ANC had it in for him.

Then the ANC, which had earlier announced that Holomisa would be taken to its disciplinary committee because of his allegations before the Truth Commission that Public Enterprises Minister Stella Sigcau had accepted a R50 000 bribe from Sol Kerzner when she was still part of the Transkei government, sent him a letter detailing the charges against him.

The charge sheet, prepared by Trade and Industry Minister Alec Erwin, suggests very strongly that ANC members should not blow the whistle when another member of the organisation is suspected of corruption.

"It should have been clear," says the sheet, "to a senior ANC member and leader that any implication of corruption by another senior (ANC) member would, irrespective of whether you claimed to be speaking as an ANC member or not, attract speculation."

It says Holomisa should have given prior warning to the ANC's structures and exhausted internal processes, and adds that serious allegations against a fellow ANC member, especially "in relation to allegations of moral turpitude", should have been processed through internal structures.

Typically, Holomisa would not take it lying down. He called a press conference to allege that Kerzner donated money to the ANC ahead of the 1994 general election, that Deputy President Thabo Mbeki's 50th birthday party was funded by the Sun International chief, and that Sports Minister Steve Tshwete once received free accommodation and entertainment at Sun City during a boxing match involving British boxer Chris Eubank.

What followed was a flood of denials, with the ANC describing Holomisa's allegations as "scurrilous", "repugnant" and "blatant lies". There were even attempts to gag Holomisa with legal papers and threats to sue newspapers which publish his allegations.

This whole saga leaves a terribly bad taste in the mouth. Okay, Holomisa is a maverick who is not exactly a universally likeable man. He can be extremely strongheaded and sometimes picks fights even when it is not necessary to do so. And yet none of that justifies the ANC's apparent determination to muzzle dissent.

Let us put it bluntly: the ANC's determination to silence Holomisa and eventually drive him out of the organisation is absolutely despicable, especially coming as it does from an organisation which prides itself on transparency. Granted, the organisation has a right to expect a certain level of discipline from its members and to impose a certain form of censure on those who stray. But there is a world of difference between enforcing discipline and muzzling dissent.

Yes, the ANC and those of its leaders who have been fingered by Holomisa have a right to protect themselves and their images, but there seems to me to be a lot wrong when the ANC and those who have been accused seek to silence Holomisa and newspapers, rather than to answer his allegations.

The ANC and its leaders need to convince us that the allegations against them are unfounded. We need to know if the ANC did indeed receive money from Kerzner, if this donation was in return for charges being dropped against Kerzner, if he paid for Mbeki's birthday party (if not, then who did?) and if Tshwete was indeed a recipient of patronage at Sun City. We need to know if the ANC and its leaders can be bought, as is being alleged.

What we need, therefore, is an independent commission of inquiry to probe these allegations. Nothing less will do. After all, if the ANC and its leaders have nothing to hide, why would they be opposed to such an inquiry?

ANC sets date for Holomisa hearing

ARG 8/8/96

Leadership angered by calls for an independent forum

(304A)

CLIVE SAWYER
Political Correspondent

THE African National Congress has scheduled Bantu Holomisa's disciplinary hearing, on charges of bringing the organisation into disrepute, for next Wednesday.

Mr Holomisa, whose continued defiance about repeating allegations of top ANC officials being compromised by accepting favours from hotel magnate Sol Kerzner has sent tensions soaring between himself and the leadership, is said to be the subject of calls by the Eastern Cape ANC for his expulsion.

He has rejected reports of these calls as being a "fishing expedition" by certain people within the organisation.

Meanwhile, his demand for an indepent forum within which the charges against him should be tested has further angered the leadership.

Bantu Holomisa

The case against Mr Holomisa has been prepared by Trade and Industry Minister Alec Erwin – based on written complaints by Stella Sigcau, who he named before the Truth Commission as allegedly having received a bribe from Mr Kerzner – and Sports Minister Steve Tshwete.

The ANC last week announced an independent probe into the veracity of Mr Holomisa's claims that Mr Kerzner paid for Deputy-President Thabo Mbeki's birthday party and that Mr Tshwete was given free accommodation at Sun City by Mr Kerzner.

● Mr Kerzner, in a statement from London, has demanded a retraction by the South African Broadcasting Corporation of a report that he had allegedly offered about R42 million to the British Conservative Party for United Kingdom citizenship.

Mr Kerzner said none of the mainstream British Press had repeated the allegation, first made in a British financial journal.

Mandela picks spot for Pretoria parliament

(304A)

The Argus Correspondent

ARG 8/8/96

PRETORIA. – President Mandela has identified a possible site for parliament in Pretoria and virtually on the doorstep of his official residence.

Showing South Africa's Olympic medallists Penny Heyns, Josiah Thugwane, Hezekiel Sepeng and Marianne Kriel the beautiful view from the back garden of Mahlamba Ndlopfu yesterday, Mr Mandela quipped that the area north of the residence was an ideal site for parliament.

The Pretoria Capital Initiative reacted positively to Mr Mandela's comments, saying the site he pointed out was one which they had identified as one of several possible sites in Pretoria.

Mr Mandela had earlier told the medallists – with whom he had tea at his residence – that he was aware that they had not seen the beautiful view of the city from the back garden.

"If a decision was to be taken for parliament to be moved to Pretoria, my choice might be this one," Mr Mandela said, pointing in the direction of the Rietondale Research Station.

Mandela, Holomisa challenged to debate

BD 8/8/96 (304A)

Wyndham Hartley

CAPE TOWN — President Nelson Mandela and axed deputy minister Bantu Holomisa have been challenged to use parliamentary debate to explain allegations that hotel magnate Sol Kerzner "donated" money to the ANC.

DP MP Douglas Gibson said yesterday that the parliamentary code of conduct, which, when approved, would require MPs to disclose every detail of their financial affairs, was scheduled for debate on August 14. It would provide an opportunity for both men to give their versions of events, he said.

The debate will be on the same day the ANC holds a disciplinary hearing on Holomisa's alleged violation of party discipline, for which he could be expelled from the ANC.

Holomisa confirmed yesterday that he would attend the hearing, but insisted that he would not "plead" guilty or not guilty. He expected the ANC to explain the conflict of interest he believed existed before any hearing on his conduct could proceed.

He said he was "no longer on the gravy train" and would not have legal representation at the hearing.

Gibson said the DP regarded the code of conduct as an important step forward in open and transparent government. "It makes no sense to expect ordinary MPs who have no executive authority to disclose the minutiae of their finances when a government has apparently accepted huge donations which could affect foreign policy or judicial prosecution of an individual.

"I hope President Mandela and Bantu Holomisa will seize the opportunity to explain their positions."

Mandela has declined to comment on Holomisa's claim that Kerzner gave the ANC funds ahead of the 1994 election and that he paid for Deputy President Thabo Mbeki's 50th birthday party — allegations the ANC and Kerzner have denied.

Star 8/8/96

Maverick of South African politics determined not to go down alone

(304A)

By Mondli Makhanya
Political Reporter

On the wall of General Bantu Holomisa's Umtata home hang photographs of the people whose counsel he values: his political father Nelson Mandela, his closest political friend Winnie Madikizela-Mandela and his nephew Chief Phathekile Holomisa.

The latter two, like himself, are in trouble with Mandela's organisation. Madikizela-Mandela was sacked from her former husband's Government; the chief has been disciplined by the ANC and Holomisa himself faces banishment into the political wilderness.

In just over a week the ANC is likely to take a decision to expel him, marking a dramatic ending to a political career that began in the same dramatic fashion.

Holomisa was propelled into politics in 1987 when, as a young

soldier in the Transkei, he disturbed the tranquil waters of jackboot homeland politics by overthrowing the government of Kaizer Matanzima.

As in the case of the risk he took back in 1987, he has again done the unprecedented by openly standing up to the ANC leadership, sparking a furious controversy which is bound to have a profound impact on SA politics.

But unlike in 1987, when he came out on top, this time he will become a victim of the processes he started when the ANC banishes him into political exile. He is, however, determined not to go down alone and more than one figure in the ruling party is likely to be badly hurt in the process.

During his time in the Transkei army he came to resent the links between casino magnate Sol Kerzner and the homeland government, and became obsessed with exposing them. This obsession now threatens to cut short his political career.

The storm over Bantu Holomisa's accusations of Sol Kerzner paying for Thabo Mbeki's birthday

Who paid for Mbeki's party?

Bantu Holomisa says Sol Kerzner paid for it, but host Paul Ekon says he and other businessmen bore the cost of Thabo Mbeki's birthday party, writes Stefaans Brümmer

PAUL EKON, the businessman who hosted Deputy President Thabo Mbeki's 50th birthday party — and who Bantu Holomisa claims was merely a go-between for casino magnate Sol Kerzner — has a chequered past and a list of friends reading like a who's who of Johannesburg's glitterati.

Axed deputy minister Holomisa dumped the ANC in what could be one of its most damaging corruption crises last week when he claimed Kerzner — seeking help in quashing his pending Transkei corruption trial — had bankrolled the ANC's 1994 election campaign to the tune of R2-million, had given free hotel accommodation to Sports Minister Steve Tshwete, and had paid for Mbeki's 1992 birthday bash.

The ANC immediately denied all charges, saying a "private businessman" had paid for Mbeki's party and that Tshwete's 1994 stay to attend a boxing bout at Sun City had been funded by boxing promoter Rodney Berman.

Berman soon denied he had paid, while there were strong indications from government this week that the R2-million funding could well be admitted to. Holomisa this week maintained he had "privileged information" that Mbeki's party, which was held at Ekon's home in Johannesburg's stately Houghton suburb, was contributed to by Kerzner and that Ekon had been a "middleman" for Kerzner.

Ekon, a 36-year-old former beau of Anneline Kriel and entrepreneur who is alleged to have left the country in haste last year because he had been implicated in a criminal investigation by the police Gold and Diamond Branch, told the *M&G* this week Kerzner attended the party, but claimed he did not fund it. "Sol, Holomisa and Thabo are all good buddies of mine ... But it had nothing to do with Sol whatsoever."

Ekon claimed the costs had been shared by himself, clothing industrialist Charles Priebatsch and tailor-entrepreneur Yusuf Surtee — contributing R1 000 or R2 000 each. Drinks had been "sponsored", he said, but did not name a source.

However, an acquaintance this week said Ekon had personally told him in 1993 that he had made his house available at Kerzner's request.

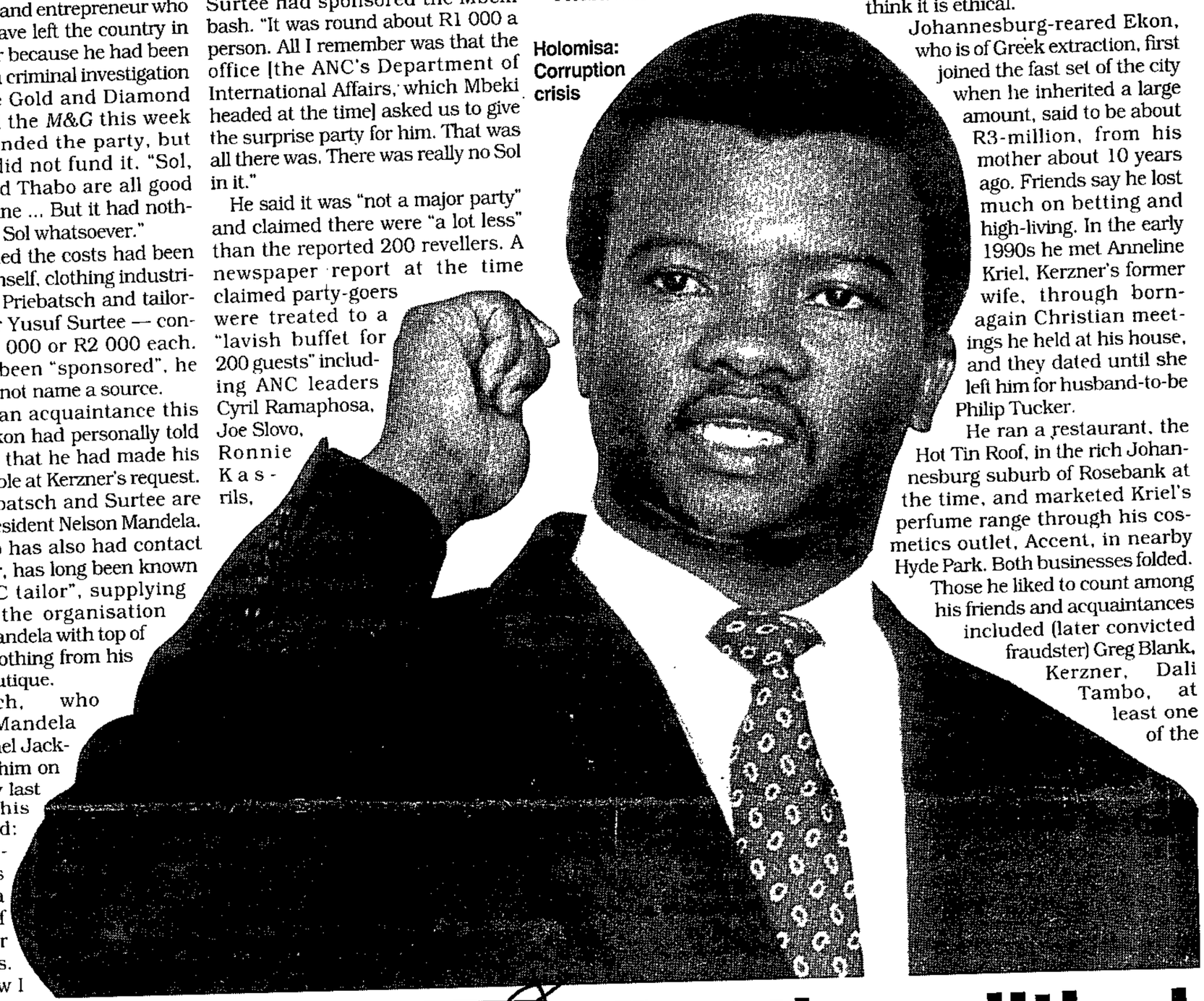
Both Priebatsch and Surtee are friends of President Nelson Mandela. Surtee, who has also had contact with Kerzner, has long been known as the "ANC tailor", supplying leaders of the organisation including Mandela with top of the range clothing from his Sandton boutique.

Priebatsch, who hosted Mandela when Michael Jackson visited him on his birthday last month, this week said: "Yusuf Surtee has been a friend of Mandela for many years. That is how I became a friend of the Mandela family. I am close friends with his [Mandela's] daughters, and with Madiba."

Priebatsch also said he, Ekon and Surtee had sponsored the Mbeki bash. "It was round about R1 000 a person. All I remember was that the office [the ANC's Department of International Affairs, which Mbeki headed at the time] asked us to give the surprise party for him. That was all there was. There was really no Sol in it."

He said it was "not a major party" and claimed there were "a lot less" than the reported 200 revellers. A newspaper report at the time claimed party-goers were treated to a "lavish buffet for 200 guests" including ANC leaders Cyril Ramaphosa, Joe Slovo, Ronnie Kasrils, Gertrude Shope and Aziz Pahad, political luminaries Helen Suzman and Wimpie de Klerk, and "top businessmen" including Kerzner.

Priebatsch said he had a letter of thanks from the ANC for giving the party, but that he would release it only if Mbeki wanted it, and not to the media. "I don't want to attract that kind of publicity. I also don't think it is ethical."



Holomisa: Corruption crisis

Johannesburg-reared Ekon, who is of Greek extraction, first joined the fast set of the city when he inherited a large amount, said to be about R3-million, from his mother about 10 years ago. Friends say he lost much on betting and high-living. In the early 1990s he met Anneline Kriel, Kerzner's former wife, through born-again Christian meetings he held at his house, and they dated until she left him for husband-to-be Philip Tucker.

He ran a restaurant, the Hot Tin Roof, in the rich Johannesburg suburb of Rosebank at the time, and marketed Kriel's perfume range through his cosmetics outlet, Accent, in nearby Hyde Park. Both businesses folded.

Those he liked to count among his friends and acquaintances included (later convicted fraudster) Greg Blank, Kerzner, Dali Tambo, at least one of the

IMPORTANT NOTICE TO THE PEOPLE OF GAUTENG

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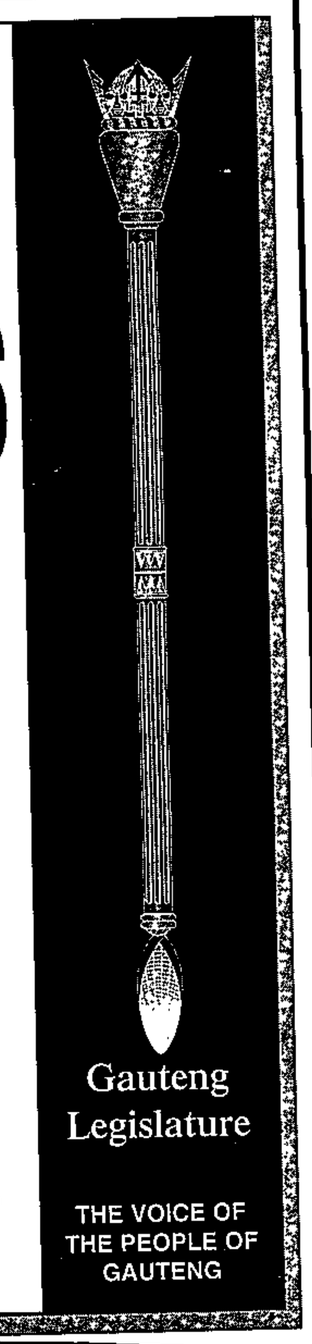
gauteng legislature

Renaming of Health Institutions

The Parliamentary Standing Committee for Petitions and Public Participation of the Gauteng Legislature wants YOU to comment on the renaming of health institutions in Gauteng. Written submissions regarding the renaming of Health Institutions (hospitals, laundries, clinics, research centres) in Gauteng are invited. Don't let others think for you - say your say! Public hearings on this matter will be held at:

Date	Closing dates for submission	Venue	Time
13 August 1996	7 August 1996	Soweto, Vista University	10:00 - 16:00
27 August 1996	20 August 1996	Pretoria, Munitoria	10:00 - 16:00
5 September 1996	30 August 1996	Benoni, City Hall	10:00 - 16:00
10 September 1996	3 September 1996	Carletonville, City Hall	10:00 - 12:00
		Krugersdorp, City Hall	14:00 - 17:00
19 September 1996	12 September 1996	Vanderbijlpark	10:00 - 16:00

If you would like more information, please contact the Committee Secretary, Zarina Govender, at Tel. 011-498 5753. Written submissions should be sent to: Petitions and Public Participation Committee, Zarina Govender, Private Bag X52, Johannesburg, 2000. You are also welcome to send your written submission to: Fax (011) 498-5719 or (011) 498-5559. *Individuals and organisations making submissions must be prepared to be invited to give oral evidence at short notice if so required.*



What the political

(304A) MtG 8-15/8/96

Gaye Davis

SHOULD political parties make public details of who gives them money, and how much? Does the public have a right to know who's paying what and to whom?

These vexed questions have sprung to the fore with Bantu Holomisa's allegations that hotel magnate Sol Kerzner bought favours by contributing to African National Congress election coffers and assisting party luminaries such as Thabo Mbeki and Steve Tshwete.

While lawyers acting for Mbeki and Tshwete have issued Holomisa with a warning to stop making such allegations, saying they are untrue, the fact remains that without public disclosure doubts will remain in the minds of citizens — alongside the prevailing perception that those who govern are likely to be corrupt.

The issue is likely to be hotly debated when MPs and senators consider the new code of conduct for MPs which is to be tabled in Parliament next week. The code requires individual MPs and senators to declare outside interests. But opposition politicians this week pointed out that there is little point in forcing individual disclosure when political parties — particularly the ruling party — could receive huge donations in secret, which could result in public policy being influenced.

When the code was being drawn up by parties represented on the ethics committee chaired by Water Affairs and Forestry Minister Kader Asmal, the Democratic Party pushed strongly for disclosure of party funding to form part of it. "In a highly authoritarian caucus system, it is highly relevant who is funding a party," said DP MP James Selfe. "It boils down to trade-offs, what one does in return — and whether it causes you, in the last resort, to do something you might not ordinarily have done."

All the parties agreed that the ethics committee would look at the issue of making public party contributions once the code for individual members had been dealt with.

The *Mail & Guardian* asked the seven parties represented in Parliament whether they support public disclosure of party funding and, if so, whether they would provide us with details of contributions for the 1994 general election campaign:

African National Congress

Has not come out clearly on whether or not it supports public disclosure of party funding and will not make public details of contributions. "We draw your attention to the long-standing practice of the ANC not to make public its financial records, nor details of funders who have made contributions to the ANC.

"The financial records of the ANC

party has put disclosure of funding for political parties under the spotlight

8/15/8/96

The scandal that follows Sol

(304)

Mandela daughters, Surtee, Priebatsch, Clive Beck (son of millionaire Graham Beck) and members of the horse-racing fraternity. Among his political contacts he counted Mbeki, Holomisa, Winnie Mandela and Deputy Foreign Minister Aziz Pahad. Said one of his acquaintances: "He's a very sweet guy, quite flamboyant and very wealthy ... He was a rich kid who didn't really understand politics. He was very well-meaning, and then he discovered the ANC."

Ekon's other business interests appear from company records to have included investments, trading, horses, furniture, and gemstones. The latter field, an acquaintance said, brought him in contact with intelligence agent Eugene Reilly — who died under mysterious circumstances after he allegedly warned of Chris Hani's impending assassination — and at odds with former Civil Co-operation Bureau operative Ferdi Barnard.

Last year, acquaintances say, he "suddenly" left South Africa for Britain amid speculation he was the subject of a police investigation into forex irregularities involving precious metals or gems. Ekon denied the forex allegations were the reason he left, saying a business opportunity had attracted him. He said he returned last October and was given assurances by a police Gold and Diamond Branch colonel he was not under investigation. The *Mail & Guardian* has reason to believe this is not true.

Kerzner, meanwhile, toned down his original statement on the Holomisa claims. He was reported on Sunday to have said: "I find Holomisa's allegations so outrageously false that they are not worthy of comment."

But a day later, while denying the Mbeki or Tshwete sponsorships, he left open the possibility he had funded the ANC when he said in a statement: "All contributions I make to social, charitable and political groups are for causes in which I believe and I have never expected or accepted favours as a result."

Stefaans Brümmer

CASINO king Sol Kerzner is no stranger to controversy — but it is no foregone conclusion he will face charges over the R2-million "lobola" he admitted to have had a hand in paying to secure exclusive gambling rights in the homeland.

While Kerzner denies he ever "expected or accepted favours" as a result of "contributions to social, charitable and political groups", allegations that he has often done just that have followed closely in the wake of the success story that saw him build a multi-billion rand empire from scratch in two decades.

Only last month the prestigious United States *Wall Street Journal* suggested in a front-page article the head of the National Indian Gaming Commission had unduly approved Kerzner's R1,2-billion Mohegan Sun casino resort venture with Mohegan tribe members in Connecticut.

Soon after, Britain's *Sunday Business* published an "exclusive" which claimed Kerzner had offered about R40-million to John Major's Tory party for their election war chest — which would have been the biggest donation ever to the party — in exchange for British citizenship. Both Kerzner and the Conservative Party hotly denied the story.

In Mauritius, where Kerzner has extensive hotel interests, bribery allegations have led to the resignation of a cabinet minister, while similar claims have been made in connection with his mega-resort development in the Bahamas, started in 1994.

But the biggest albatross around Kerzner's neck remains the Transkei bribery scandal, now a decade old. It has been suggested as one reason Kerzner decided to make his permanent home abroad and, until it is resolved, is likely to brand him wherever he seeks new business opportunities. Recent British and South African experience has also shown that Kerzner has remained an embarrassment to real or imputed political friends.

Transkei Attorney General Christo Nel, who at times has waged a virtually single-handed campaign to have the allegations of the bribe to then Transkei prime minister George Matanzima tested in court, told the *Mail & Guardian* he still believed there was a *prima facie* case against Kerzner, but said his work-load would allow him to revisit the case probably only by the end of September.

Sol Kerzner: Denies expecting any favours

He said South African authorities refused to extradite Kerzner before the reunification of the homeland, and that the loss of his previous investigators and the non-availability of witnesses — one important witness has since died — may complicate matters.

Nel said he approached Safety and Security Minister Sydney Mufamadi early last year for a South African detective to reopen the investigation. That April, Captain André Heunis of the Port Elizabeth police Commercial Crime Unit was made available to him. Heunis completed the new docket a fortnight ago.

Heunis this week said it was not a cut-and-dried case as Kerzner, who had been "co-operative", argued the payment to Matanzima, through Cape attorney David Bloomberg, had been an extortion he had to go along with to protect his legitimate business interests, rather than a bribe to secure new rights.

He said Sun International Transkei affiliate Transun had been involved in final negotiations in 1986 to buy Transgames, represented by Bloomberg, for what it believed would give it exclusive gaming rights to the entire Transkei. "Then Matanzima came at the beginning of December and made certain demands, wanting to buy a farm and wanting R2-million. He threatened to take the gaming rights they thought they had away and give them to a family member."

In early 1988 Kerzner told the Alexander inquiry in Transkei he was aware of rumours Matanzima had wanted R2-million for the gambling rights, but denied he had paid it "because it is not my style of negotiating".

But a year later he admitted to the Harms Commission in South Africa the money had been paid, saying: "The circumstances under which the payment was exacted by Chief George amounted to at least commercial extortion on the part of the then corrupt regime in the Transkei."

Meanwhile, questions remain about Kerzner's extensive casino developments in Bophuthatswana, which include Sun City and the Lost City. Sun International Bophuthatswana also had exclusive casino rights in that former homeland. Huge tax breaks — R1,2-billion has been mentioned as the figure for the Lost City — and management contracts with one or more foreign-registered Kerzner companies appear to have paved the way for Kerzner to amass his sizeable fortune abroad.

parties think of disclosing funding

are regularly audited, and subjected to the procedures and checks required by the ANC constitution. The ANC sees no reason to deviate from that practice.

"Any discussion on whether to legally compel political parties to make public their financial records and details of donors would need to take place among the country's public representatives in Parliament — and should be premised on a desire to safeguard the integrity and transparency of public institutions," a statement said.

National Party

Is not prepared at this stage to state whether or not it supports public disclosure — and will not divulge details of money it has received from companies, individuals and other donors.

"It is premature to debate the issue before clarity is reached with regard to state funding of political parties — as is the case in many other democracies. This debate will start soon, as already agreed between the parties.

"The National Party regards the relationship between a donor and a party as an honorary arrangement and therefore we do not comment on matters of this nature. If, however, a donor wants to publicise such donations it is the donor's privilege," said the NP's managing director, Kobus de Plessis.

Inkatha Freedom Party

Totally opposed to public disclosure of party funding and not prepared to make any information available.

"When people make donations to the party it's a private arrangement," said IFP MP Walter Felgate. "The IFP has no such history of favours being bought and won't be drawn into disclosure because a Holomisa hoo-hah is going on."

Democratic Party

Is in favour of disclosure of all foreign funding and will disclose this — but will not disclose local funding until such time as legislation is in place requiring all parties to disclose. Would support such legislation.

"About 80% of our 1994 campaign funding was from the Independent Electoral Commission (IEC), which is a matter of public record. The remaining 20% was from private and corporate donors and was given on a confidential basis.

"I am not prepared to disclose who those donors were but can give an absolute undertaking that not one had strings attached. It is self-evident the DP is unable to quash prosecutions in return for donations.

"People who donate to us believe in us and think we've a useful role to fulfill —they don't think we're in a position to get them contracts.

"The DP is in favour of all foreign funding being disclosed by all parties and we'd like to see legislation in this regard. The issue of local funding is more ticklish. In South Africa one has a new government with one party with an overwhelming majority. We don't want to be put in a situation where people are reluctant to donate to the DP for fear of disclosure and incurring the displeasure of the ANC.

"On the other hand, if there was new legislation requiring open disclosure of all future funding then the DP would support it," said the DP's national chairperson of finance, MP Douglas Gibson

African Christian Democratic Party

Believes it is in the public interest that all political parties make full disclosure concerning individuals, organisations, companies and other concerns that have contributed to their campaigns — and is prepared to give details of its own funding.

"It is important to have not only a Code of Conduct for MPs, but also to have one for political parties, in order to ensure that the general principles which underpin public life are respected and maintained.

"It is very difficult to stamp out corruption, if a strict Code of Conduct is applied only to persons holding public positions, while the funding of political parties remain undeclared."

Has had two funders since its launch: it received R3-million from the IEC to run its 1994 election campaign and many small donations from born-again Christians in particular. "We received no international funding nor any corporate funding, because the big companies were only interested in the major political players," said deputy president Louis Green MP. After the 1994 elections, the ACDP received R365 049.39 from the Dutch government through the *Nederlandse Sticktung voor Nieuwe Zuid-Afrika* to assist with the local government elections campaign.

"I have sent a copy of your fax to John Schroeder, our national treasurer, in Pietermaritzburg, to fax to you a list of persons who made small contributions to the party (in most cases no more than R1 000).

Freedom Front

In favour of public disclosure and prepared to give details of its own funding, but wanted to clear this with individual donors first.

"We are a new party which only came into being in 1994 and as such has no financial history. We began with nothing," said financial manager Dr Willie Botha

"Like all the other parties standing in the election we received money from the IEC — about R5,7-million. We got R250 000 from one company and donations from supporters, candidates and party workers. No-one from the corporate sector helped us except one company which we think gave money to all the parties.

"We also got money from the Dutch foundation, like the other parties.

Pan Africanist Congress

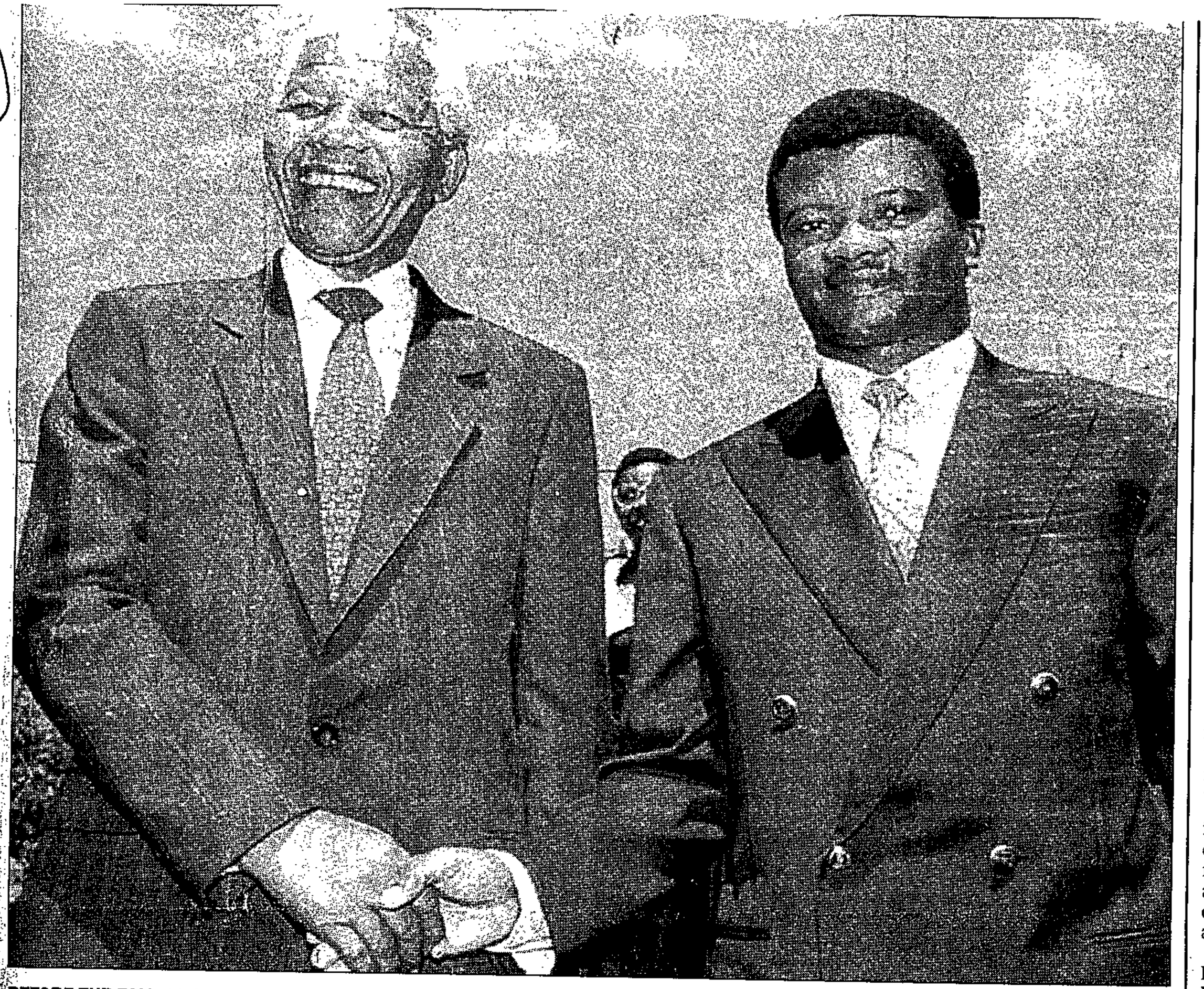
Strongly supports public disclosure and would give details of money it received for the 1994 election campaign if it had a financial report for that period.

"Looking at party political funding is the second part of the ethics committee's mandate," said PAC MP Patricia de Lille. "The PAC has always believed in openness and transparency. All funding, foreign and local, should be disclosed or else you lose the value of disclosure.

"We know the DP gets funds from big business inside the country — hence it is prepared to compromise on openness. Parties should have to declare so there's no conflict of interest.

"We got money from the IEC which helped us. We do have problems though — there is no financial statement for the period February 1994 to February 1995. A commission established at our recent congress is still working on it. It is right that these things are debated vigorously. We must deal with the public perception that we are all on a gravy train and paid a lot to do nothing. We must show that we stand by the concepts of accountability, transparency and democracy."

12/8/96 (30 GK)



BEFORE THE FALL: Mr Bantu Holomisa with President Nelson Mandela in 1993.

PICTURE: AP

Opposition NP spoiling for a fight

PARLIAMENT resumes work this week with the National Party in opposition for the first time since 1948 and spoiling for a fight.

"Our country is slipping. Things are beginning to go wrong. The danger lights are flashing," former president Mr F W de Klerk told a recent congress of his party.

"I promise you a difficult time from now on," he told the ANC in his last speech to Parliament as deputy president in June. Parliament was in recess last month. De Klerk said South Africa's need for an effective opposition was greater than that for consensus government.

The first big battle could come on Wednesday when the National Assembly debates a code of conduct for legislators.

The Democratic Party has given notice that it will try to make the ANC discuss allegations of pork-barrel politics levelled against ANC leaders by sacked deputy minister Mr Bantu Holomisa.

Possibly the most controversial issue in the coming session is a draft law that would give even minor children the right to an abortion without consulting parents. De Klerk's NP favours an almost total ban on abortion.

Another area of conflict is Finance Minister Mr Trevor Manuel's macro-economic framework for growth. — Reuter

Axed deputy minister unrep

CT 12/8/96

(504)

SACKED deputy minister Mr Bantu Holomisa says he hasn't been intimidated in the past and won't be intimidated now by the ANC. **BARRY STREEK** reports.

HE has taken on the former South African Defence Force — particularly Military Intelligence — successfully, challenged tough Selous Scout veterans, survived two coup and two assassination attempts and has been the "dictator" of the then-Transkei. And he has only just turned 41.

Former ANC deputy minister Mr Bantu Holomisa's record also includes spending three months in detention in solitary confinement before becoming a major-general and head of the Transkei Defence Force and ousting the corrupt regime of Chief George Matanzima and later Ms Stella Sigcau's government.

If you talk to Holomisa about these events, they are all, for him, just matters of fact.

On Wednesday he faces another challenge to his colourful public life when he appears before the ANC's disciplinary committee. Speculation within the ANC is that he will be expelled, not so much for his evidence before the Truth and Reconciliation Commission as for repeatedly going public with criticisms of the party leadership.

Holomisa says that if he is still an MP after Wednesday's hearings he will become an ordinary backbencher, serving on parliamentary committees for environment and tourism, sport and defence.

"I think those three are closer to my heart and I will try to adjust to the change. I do not know how it will work."

If he is expelled, will he go back to the defence force? "I don't know what I will do. I am not fixed on

'I WANT ONE WORD: SORRY'

Vindicated Holomisa wants an ANC apology

JOHANNESBURG: Mr Bantu Holomisa's claim that hotel magnate Mr Sol Kerzner contributed to the ANC's election campaign coffers has been confirmed by President Nelson Mandela.

AXED deputy minister of the environment, Mr Bantu Holomisa, wants the African National Congress and former Sun International chairman Mr Sol Kerzner to apologise for branding him a liar for his disclosure that the hotel magnate contributed to the ANC's election coffers.

"All I want is one word ... 'sorry'," he said.

Holomisa has been vindicated by President Nelson Mandela, who has confirmed to the Sunday Independent that Kerzner contributed funds to the ANC.

In a statement two weeks ago, the ANC's head office dismissed Holomisa's claim as "blatantly false and also malicious and defamatory".

It also denied Holomisa's allegations that senior leaders, including Deputy President Mr Thabo Mbeki and Minister of Sport and Recreation Mr Steve Tshwete, had "accepted favours" from Kerzner.

Holomisa suggested the favours had been intended to protect

BIG CONTRIBUTOR: Hotel magnate Mr Sol Kerzner

to Matanzima was ANC colleague and Minister of Public Enterprises Ms Stella Sigcau, then a Transkei government minister.

Holomisa said there was obviously a conflict of interest and that, as the ANC was an interested party, he would not be guaranteed a fair hearing at his disciplinary inquiry.

Among the charges Holomisa mentioned, were confirmed by the President.

Holomisa claimed the President had said that Kerzner had asked whether the ANC could do anything about the bribery charges pending against him once the deal to pay the ANC R2 million was struck.

However, Mandela, speaking through the office of the Deputy President, told the Sunday Independent: "It was a routine meeting and Sol Kerzner was not on the agenda.

"But the controversy surrounding Kerzner and the charges against him were prominent in the media, so President Mandela did ask Holomisa about the Kerzner affair," spokesman Mr Thami Ntenteni said.

"He was interested because Kerzner had made a donation to the ANC.

"Holomisa (who was military leader of the Transkei at the time) briefed the President on the matter, but subsequent to that meeting there has been no follow-up with the Transkei attorney-general or any other person to influence the outcome of the case."

This was confirmed by Nel, who said no ANC leader had

CT 12/8/96

304A

Tshwete urged to help black women

ON National Women's Day sports activist Ms Cheryl Roberts wrote a letter to the Minister of Sport and Recreation, Mr Steve Tshwete, asking him to use his power to ensure that black women and girls will receive his department's support and help to reach the top echelons of sport.

Dear Steve

As we celebrate South Africa's successful participation in the Atlanta Olympics, I am sure that you are filled with mixed emotions as you look at our 1996 Olympic team having only a few women, all of them white. On the one hand you are ecstatic about Penny Heyns and Marianne Kriel, but on the other you must be asking yourself what happened to the black women (African, coloured and Indian women).

Steve, we have seen you crying for the men (remember the 1992 World Cricket Cup in Australia) and cheering patriotically at events involving SA. In your first budget speech you told Parliament that the situation vis-a-vis black women in sport had become critical to the point where black women were fast becoming an endangered species. You were not too far from the truth.

As Minister of Sport and Recreation in the government, you are charged with the political responsibility of ensuring that all people have access to participation in sport and recreation.

You have been given the mandate to ensure that the ills and deficiencies of the apartheid years are eradicated so that the "historically disadvantaged" now become the empowered South Africans of the 21st century.

Millions of women and I would like to ask what are you doing to ensure that the gender imbalances which flood all levels of South African sport are eroded? Given the fact that you have the power to implement policies, what are you doing to ensure that black women will be given every opportunity to reach for the highest levels of sport? Steve, let me tell you a few things:

Now, more than ever, is the time for South African sport to draw up a gender equity programme aimed at all levels of sports development. Such a policy should arise from your department. Verbal commitment is good, but there's nothing stronger than the implementation of programmes which tackle gender inequalities and aim to give boys and girls, men and women, the same opportunity to participate in and experience sport to their fullest potential.

Because gender inequality is so rife in the sports network, we need to continually remind ourselves about this situation and inform those in control of the sports apparatus what needs to be done if we are to change the gender inequality paradigm.

Like sport patterns the world over, South African sport is a male preserve, created by and for men.

In situations where women are present, they have arrived there because they have gained access on the men's terms — often under difficult and trying conditions.

If we are to change this situation, we need to make sport more attractive to women and have women's knowledge and experience of sport influencing the development of sport.

It's in the areas of coaching and decision-making where women ar few. The sports network shoul develop a vision for gender equali ty and implement an action pro gramme which will yield positiv results.

We need a change of perspec tives for men and women so tha women officials do not see themselves as inferior and sportsmen do not regard themselves as the dominant leadership.

Seminars and workshops on sexism and gender discrimination in sport should be held amongst sportswomen and sportsmen where they can share their experiences.

Out of this can flow networking processes were sportswomen combine their strength and act as a force in challenging gender discrimination.

Stimulatory measures by the Sports Department, private backers of sport and national codes should be pursued — the aim being to recruit more women into leadership and coaching positions.

The allocation of funds for gender equity projects are paramount to eradicate the gender backlog and it must be ensured that the devel-

OVER R300 000 WORTH OF PRIZES TO BE WON!

CAPE TIMES CAREER CHALLENGE

BOSTON COMPUTER SCHOOLS

Great prizes in Career Challenge

TODAY is another chance to win in the Cape Times Career Challenge during its 10-week run.

There are weekly prizes of three-year courses, worth between R17 100 and R20 400 each, at Boston Computer School. Daily prizes include a training course worth R1 500, R500 in cash, a briefcase worth R200, a cordless telephone worth R400 and 50 Super Five scratch cards.

On the front page of every Cape Times is an inkjet number. To win a daily prize, check each digit against the Cape Times Career Challenge grid. If the values add up to more than the minimum daily stake, phone the claim line, 481-2020.

Weekly prizes require readers to find a token in the Cape Times each weekday, and stick it to the special entry form. The form and first token are in Career Times every Monday and in the classified section on other days. Phone 26-2513 for help.

● See Career Times

SUPREME COURT ROLL

THIRD DIVISION
Court No. 16
Admission
G Marsh – attorney.
Rule nisi
T Abro v M De Abreu – sequestration.
Puffins Investments (Pty) Ltd v Brewmasters Brew Pubs (Pty) Ltd – liquidation.
Summary judgment
Westacre Estates (residential) CC v J P B Bonthuys – oral agreement.
T D Potgieter v J P Marais – services rendered.
Applications
Herbsteins Inc v P A Field – sequestration.
First National Bank of Southern Africa Ltd – The Oranjezicht Office Trust represented herein by Hildeke Schreuder – sequestration.
Fidelity Bank Bpk v Lakes Wildernis Shareblock Ltd – liquidation.
C V Spencer & 1 other v F Jason – interdict.
S P Shearon v Regional Magistrate & 1 other – bail.
Divorces
E v P Bantom, H J v J Beukes, S M v K Bosman, E v C J Botha, D M v J L Buda, A W v J E Christians, C v R A U Collins, A M v L M Davids, M K v T H Davis, I A v J F De Lange, R v B De Vos, G v M R Dramat, E v P S Durandt, A F v C Felkers, J M E v M Fortuin, L G v S M Gelderblom, R C J v V George, F v H Haas, V G v A I Hendricks, M v P J G Joerning, C v J A E Johannes, S v M Kalamdien, E v D J Karsten, D D v M Kirsten, P v U L Lottering, C A v E C McDonald, S v S Morris, D C v D Moses, K G v W J Olieslager, H C v W H Olivier, B v A J Ravell, S E v J M Rossouw, S C v W Samaai, E J v E M Scott, H v E Simons, V v J R Smith, N v R G Van Deventer, A v L Verwey, S v W Viljoen, C H v H Watson, M E v F Westerhuis & 1 other, G G v Z Wilson, B J v P H Wyeth.
Rule 43
H J v A Bester.
M J v J J van Heerden.
S J v H T Viljoen.
FOURTH DIVISION
Civil trials
Signature Design Workshop CC v Tyger Valley Centre & 1 other.
Masterbond Participation Bond Trust Managers (Pty) Ltd v A J Jonker & 2 others.
Mono Agencies CC v Mainline Carriers (Edms) Bpk.
L E Serdyn v W M Serdyn.
L R G Links v Mutual & Federal Ins Co Ltd.
C Le Breton & 1 other v General Accident Ins Co Ltd.
WP (Koöperatief) Bpk v Paarl Olyfboerdery BK & 1 other.
R S Pennycook v V J Pennycook.
D J Dawson v B C Dawson.
H B Kieser v G M Meyer.
C S v P D Gordon.
Riebeeck Street Centre (Pty) Ltd v Mark Immelman.
S v G Klatzko.
E Adam v Z Adam.
Criminal sessions
A Division: The State v J Sauls & 1 other.
B Division: The State v R Mitchell & 3 others.
D Division: The State v W Lindoor & 3 others.
E Division: The State v M Mbolombo.
F Division: The State v H Job.
G Division: The State v E Ngcodo.
H Division: The State v W Yelani.
I Division: Worcester Circuit Court.
(The Supreme Court Roll is published as received from the Registrar, without prejudice and in good faith.)

...entant: I'll take disciplinary hearing on the chin

(304A)

CT 12/8/96

going to the army. I will see. I will think about what I will do if I am expelled."

Is he worried about being expelled? "Not much. Especially as I know I've done nothing wrong."

Holomisa has been surprised at the reaction to his evidence to the Truth Commission. After all, he did not refer only to Sigcau. He told of "a substantial sum of money" being paid to then-MPs by Military Intelligence and leading to the collapse of the Labour Party as well as of National Party MP Mr John Gogotya's being on the payroll of Military Intelligence.

He also produced the secret operational instructions of the SADF's plans in June 1991 to topple the Transkei's military government. He said that National Party leader and then-president Mr F W de Klerk, as a member of the State Security Council, must have known about them.

In any event, the payment of R50 000 to Sigcau was nothing new.

Holomisa believes hotel magnate Mr Sol Kerzner should answer one question about the R2 million he allegedly paid to Transkei's then-prime minister Matanzima for exclusive gambling rights: was the R2m meant for Matanzima alone or for the cabinet?

"Why would he gamble R2m on an individual? Was it talked about in the cabinet? If it was intended for the cabinet, it seems he targeted only the senior ministers."

Holomisa believes these questions are separate from the disciplinary hearings. "Am I being prosecuted because I mentioned the name of Sol Kerzner, raising perhaps an issue that they felt they had shuffled away?

"They say I have spoken about a colleague, as if what I said was new. It's not new. And I didn't even give an opinion. It would have been worse if I was saying Sigcau must be investigated. I did not call for that or for her removal."

The South African government had embarked on a destabilisation campaign against his military government after being asked to do so by Sigcau, Matanzima and former president Chief K D Matanzima, Holomisa said.

Sigcau and Holomisa have not spoken to each other since he gave evidence to the Truth Commission. Clearly, the tensions of the past remain.

Holomisa says he is "very proud" that, during the period of military rule, only one member of the Transkei Defence Force deserted to the other side. He was Lieutenant-Colonel Craig Duli, a member of the Military Council.

Duli died of wounds received in an abortive coup against Holomisa's government launched by a Military Intelligence front company. It has been alleged that Duli was shot in Holomisa's presence.

Asked about these reports, he replied: "Impossible."

On the day of the coup attempt, he says, he was told by the head of the Transkei Defence Force, Major-General Temba Matanzima, now head of the SA National Defence Force in the Eastern Cape, to remain at home. He did so, and summoned the press, to whom he gave interviews until he was called to a public rally in the Umtata Stadium that afternoon.

While he was speaking at the rally, news had been received that Duli had died in an ambulance. The last time he had seen Duli had been at a military council meeting.

Holomisa says he has not been intimidated in the past, and is not going to be intimidated now by the ANC. He will take Wednesday's hearing on the chin.

...in sport

...opment of women and girls in sport receives top priority. Without financial help, the development of women will continue to lag behind and remain of a poor quality.

Research reveals that those companies who are in a position to sponsor sports people choose male athletes above women athletes; the result is that women are left to survive on the cutting edge of sport.

In spite of legalised racial discrimination being removed from the South African statute books, white sportswomen do not suffer as much as black sportswomen vis-a-vis financial assistance and resources.

If black sportswomen are to realise their potential and sports prowess, then they need to be helped at all levels, particularly with financial, equipment and training resources.

Much effort should be spent to achieve gender equity at the grassroots level in sports participation where girls and boys should be given equal opportunities to experience sport.

Sports organisers will have to include equal representation of women and men so that boys do not think that only men can teach sport and similarly that girls begin to understand that women too are sports educators.

Yes, because of apartheid and the deprivation of opportunities, black women are yet to make their mark in international sport. But if black women are to reap international honours for the South African nation they need encouragement and help if their latent potential is to be nurtured, for the sporting success of SA will be judged by the quality and quantity of its gender participation and not by male sporting dominance.

Steve, as the political head of South African sport, you have the means and power to radically change South African sport from being male-dominated to a sports paradigm which ensures the equal allocation of resources and assistance to women and men, girls and boys.

Women and girls are waiting anxiously for visible commitment to emerge from your department. You have the power and we ask you to use it appropriately.

Kerzner against plans to prosecute him in connection with allegations of bribes paid to former Transkei prime minister Chief George Matanzima for exclusive gambling rights in the nominally independent homeland.

The ANC has declined to comment on the president's disclosure.

Asked whether the party would apologise to Holomisa, ANC spokesman Mr Ronnie Mamoepa said: "The president has spoken the final word on the matter and we will not make any further comment on it — the matter is sub judice."

Holomisa faces an internal disciplinary inquiry on Wednesday arising from his testimony to the Truth and Reconciliation Commission that among those who allegedly benefited from the bribe faces is conduct unbecoming of an ANC member or elected representative, misconduct and bringing the ANC into disrepute.

Holomisa said yesterday the party should launch an investigation instead into whether those ANC leaders who introduced Kerzner to the party had not brought the ANC "into real disrepute".

They had compromised the ANC by dealing with a "fugitive from justice", he said.

Holomisa said it was common knowledge that Transkei's Attorney-General, Mr Christo Nel, had asked the South African authorities to extradite Kerzner.

Claims by Holomisa that he had met Mandela at the Carlton Hotel in early 1994, where Kerzner's contribution to the ANC was approached him to drop the charges.

Meanwhile, the Sunday Times has reported that Holomisa's claims that Kerzner asked Mbeki in 1992 for assistance against his possible prosecution, had been confirmed by the deputy president.

Mbeki told the newspaper it was true Kerzner had asked him, in 1992, whether there was any way Holomisa could "expedite" the matter.

Mbeki said his response had been to refer Kerzner to Holomisa.

Mbeki again denied that Kerzner had funded his 50th birthday party. He said he did not believe any serious-minded person would believe that he could be bought by a birthday party "to the extent that I would intervene to corrupt the ends of justice". — Sapa

12/8/96

(304A)

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EWS

Survey sounds warning from labour

(304A)

By Guy Oliver
LABOUR EDITOR

Johannesburg — High levels of worker dissatisfaction with the government's economic performance since it came into power in the 1994 elections have been identified amongst labour in the Eastern Cape, according to a recent survey.

The survey, is in the latest South African Labour Bulletin, by Rhodes University academics Roger Southall, the professor of politics, and Geoffrey Wood, the senior lecturer in sociology, was conducted in the region traditionally regarded as an ANC stronghold.

The survey was commissioned by the Human Sciences Research Council and covered 470 voters from the unemployed, farm workers and trade unionist members from Cosatu, the National Council of Trade Unions and the Federation of South African Labour.

The survey, conducted on the eve of last year's local elections in the province, found that 37 percent of respondents felt the country's general situation had improved while 27,8 percent felt the situation had deteriorated and "many respondents believed that their employment situation had got worse". But the percentage for the last category was not provided.

"Despite their high degree of loyalty to the ANC alliance (73 percent of respondents pledged support for the ANC), it is evident that there is considerable dissatisfaction amongst Eastern Cape trade unionists with the seeming non-materialisation of promises for economic empowerment," the authors said in the bulletin.

Other respondents' political allegiances were divided among the PAC (5,6 percent), the National Party (3,7 percent) and the remainder between smaller parties such as the DP and the African Christian Democratic Party. No one interviewed pledged support for the IFP.

Because the ANC's economic performance was not held in high regard by unionists well versed in the way of democratic procedures, this served as a warning to the government given that the survey also found that 99 percent of trade unionists voted in the national elections, 8 percent more than non-trade unionists.

Furthermore, this trend was reflected in local government elections, which revealed that "significantly more unionised workers had registered to vote in the local government elections than those who did not belong to trade unions."

Although the authors felt most respondents remained loyal to the ANC government and were prepared to exercise patience in terms of delivery, they warned that the ANC should not take unionist support for granted.

"It is true that, if disillusion sets in, ANC-inclined trade unions may choose not to switch to an alternative party, but, worse for democracy, which cannot thrive in conditions of popular apathy, they might not choose to exercise their vote at all," the authors said.

CT (BR) 12/8/96

Malaysia buys stake in SA dam resort

CT (BR) 12/8/96

By Roy Cokayne

Pretoria — Country Heights Holdings Berhad, a top Malaysian property developer, said it had acquired a 51 percent stake in Pecanwood Resort and Residential Estate on the Hartbeestpoort Dam for R28 million.

The Malaysian property developer said the remaining 49 percent shareholding in the development was held by Maccon Investment Holdings, (Maccon) the South African company.

The joint venture contract was signed in Kuala Lumpur earlier this month.

Maccon forecasted turnover from the joint venture to be more than R650 million over the next six years.

The Pecanwood venture is part of the Malaysian developer's overseas expansion plans, after several years of successful upmarket property development in Malaysia.

Pecanwood is a fully secured residential estate of 750 freehold homes integrated into a Jack Nicklaus Signature Golf Course.

It will also include a boating club, a hotel and a conference centre, a tennis centre, a health spa and about 280 apartments.

The development will offer residents country-club living within 30 minutes of Sandton, Midrand and Pretoria. The developers have already sold 80 percent of the first phase of the residential packages, worth more than R50 million.

Construction of the golf course and township services reticulation has started. The first occupation of homes is set for early next year.

The Malaysian property developer was founded by Dato' Lee Kim Yew and made its name with the Country Heights development, dubbed the Beverley Hills of Malaysia.

It is involved in developing the R1,75 billion Mines Resort City outside Kuala Lumpur. This development involves transforming the world's largest open-cast tin mine into a city around a lake.

It includes housing, a shopping complex, a business park, a theme park and The Palace of the Golden Horses, one of the world's premier hotels, with about 500 rooms.

The development is a Malaysian version of Sun City's Palace of the Lost City, being the creation of the same design team, but it is much bigger.

Kerzner's funding 'nothing unusual'

BD 13/8/96 (304A)

Bonile Ngqiyaza

PRESIDENT Nelson Mandela has defended the ANC's earlier denial that it received donations from hotel magnate Sol Kerzner, saying he was the only one in the organisation who had knowledge of the information.

At the Orlando children's home yesterday, Mandela said: "(ANC secretary-general) Cheryl Carolus and the other comrades are honest, disciplined members who have been tested in the crucible of the struggle."

Mandela rejected any suggestion that an apology would be made for the sacking of former deputy minister Bantu Holomisa, saying he would overrule any such recommendation.

Holomisa demanded an apology from the ANC after Mandela admitted that Kerzner donated money to the party's 1994 general election campaign. The ANC had earlier denied Kerzner's donation.

Holomisa tomorrow faces a hearing on charges of breaching party discipline. The charges flow from his truth commission evidence that Public Enterprises Minister Stella Sigcau received a substantial bribe from Kerzner, and later claims that the ANC accepted financial favours from Kerzner.

Contributions to ANC coffers by international donors, Mandela said, had chiefly been made on the understanding that they would not be revealed as some of them had political affiliations divergent to the organisation.

"What I did, therefore, was to keep my part of the bargain."

He saw nothing unusual in Kerzner's denial that he funded the election campaign, as it was the "attitude of big business the world over".

Mandela expressed concern at coverage of the allegations, saying "very critical issues" had been overlooked.

The media had disregarded the fact that Safety and Security Minister Sydney Mufamadi had agreed to assist the investigation at the request of Transkei attorney-general Chris Nel.

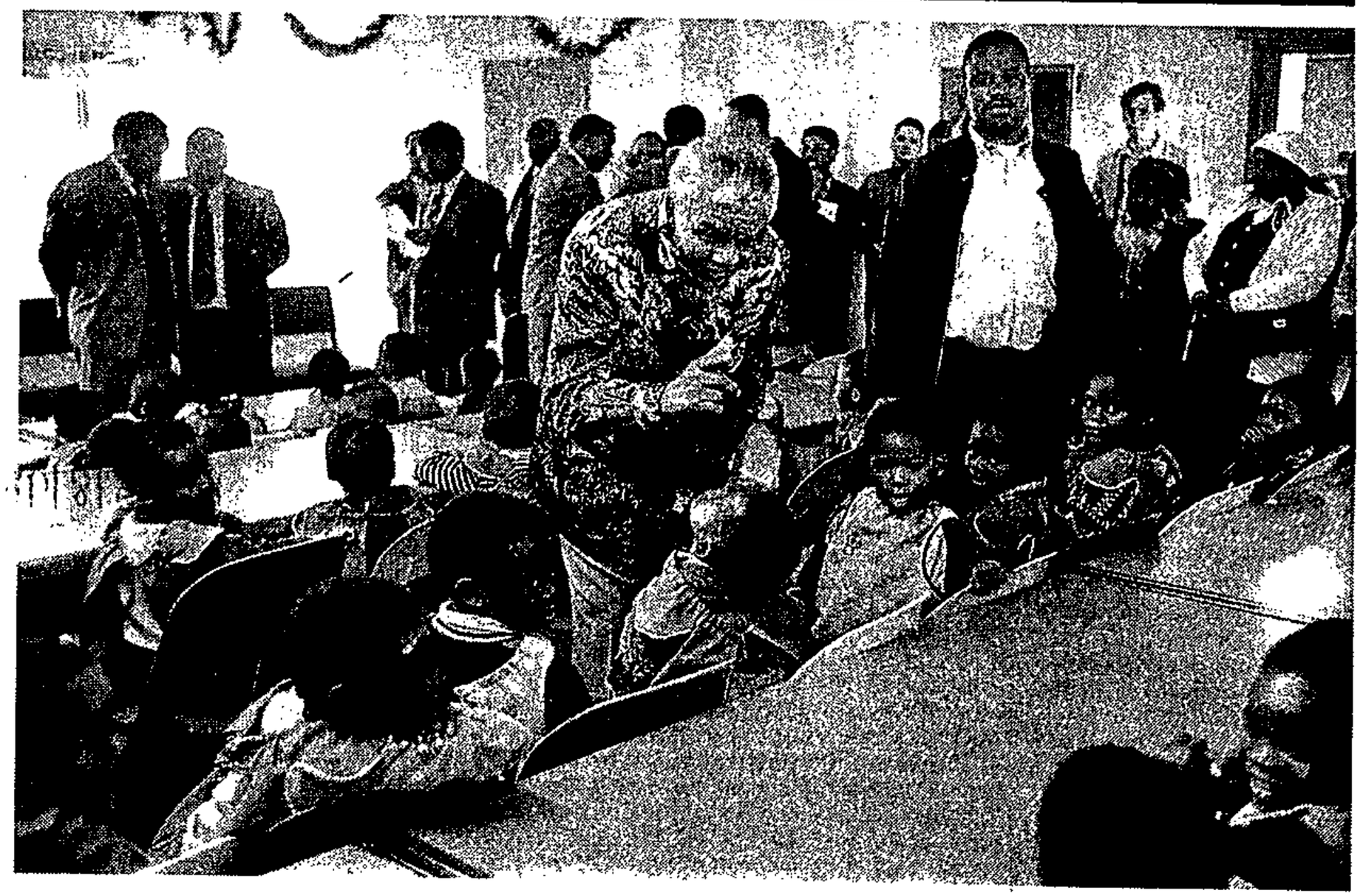
Sapa reports Mandela said Carolus could be excused for denying Holomisa's charges because she was not aware of it at the time.

The amount was one of several from local and foreign donors. "Therefore the whole Sol Kerzner affair is a storm in a cup of tea," Mandela said.

Mandela also dismissed as unfounded Holomisa's statement that the R2m donation was a bribe for the withdrawal of bribery charges against the hotel magnate. Mandela said the matter was subjudice.

Holomisa accepted the President's view and said: "I won't argue with my dad. I am just thankful that he confirmed the donation."

On Gauteng premier Tokyo Sexwale's view that he owed the ANC an apology, rather than the other way around, Holomisa said: "I don't have time for opportunists."



President Nelson Mandela, centre, with children at the Orlando East orphanage in Soweto where he donated an undisclosed sum of money from his Children's Fund. Picture: TREVOR SAMSON

Concern over amendment

Ingrid Salgado

THE National Association of Broadcasters expressed concern yesterday that a proposed amendment to the Independent Broadcasting Authority (IBA) Act

Fivaz castigates Pagad for displaying weapons

POLICE commissioner George Fivas said the illegal display of weapons by People against Gangsterism and Drugs (Pagad) members in Cape Town on Sunday, in violation of a deal with

form of gangsterism.

Meanwhile, in Cape Town, the NP-dominated Western Cape government turned down a call by the ANC to declare a state of emergency amid grow-

I alone knew of Sol's R2-m, says Mandela

Star 13/8/96 (304A)

President takes sole responsibility for ANC acceptance of donation which was 'one of many' from top businessmen

By Mondli Makhanya
Political Reporter

President Mandela has taken sole responsibility for the ANC's acceptance of a R2-million donation from casino magnate Sol Kerzner, saying he was the only ANC official who knew about the funding.

Addressing journalists during a visit to Soweto yesterday, a combative Mandela said there was no way the ANC would apologise to Bantu Holomisa for branding him a "blatant liar" when he initially revealed details of the funding.

"No apology will be made to Holomisa or anybody. Even if people wanted to apologise, I would not allow them," said Mandela.

Holomisa has alleged that Kerzner gave the ANC the R2-million and feted senior ANC leaders in Durban for his escape from bribery charges he was facing in the former Transkei homeland.

Holomisa is to face an ANC disciplinary hearing tomorrow in connection with a statement he made to the Truth and Reconciliation Commission that Public Enterprises Minister Stella Sigcau received part of a bribe that Kerzner allegedly gave the former Transkei government, of which she was part.

Yesterday Mandela defended his acceptance of the R2-m donation and said Kerzner had never been found guilty of any crime. Allegations that he had bribed the Transkei government still had to be proved. He did not want to judge Kerzner before he appeared before a court of law.

"That would be to subvert a fundamental principle of our legal system. I am not prepared to base my relationship with anybody on the basis of allegation," said Mandela.

He said the donation from Kerzner was just one of many he had received from prominent businessmen during his fund-raising drive in 1993. The businessmen had granted the ANC money on condition that their confidentiality was protected. He had honoured this agreement and kept the identity of the donors secret even from the ANC's then treasurer-general Thomas Nkobi.

He said the businessmen had made it clear they were not giving the money to the ANC but to the transformation process Mandela had initiated. "I saw no reason why I should not collect money from them. I was the leader of a liberation movement which had been banned for over 30 years and we had to fight an election against parties which had a strong financial base," Mandela said.

The president said he saw nothing wrong with accepting money from Kerzner, who at the time was facing bribery charges in Transkei.

He said he had worked with people against whom serious allegations had been made and he had overlooked these because he was "concerned about building a new South Africa" and effecting reconciliation.

Mandela also hit out at the media for linking the donation to Kerzner's attempts to have criminal charges dropped. This notion had been "completely destroyed" by the fact the charges were still pending.

13/8/96 (304A)

Ex-Transkei leader says the real issue is his stand against Kerzner

By Themba Molefe
Political Correspondent

THE NOBLE BELIEF of the African National Congress in transparency and total democracy stands challenged – and this time because of one man in its ranks, Bantubonke Holomisa.

The ANC's dilemma is twofold: To dismiss Holomisa and face some turbulence, or leave him be and take heed of what he has publicly said so far.

The latest controversy began when Holomisa thought he was adhering to his party's intention to expose the ills of apartheid and South Africa's sordid past.

He went to the Truth Commission in June, convinced his party would appreciate his stand against corruption in the former Transkei homeland, where he became head of government after ousting then prime minister Stella Sigcau in a bloodless coup.

Instead, he was hauled over the coals, especially by Deputy President Thabo Mbeki, who urged that Holomisa be censured.

Sacrificed for Sigcau

He now has to appear before the ANC's disciplinary committee tomorrow for allegedly bringing the organisation into disrepute.

However, Holomisa believes he is being sacrificed for Sigcau, who became a Cabinet Minister – and therefore his senior in the Government of National Unity.

It is known that Holomisa claims that Sigcau received a R50 000 slice of a R2 million payment from businessman Sol Kerzner to secure gambling rights in the former homeland.

It is also commonly known that President Nelson Mandela subsequently dismissed Holomisa as Deputy Minister of Tourism and Environmental Affairs.

As in the case of former Arts, Culture, Science and Technology Deputy Minister Winnie Madikizela-Mandela, the President did not give reasons for the dismissal.

In an interview with *Sowetan*, Holomisa threw the ball in his party leadership's court, saying the ANC's rank-and-file and general public should decide whether he was wrong for demanding openness.

Indeed, Holomisa feels strongly about involving people "face-to-face" rather than deciding their fate behind their back. Perhaps it has to do with his isiXhosa name, Bantubonke, which means "all the people".

He said he and Madikizela-Mandela were victims of internal influences on Mandela.

He believes there was a plan to remove or silence those ANC leaders who have been branded "populists".

"After emerging victorious in the 1994 elections, five of us were called 'populists' in the media and (it was urged) that we should be kept away from Madiba.

The other four "populists" are Madikizela-Mandela, Dr Pallo Jordan, Peter Mokaba and Tony Yengeni.

Madikizela-Mandela's dismissal followed shortly after her comments against the Government at the funeral of a Soweto policeman who was shot by a white colleague.

Jordan was demoted from the Cabinet to an ordinary MP but appointed Minister of Tourism and Environmental Affairs after the National Party withdrew from the GNU.

MPs Mokaba and Yengeni are as outspoken as Jordan. However, Mokaba, Yengeni and Holomisa are considered Madikizela-Mandela's close associates.

Said Holomisa: "Has Winnie been treated with respect after her contribution to the struggle? Anyone close to her is hit hard.

"But it is not in my vocabulary to drop her, nor anyone who worked with us in the dark days.

"Winnie and Madiba are role models for many South Africans as far as the struggle is concerned, and need to work together."

Holomisa insists that the "populist" theory is responsible for his problem with the ANC leadership.

However, sources told *Sowetan* the real issue was Holomi[illegible] involved with the ANC.

1994 to have fraud charges dropped against Kerzner and a warrant for his arrest withdrawn.

These charges relate to the bribery claims against Kerzner dating back to 1987. It is believed that even a series of behind-the-scene meetings involving Mandela, Kerzner and Holomisa in 1994 yielded no results.

Also, Holomisa has questioned the Eastern Cape Attorney-General's failure to press the charges and the new Government for not arresting Kerzner.

Kerzner is currently living abroad, where only last week he refuted fresh allegations that he donated more than R42 million to Britain's Conservative Party.

This happened as the ANC was grappling with Holomisa's claim that Kerzner boosted the party's election fund to the tune of R2 million.

Kerzner branded Holomisa a liar, threatened to sue him and said it was his right to donate money to any party.

Holomisa had more to say on this and challenged Kerzner to list all the parties he had funded between 1988 and 1994.

"What I can say is that Kerzner rubbed shoulders with the ANC leadership after the NP failed to get him," he said.

Cruel politics

"I am a victim of cruel politics. The issue is my stand against Kerzner, not Stella, because I was within my rights when I made those submissions.

"The ANC leadership knows I gave a copy of my testimony to the President although there is no party rule which forces me to do so."

Holomisa reckons the ANC national executive committee will not dismiss him because he is an elected official.

"Only a properly constituted commission of inquiry, with very wide powers, will solve this matter. The ANC must open its books to public scrutiny," he continues.

The terms of reference, Holomisa added, should include how Kerzner got involved with the ANC.

The ANC has questioned the loyalty to the organisation of the former Transkei military government head. "If you say you are loyal, as Bantu claims, would you go to the lengths he has taken – of disregarding rules and party leadership structures?" asked an ANC leader who spoke to *Sowetan*.

In fact, the ANC has accused Holomisa of undermining its authority by not consulting the NEC prior to his submission to the TRC against Minister of Public Enterprises Stella Sigcau.

Holomisa claimed at the TRC hearing in Eastern Cape that Sigcau, as prime minister of the former homeland, got R50 000 of a R2 million payment from hotel tycoon Sol Kerzner.

The ANC counters that, apart from violating party policy, Holomisa wanted to settle a personal score with Sigcau.

The ANC said as far as it was concerned, Sigcau was one of four Transkei politicians – and not the only one, the party official emphasised – who received a cut of the R2 million.

She was cleared on charges of corruption or criminal liability by subsequent commissions of inquiry, the ANC said. The other Transkei politician included in this inquiry was former president Kaizer Matanzima.

"Of course, we are angry that he accused another NEC member (Sigcau) and assumed she was corrupt without raising it with the president (of the ANC)," said the leader.

Quash the case

Over and above this, Holomisa's further allegations about Mandela's attempts to quash the case against Kerzner is seen as an accusation that the top ANC leadership is corruptible through bribes. Holomisa's continued pronouncements around this issue in the media is not helping matters either.

The organisation also rejects Holomisa's contention that when he

Sol Kerzner ... the ANC admits that the hotel tycoon donated money to the organisation.

went to the TRC, he was exercising his rights as a citizen and former head of state, and not necessarily as an ANC member.

Public apology

The ANC now also wants a public apology from Holomisa. "Madiba has not at any stage denied that Kerzner donated money to the ANC. How else would we have survived if we depended entirely on contributions from the membership?

"Not only did we receive donations from Kerzner, but from other sources as well – and it did not raise any eyebrows."

Holomisa has claimed that he did approach the office of ANC secretary-general Cyril Ramaphosa about his TRC testimony, but the party cannot confirm this.

When tomorrow dawns, it might be the beginning of the end of Bantubonke Holomisa's political career in the ANC.

The daggers are drawn – he might have spoken too much and maybe too soon.

Bantu Holomisa ... he believes he is a victim of an elaborate plan to silence him.

ANC faces acid test from fired Holomisa

(304A) Sowetan 13/8/96

ANC stumped by Holomisa's motives

By Themba Molefe

THE African National Congress has yet to understand Major-General Bantu Holomisa's motives – its top leaders are simply baffled by his actions.

It has emerged that even a public apology from Holomisa will not appease the ANC's national executive and disciplinary committees. The message is clear: Holomisa must go.

What has also become clear is that Holomisa's testimony to the Truth Commission has the party leaders suspecting that he has a different political agenda.

Said a very senior ANC member: "We are concerned. Who is behind Bantu and what are his motives?"

The ANC leadership – and, according to information reaching *Sowetan*, this includes President Nelson Mandela – has reached the end of its tether and wants decisive action on or against Holomisa.

Stella Sigcau ... the ANC claims Bantu Holomisa wants to settle a personal score with her.

Hotel tycoon

NE

DISCIPLINARY COMMITTEE TO SIT NEXT WEEK

Holomisa defiant on eve of ANC hearing

CT 8/8/96 (304A)

WITHIN INFORMED ANC circles it is believed Mr Bantu Holomisa faces imminent expulsion. Political Writer **BARRY STREEK** reports.

AXED deputy minister Mr Bantu Holomisa yesterday confirmed he would appear before the ANC's disciplinary committee next Wednesday — but he will not plead to the charges brought against him.

"I will be there on the 14th (Wednesday), but I am not bringing any legal team," he said in an interview. "I am not pleading. (Hotel magnate) Sol Kerzner has made it easy for me. I have been saying there has been a conflict of interest."

Holomisa's future in the ANC, as well as that of his cousin, Chief Patekile Holomisa, could be resolved by next weekend, when the ANC's national executive committee (NEC) meets.

The ANC's disciplinary committee, chaired by Water Affairs and Forestry Minister Mr Kader Asmal, will hear charges against Holomisa next Wednesday.

This comes after he alleged before the Truth and Reconciliation Commission that Public Enterprises Minister Ms Stella Sigcau had received R50 000, as part of a bribe paid by Kerzner, to secure casino rights in the former Transkei homeland.

NOT PLEADING: Bantu Holomisa

The committee will consider the matter, after the case has been presented by Trade and Industry Minister Mr Alec Erwin, and make a recommendation to the national executive committee.

Holomisa, who is himself a member of the NEC, will be able to challenge the disciplinary committee's decisions, but the NEC has the final say. If he accepts the committee's proposal, it will be endorsed by the NEC.

However, within informed ANC circles it is believed he will be expelled from the ANC, particularly because of his public criticism of the organisation's leadership, including Deputy President Mr Thabo Mbeki and Sports and Recreation Minister Mr Steve Tshwete.

In Patekile Holomisa's case, the NEC still has to make a decision.

After he appealed against the recommendation of the disciplinary committee — that he be removed as chairperson of the National Assembly Portfolio Committee on Land Affairs — a subcommittee was appointed to look into his appeal.

This body is expected to report next weekend and the NEC has the power to impose an even tougher sentence than that recommended by the disciplinary committee.

It is, indeed, quite possible that both Holomisas could lose their seats in Parliament, if they are expelled from the ANC.

RENEGING ON TRANSPARENCY

(304A) (~~[illegible]~~) FM 9/8/96

The fracas between the ANC leadership and Bantu Holomisa represents the most serious crisis for the organisation since its decisive victory in the April 1994 election hoisted it to power.

It's too glib to dismiss as pique Holomisa's allegations that ANC leaders and the organisation "accepted favours" from casino mogul Sol Kerzner at a time when Kerzner was anxious to have bribery charges against him quashed.

One theory punted by ANC sympathisers is that Holomisa — disappointed by his dismissal as Deputy Minister of Environmental Affairs & Tourism or, alternatively, the decision to bypass him in favour of Pallo Jordan when filling the ministerial vacancy left by the departure of Dawie de Villiers — is seeking to avenge himself.

The former Transkei military ruler has shown in the past that he's shrewd enough not to make allegations unless he has evidence to back them up. His role in leaking the military message sanctioning the 1985 murder of Mathew Goniwe and his comrades by security forces comes to mind.

Whatever his motives, Holomisa has put two questions in the public domain of crucial importance to the ANC's credibility as an organisation committed to open and honest governance of SA, the more so as he has cited no less a person than President Nelson Mandela as the source of his information.

Interrelated questions are:

- Whether the ANC and/or high-ranking ANC leaders received money, directly or indirectly, from Kerzner; and
- If so, whether they did so knowing that Kerzner expected their help in withdrawing the bribery charges against him.

ANC spokesman Carl Niehaus argues that the dispute is an "internal matter" that will be dealt with at an August 14 disciplinary hearing, where Holomisa will be formally charged with bringing the ANC into disrepute.

An internal hearing, however, will not remove the doubts raised by Holomisa's accusations. The process will be neither open nor independent.

Niehaus complains that Holomisa's allegations are "untested." He is right (even if he showed less sensitivity over untested accusations when they were directed against the National Party in the past). The remedy is for Holomisa's charges to be tested by an independent and transparent tribunal.

Holomisa has been bold enough to call for an independent audit of ANC donors to see whether Kerzner contributed money to the organisation.

Judging from the remarks of deputy secretary-general Cheryl Carolus, the ANC is less intrepid. She has rebuffed calls for transparency on who were donors to the ANC's 1994 election fund on the grounds that they are entitled to privacy.

Kerzner's entry into the dispute has compounded rather than resolved the issue. Judging from the remarks he made to the *Sunday Times*, Kerzner's denial that he paid R2m to the ANC electoral fund for the April 1994 general election leaves open the possibility that he may have paid a smaller — or bigger — sum to the organisation.

A later, perhaps more considered, statement to Sapa by Kerzner similarly does not exclude the possibility that he may have contributed a different amount to the ANC at another time.

Kerzner has labelled Holomisa a "manipulative, incompetent liar." Holomisa's riposte is that Kerzner is "not a credible witness."

Holomisa's response recalls an awkward juxtaposition for Kerzner: his initial denial, in huge newspaper advertisements, that he paid R2m to former Transkei premier George Matanzima for a gambling monopoly in Transkei, versus his later admission, to the Harms Commission on cross-border irregularities, that he had done so.

Holomisa's allegation that Kerzner paid for Deputy President Thabo Mbeki's 50th birthday party in June 1992 — denied by Kerzner and Mbeki — recalls newspaper photographs at the time showing them celebrating at the party.

The photograph does not prove that Kerzner paid for the party. It does, however, hint at a warm friendship between the two men.

Two other events took place in that year, pointing to a close relationship between the ANC and Kerzner:

- The wedding of Mandela's daughter Zinzi and newspaper reports — not contradicted at the time — that the couple would enjoy their honeymoon at a Mauritius hotel "courtesy Sol Kerzner"; and
- The opening of the Lost City complex in the then Bophuthatswana and complaints from the Mmabatho branch of the ANC over cosy comradeship between the ANC and Kerzner.

Leaving aside the apparent incongruity of the friendship between the ANC (with its formal alliance with the SACP) and Kerzner (as an archetypal capitalist), another fact is central to the whole question. Kerzner has still not been called to account for the R2m that he has admitted paying to Matanzima.

Under the old order, Transkei was a nominally independent state and Kerzner — who supported the 1983 constitution which excluded blacks — could avoid prosecution by staying out of the territory. The reincorporation of Transkei into SA and the installation of an ANC-led government, however, does not seem to have made any difference. ■

'Insults' heap up charges

CPTE 11/8/96 (BOLA)

By SEKOLA SELLO

SACKED deputy minister of environmental affairs and tourism Major General Bantu Holomisa is likely to face further charges of "impairing the dignity of President Nelson Mandela" when he appears before the ANC's disciplinary committee on Wednesday.

And these additional charges, ANC insiders say, could lead to his expulsion from the organisation.

With only three days to go before he appears at the hearing, pressure is mounting to terminate his membership of the party.

Holomisa is to appear before the committee to answer charges of misconduct, bringing the organisation into disrepute and behaviour unbecoming of an ANC member or elected representative.

On Friday the party added two further, unstated, charges. Although the ANC did not make these public – save to say they were related to statements he made in the media after original complaints were laid against him – it is believed that one of the charges relates to "impairing the dignity of President Mandela".

Yesterday two high-ranking members of the party, who asked to remain anonymous, said Holomisa's recent claims that Mandela had received R2 million from hotel magnate Sol Kerzner "amounted to saying that Mandela has been corrupted and the ANC is steeped in corruption" – accusations that the party views in a serious light.

The two ANC members – one a cabinet minister – said claims by Holomisa that Mandela knew about the R2 million offer from Kerzner, and that Kerzner financed Thabo Mbeki's 50th birthday party and also provided free accomodation for sports minister Steve Tshwete, were was "virtually a declaration that the ANC leadership was corrupt and subverts the cause of justice by taking bribes".

ANC insiders say Holomisa's claims did not only harm the dignity of Mandela and his office but also damaged the image of the party internally and abroad.

"What will the outside world think of a party whose senior leaders accept bribes to subvert the cause of justice?

"Even some of our members are going to ask whether we are indeed committed to clean administration.

"It is an insult to Mbeki that he could be bought by holding a party for him. He would have to be very cheap to be influenced by this. The former Ciskei government tried many times in the '80s to bribe Tshwete with offers of a cabinet post, which he refused. We find it insulting that today he can be bought with hotel accommodation."

CHALLENGED ... Stella Sigcau

Some members of the party are said to be making inquiries into the former Transkeian leader's background. "There are certain aspects about Holomisa that need double-checking," one minister said without elaborating.

However, Holomisa sympathisers said casting doubts on him were "diversionary tactics". They claim that the ANC leadership cannot respond to the General's accusations and are trying to besmirch his name by innuendo.

"Why was the ANC quiet all along?" they asked.

'Vindicated' Holomisa will refuse to plead

BD 12/8/96 (304A)

Drew Forrest

SACKED deputy minister Bantu Holomisa said yesterday he would refuse to plead at the ANC inquiry into his conduct this week, as he first wanted the party to answer his objections to the entire disciplinary process.

Holomisa said his argument that the inquiry was fatally compromised had been vindicated by President Nelson Mandela's admission that hotel magnate Sol Kerzner had funded the ANC's 1994 election campaign. He insisted that at a meeting in Johannesburg in 1994, Mandela had specified a R2m contribution by Kerzner to party coffers. He said Mandela had raised Kerzner's request for immunity from prosecution in the context of the latter's contribution to the economy.

Holomisa will, at a hearing on Wednesday, face ANC charges of breaching party discipline. The charges relate to his truth commission evidence that Public Enterprises Minister Stella Sigcau took a cut of a bribe paid by Kerzner to the Transkei government, and his subsequent claims that the ANC and ANC leaders accepted financial favours from Kerzner.

Holomisa said he would attend the hearing to reiterate his objections to it, and would not answer charges against him. Not only was the ANC embroiled in a conflict of interests, but the truth commission had yet to pronounce on his evidence. "In terms of government ethics, you can't charge someone when the issue is still before a commission," he said. If he could not get a satisfactory response in this "trial within a trial", he would appeal directly to the ANC's national executive committee.

Holomisa said the NP should come clean on whether Kerzner had funded it between 1988, when the matter of the bribe was first raised, and 1994, when the NP lost power. He said Transkei attorney-general Chris Nel had asked the NP government to extradite Kerzner to Transkei in 1990. However, there had never been an extradition hearing, despite the extradition treaty between SA and Transkei.

Comment: Page 8

SAAF 'turned its back' on blinded instructor

BD 14/8/96

Stephané Bothma

PRETORIA — A former SAAF officer blinded and partially deafened by the 1983 Pretoria car bomb explosion held no grudge against the ANC for his disabilities, but was bitter and angry because his former military masters turned their backs on him by refusing financial compensation.

The car bomb, detonated outside the then SAAF headquarters on Friday, May 20 1983, killed 19 people and injured more than 200 others.

Neville Clarence, an ex-fighter control instructor for the SAAF, yesterday told the truth commission that the former air force chiefs "did not want to be burdened by this blind officer" and "simply turned their backs" on his pleas for compensation.

"I accept my disability as almost unavoidable, although unfortunate, in the so-called freedom struggle. I was just in the wrong place at the wrong time and accept that I was attacked by my opponent while my guard was down," Clarence testified.

"What I cannot accept and what leaves me bitter and very, very angry, is that for the past 13 years I have unsuccessfully attempted to get compensation," Clarence told the commission.

Three other witnesses before the commission, who had all lost family members in the explosion, said those responsible for planning the act should be brought to book.

Susan Walters and Elizabeth Klok both lost their husbands in the blast. Adrianna de Wet lost her mother.

Another witness, Dawn Botha, accused the commission of not using the power at its disposal to summons perpetrators of human rights violations to explain their actions.

Botha, who testified that her brother Leon Meyer and his wife Jackie Quinn had been murdered in a "gruesome" manner during a 1985 cross-border raid into Lesotho by members of the former Vlakplaas unit, said despite the names of the perpetrators having been known for some time, they had not been summonsed to tell their story.

Botha said her brother, who had received military training in Cuba and eastern Europe, did not deserve to die in such a gruesome manner only for the upholding of apartheid.

Massacre victims break silence

PORT SHEPSTONE — After shunning the truth commission hearings since they started in April, IFP-aligned victims of human rights violations yesterday finally broke their silence.

The IFP supporters were testifying at hearings in Port Shepstone on the KwaZulu-Natal south coast.

Their testimony related to the September 4 1992 massacre at Nswangwini near Port Shepstone in which 10 IFP members and an unborn baby were killed and many others wounded.

Women's Brigade chairman Thokozile Dlamini told the commission that youths had gathered at her house on their way to an IFP youth conference in Ulundi.

"All of a sudden there was a short burst of gunfire, followed by pandemonium as children screamed and scurried for cover," Dlamini said.

She later found young men and women at the scene, some wounded and some already dead.

Dlamini said survivors had said some of the attackers wore police uniforms and others camouflage similar to the old SADF uniforms.

Another two people were killed while on their way to her house.

She said her daughter, Thandekile, was seven months pregnant when she was killed in the shooting.

Dlamini said she still bore emotional scars from the attack, had developed a nervous disorder and had been receiving medical attention.

"My soul has never been at rest because the killing of these children at my home and under my guardianship has burdened me with guilt, particulary when I see their parents," she said. — Sapa.

BD 14/8/96

Chiefs 'totally opposed' to Bill

BD 14/8/96 (304A)

Wyndham Hartley

CAPE TOWN — Modernists in government were attempting to weaken if not destroy the institution of traditional leaders to the detriment of the country, KwaZulu-Natal chiefs told a parliamentary committee yesterday.

Chief Hlengwa, leading a delegation of traditional leaders, said that the KwaZulu-Natal house of traditional leaders was "totally opposed to the Council of Traditional Leaders Bill before Parliament".

The legislation was "offensively dismissive" of traditional leadership. It was a sad day for SA when national legislation in a "supposedly democratic" country could be tabled without traditional leaders being consulted.

Hlengwa warned the committee that other African countries were belatedly discovering that the institution of traditional leadership should not be weakened or destroyed as it held communities together. The increasingly "cold and arrogant" attitude of government towards traditional leaders boded ill for SA politics.

The delegation objected to the fact that there had been no consultation on substantive issues in the Bill, such as the appointment procedures, and that members of provincial legislatures and houses of traditional leaders should be disqualified from being members of the national council. Hlengwa said the provincial houses should decide who would represent them on the council.

Mwelo Nonkonyana of the Council of Traditional Leaders of SA criticised the failure of the constitutional development department to consult traditional leaders over the new legislation.

The issue of the national council for traditional leaders as provided for in the interim constitution became controversial when the ANC raced its Remuneration of Traditional Leaders Act through Parliament last year. The IFP argued that it was unconstitutional to approve legislation dealing with traditional leadership without referring it to the council for comment.

STAR 14/8/96 (304A)

Holomisa, the ANC and the Kerzner connection

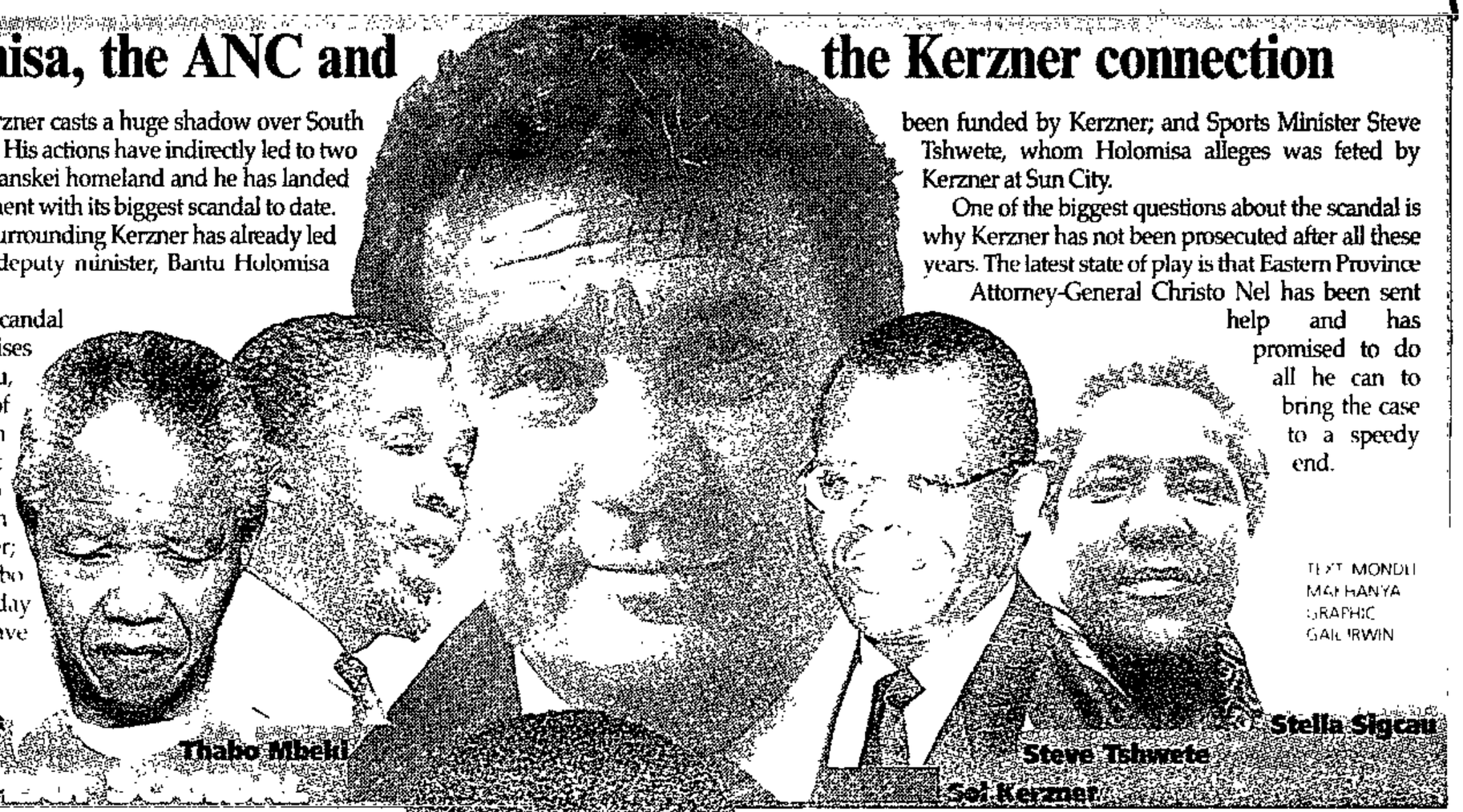
Hotel magnate Sol Kerzner casts a huge shadow over South Africa's political scene. His actions have indirectly led to two coups in the former Transkei homeland and he has landed the ANC-led Government with its biggest scandal to date.

The latest scandal surrounding Kerzner has already led to the dismissal of a deputy minister, Bantu Holomisa from the Government.

Implicated in the scandal are Public Enterprises Minister Stella Sigcau, who received R50 000 of a R2-million bribe from Kerzner; President Mandela, who accepted a R2-million donation from Kerzner; Deputy President Thabo Mbeki, whose birthday party is alleged to have been funded by Kerzner; and Sports Minister Steve Tshwete, whom Holomisa alleges was feted by Kerzner at Sun City.

One of the biggest questions about the scandal is why Kerzner has not been prosecuted after all these years. The latest state of play is that Eastern Province Attorney-General Christo Nel has been sent help and has promised to do all he can to bring the case to a speedy end.

TEXT MONDLI MAKHANYA
GRAPHIC GAIL IRWIN



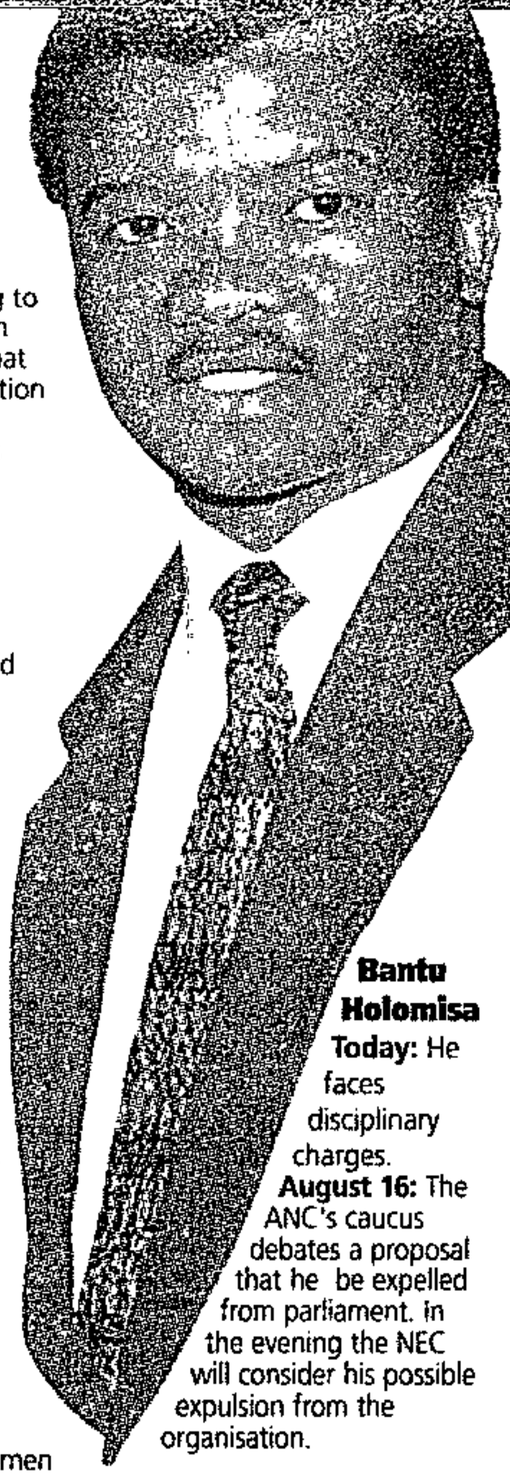
Nelson Mandela

Thabo Mbeki

Steve Tshwete

Stella Sigcau

Sol Kerzner



Bantu Holomisa

Today: He faces disciplinary charges.

August 16: The ANC's caucus debates a proposal that he be expelled from parliament. In the evening the NEC will consider his possible expulsion from the organisation.

1986: Prime Minister George Matanzima, President Kaiser's brother, tells Kerzner he will have to pay them R2-million if Sun International wants exclusive Transkei gambling rights.

December 1987: Stella Sigcau becoming one of the continent's shortest serving premiers when Holomisa overthrows her after discovering the R2-million was divided up among the entire cabinet and Sigcau had received a R50 000 cut. Holomisa institutes investigations into the Kerzner bribe and a warrant of arrest is issued for the "Sun King", who keeps away from the Transkei.

1987-1990: Holomisa asks SA to hand over Kerzner.

1989: Kerzner admits to the Harms Commission he had paid Prime Minister George Matanzima R2-million failing which he would lose his Transkei casino rights and forfeit his R60-million investment. This was not a bribe but extortion. Sigcau admits receiving R50 000 but says it was a gift to help pay for her daughter's education.

1990: According to Holomisa, Sigcau, Matanzima and others travel to Pretoria to ask for help in toppling his government. Foreign Minister Pik Botha refuses. In November Holomisa blames Sigcau for an abortive coup.

1990: The ANC is unbanned and both Holomisa and Kerzner start developing close relationships with the organisation's heavy-weights.

1991: Transkei formally applies for Kerzner's extradition but this is ignored by SA. According to Holomisa, Mbeki tells him Kerzner had requested that the the criminal investigation be speeded up as it was stalling overseas business deals. Holomisa says Kerzner should send his legal team to Umtata. Kerzner does, but the matter remains unresolved. Mbeki has conceded that Kerzner did approach him with a request the matter be "expedited" but says he referred the Sun king to Holomisa.

June 1993: The date of the controversial Mbeki party which is attended by Johannesburg's political and business elite, including Kerzner. Pictures of Mbeki's birthday party are splashed all over the press, with Kerzner at the ANC chairman's side. It is reported that the party was financed by Kerzner. Mbeki does not deny this at the time. Later reports abound about the close relationship between the two men.

Following Holomisa's latest revelation businessmen Paul Ekon, Charles Priebatsch and prominent ANC tailor Yusuff Surtee claim they each paid between R1 000 and R2 000 toward the "lavish party". Drinks were donated by a mystery benefactor. Holomisa laughs this off saying "who are they trying to fool?"

1993-4: Mandela says R2-million had been donated to the ANC election campaign. According to Holomisa, Mandela says Kerzner had asked whether charges could be dropped. Holomisa advises Mandela to keep out of the affair. Mandela says the matter came up because he knew there was controversy around the Kerzner affair and he wanted Holomisa to know about the donation.

May 1994: Holomisa is appointed Deputy Minister of Environmental Affairs and Sigcau Minister of Public Enterprises.

May 1996: Holomisa tells the Truth Commission about Sigcau's R50 000 "gift". Mbeki steps in to defuse the row. Mbeki describes Holomisa as "malicious". Mbeki and Tshwete lay charge against Holomisa with the ANC's Disciplinary Committee. Holomisa asks to be heard by an NEC committee, because he does not believe he will get a fair hearing.

June and July 1996: The ANC leadership canvasses support for Holomisa's dismissal as a deputy minister.

July 26: Mandela fires Holomisa from the Government.

July 31: Holomisa receives summons to appear before the ANC's DC on august 14.

August 1: Now fighting back desperately, Holomisa says the ANC cannot give him a fair hearing. He says the man in the middle of the controversy – Kerzner – funded the ANC campaign and his main accusers, Mbeki and Tshwete, received favours from Kerzner: Tshwete free accommodation and entertainment at Sun City in 1994 and Mbeki a lavish party. Tshwete immediately rubbishes Holomisa's claims and says boxing promoter Rodney Berman paid for him. Berman denies this. Later in the day ANC denies receiving any money from Kerzner and labels Holomisa a "blatant liar". It also denies that Kerzner funded Mbeki's party.

August 3: The ANC threatens legal action against Holomisa and newspapers.

August 4: Mbeki and Tshwete serve Holomisa with legal papers preventing him from making "defamatory" statements about them.

August 11: Mandela admits Kerzner funded the ANC's election campaign.

August 12: Mandela says he was the only person who knew about the R2-million Kerzner gift. He defends the acceptance of the money, saying Kerzner has never been convicted.

Holomisa hearing like a court case

Star 14/8/96 (30419)

Kader Asmal is 'judge' of disciplinary committee which meets today to decide on the fate of former deputy minister who says he will refuse to plead

By Jovial Rantao
Political Correspondent

To a large extent, the ANC's disciplinary committee, which convenes today to try former deputy minister Bantu Holomisa on charges of misconduct, will assume normal South African judicial procedures.

In this particular case, ANC national executive member and Trade and Industry Minister Alec Erwin plays the role of a "presenter" or "prosecutor" – the person who will read the ANC's eight-page charge sheet against Holomisa.

As in all cases heard in South African courts, Holomisa has the right to representation and he will, after the charges have been presented to him, have the right to plead and respond to them. Holomisa has indicated that he would refuse to plead.

Both the prosecution, in this case the ANC, and Holomisa — the defendant — have the right to present evidence and call witnesses to support their case.

The "judge" or chairman of the disciplinary committee is Water Affairs and Forestry Minister Kader Asmal.

After listening to the submissions by the ANC and Holomisa, Asmal will lead his "jury", consisting of six ANC national executive committee (NEC) members, into deliberations to decide whether Holomisa is guilty as charged.

The disciplinary committee's decision remains a recommendation which will be forwarded to the NEC. The latter body will meet, and discuss the recommendations and take a decision on whether or not they concur.

The NEC is the ANC's highest decision-making body.

When the ANC NEC discusses the DC's recommendations, the NEC members who are part of the DC will recuse themselves from the meeting to avoid a conflict of interest. Once a decision has been taken, the NEC will first inform Holomisa.

According to ANC sources, the ANC NEC has the right to suspend, expel or dish out punishment to the accused as they see fit. Holomisa and any other members accused will be given the opportunity and the time to appeal against the NEC decision.

Since the ANC DC was established two years ago to enforce the organisation's code of conduct, three senior members have appeared before it.

Former North West MEC for Agriculture Rocky Malebana-Metsing was was suspended and subsequently left the party.

Northern Province Senator Patrick Mogale, who had been convicted of sexual misconduct, was next on the list and was expelled from the organisation.

A senior official of the ANC in Kroonstad, Dennis Bloem, was third to appear. He was also convicted and has been suspended from the party for a year.

Malebana-Metsing, Mogale and Bloem have not opposed the DC as a structure and have accepted their sentences.

In its 86-year history, the ANC has only expelled members on two occasions. The first was in 1969 when nine "neo-nationalist" NEC members were expelled. The last batch, a group of officials with "Marxist Worker's tendencies" were dismissed in 1985 for being sectarian and racist.

Fears about Olympic bid

Samantha Sharpe

CAPE TOWN — The recent gang-related violence in the Western Cape could jeopardise Cape Town's bid for the 2004 Olympic Games, bid company CE Chris Ball warned yesterday.

Ball said that while the bid company sympathised with a community frustrated by the effects of drugs and violence, people could not be allowed to turn to their own justice system.

"In striving for the healthy pursuit of sport in a stable environment it goes without saying that the bid was opposed to gangsterism, drugs and other criminal activity," he said.

"At the same time, however, we stress our support for President Nelson Mandela's view that the authorities cannot allow people to take the law into their own hands."

Sapa reports that People Against Gangsterism and Drugs leader Moegamat Nadthmie Edries, who was arrested in a pre-dawn raid yesterday, appeared briefly in the Wynberg Magistrate's Court in connection with the murder of Hard Livings gang leader and alleged drug lord Rashaad Staggie nine days ago.

See Page 10

BD 14/8/96

Mandela statement disturbing — DP

BD 14/8/96 (304A)

Wyndham Hartley

CAPE TOWN — The DP yesterday described as "mind-boggling and disturbing" President Nelson Mandela's statement that only he knew of casino magnate Sol Kerzner's R2m donation to the ANC. DP chief whip Douglas Gibson questioned Mandela's assertion that ANC deputy secretary-general Cheryl Carolus had denied Kerzner's donation because she did not know of it.

"It leads one to conclude that either the president received wheelbarrow loads of cash, including the R2m from Sol Kerzner, or else he deposited the cheques into his private account," Gibson said.

Carolus and others vehemently denied dismissed deputy minister Bantu Holomisa's charge that Kerzner gave money to the organisation.

Gibson said the precedent set by Mandela was disturbing, and the "possible allegations of corruption are endless". He said: "By acting in this irregular way President Mandela has opened himself and his office to allegations from within his own party that it is possible to buy favours from the ANC. This is precisely what Bantu Holomisa has suggested."

Holomisa faces a disciplinary hearing tonight for his evidence to the truth commission that Public Enterprises Minister Stella Sigcau received R50 000 of a R2m bribe for gambling concessions. His later suggestion that Kerzner's donation to the ANC could be why he had not been prosecuted have led to calls for his immediate expulsion from the organisation.

The ANC announced yesterday that while it was committed to transparency in government, the hearing would not be open to the media.

It said that disciplinary hearings were internal party matters and that it was standard practice to hold them behind closed doors.

Gibson said there was nothing wrong with private donations to political parties. However, accounting for the money was crucial.

The important question to be asked in the Kerzner row was why no prosecution had been instituted. "Years have passed with no action on the part of the attorney-general. Until that prosecution takes place, Holomisa's allegations will not go away."

Sapa reports that charges against Holomisa include that he failed to "observe loyalty and discipline" by publicly accusing the ANC and its senior leaders — particularly Deputy President Thabo Mbeki and Sports Minister Steve Tshwete — of corruption and defeating the ends of justice.

Holomisa accused them of accepting favours from Kerzner and suggested that the former Sun International chairman's R2m donation to the ANC had been in return for protecting him from bribery charges.

The charge sheet catalogues other alleged misconduct, including that on June 8 and 9 Holomisa publicly snubbed the ANC by cancelling an election rally in Umlazi because ANC secretary-general Cyril Ramaphosa had failed to respond to his letter.

The disciplinary inquiry will be chaired by Water Affairs Minister Kader Asmal, with Trade and Industry Minister Alex Erwin "prosecuting".

Comment: Page 10

MPs must disclose financial affairs

(304A)

BD 15/8/96

Tim Cohen

CAPE TOWN — The National Assembly yesterday approved a code of ethics which will compel MPs to disclose their financial affairs — a duty which Water Affairs Minister Kader Asmal said would be extended to political parties, provincial parliaments and senior employees of parastatals.

During the special debate on the code in Parliament, Asmal said the intention was to deepen and broaden the duty to disclose.

It would cover the whole question of financial contributions to political parties. The intention was also to extend the duty to more influential public figures, including committee chairmen, provincial MECs and members of provincial legislatures, and senior employees of parastatals.

It was hoped that the new national culture of disclosure would result in the private sector being prepared to be more open about "emoluments, options, benefits and financial interests of its own barons".

All parties supported the code except the IFP, which abstained.

It argued that the ANC would have a majority on the code's monitoring committee by virtue of its majority in Parliament.

Other parties also raised this objection, saying it could lead to political abuse and arguing for a monitoring committee where all parties would be equally represented.

In reply, Asmal said the text of the code called for decisions to be made by consensus if possible.

He personally would not serve on the committee if he had to follow party instructions.

The code requires the opening of a register of members' interests within 30 days. And 30 days after that all MPs will have to make initial disclosures.

Shares and financial interests in a company, any employer providing remuneration, directorships, consultancies, and financial sponsorships will have to be disclosed.

Any gifts or hospitality with a value of more than R350 and sponsored travel abroad, interests in property and public or private pensions will have to be disclosed.

After adoption of the code, Speaker Frene Ginwala said the assembly could truly congratulate itself on "a major step in setting standards for democratic representatives in SA".

The code will now be debated in the Senate.

The NP, on the opposition benches for the first time in 48 years, immediately accused the ANC of rigging the code of ethics, reports Reuter.

NP members accused the ANC of covering up corruption ranging from misuse of government telephones to interference with the judiciary.

Despite welcoming the code of conduct the NP criticised the rule giving the majority party the casting vote on disciplinary matters.

IFP wants explanation for death of leader

BD 15/8/96

BETHAL — The IFP yesterday demanded an explanation from the SANDF for the shooting of an IFP leader on the road between Bethal and Standerton in Mpumalanga.

IFP spokesman Ed Tillett said yesterday that party member Petros Ntere Malahlela, 56, was shot dead on Monday during a car chase after his vehicle was hijacked.

Tillett said Malahlela — deputy IFP chairman in Mzinoni township — was hijacked by four armed men in the township at 3pm on Monday. He was apparently bundled into the back of his car before the hijackers drove off in it.

SANDF members and police pursued the car and Malahlela was apparently shot and killed when shots were fired at the hijackers.

Tillett said Standerton investigating officers claimed preliminary investigations indicated Malahlela was shot by an SANDF member.

Det-Const Chris Uys of Standerton police said police awaited results of a forensic report about the circumstances of the shooting; it was premature to say the SANDF was responsible.

Tillett said the IFP demanded an explanation from Defence Minister Joe Modise over the shooting.

The IFP was also, he said, considering instituting a civil claim against Modise to be awarded compensation for Malahlela's family. — Sapa.

Forget Ulundi, Cape Town and Pretoria: let's relocate Parliament to Midrand

(304A) 15/8/96 Star 15/8/96

PROVINCIAL MATTERS

By Justice Malala

There is a bar in Ulundi, in the local Holiday Inn Garden Court, called the Rhino Bar. It is the only place you can drink in the town.

There are several streets as well, all of them named after Inkatha Freedom Party leader Mangosuthu Buthelezi or his relatives.

This is the IFP's preposterous little idea: take the provincial capital from Pietermaritzburg and throw it into the middle of the nowhere that is Ulundi.

So much for ideas.

There is an in-bred, right-wing, intolerant, colonial little town – called Cape Town – on the southernmost tip of our country which is ruled by a conservative, biased premier.

There are several things you can do in Cape Town if you are black. Go to your hotel room and sleep, or go to the native reserves and have fun there.

Cape Town is where the colonial master landed in 1652. It is the site from which various occupational forays were launched into the hinterland, and which remained the citadel of racism in the 48 years of National Party apartheid rule.

This is Cape Town's preposterous little idea: keep Parliament in Cape Town and therefore ensure the city's survival and let it retain an important centre in the political life of our country. Really.

There is a right-wing, divided little town in the middle of flat farmland called Bloemfontein. Once night falls in this city, you can eat in only those restaurants which are attached to hotels. If not, you shall have to make do without your dinner.

But the best way to sample Bloemfontein is to go with a white colleague. Even better still, to get to the heart of the true identity of the town, ask for a double room, or one room, sharing with the same white colleague. Also prepare to die.

This city is the capital of the province whose premier has been running around for the past two years doing the best job of allaying white fears after President Mandela. Despite his attempts, "Terror" Lekota's capital remains one of the most racist towns I have ever been to in this country.

This is Bloemfontein's preposterous little idea: take Parliament and bring it here, and see how our province grows while doing the country the huge favour of siting the heart of our nascent democracy in the most central part of the land.

I must say the "most central bit" sounds fine, but the right-wingers who still treat farmworkers like dirt and pay them as little as R20 a week are what I want to know about.

There are two towns in Gauteng.

The first one is Pretoria. It has tens of buildings housing thousands of civil servants. It has all the infrastructure necessary for the running of Government.

Indeed, for six months of every year Government is run from the offices of Pretoria. For the other six months, thousands of people's lives are disrupted while they move virtually their lives to Cape Town.

Millions of rands are lost in moving and shuttling between the two centres every week.

Here is a very lucid and understandable suggestion from Pretoria: bring all the organs of government to Pretoria and let us cut all the fuss from governance. Let Pretoria remain the one and only capital.

If one has a problem with city life, yet another Gauteng city can offer a viable alternative. Midrand, the fastest-growing centre in our country, can easily accommodate Parliament in our country. Its spaces and its proximity to airports, industry, conference facilities, you name it, are second to none.

Its argument is simple, yet brilliant: bring Parliament here, and be able to govern our country from its most important vantage point. Midrand is the gateway to Africa, to the world, and why not take it and make it the capital of Africa?

I am partial on this one: Parliament should relocate to Gauteng, and that, in the language of our new rulers, is non-negotiable.

Transkei A-G to be asked for Kerzner report

Star 15/8/96 (304A)

Cape Town – Transkei attorney-general Christo Nel will be asked to report in writing to the National Assembly's justice committee on the possible prosecution of hotel magnate Sol Kerzner for bribery dating back to the mid-1980s, its chairman Johnny de Lange said yesterday.

Democratic Party committee member Douglas Gibson asked the committee to ask Nel for a progress report on the prosecution, outstanding for many years.

"To me it is essential, in the light of the serious allegations made by Bantu Holomisa, that this matter be cleared up without any further delay," Gibson said.

Nel is on record as saying that no ANC leader had approached him to drop the investigation against Kerzner, who paid R2-million to former Transkei prime minister George Matanzima for exclusive gambling rights.

Nel said the prosecution had lain dormant after the NP government refused Kerzner's extradition to the then Transkei. After the homeland's reincorporation the police investigation had been renewed and was now complete.

However, because he was prosecuting in a murder trial, he would probably only be able to devote attention to the Kerzner case at the end of next month.

If there was sufficient evidence to prosecute Kerzner a warrant of arrest would then be issued. – Sapa.

R500 CASH SCRATCH CARDS

Accidents fund policy document is still in its draft stage

ALL FINANCIAL INTERESTS TO BE DISCLOSED

MPs adopt code of ethics

(304A) CT 15/8/96

ONLY the IFP did not support the adoption yesterday of a new code of ethics for MPs, saying it was a cosmetic measure. Political Writer **BARRY STREEK** reports.

A CODE of ethics for parliamentarians, which will require them to disclose all their financial interests, was approved by the National Assembly without opposition yesterday, although the Inkatha Freedom Party abstained on the issue.

The adoption of the code "represents not the end of the road but the start of a process whereby an all-pervasive culture of disclosure, and hence accountability, can be achieved", Water Affairs and Forestry Minister Mr Kader Asmal said when he introduced the code.

In a separate development, the office of the President has adopted an even stricter code of conduct for all staff, including the disclosure, in writing, of all gifts worth R100 or more.

"Ours is very strict," spokesperson Mr Parks Mankahlana said, pointing out that the potential commercial exploitation of President Nelson Mandela was considerable.

Asmal said the parliamentary code was based on the principle that public representatives "must make decisions solely in the people's interest, and should not take any improper benefit, profit or advantage.

"It supports this principle by requiring the transparency and disclosure of the private financial interests of all Members of Parliament."

The code, which is to be debated in the Senate today, was supported by all political parties except the IFP, which said in a caucus statement that the code was "dangerous because it will create the impression that the problem of dishonesty and corruption has been dealt with or will shortly be dealt with."

"The adoption of the code is politically correct 'show-politics' at its worst," the IFP said.

Asmal said parliamentarians would have to disclose shares and financial interests held in any public or private company, remuneration payments by any other employer, directorships and partnerships, any consultancy or retainership, any financial sponsorships, gifts or hospitality with a value in excess of R350, other benefits of a material nature, and travel abroad other than personal visits.

It also included "interests in property including private residences, vacation homes and other landholding" and "any public or private pensions".

The public disclosure of pensions could prove particularly embarrassing for National Party veterans, including former President F W de Klerk.

During yesterday's debate, ANC MP Ms Thenji Mtintso said the clause on enforcement of the code needed strengthening and called for penalties for non-disclosure.

"The spirit of anti-corruption, openness and honesty must be applied to provincial and local government, senior civil servants and ministerial staff," she said.

Committee passes censorship Bill

CT 15/8/96

THE Film and Publications Bill, which proposes major changes to the country's censorship laws, was passed by the National Assembly's Home Affairs Committee yesterday after a series of closed meetings.

The committee approved the Bill after making substantial amendments to the draft measure first tabled in Parliament last year by Home Affairs Minister Chief Mangosuthu Buthelezi.

In summarising the amendments, the committee said the Bill emphasised the importance of giving adults choice while improving the protection of children against pornography.

If passed, it will become an offence to import, produce and distribute sexually explicit material "which degrades a person and constitutes and incitement to cause harm".

Exposing children to sexually explicit material in any way would also be an offence. The artistic exemption which applied to child pornography has been removed, and a prohibition on written child porn has been added.

The Bill bans publications, films, videos, broadcasts and public entertainment "which amount to propaganda for war, incite to imminent violence, or advocate hatred based on race, ethnicity, gender or religion". It also increases the maximum penalty for possession, distribution or exhibition of banned material from two to five years imprisonment.

The Bill was passed over the objections of the DP and African Christian Democratic Party. The Freedom Front and Pan Africanist Congress were not present. — Sapa

ST 18/8/96 (304A)

Smoke billows after Bantu speaks

The tussle between the ANC and Bantu Holomisa over who "accepted favours" has become obscured by a series of contradictory statements. **RAY HARTLEY** sorts out the facts from the claims and counterclaims

ALLEGATION ONE

THE Minister of Public Enterprises, Stella Sigcau, received a R50 000 slice from a R2-million bribe paid by hotel and gambling magnate Sol Kerzner to former Transkei president George Matanzima.

THE FACTS: Kerzner admitted before the Harms commission of inquiry in 1989 that he had paid the then-Transkei president R2-million for exclusive gambling rights in Transkei. Sigcau, who served Matanzima as a cabinet minister before replacing him as prime minister for 98 days in 1987, subsequently admitted to the Alexander commission to receiving a R50 000 gift from Matanzima. She said the "gift" had nothing to do with Kerzner, but was intended to help her with her daughter's education.

HOLOMISA SAID: "There is no doubt that there is a symbiotic relationship between the R2-million bribe and the R50 000 cut received by minister Stella Sigcau."

MBEKI SAID: "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."

THE ALEXANDER COMMISSION SAID: Sigcau could not be charged with bribery "on the available evidence".

ALLEGATION TWO

KERZNER paid out a second amount of R2-million — this time to the ANC's 1994 election campaign — and subsequently held discussions with ANC leaders about ways of getting rid of pending bribery charges against him because of the money he had paid to Matanzima.

THE FACTS: Kerzner paid the ANC R500 000 towards its election campaign and met separately with Deputy President Thabo Mbeki and President Nelson Mandela to discuss "expediting" the legal process in Transkei. Mbeki and Mandela both discussed the pending Kerzner trial with Holomisa.

HOLOMISA SAID: "I have privileged information that hotel magnate Sol Kerzner gave the ANC R2-million to contest the 1994 elections."

THE ANC SAID, INITIALLY: "The ANC rejects these repugnant suggestions as blatant lies . . . malicious and defamatory."

CHERYL CAROLUS SAID: "The ANC's national working committee is of the firm view that these statements are not only blatantly false, but also malicious and defamatory."

KERZNER SAID: "I did not pay R2-million to the ANC to help it fight the 1994 election."

THEN MANDELA SAID: "I was the only one who knew (about the R2-million donation from Kerzner). Even the treasurer general of the ANC didn't know where the money came from. The whole Sol Kerzner affair is a storm in a teacup."

THE ANC THEN SAID: "The President received a R500 000 cheque from Kerzner and a R1,5-million cheque from Safmarine. He may have given the cheques to someone in his office to deposit, but he was the only one who knew where the (R2-million) came from."

ALLEGATION THREE

MBEKI "accepted favours" from Kerzner, including payment for his 50th birthday party bash.

THE FACTS: Mbeki held a 50th birthday party which was attended by Kerzner, other businessmen and members of the political establishment such as Joe Slovo and Helen Suzman.

HOLOMISA SAID: "Kerzner is now known to have funded social events of leading ANC members, *inter alia*, the deputy president's 50th birthday party. I would hate to draw the inference that these sponsorships were in return for him escaping the due process of criminal justice."

KERZNER SAID: "There's no truth to it at all and there's no way in the world he will ever prove it."

MBEKI SAID: "The party was organised by Yusuf Saloojee, Yusuf Surtee, Charles Preibatsch and Paul Ekon. No serious-minded person would believe I could be bought by a birthday party."

ALLEGATION FOUR

SPORTS Minister Steve Tshwete "accepted favours" from Kerzner in the form of free hotel accommodation.

THE FACTS: Tshwete attended a boxing fight and stayed over at Sun City afterwards in a room that was provided for him free of charge.

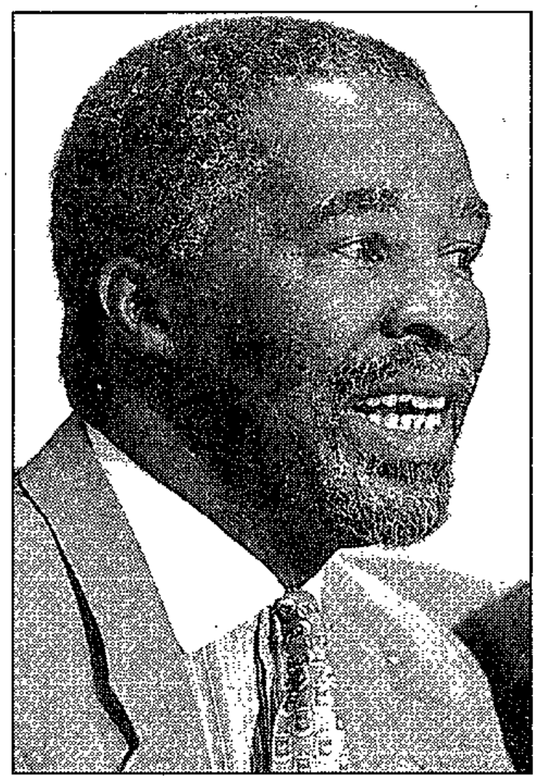
HOLOMISA SAID: "Tshwete was given free accommodation at Sun City by Kerzner during the Chris Eubank fight (in October 1994)."

THE ANC SAID: The accommodation was provided by boxing promoter Rodney Berman.

BERMAN SAID: He did not provide the accommodation.

TSHWETE SAID: "There was a little bit of rashness in the ANC's response to the allegations. My accommodation was provided by the SA National Boxing Control Commission."

THE COMMISSION SAID: "We wish to confirm that such accommodation was provided to you by this commission and not by Mr Sol Kerzner or Sun International. At all tournaments staged at Sun City, the promoter, in conjunction with Sun City, is required to provide this commission with a specified number of rooms. The subsequent allocation of such rooms is within the discretion of this commission."



UNDER FIRE . . . Thabo Mbeki has been the main target of Holomisa's attack

Holomisa raises tricky questions about Mbeki

THE SUNDAY MORNING ASSESSMENT

By RAY HARTLEY

WHATEVER his original intentions may have been, General Bantu Holomisa has ended up posing the most significant challenge to the ANC-led government since it took office in 1994.

He has implied that the party was bought by gambling king Sol Kerzner for the paltry sum of R2-million, a couple of boxing tickets, and a birthday party.

But more damaging — for the ANC and the future of the country — has been the attack Holomisa has launched on the man most likely to be this country's next president — Deputy President Thabo Mbeki.

From the moment he was fired as deputy minister of environmental affairs and tourism, Holomisa has concentrated his fire on Mbeki, painting a picture of a manipulative, corruptible figure who schemed his way to the top by using questionable means.

Holomisa's motive may simply be revenge. He spent the week before he was fired in Washington with Mbeki, attending the US-SA bi-national commission talks. Whatever words the two exchanged, they must have deeply hurt Holomisa — after Washington, he identified Mbeki as the chief architect of his demise.

On Holomisa's return, he was fired, and his bottled-up frustration — at the fact he was made a deputy minister, then overlooked for promotion while Stella Sigcau, his Transkei nemesis, was made a full minister — appears to have burst forth in Mbeki's direction.

Mbeki has, for a number of reasons, been a soft target. For all his ability to charm his way around the cocktail circuit, he has never been much of a public relations man.

His style has been to defer to the collective of the ANC, instead of publicly defending himself or throwing some punches of his own. Last week, after two weeks of public attack, Mbeki was finally cajoled by his staff into briefing journalists.

Visibly uncomfortable in this role, he was reluctant to commit himself in print for fear of breaking with or-

ST 18/8/96 (304A)

OUTSIDE LOOKING IN . . . Bantu Holomisa's allegations have led to the ANC's worst crisis of their two years in power Picture: JUSTIN SHOLK

petitors for the leadership of the ANC, and, subsequently, the country.

Grist to the mill of this theory has been the litany of top ANC leaders who have taken a political hit since 1994. There was the firing of Winnie Madikizela-Mandela, the firing of Pallo Jordan, the demotion of Jay Naidoo, the overlooking of Tito Mboweni for the finance portfolio, the withdrawal of Cyril Ramaphosa from politics, and the reduction in stature of Terror Lekota.

The only man left standing is Mbeki, leading to the conclusion that he has been behind the purge of the senior leadership for selfish ends. But is this view justified? It may contain a grain of truth, but it might also be a little like blaming the only standing skittle for the fall of those around it in a 10-pin bowling alley.

The ANC has, in fact, been struck by a large external force — the pressure to transform itself from a liberation movement into a political party. It would appear that, over the last two years, the ANC has shown itself to be barely able to grasp the levers of power, never mind put whatever influence the state may have to effective use.

In response, it has had to seek greater unity on policy, and become less tolerant of dissenting voices in its "broad church", particularly over its new macro-economic framework.

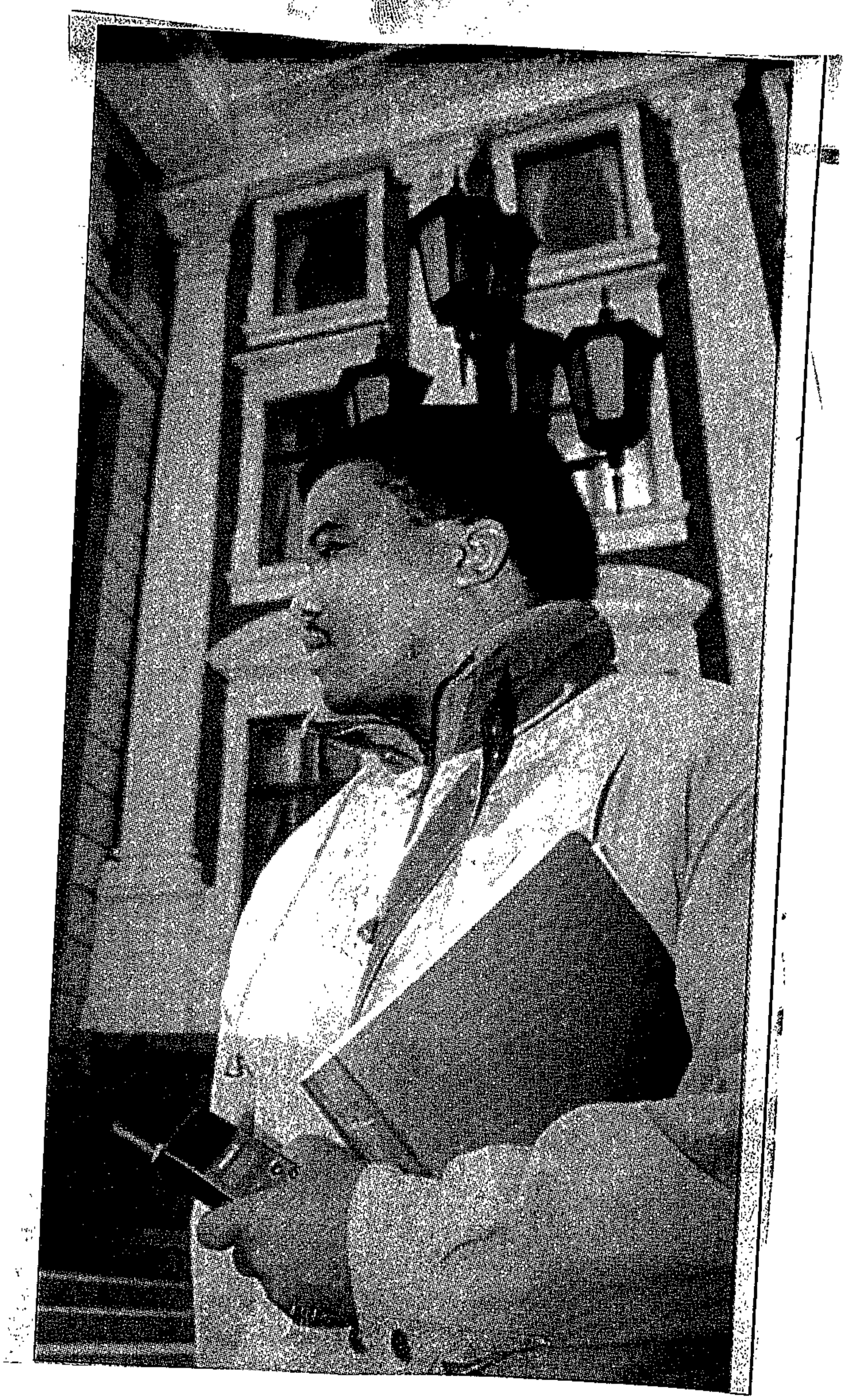
This has pushed a new breed of ANC leader to the fore. Minister of Finance Trevor Manuel, his deputy, Gill Marcus, and Trade and Industry Minister Alec Erwin have taken over the running of the economy.

Other powerful figures who have emerged as guardians of the ANC's new direction have been Water Affairs and Forestry Minister Kader Asmal, presidential aide Joel Netshitenzhe, and newly appointed deputy speaker Baleka Kgositsile.

While Mbeki no doubt has to do his share of political knifework, the new leadership does not exactly fit the Machiavellian, Africanist stereotype of the Mbeki caricature.

The Holomisa scandal has thrown some particularly tough questions to the fore about South Africa's likely future president.

But, for the moment, Mbeki remains an enigma — a man content to go about his business within the ANC, leaving the country to ponder the latest rumours about him.



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(304A)

reticence to deal with matters outside the "appropriate structures", has given Holomisa the opportunity to state his case clearly and without contradiction.

Operating in a vacuum, the ANC's propaganda apparatchiks have stuttered out a series of misrepresentations — even lies — shifting the media focus from the original allegations to the scandalous cover-up that has followed.

But, much more than this, Holomisa's accusations have taken hold because they match a stereotype of Mbeki which has for some time been seeping into the public consciousness. The stereotype depicts Mbeki as a man who uses political sleight of hand to eliminate potential com-

Holomisa drama splits ANC down the middle

CP 18/8/96

CRISIS

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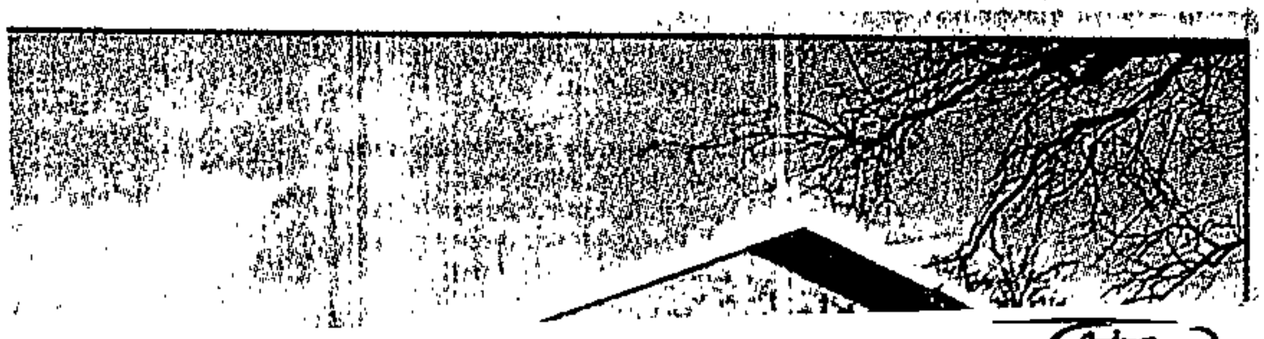

ANC crisis

CP 18/8/96

(304A)

☐ FROM PAGE 1

The main charge is that Holomisa brought the ANC into disrepute over his testimony to the Truth and Reconciliation Commission when he alleged that fellow minister Stella Sigcau accepted a R50 000 bribe.

Holomisa claims that the money was part of a bribe by Kerzner for gambling rights in the former Transkei.

Holomisa is also charged with challenging ANC authority, leadership and structures.

This week Holomisa said he would not plead at a disciplinary hearing because he felt the ANC was an interested party and could not give him a fair hearing.

Disciplinary committee chairman Kader Asmal recused himself earlier this week, saying that while he did not think he was biased, it was important for the hearing to appear fair.

The ANC previously accused Holomisa of being a liar for claiming the organisation received R2 million from Kerzner in return for dropping bribery charges.

Holmisa also claimed that Kerzner paid for deputy president Thabo Mbeki's birthday party and gave favours to several other ANC leaders.

These claims were denied by the ANC.

Last weekend, Mandela admitted Kerzner had funded the ANC's 1994 election campaign to the tune of R2 million, but denied that this gift was linked to the government closing its investigation into Kerzner.

This week, a parliamentary committee requested a briefing on progress in the Kerzner investigation from the Transkei Attorney general.

Holomisa's illness means the ANC NEC which is meeting in Cape Town this weekend will not be able to ratify a decision on Holomisa's future.

By SEKOLA SELLO AND CHIARA CARTER

AFRICAN National Congress regions are reported to be divided over mounting calls to kick sacked environmental affairs and tourism deputy minister, Major General Bantu Holomisa, out of the party.

Yesterday the ANC's provincial executive committee in the Northern Province became the first region to publicly call for the sacking and life banishment of the former deputy minister.

At the same time the ANC's most powerful region, the Eastern Cape, is reported to have taken a stand that they will not accept his expulsion.

The ANC Women's League is reported to be fully behind the general, and its president, Winnie Madikizela-Mandela, has publicly questioned the motive behind the hearing against Holomisa.

Some influential leaders of the ANC Youth League, on the other hand, are said to be in favour of his sacking, although it is believed that some members are opposed to this move.

Late yesterday afternoon the party's National Executive Committee met behind closed doors in Cape Town to strategise on how to deal with the Holomisa crisis – which is becoming too hot to handle, as well as divisive.

Although this NEC meeting, which started on Friday and ends today, is a normal party gathering before the opening of parliament, it is generally believed that the Holomisa case was the only sensitive issue discussed and took up much of the deliberations.

As divisions in the party become increasingly difficult to conceal, unconfirmed reports say President Mandela, who is also attending the NEC, is unhappy that he had to "carry the can" over the R2 million donation hotel magnate Sol Kerzner made to the party.

Northern Province ANC spokesperson Ian Madikoto said the provincial structures were amazed at what they called "Holomisa's foolhardy speeches".

Madikoto said Holomisa's days in the organisation were numbered because of his lack of discipline.

He said by publicly challenging the authority of the ANC disciplinary committee, Holomisa has "automatically dismissed himself from the ranks of the movement".

The disciplinary hearing into Holomisa's conduct was postponed this weekend to allow him time to recover from a respiratory illness.

Meanwhile Holomisa has asked the ANC to supply him with documents, including a copy of a letter of complaint from the Eastern Cape which apparently led to two additional charges against him.

Holomisa has questioned whether the Eastern Cape is really unhappy with his conduct.

In a letter to the ANC this weekend, Holomisa said it was possible that the Eastern Cape structures might distance themselves from the letter, forcing the ANC to withdraw the charges.

Holomisa also requested the minutes of meetings during which ANC leadership briefed the party's structures on the reasons Holomisa was facing disciplinary charges.

☐ TO PAGE 2

Mandela intends quitting top ANC post in 1997

Star 19/8/96 (304A)

By Patrick Bulger
Parliamentary Correspondent

Cape Town – President Nelson Mandela will vacate his position as ANC president late next year, the ANC's national executive committee (NEC) said yesterday after a three-day meeting.

He will stay on as head of state until the next general election, due in April 1999, when he will step down to give way to his successor.

Deputy President Thabo Mbeki, who is currently also deputy president of the ANC, will almost certainly be the successor.

Mandela's decision, made in the form of a brief announcement to the NEC meeting yesterday, opens the way for Mbeki to move into the top party post some 18-months before the country goes to the polls in April 1999. It will also enable Mbeki to project himself as a future president and to consolidate his stature within the party's ranks.

The NEC announcement said: "President Mandela formally informed the NEC of his intention to step down as president of South Africa at the expiry of his term of office. The president also advised the NEC that he will not present himself for nomination as a candidate for the presidency of the ANC at the forthcoming national conference, scheduled for 1997.

"The meeting expressed its respect for the president's decision as well as its profound appreciation of the sterling service he has rendered to the ANC and the country in a lifetime of struggle".

Mandela has been saying for some time that he did not intend making himself available for a second term after 1999. He repeated this during a recent state visit to the UK, saying he did not feel he could serve the country for a second term at the age of 80.

Mandela was first elected president of the ANC in 1991 and then again in 1994. In terms of the ANC's constitution, all office-bearers are elected.

Unless another prominent party member chooses to oppose Mbeki at next year's conference, Mbeki will be elected head of the organisation and will then be one step away from becoming head of state. That single step is an ANC election victory in 1999.

Discussions will be held within ANC ranks in the months ahead to determine what position Mandela will hold within the ANC after he steps down next year. Theoretically, he will be a simple member of the ANC but the ANC will once again want to employ his vote-catching power.

With an eye on the next election, the NEC said it was warning against complacency and pointed to the need to activate ANC branches and regions.

In another development, the NEC said Cyril Ramaphosa would stay in his post as chairman of the Constitutional Assembly until the Constitutional Court has ruled on the new constitution.

► **NEC slams indiscipline**
Page 3

EU millions to develop Parliament

(304A) CT 21/8/96

BARRY STREEK
POLITICAL WRITER

THE European Union has agreed to make a R85 million grant to increase the effectiveness of Parliament and the nine provincial legislatures, the Speaker of the National Assembly, Dr Frene Ginwala, disclosed yesterday.

She said in an interview she hoped to sign the agreement for this grant with the EU early next month.

Ginwala said more than 100 European parliamentarians and 50 parliamentarians from Southern Africa would be meeting in Cape Town between September 6 and 9 to discuss development and regional development issues.

She also said a formal agreement had been signed with the United Nations Development Programme (UNDP) to set up a national parliamentary service, similar to the civil service, for Parliament and the nine provincial legislatures and promote a parliamentary culture in South Africa.

In addition, Sweden had agreed to fund a R3,5m programme to empower women legislators.

GRANT: Dr Frene Ginwala

Ginwala said these developments were "a big breakthrough".

"They will help MPs and legislators to be able to function more effectively."

They would increase resources, facilitate training, increase Parliament's law adviser's office, complete the process of giving all MPs portable computers, and improve library and research services.

One project that would be undertaken would result in the proceedings of all committees being broadcast on an internal radio system.

"Some are small things. For instance, MPs don't have e-mail. If you want to send a message to someone in Parliament, you have to write a note and find a messenger to get it delivered. It's so antiquated," Ginwala said.

The EU grant would result in the appointment of a full-time national co-ordinator, a deputy co-ordinator and a financial manager in a project management unit (PMU) under a programme steering committee (PSC). This would in turn be under the control of the Speakers' Forum, consisting of the nine provincial speakers, the President of the Senate and herself.

An EU document, which has been approved in Brussels, said the overall objective of the programme was "to ensure good governance and stable democracy in South Africa by strengthening the role and supporting the functions of legislatures, both on national and provincial level.

"A successful implementation of the programme will also contribute to reinforce democracy in the Southern Africa Development Conference region."

It said the fundamental problem that had been identified was that the South African parliaments, although highly motivated, were "struggling to fulfil their their basic constitutional functions adequately.

"These functions include the passing of legislation, the exercise of control over the executive, the formulation of policy, representation of the electorate and education of voters."

Ginwala said the EU had agreed to support the employment of contract research staff to serve political parties directly, as well as additional research staff for parliamentary committees.

The agreement had been approved in principle in Brussels and legal documents were being drafted which would hopefully be signed in early September.

HOLOMISA AFFAIR

KERZNER'S COINS CLATTER IN ANC BEGGING BOWL

FM 23/8/96 (304A)

Wages of ideological inconsistency

The ANC must rue its decision to discipline Bantu Holomisa. Instead of winning a quick victory, it finds itself engaged in a political war of attrition with him — one in which it has been thrown on the defensive.

An enigma lies at the core of the political saga: why did the ANC react so adversely to Holomisa's testimony to the Truth Commission recalling that Stella Sigcau had accepted R50 000 from former Transkei Prime Minister George Matanzima in 1987? Though Sigcau holds an important portfolio in President Nelson Mandela's Cabinet — as Public Enterprises Minister — there was nothing new in Holomisa's testimony.

It is common knowledge that:

- Sigcau accepted the R50 000, having defended it as a "gift" from Matanzima; and
- Matanzima's generosity occurred soon after he had received R2m from casino mogul Sol Kerzner in return for agreeing to grant a gambling monopoly to Kerzner's company.

One theory is that Deputy President Thabo Mbeki — who played a prominent role in repudiating Holomisa — wanted to cut the popular, independent-minded Holomisa down to size. A corollary to it is that Mbeki was asserting his authority ahead of his expected election as President when Mandela steps down in 1999.

The move against Holomisa — which culminated in his dismissal as Deputy Minister of Environmental Affairs & Tourism at the end of last month — is one of a series against independent thinkers in the ANC.

It was preceded by the dismissal of Winnie Madikizela-Mandela as Deputy Arts & Culture Minister last year and Pallo Jordan from the Posts & Telecommunications portfolio in March.

Aside from their intellectual independence, Holomisa, Madikizela-Mandela and Jordan (who, having had the whip cracked overhead, has since been brought back in to the Cabinet) are linked by another thread: conspicuous popularity with ANC delegates at branch level.

Two more ANC figures have fitted into the same mould: former Natal Midlands leader Harry Gwala, who died in 1995, and former ANC Youth League president Peter Mokaba, who was promoted — or "co-opted" — to replace Holomisa as Deputy Minister.

Whether Mbeki has actually played the role attributed to him is uncertain. Against that, however, is Holomisa's firm belief that Mbeki is one of those campaigning against him, together with Water Affairs Minister Kader Asmal, Sport Minister Steve Tshwete and, of course, Sigcau herself (whom Holomisa deposed as Transkei Prime Minister in a bloodless coup in December 1987).

Another, perhaps deeper, question underlies the unfolding saga: why did Mandela appoint Sigcau to his Cabinet in the first place?

Leaving aside her acceptance of money from Matanzima, it is widely known that she served in the Transkei governments of the Matanzima brothers, Kaiser and George, and is thus tainted ideologically speaking in ANC eyes. As Mandela himself makes clear in his autobiography *Long Walk To Freedom*, the Matanzimas are regarded as "collaborators" who helped establish Transkei as a showpiece of grand apartheid.

Sigcau has no struggle credentials. Apart from her role as a bantustan collaborator, her father, Botha Sigcau, was Transkei's first president. According to no less an ANC grandee than Mbeki's father, Govan, Botha Sigcau, one of two paramount Pondo chiefs, played a key role in suppressing a pro-ANC rebellion in Pondoland in 1960 and in installing Kaiser Matanzima as Transkei's pro-separate development supremo.

Sigcau's appointment to Cabinet is another conundrum in the whole affair — unless it is explained as a move by Mandela to ensure tribal and gender balance by bringing in a woman from the Pondo royal family and turning a proverbial blind eye to her past.

Whatever the explanation, the historical context makes the ANC leadership's public defence of Stella Sigcau puzzling, especially when the issue would almost certainly have blown over had it chosen a discreet silence over Holomisa's testimony to the Truth Commission.

Continued on page 27

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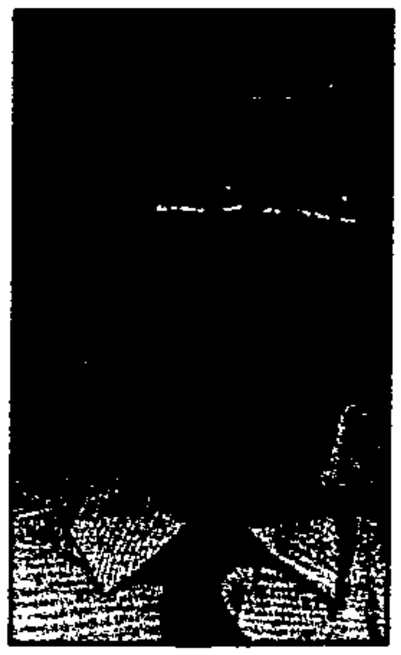
One explanation is offered by Holomisa — that the ANC's defence of Sigcau is inseparable from its sensitivity to the broader question of its relationship with Kerzner.

Holomisa, who has long crusaded for Kerzner to be indicted on bribery charges for his payment of R2m to Matanzima, believes that the ANC top brass is indebted to Kerzner and anxious to keep its link with the financial baron secret, understandably so given Kerzner's close past links with another alleged apartheid collaborator, former Bophuthatswana president Lucas Mangope, and his openly declared support of the "racist" 1983 constitution.



Kader Asmal

For that reason, according to Holomisa's exposition, the ANC responds aggressively to finger-pointing on the Kerzner connection or, when vituperation fails, invokes pseudo-legal rationalisations about the issue being sub judice. His explanation supplements rather than contradicts the theory that Mbeki was cutting him down to size in preparation for the post-Mandela era, known in ANC circles as WMG (When Mandela Goes).

Holomisa's specific charges are now part of the record:

- The ANC accepted R2m from Kerzner for its 1994 election campaign at a time when Kerzner was trying to get bribery charges against him quashed; and
- ANC leaders Mbeki and Tswhete accepted "favours" from Kerzner, funding for Mbeki's 50th birthday party and hotel accommodation for Tshwete.

The rider to these charges is Holomisa's contention that the ANC cannot be both judge and prosecution in disciplining him. He rightly says that his accusers are interested parties in the move to discipline him for bringing the ANC in disrepute.

The disciplinary hearing, now set for August 30, has been postponed twice. Asmal recused himself at the first (curtailed) meeting because — in his curious phrase — "the appearance of impartiality is as important as the reality."

One wonders cynically whether Asmal belatedly wants to dissociate himself from the case. As a former chairman of the Irish Anti-Apartheid Movement, he must know that Kerzner is not a cause worth fighting for.

There have been several salient developments since Holomisa first publicly voiced his accusations on August 2. They include vehement ANC denials, with Holomisa being castigated for telling "blatant and malicious" lies, and a later, startling admission, by Mandela himself that Kerzner did indeed pay R2m to the ANC electoral fund.

Mandela's admission has undermined the ANC's collective credibility and raised further questions. If the ANC's initial denial that it received R2m from Kerzner has proved to be false, why should anyone accept its word in insisting that it has not tried to get the case against Kerzner quashed?

To be fair, though, it should be recorded that Transkei Attorney-General Chris Nel has said that he was never approached by the ANC to drop the charges against Kerzner and that his request for help in the investigation received a positive response from Safety & Security Minister Sydney Mufamadi.

In the end, however, a central fact cannot be ignored. Kerzner, who admitted giving Matanzima R2m in evidence to the Harms Commission in 1989, has not been charged since the ANC came to power two years ago. The ANC can proclaim its innocence as loudly as it likes but many ordinary folk suspect that there is a connection between the failure to prosecute and the R2m donation.

A subsidiary and perhaps academic question relates to the same sum of money in the Kerzner-Matanzima-ANC triangle: a R2m inducement to Matanzima and R2m donation to the ANC.

Mandela has attempted to protect the ANC and its deputy secretary-general, Cheryl Carolus, stating that no-one but he — not even the ANC treasurer-general — knew that the money had come from Kerzner. His explanation is implausible in the light of the ANC's constant declarations that it is an open, accountable and democratic organisation. If the treasurer-general at the time — the now conveniently dead Thomas Nkobi — did not know, it can only because he chose not to know or because he was deceived.

There is a further issue. Mandela, by waiting nearly 10 days after Holomisa voiced his accusation before offering his explanation, gives the impression that he would have preferred to have remained silent and, by extension, allowed ANC office bearers to lie.

It is reminiscent of his 15-month silence before admitting that he had given ANC guards at Shell House the order to defend lives and property by all means, including shooting to kill, on March 28 1994.

On the ideological front, it is an open secret that many ANC members are appalled by the thought of Mandela shaking the ANC's begging bowl in front of Kerzner. Whatever rationalisations the ANC leadership may be forced to offer, Kerzner is widely perceived to have been an "enemy of the people," as the Mmabatho branch of the ANC made clear during its protests against ANC condonation of the opening of Kerzner's Lost City complex in Bophuthatswana in 1992.

An Azapo statement almost certainly captures the feelings of many ANC members. Labelling Kerzner a foe of the liberation movement, it says: "He is known for his open support of the bantustan system and apartheid ... It is therefore surprising that an organisation of the ANC's calibre could have gone to the same person for assistance in its 1994 election campaign."

At stake is more than a question of ideological consistency. Knowing that Kerzner had opened his purse to secure favours from Matanzima, the ANC should have treated the casino mogul with extreme caution, if not outright suspicion. With its commitment to open and clean government, it should have given him a wide berth, not fraternised with him at Lost City and jolly birthday parties. By not doing so, it has sent an appalling subliminal message to its huge constituency.

The ANC national executive, admitting that it is "seized with the question of discipline within the ranks," has since accused those members who publicly criticise it of aiding and abetting unnamed forces wanting to destroy the organisation. It does not mention Holomisa by name but there is no doubt that he is very much in its collective mind.

But the origins of the crisis in which the ANC finds itself lie in Holomisa's testimony to the Truth Commission — very much the ANC's brain child — about an event nearly 10 years ago in which the ANC was not even involved. By over-reacting, the ANC is now deservedly writhing under the glare of public attention. ■

matters – a [illegible] on [illegible], it seems, seldom resist – robs it of fundamental meaning.

It is a code for all parties, for all members and for all seasons and should stand alone in our public life, with the full force of parliamentary rules, until embodied in permanent legislation.

Let us attempt, therefore, to look at the code with some respect and a little more depth, as I did in my parliamentary speeches on the matter.

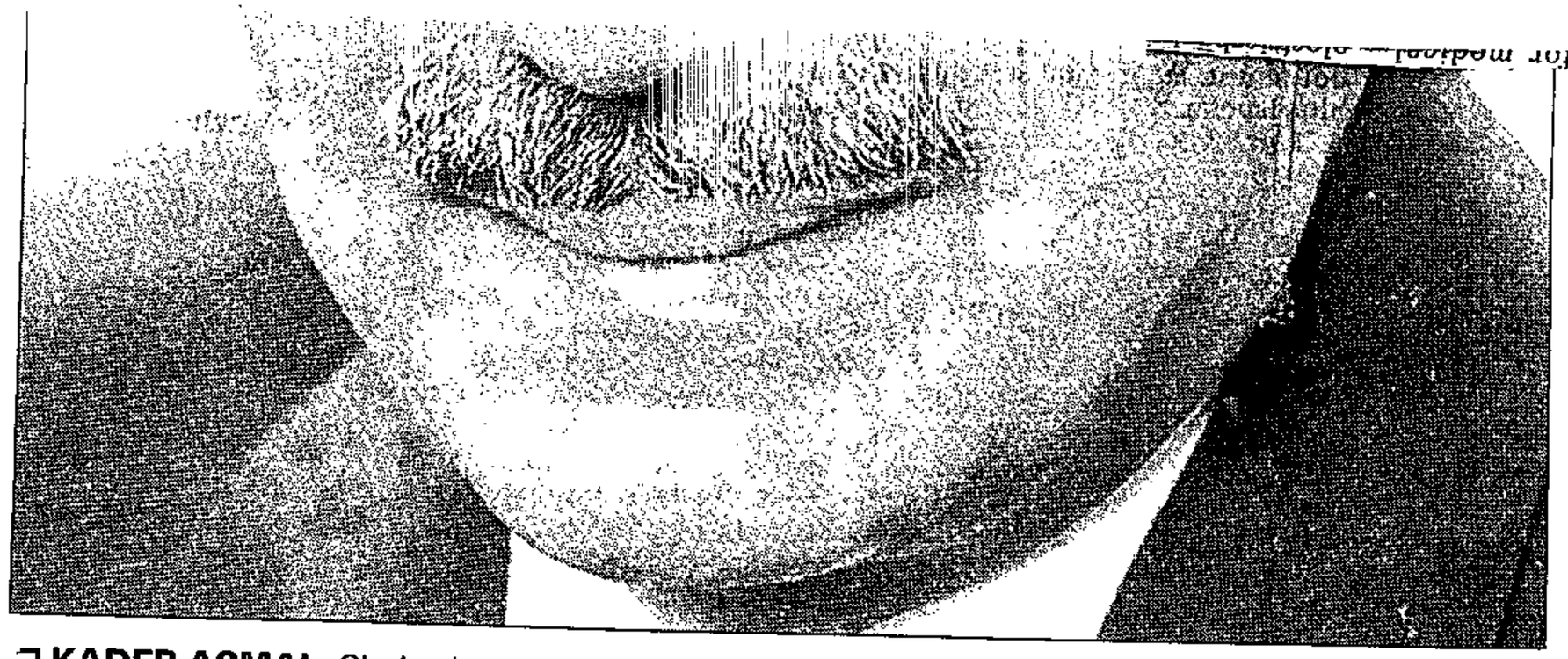
At last we now see action on the ground, in line with the best international practice. Thirty days after the adoption of this code, a register of members' interests will be opened. Thirty days after that, all MPs will make their initial disclosures.

Disclosures will be updated annually and – in the case of gifts or hospitality – every second month. All of the information that defines the source and nature of a member's private financial interests will be open to public review and scrutiny.

To be specific, information to do with the following interests must be disclosed publicly:

- Shares and financial interests held in any public or private company.
- Any employer providing remuneration.
- Directorships in any corporate body and memberships in any partnerships recognised by law.
- Any consultancy or retainership.
- Any financial sponsorships or assistance provided from non-party sources.
- Any gifts or hospitality with a value in excess of R350, or gifts from a single source which cumulatively exceed the value of R350 in any calendar year. However, personal gifts within the family and hospitality of a specifically traditional or cultural nature, need not be disclosed.
- Any other benefit of a material nature.
- Travel abroad other than personal visits unrelated to the member's role as a public representative, or formal visits paid for by the member's party.
- Interests in property including private residences, vacation homes and other landholding.
- Any public or private pensions.

We recognise that there will be some sensitivity to the disclosure process – at least to begin with. Therefore, some information concerning the exact values of some interests and the interests of family members and the exact value of incomes from outside employment, directorships and partnerships, will be disclosed in a confidential section.



KADER ASMAL: Chaired committee that compiled the code of conduct.

This information will be reviewed by a committee on members' interests to ensure that family members and outside incomes are not used to secure inappropriate benefits. The confidential disclosures also required are:

- The value of benefits and pensions.
- Travel that must remain secret in the interests of national security or for diplomatic reasons.
- The details with regard to the location of private residences.

It is submitted that the acceptance of a confidential part of the register will probably facilitate a greater degree of acceptance by more Members of Parliament – a vital factor in the practical implementation of the code. Yet, I must say that it is open to members to place this register, too, in the public domain.

Finally, there are certain activities which an MP must disavow altogether, in order to serve in the public domain.

Under the code, MPs may not take any employment that is not sanctioned by their political party, or employment that is incompatible with a member's function as an elected public representative. An MP is also prohibited from engaging in lobbying activities in return for remuneration.

The committee of members' interests will oversee the code and the operation of the register.

It should be noted that the office of registrar is an impartial one. Following the adoption of this code, we will set in place mechanisms and procedures to make sure that this committee will have the necessary oversight and investigative powers to handle all cases of wrongdoing.

In the process of broadening the scope of the code, there will be effective procedures for Cabinet ministers, something foreseen in the Constitution, who will be required to place all their investments in a blind trust and to disclose publicly all family interests. Cabinet ministers have more power to exert influence and must therefore have more stringent requirements for disclosure.

Let us, then, accept the code for what it is: an earnest and sincere attempt by not one, but a range of political parties to curb and avert abuse. It is a modest beginning. Legislation would have taken longer, but that will come – based on what has been done through the parliamentary rules.

An essential part of the contract is the alertness of an informed public.

QUOTE

The acceptance by both Houses of Parliament of the Code of Conduct in Regard to Financial Interests of Members is a watershed event in achieving accountability by public representatives to the voters who elect them – and who thus have every right to know a great deal about their finances.

24/08/96

304

AL 6

Code of conduct aims to keep politicians honest

■ Critics claim the new code of conduct for MPs will come to be seen as an exercise in hypocrisy, but its architect, Water Affairs and Forestry Minister **KADER ASMAL**, argues here that it is a sincere and earnest attempt to curb and avert abuse.

ARG 24/8/96 (304A)

THE public should celebrate the fact that, for the first time in history, they now have a half-Nelson on parliamentarians in the matter of their having to disclose their financial interests.

This will radically change the comfortable culture of confidentiality which has characterised such matters in the past and aptly fits in with the era of frankness that must mark our new democracy.

The acceptance, by both Houses of Parliament, of the *Code of Conduct in Regard to Financial Interests of Members*, is a watershed event in achieving accountability from public representatives to the voters who elect them – and who have every right to know a great deal about their finances.

The passage of the code through both Houses attracted some attention, but reporting on the substance of the code was skimpy – an obfuscating factor was the predilection of journalists for extraneous angles, viewed no doubt as more "sexy".

Hence articles such as John MacLennan's in the SUNDAY Argus on 18 August: "Code of conduct for MPs may be seen as an exercise in hypocrisy", in which he saw a golden opportunity to regurgitate the old litany – the "charge sheet against the ANC".

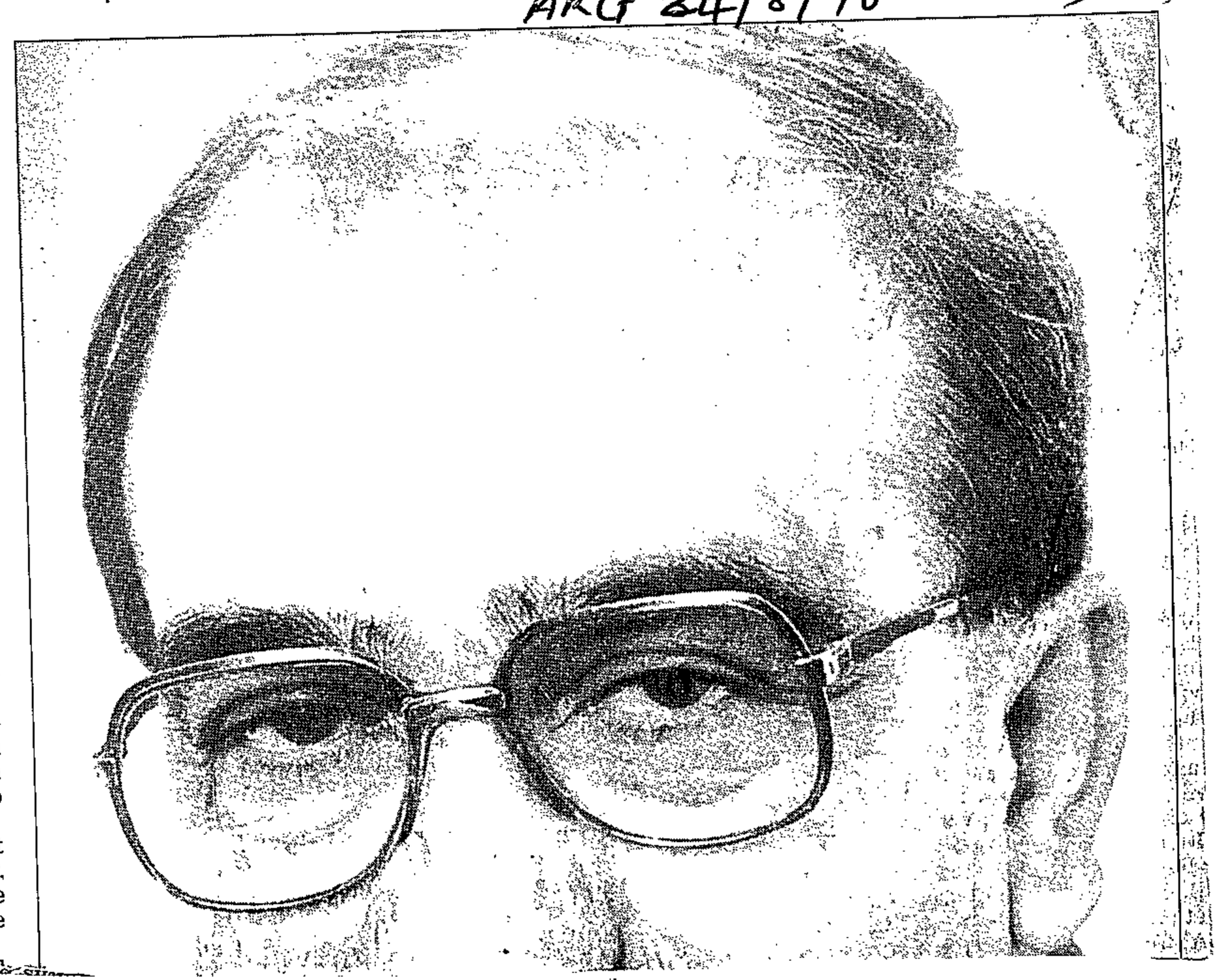
This ranged from *Sarafina 2* (dealt with by the Public Protector) to Shell House (being dealt with by the police), to the need for a resolution of the Allan Boesak matter (squarely in the hands, not of the ANC, but of the Cape Attorney-General).

And, of course, there was the Godsend of the General Bantu Holomisa brouhaha (being dealt with by ANC disciplinary machinery).

It is not my intention to comment on the Holomisa matter, since it still has to run its course in the councils of the African National Congress.

Nor shall I comment on other journalistic smokescreens, used to mar a good code that will stand firm long after current controversies – which one can expect to mark a liberation movement's transition to a governing political party – are forgotten.

It should be pointed out that the code of conduct is an all-party measure (except for one party, the IFP, which sees things a bit differently) and therefore one that should command very wide acceptance and be



in the production by playwright Mbongeni Ngema, Zuma said. She could not say when payment was likely to be made.

Reacting to a report in the Sunday Times that Ngema's company Committed Artists had been evicted from its Durban offices because a R25 782 rent arrears that had not been paid because of the delay, Zuma said this would not necessarily be covered by the donation.

"I don't know whether we're talking about rent before the contract (to produce Sarafina 2 was awarded) or afterwards."

The reconciliation process would also establish whether any money was owed to government by Committed Artists, Zuma said.

taliatory measures, he made it clear they were not off the agenda entirely.

Some SA academics have argued for in-depth analysis of the implications of a free-trade area, and in particular its potential effect on South African jobs.

The protocol signed at the summit went some way to satisfying this demand, with Trade and Industry Minister Alec Erwin saying there would be an initial six-month period of intensive sector-by-sector investigations involv- complexities involved, a meaningful agreement would be achieved.

Sapa reports that Mozambique's President Joachim Chissano was elected SADC vice-chairman.

A communique issued at the end of the summit said all member states had signed all protocols presented at the summit except for Angola which had not signed the protocols on trade and transport, communications and also meteorology.

Contralesa says ANC action 'is an attack'

(304A) BD 26/8/96

THE Congress of Traditional Leaders of SA on Saturday said it viewed the disciplinary actions by the ANC against president Pathekile Holomisa as an attack on the organisation.

Holomisa said in turn that the steps taken against him were an attempt to gag him.

Contralesa's national executive committee, which met in Johannesburg on Saturday, gave Holomisa its "unconditional support" and expressed "shock, dismay and annoyance at the unwarranted ill-treatment" of Holomisa, who is also an ANC MP.

The organisation would urgently seek a meeting with the ANC to discuss the party's national executive committee's decision to uphold an earlier disciplinary committee ruling on Holomisa, and the perceived loss of power of traditional leaders under the new constitution, said general-secretary Shilungwa Mhinga. — Sapa.

Gauteng gambling board to be dissolved

BD 26/8/96

Deborah Fine

THE newly established Gauteng Gambling and Betting Board will be dissolved by the Gauteng government this week because the procedures according to which the board was set up did not comply with those laid out in the Gauteng Gambling and Betting Act.

This was confirmed on Friday by the chairman of the province's economic affairs standing committee, Andrew Feinstein, who said the provincial government was now investigating the possibility of setting up a temporary mechanism to take over some of the dissolved board's functions, pending the establishment of a new board.

The dissolution follows an unrelated agreement in the Rand Supreme Court two weeks ago in which the board agreed to suspend its powers and functions pending the outcome of an action lodged by a Benoni casino.

The casino alleged that the appointment of the board had been irregular because the Gauteng government had failed to advertise in the Government Gazette.

The provincial government confirmed this on Friday but said the failure was due to oversight.

Dispelling suggestions that the board's dissolution had created a legal loophole, Feinstein said the Act made it an offence to operate a casino without a licence.

The Gauteng government would investigate the possibility of temporary holding permits before the new board becomes operative in November.

a throwback to the

SA foreign policy evasive

More than any time in the history of South Africa, the country's present standing in the eyes of the world is of high magnitude. However, all is not well in her foreign policy formulation, explains **Chris Landsberg**

(304A) Sowetan 26/8/96

THE recently released "Discussion Document on Foreign Policy" (Green Paper) by the Department of Foreign Affairs (DFA) is presented under the rubric of "consultation" and "transparency", and is designed to "stimulate a debate to assist government in the formulation of its foreign policy".

This was followed up by a draft discussion document on a "Framework for cooperation with countries of the Southern African Region" and "National External Security Strategy".

But there is a pervasive feeling in many quarters of civil society that the Green Paper and other documents suggest confusion in foreign policy.

The Foreign Affairs Ministry should take note that many believe these documents to be a little more than a desperate attempt to deflect criticism.

The Green Paper vindicates the perception that the DFA is essentially a sprawling, uncoordinated bureaucracy. It is a concoction of vague statements under the pretext of a "discussion document".

Piecemeal restructuring

Restructuring seems to be piecemeal. There is little visionary planning and strategic leadership. There is also no evidence that the Government is serious about its purported process. What is needed is a new commitment to a new and viable process.

The flawed DFA-driven process should be thrown out of the window and, together with civil society and foreign affairs organs, go back to the drawing board.

The DFA and the Government is also running into the "human rights" ghost again.

It insists that it remains committed to "good governance, human rights and democratisation". On this score, it cites South Africa's own democratisation process as the motivator.

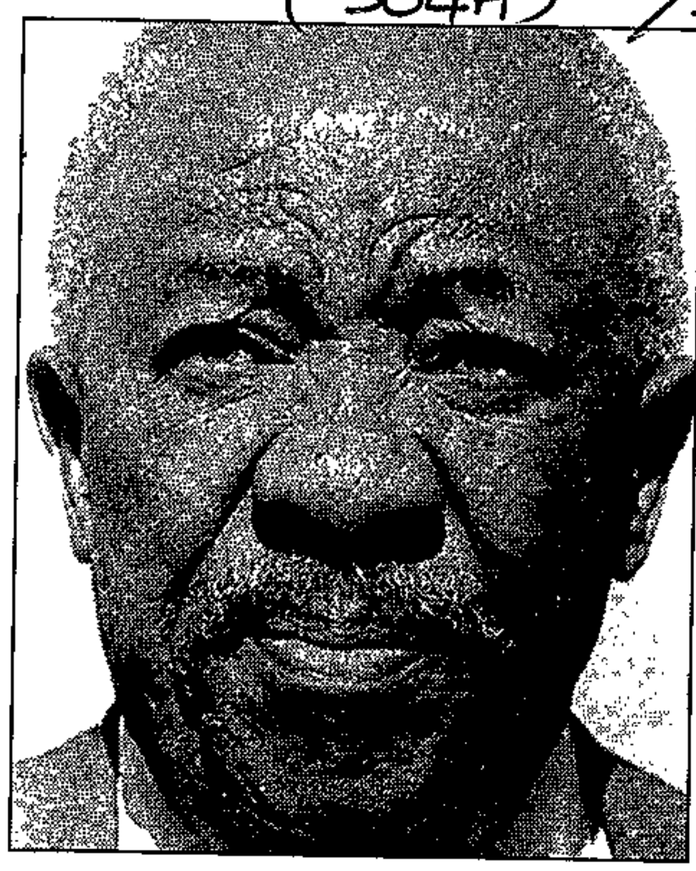
But it fails to explain exactly what is meant by "committed to human rights".

It might be wise if the Government stays clear of this debacle for the short to medium term. It should stop opening up cans of worms for itself and then blame civil society when it comes in for serious scrutiny.

It used the human rights argument, for example, as a reason for not selling arms to Turkey. Yet it retains good relations with Iran and Indonesia.

The Green Paper suggests that foreign policy is geared towards Western Europe and the United States. Although Africa is a stated goal, the continent appears to be forgotten.

The Green Paper is at pains to deny this, insisting that South Africa is both an African and a developing country. But, once again, the Government should take note of scepticism on this score.



Foreign Minister Alfred Nzo ... Someone other than the Honourable Minister seems to be in charge of the Ministry.

The Green Paper highlights the fact that the DFA seeks to play to two audiences with equal zeal. South Africa must learn to properly prioritise. It cannot blindly pursue a pro-self-interest foreign policy without due regard for human rights.

The Green Paper also reminds us that South Africa was welcomed back into a host of intergovernmental organisations: the Commonwealth, United Nations, Organisation of African Unity and Southern African Development Community.

Less reflection

However, it joined without much critical reflection on the problems within these bodies and what should be done to strengthen their capacity.

And while the DFA insists that the country joined these organisations to participate fully in international efforts towards disarmament, peacekeeping and the creation of a new world social order, there has been little commendable activity in many of these areas besides the country's intervention to secure the indefinite extension of the Nuclear Non-Proliferation Treaty.

The recent rumours that Foreign Minister Alfred Nzo is to be replaced came as no surprise. Nzo has become post-apartheid South Africa's most berated minister.

So controversial is his foreign policy reign that it is not clear how foreign policy is framed and by whom. The Green Paper itself is conspicuously silent on who makes South Africa's foreign policy.

Nzo is said to lack credibility; even more startling, he does not seem to have any independence of thought. In the absence of an assertive and highly influential statesman, the preserve of foreign policy is likely to remain located elsewhere, not in the DFA where it belongs.

Nzo's continued presence only gives further credence to the perception that under President Nelson Mandela, loyalty comes before competence. Nzo is a supremely nice man, but South Africa needs strong and credible foreign policy leadership.

It appears that Mandela and his heir apparent, Deputy President Thabo Mbeki, determine to a large extent the foreign policy agenda without much criticism – or sanction – from other ministers.

Personalised policy

All evidence suggests that, as president in future, Mbeki will be an even stronger foreign policy head. A highly personalised style of policy and decision-making will remain common.

Many critics also blame current policy on a preponderance of "old order" officials in the DFA (particularly in missions abroad), allegedly unable to adjust to a new policy; internal confusion and incoherence; the effect of budget cuts which leave many key positions vacant; and low morale.

In short, South Africa's foreign policy is more a series of accidents than a well-planned process. The Green Paper itself does not give much hope for a coherent foreign policy, only accidental foreign interactions.

Ironically, this ineptitude coincides with a period in which the country's standing in the world is higher than at any other time in its history.

(The writer is a researcher at the Centre for Policy Studies, Johannesburg.)

Taiwan promises to put billions into SA

(3049) BD 28/8/96

TAIPEI — Taiwan said yesterday its business sector would pour billions of dollars into investments and aid to SA.

Reacting to President Nelson Mandela's announcement yesterday that SA would maintain diplomatic ties with Taiwan, the island's state media said Taiwan would build a $3,5bn petrochemical complex in SA.

Tuntex Group chairman Chen You-hao, who is part of a business delegation visiting SA, was interested in building the complex as a joint venture, it said.

The media said Taiwanese Vice-Premier Hsu Li-teh was expected to sign the contract to build the complex during his current visit to SA. It was claimed that thousands of jobs would be created by the venture. Executives from several major Taiwanese petrochemical firms, including state-run

Continued on Page 2

Taiwan

BD 28/8/96

Continued from Page 1

Chinese Petroleum Corp and Tuntex Distinct Corp, are accompanying Hsu on his visit.

Taiwan state radio also quoted Tsao Mao-sheng, director of the Central Trust of China, as saying Taiwan would start importing gold from SA to boost bilateral trade. Tsao is accompanying Hsu on his visit to SA. Officials are to sign purchase contracts for coal, pulp, gold and copper during the trip.

(3049)

The Broadcasting Corporation of China did not say how much gold Taiwan wanted to buy from SA, or when the imports would start.

To save its diplomatic ties with Pretoria, Taiwan has set up the goal of boosting bilateral trade by 10% — from the current 5% — annually in the next three years.

The Central Trust of China — a government-run financial institution in charge of gold imports — wants to buy SA gold bars and coins.

Currently Taiwan imports gold from Switzerland, Australia and Canada. — Sapa-DPA.

Institute lists specific foreign affairs priorities

BD 28/8/96 (304A)

Tim Cohen

CAPE TOWN — The future of the UN, the proliferation of weapons, regional bloc formation and peace support operations are the priority foreign policy challenges facing SA, says the SA Institute for International Affairs.

The institute came to this conclusion in a draft white paper on foreign policy which was drawn up in reaction to the foreign affairs department's recently published discussion document on foreign policy.

National director of the institute Greg Mills said the paper was not implicitly critical of the department's discussion document, but was an attempt to contribute to the debate over SA's foreign policy.

He described the department's discussion document as "an ambitious and at times confusing wish list which bears little resemblance to the conditions on the ground and SA's limited resources".

By contrast, the institute's proposal aimed to provide a list of specific priorities which were within SA's capabilities.

The proposal listed a set of values that ought to underpin SA's foreign policy, which included a focus on achieving material benefits for citizens and achieving trade regimes favourable to the country. The document concludes with a short list of issues on which government needs to fashion policy, which include:

- The future of the UN and the UN Charter, which would include the UN's proper role in managing conflict within states and the composition and membership of the UN security council;
- The proliferation of weapons and the globalisation of crime, which the document states should focus on creating comprehensive policy and particularly on traffic in small arms and drugs;
- Continental and regional bloc formation, to define SA's place in Southern Africa and its role and function within the OAU, the SADC and the other regional bodies; and
- Peace support operations, which would involve the establishment of clear policy guidelines setting out the relationship between the use of early warning systems, preventive diplomacy, humanitarian support as well as thresholds for various levels of intervention.

Mills said the contribution, only eight pages long, was deliberately brief because a white paper ought not to aim at setting policy responses at micro level.

Foreign policy ought to be flexible and not straitjacketed by detailed policy prescriptions, he said.

Hence the institute had listed several broad aims and identified key areas for action. These included achieving favourable opportunities for trade, the encouragement of democracy, regional co-operation and resolving security challenges by peaceful means.

DIPLOMATIC VIEW

Chinese two-step is a dangerous dance

CT (BR) 28/8/96 (304A)

Jean-Jacques Cornish

South Africa keeps the diplomatic world enthralled with its Chinese two-step.

A visiting Taiwanese delegation this week has pens ready to sign a bunch of trade and investment deals. At the same time, Popo Molefe, the Northwest premier, announces an $18 million deal in Beijing to bring 500 factories from China to create 50 000 jobs in his province.

No one else I can think of has got away with such a dangerous dance before. The question is how long can this country avoid the political and economic consequences of trying to ride two horses.

This week again we saw President Nelson Mandela promising to maintain diplomatic ties with Taiwan. To break these would be immoral, he told Hsu Li-Teh, the Taiwanese vice-premier.

There are no other leaders of note who would dare host Hsu, let alone make such apparently irrevocable promises to him.

As always Mandela simultaneously expressed a keen interest in improving relations with China.

As anyone knows, this is out of the question as long as he insists on retaining political relations with the Taiwanese. Nevertheless Mandela persists in believing he will succeed where every one of the world's large powers has failed.

As a former boxer, the president must know the dangers of trying to compete outside of one's weight division.

I don't believe we are seeing the ring-wise leader at work here. This looks more like another graphic example of Mandela's loyalty to a fault: the quality that had him supporting Alan Boesak long after it become clear that Boesak did not deserve this backing; the stubborn support for Nkosazana Zuma, the health minister, expressed again this week, despite the fact that she has become a political millstone.

Mandela believes he will succeed where other large powers have failed

Not only does Mandela stand by his friends, but he is prepared to go bare-knuckled to their defence.

His recent pronouncements on China indicate more than a little irritation at Beijing's insistence that it is them or Taipei — and can never be both.

In Paris last month he insisted: "We believe in one China."

It was the sort of remark that would make President Jiang Zemin of China happy and put Taiwan's President Lee Teng Hui on edge.

Not for long.

"We would be happy if President Jiang and President Lee would come together and resolve this matter," he said.

"What has happened is that we've inherited diplomatic relations with Taiwan. As you are aware in international law you don't cancel diplomatic relations until a country has done something that entitles you in terms of international law to cancel those diplomatic relations.

"We are very keen to establish diplomatic relations with the People's Republic of China. But we would hope that the two countries will sit down, as we have done in our own country, and resolve their problems without expecting us to resolve their problems for them.

"We expect the two countries themselves to discuss and resolve this matter without us and not look upon us to resolve their own problems."

By this stage, Mandela had got into China's face. Beijing is adamant that the Taiwan issue is a domestic one. It will not tolerate any interference. To even suggest that the intervention of South Africa or any other country would be considered is way out of line.

Mandela's tone with vice-premier Hsu was even more to Taipei's liking.

He mentioned Taiwan's part in the struggle against apartheid — something that will have Nat leaders laughing in their fists.

Taiwan was no friend of the liberation struggle. Neither was it a real friend of apartheid.

It was and is simply a country that knows how to make a buck. It would continue to do this here, whatever the state of bilateral political relations with South Africa.

Right now the Taiwanese must be thinking that their $10 million investment towards paying the ANC 1994 election debt is the best money they have ever spent.

☐ In my previous column I referred to Brazilian President Collor. The Brazilian leader is in fact President Fernando Henrique Cardoso. I apologise for this error.

Warning on Mozambican illegal settler tinderbox

BD 29/8/96

Wyndham Hartley

CAPE TOWN — Illegal Mozambican immigrants are threatening armed insurrection if SA police and local communities continue to persecute them, a parliamentary committee heard yesterday.

Maxine Reitz of the Centre for Policy Studies told the home affairs committee that some of the policy implications of a field study on illegal immigrants in the Winterveld area of Northwest were so urgent they necessitated a report to the committee.

She said that contrary to conventional wisdom, the study had shown illegal immigrants were no more or less involved in crime than the SA residents in the area.

One of the problems that could lead to an escalation in violence was that illegal immigrants were becoming the targets of crime because they did not report abuses to the police for fear of being arrested and summarily deported, she said.

Reitz said the crime directed at illegal immigrants had led to the "windowless" house phenomenon as they were more secure. Unfortunately, this also made illegal immigrants easier to identify.

She said violence was being threatened against the police and against those the immigrants accuse of robbery and rape. There was huge potential for a destabilising spiral of violence, Reitz said.

She said deportation was resulting in increasing numbers of illegal immigrants, as some were now bringing members of their families who could secure their possessions if they were deported.

Illegal immigrants complained of police complicity in the looting of their homes and shops when deportations took place. Police were accused of indiscriminate arrests and deportations when they wanted to collect bribes.

"The Mozambicans are threatening to go back to the bush," Reitz said, adding that they wanted to do something "severe" to teach the authorities and xenophobic locals to stop harassing them. The conclusion, Reitz said, was that current immigration policy could be a destabilising factor.

Reitz also said there was a backlash from illegal immigrants over what they saw as a hardening of attitudes after the 1994 election. She said many of them had been granted temporary IDs and voter cards and encouraged to vote, but that when they presented themselves to home affairs offices to collect their permanent identity documents, they were arrested and deported. They said the ANC government would not get their votes if the raids and deportations did not stop.

Reitz said there was deep suspicion of home affairs officials who appeared to be deliberately undermining the new amnesty provisions allowing illegal immigrants who meet certain conditions to become legal SA residents.

SA to weigh performance not promises

BD 29/8/96 (30 LN)

Reinie Booysen

PROMISES of investment would not influence government policy concerning Taiwan and the People's Republic of China, ANC MP and parliamentary trade and industry committee acting chairman Rob Davis said yesterday.

"We will be weighing up actual investments in SA rather than stated intentions," he said.

Taiwan and mainland China, which are locked in a decades-old competition for international recognition, have both promised multibillion-dollar investments in SA over the past few days. A Taiwanese delegation led by deputy premier Hsu Li-Teh is to meet Davis's trade and industry committee today.

SA is the largest country still officially recognising Taiwan, the islands also known as the Republic of China. While mainland China has spoken of investing $18bn in a mini-industrial city near Potchefstroom, Taiwanese media reports that companies from the island state remain committed to an ambitious $3,5bn petrochemical complex in SA.

However, some government officials have become increasingly sceptical about the petrochemical venture's prospects. "There appears to be something of a gap between stated intentions and delivery," Davis said yesterday.

He said government legislators would be swayed more by trade figures, which totalled R5,7bn last year in the case of Taiwan and R2,9bn for China. However, the UK will hand Hong Kong back to China next year, and that territory currently enjoys annual trade of R3,6bn with SA.

Meanwhile, Reuter reports from Taipei that Taiwan said yesterday it had begun discussions with SA on sales of its domestically made AT-3 trainer jets.

'Gravy Games' cost R111 119

THREE ministers and two deputy ministers who attended the Olympic Games in Atlanta last month cost the taxpayer at least R111 119.

A fourth minister, Public Works Minister Jeff Radebe, paid for his air fare and accommodation, Deputy President Thabo Mbeki said in reply to a question from the Freedom Front's Mr Leon Louw in Parliament yesterday.

The three ministers were Transport Minister Mac Maharaj, Public Enterprises Minister Stella Sigcau and Sports Minister Steve Tshwete.

The costs of Deputy Arts, Culture, Science and Technology Minister Brigitte Mabandla, and the then Deputy Environment Affairs and Tourism Minister Bantu Holomisa were also covered. — Political Staff

(304A) CT 29/8/96

MPs' finance up for scrutiny

(304A) MtG 6-12/9/96

Gaye Davis

ON November 17 the public will be able to scrutinise a special register concerning MPs' financial interests. MPs, senators and President Nelson Mandela himself will have to detail earnings, gifts and other benefits on special forms.

This follows the adoption earlier this month of the Code of Conduct in Regard to Financial Interests. A Committee on Members' Interests, chaired by Water Affairs Minister Kader Asmal, was set up this week to supervise the implementation of the code.

The 17-member committee consists of nine African National Congress members, two each from the Democratic Party and National Party and one from the Pan African Congress and African Christian Democratic Party.

One of their first tasks will be to encourage members to comply. "Members will have to know this is not an attempt at policing them, but an exercise in good governance," said parliamentary official Kamal Mansura. "We will need members' co-operation to get it off the ground."

The committee decided two forms would be circulated to members. One would involve details to form the public part of the register, while the other would cover information that will remain confidential. Gathering information will start on September 16 with a deadline of October 16.

A month later, interested members of the public will be able to learn about members' shareholdings (market value will be confidential), outside jobs (remuneration will be confidential), directorships and partnerships (remuneration confidential), consultancies, sponsorships and other benefits (value confidential).

Members will also have to disclose all gifts worth more than R350 received since May 21; details of land and property held (information about private homes will be confidential), pensions (value confidential) and foreign trips except private visits, party-paid trips and business trips unrelated to their role as MPs.

Everyone entitled to be present and take part in Parliament's proceedings is covered by the code, which is why Mandela will be among those making a declaration. The rules also cover members' spouses, permanent companions and children.

Only the Committee on Members' Interests will have sight of the confidential part of the register. While the committee will be able to hear complaints behind closed doors, it has a duty to publish its findings as well as a summary of the facts. Members who contravene the code can be fined up to one month's salary or be suspended from Parliament for 15 days.

Parliamentary official Peter Lilienfeld, who will serve as registrar until the committee appoints one, said it was possible the public register would be made available on the Internet as well as being open for scrutiny in Parliament.

White Paper a start

(304A) Sowetan 6/9/96

The debate on a coherent South African foreign policy goes on. There are those who feel the current White Paper on foreign policy reflects ideas of a few top Government officials, argues **Maxi van Aardt**...

THE Department of Foreign Affairs policy discussion document has come in for much criticism and even downright ridicule. The debate about our foreign policy has also at times degenerated into personal attacks on office bearers and officials.

This approach contributes little of substance and serves to drive a wedge between policy-makers and civil society instead of facilitating greater mutual understanding and cooperation.

The debate should rather provide an opportunity for sharing ideas, suggestions and information on the nature and conduct of our foreign relations, especially in an era in which there is increasing participation in international affairs by various actors in society.

It would seem that there is a belief that once South Africa has a White Paper on foreign policy, "everything will be all right". This belief needs to be critically evaluated.

A White Paper is a document setting out, in a coherent and well-motivated fashion, policy on the functions and priorities of a department dealing with a specific theme or sector.

However, because foreign policy involves actors and groups in the external environment where the state has no enforcement instruments at its disposal, the formulation of a coherent White Paper with detailed strategies becomes highly problematic.

This does not mean, however, that such a policy document is not needed, or that a state can just "muddle through" when it comes to foreign policy.

Role players

Rather, it points to the fact that a White Paper on foreign policy will be different from other departmental white papers because not all the role-players are party to its formulation.

In short, drawing up a White Paper on foreign policy is an internal process but concerns our relations with external actors.

Therefore, a foreign policy White Paper will be less specific, more vague and more circumspect in creating expectations of big policy dividends as such dividends depend not only on the activities and outputs of the Government, but on how such activities and responses are met and dealt with by other international actors.

It is impossible for South Africa, or any other country, to implement a coherent foreign policy that will pay huge dividends in terms of what we see as our main principles, notably that of the promotion of human rights.

The department should therefore not create false expectations. One only has to look at the decades-long largely unsuccessful foreign policy of a superpower like the United States in relation to Cuba to realise how difficult it is for any state to pursue its principles in the external environment.

Foreign Minister Alfred Nzo ... his department has had a number of successes.

But what should a realistic, "workable" White Paper on foreign policy contain?

- It should contain a number of key principles, not to be confused by either policy-makers or civil society with ideals or strategies, based on the principles defined by President Nelson Mandela before the April 1994 elections.

These include a commitment to human rights, democratisation, arms control and disarmament and a commitment to Africa.

- It should set out the country's priorities in terms of its perceived national interests and a commitment to avoid, as far as possible, a clash between its principles and its priorities.

This may be painful, but the Government needs to be honest and civil society needs to learn to accept that foreign policy is an interactive process and not something we can pursue blindly just because a certain approach is considered morally correct.

- It should provide an indication of the instruments available for promoting principles and realising priorities. We have a strong defence force, yet it is not the appropriate instrument to use against Nigeria.

South Africa, as a developing country, is a resource-poor country and we should be honest about the extent to which this hampers our practical commitment to our foreign policy principles.

We do not, like Canada or the Netherlands, for instance, have development aid to use as a carrot and stick in our search to promote human rights.

We have some potential resources that need refinement, such as human resources in international negotiations, and the skills to assist in various aspects of peace-keeping operations.

But we need to spell out how these will be used in honouring our principles, and we need to be honest about how far we are prepared to go.

Moral standing

We have a high international moral standing due to our President's stature and our successful transition to democracy.

But translating these potential instruments into actual tools means going through a learning process of how and when and where these should be utilised.

It would seem that serious participation in multilateral institutions and quiet bilateral diplomacy are at present our best and most realistic options.

- It should contain a clarification on decision-making structures and procedures. This would prevent needless and unproductive criticism and personal attacks.
- And, lastly, a White Paper should, in the interest of accountability and transparency, establish channels and mechanisms of consultation for the flow of information and for review and evaluation processes.

Both government and civil society will have to learn to interact much more closely.

The flow of information – in short, communication that is open and honest – is perhaps the most crucial aspect of our foreign policy that needs to be addressed.

The department is involved in many initiatives and has had a number of successes over a broad spectrum, but these are not communicated. It is high time the department addressed this failure.

To ask for more in the realm of foreign relations, given the nature of the international system, would be wishful thinking.

(The writer is an international relations lecturer at Rand Afrikaans University, Johannesburg.)

FROM PAGE 1

◆ Constitution (304A)

Should the IFP choose to return to the CA, it is unlikely the entire text would be opened for renegotiation. Although the non-certification of the constitution means the entire document could be open for renegotiation, all major political parties said they were committed to addressing only issues raised by the court.

The other areas the court refused to certify were:

- The right of individual employers to engage in collective bargaining is not recognised and protected.
- nThe immunisation clauses of both the Labour Relations Act and the Truth and Reconciliation Act impermissibly shields an ordinary statute from constitutional review. ARGUS 7/9/96
- That amendments of the new text of the constitution do not require "special procedures involving special majorities", and the fundamental rights, freedoms and civil liberties protected in the new text are not entrenched.
- That the independence and impartiality of the public protector and auditor-general is not adequately safeguarded.
- The failure to specify the powers and functions of the Public Service Commission renders it impossible to certify that legitimate provincial autonomy has been recognised and promoted.

Court president Judge Arthur Chaskalson emphasised the over-whelming majority of the requirements of the constitutional principles had been satisfied.

ANC reaction

The instances of non-compliance, although important, should present no significant obstacle to the formulation of a text complying with those requirements.

Welcoming yesterday's "rigorous and generally positive judgment", the ANC said parties should immediately focus their minds on the matter referred to them by the court. It would be counter-productive and retrogressive to begin to open for debate provisions which passed the test of the court. It would not help the country nor the spirit of co-operation."

NP secretary-general Roelf Meyer said the NP did not favour re-opening the entire document to negotiations when the CA reconvenes. "We would welcome the IFP to participate on those issues referred back to us by the court, but it is very unlikely that we would engage in the entire exercise again."

Similar sentiments were expressed by the Democratic Party, which said it would like to see the defects in the text remedied as quickly as possible

According to one political observer, the IFP's decision to boycott the CA was an attempt to bring into question the legitimacy of the text. "But, of course, that fell away the moment they chose to challenge aspects of the text during the certification process, and the court's decision now opens the way for them to return," he said.

Meanwhile, Cosatu leader Sam Shilowa expressed overall satisfaction with yesterday's ruling, especially on the lock-out clause, and appealed to opposing parties not to argue the matter further.

Shilowa, however, added that there was some concern at the implications of the court's ruling in respect of collective bargaining and warned employers that attempts to use the opportunity to undermine hard-won structures would be met with fierce resistance.

■ See Page 3

ST 8/9/96 (50 4A)

Kwazulu Natal's provincial draft too big for its boots, say judges

By CARMEL RICKARD

THE gloves came off when the Constitutional Court dealt with the proposed Kwazulu Natal constitution this week.

While the judges made complimentary comments to the authors of the draft national Constitution, saying that, despite its shortcomings, their text represented a "monumental achievement", they were less than kind about its provincial counterpart.

Throughout its judgment, the court returned repeatedly to a single theme — the province misunderstood its status in relation to the central government, and had tried, through various constitutionally unacceptable devices, to increase its powers.

One sentence sums up this criticism: "A province cannot by means of the bootstraps of its own constitution, confer on its legislature greater powers than those granted it by the interim constitution."

The court said certification of a provincial constitution was intended to ensure that the people of the province were certain about their rights and obligations under it, but the draft proposed by Kwazulu Natal left many matters open and would lead to deep uncertainty.

It did not matter that the parties passed the draft unanimously: in several fundamental aspects it was fatally flawed and the document was "replete with examples of attempted usurpation" in which the province tried to give itself powers that belonged to the central government.

While the judges pointed out to the authors of the national Constitution exactly where the faults lay in that text, adding that the rest met the standards of certification, they took a different approach to the provincial draft. They said the proposed provincial bill of rights was so deeply flawed that it would have to be thoroughly redrafted if the province decided it wanted to persist with adopting it.

However, the court would only give broad guidelines for its objections to the proposed provincial constitution. It was not prepared to spell out exactly where the problems lay since this would amount to the judges drafting a text for the province.

CONSIDERING: Arthur Chaskalson, president of the Constitutional Court Pic

DGMENT ON THE CONSTITUTION

It's broke, so they'll go back and fix it

ST 8/9/96 (304A)

UNFINISHED BUSINESS: Cyril Ramaphosa, who heads back to the drawing board

ure: NICKY DE BLOIS

By CYRIL MADLALA

THE chairman of the Constitutional Assembly, Cyril Ramaphosa, flies back to South Africa from the Netherlands today to rejoin the assembly's management committee at the Constitution's drawing board.

The Constitutional Court's decision this week not to certify the new constitutional text means that the Constitutional Assembly will be reconvened to amend and adopt a new text within three months.

The assembly's multiparty management committee will meet in Cape Town this week to set time frames for this process, Ramaphosa said yesterday.

While the failure of the court to certify certain clauses technically means that the whole Constitution is open for negotiations, Ramaphosa indicated firmly yesterday that this was not the route likely to be taken.

Both the National Party and the Democratic Party have also indicated that they will limit their input in the new debate to the defects identified by the court.

The Inkatha Freedom Party's national council met in Ulundi yesterday, and secretary general Dr Ziba Jiyane expected the organisation's response to be clarified there.

Ramaphosa, however, ruled out the possibility that an IFP decision to rejoin the talks would mean having to revise decisions taken in the organisation's absence.

He said from the Netherlands, which he was visiting on a business trip: "We would welcome the return of the IFP, but it should not be under an illusion that we will open up the whole Constitution."

Welcoming the thoroughness of the court's assessment of the Constitution, Ramaphosa said: "The court has given us a second chance to finalise the Constitution.

"And there is nothing as good as that because you then do it much more perfectly."

Roelf Meyer, the NP's chief negotiator, said his party was satisfied with the court's ruling, particularly its finding that provincial powers had been reduced in the new Constitution.

This had been the NP's view as well.

His party's position was that negotiations should be confined to what the court had referred back to the negotiators, he said.

ANC chief negotiator Mahomed Valli Moosa said yesterday that he had already contacted Hassen Ebrahim, executive director of the Constitutional Assembly, and suggested that a decision be taken by the middle of this week about the way forward.

"There is no need to delay the work of the assembly. Three months is long enough to make the necessary changes to comply with the constitutional principles as interpreted by the court," he said.

Colin Eglin, the DP's negotiator, said his party would act "constructively and positively".

"The DP intends to limit its input in the Constitutional Assembly debate to the defects identified by the Constitutional Court," he said.

Strongly defended by its fiercest critics

ST 8/8/96 (304A)

By CARMEL RICKARD

HEADING the list of subjects sent back by the Constitutional Court for more work are the very issues which divided the country when the draft Constitution was finalised: its labour provisions and the powers of the provinces.

But there are key differences this time round. With the court having approved the exclusion of the lock-out from the Constitution, the remaining labour issues are comparatively narrow and unlikely to cause much trouble. On the problem of provincial powers, the court has explained exactly how it "weighs each basket" to determine whether it is heavy enough, and this should present a clear guideline for the Constitutional Assembly.

The judgment contained few surprises, and apart from a brief account of the Constitutional Court's version of South African history, it is remarkably dry and technical in its examination of objections to the draft Constitution.

Just a handful of the many hundreds of clauses in the text were found wanting and the court referred these back to the Constitutional Assembly with a three-month deadline for correction and resubmission.

During this period, in addition to resolving its labour and provincial problems, the Constitutional Assembly will be asked to improve provisions for local government, find better mechanisms to ensure the independence of watchdog bodies, and secure the Bill of Rights more deeply in the Constitution.

At the outset of its judgment, the court concedes that its "certification" function still leaves many people confused and that much of the argument presented during the certification debate was "misdirected".

As the judges explain, yet again, their role in this case is judicial, not political. Their task is a legal exercise, and they have no power or rights to express any view on the "political choices made by the Constitutional Assembly" in drafting the proposed final Constitution.

"The wisdom or otherwise" of any provision of the draft Constitution "is not this court's business".

The court's job is to discover whether the text conforms with the constitutional principles formulated by the negotiators of the interim constitution. Unless the draft passes this test, it will be sent back for revision.

In answering this question, its most important task yet, the court speaks with one voice. Even more so than in the usual sense in which one judge writes the decision and the others concur. No judge is credited with the final ruling; the words are those of "The Court" and all the judges' names appear at the bottom (minus that of Justice Lawrie Ackermann, who became ill during the hearings). The language, bare of even an occasional purple patch, reflects this stress on solemn unanimity.

'All universally accepted fundamental rights . . . and civil liberties should be included'

The statistics indicate high public interest in the process: five political parties submitted written and oral argument, while a further 84 private parties lodged written objections. More than a third of these were invited to make oral submissions. In all, participants submitted about 2 500 pages, excluding extracts from other judgments and textbooks.

Before launching into its detailed analysis of the disputed clauses, the court complimented the drafters of the proposed text: it was a "monumental achievement", successful in the overwhelming majority of its provisions.

The Constitutional Court judgment then resolved a nagging problem: if a section of the proposed constitution was capable of two meanings, one consistent with constitutional principles and one not, which meaning should the court accept?

If the judges chose the second route, and certified the Constitution on that basis, what would happen if a court, in years to come, preferred the other meaning? The Constitutional Court opted for a solution which it had appeared to reject during argument — it appealed to subsequent courts to be bound by the present court's interpretation. The judges said that, faced with a conflict of meaning, they would adopt the interpretation which made the draft consistent with the constitutional principles.

But this meant that a future court should approach the section "on the basis that the meaning assigned to it by the Constitutional Court in the certification process is its correct interpretation and should not be departed from save in the most compelling circumstances".

The first group of complaints considered by the Constitutional Court in its judgment relates to the Bill of Rights, and its comments and decisions on these problems illustrate its approach to the rest of the issues contested before it.

Among the most contentious of this first group had been the right "to bodily integrity" including the right to "control" over the body. Many groups objected to this right saying it would open the way to easy abortions. But the judges ruled that this was an example of "misdirected" argument.

The task of the court was not to decide whether the new Constitution would permit abortion. Rather, it had to decide whether the proposed text complied with the constitutional principle which said that "all universally accepted fundamental rights, freedoms and civil liberties" should be included in the Constitution. If this requirement was met, the court did not need to consider the matter further.

Next came a question which had almost brought the constitution-making process — and the country — to a halt. Did the right to collective bargaining require that the Constitution spell out both labour's right to strike and the employers' right to lock out workers? The draft text contains only the right to strike, and the country seemed poised for serious labour unrest if the lock-out clause was also entrenched in the Constitution.

When the case was argued, a number of groups backed the inclusion of the clause, but the judges found that if the right to bargain collectively was specifically protected, the constitutional principles were satisfied. The complaint about the exclusion of the lock-out therefore failed.

On the other hand, a related industrial question provided the court's first thumbs-down. Individual employers were not guaranteed the right to bargain collectively and the judges found that this infringed the constitutional principle that collective bargaining would be recognised and protected.

This problem has now been referred back to the Constitutional Assembly to be reconsidered in the light of the court's decision.

'The wisdom or otherwise of any provision of the draft constitution is not this court's business'

One of the most telling of all its interventions, however, dealt with certain provisions for states of emergency. The judges accepted that, in principle, there could be no objection to authorising the temporary and partial curtailment of the Bill of Rights under certain circumstances. But they spelt out quite clearly their dissatisfaction with some of these provisions, particularly the suspension of certain rights during an emergency. They described the section which distinguishes between rights which can and cannot be suspended as "invidious" and, in some cases, "so inexplicable as to be arbitrary". Infringements of some rights can never be justified, not even during an emergency.

Any attempt to justify an infringement would fail. If a distinction is to be drawn between rights which may be suspended during an emergency and those which may not, "this should be done more rationally and thoughtfully" than in the draft constitution.

The court cannot declare this section "uncertifiable" since it accepted that, according to universally accepted fundamental rights, a distinction may be drawn between those rights which

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may and those which may not be suspended during an emergency. But, despite earlier comments that in such a case the wisdom or otherwise of the drafters' decisions were none of the court's business, the judges obviously felt they could not keep quiet about such a troubling provision.

Against such scathing judicial criticism it would be surprising if the drafters do not voluntarily revisit this section and make the changes suggested by the court. In its 300-page decision, the court may have been merely carrying out a formal legal exercise, measuring the draft against the constitutional principles. But in the process a strong theme has emerged: the judges will strongly defend the Constitution and the mechanisms intended to safeguard it and, as with the "invidious and arbitrary" emergency provisions, they will speak up even if it goes beyond the task at hand.

This became obvious when the court rejected the device of including two "ordinary" laws in the Constitution: the Labour Relations Act and the law setting up the Truth and Reconciliation Commission. This scheme threatened the supremacy of the Constitution, but it also attempted to curb judicial review by preventing the court from adjudicating on the two laws. The court would have none of it.

Two other decisions in this case illustrate the court's commitment. The judges found the provisions ensuring the independence of key public watchdog bodies inadequate, and sent them back for revision. And the judges said the drafters must ensure that the Bill of Rights, which holds the key to the promises of the Constitution, was better protected through stricter entrenchment provisions.

Mbeki's jet-set team paid sky-high fees

(304A) ST 8/9/96

By RAY HARTLEY
Political Correspondent

A ROW has erupted over a task group set up to investigate government communication after it was disclosed that its members have been billing the government R250 an hour.

In a written reply to a question by the Inkatha Freedom Party's Suzanne Vos, Deputy President Thabo Mbeki said this week that the group, called Comtask, had visited 15 countries, spending R130 000 on accommodation and a further R167 544 on "upgrading of air tickets", visas and insurance.

The biggest earner listed in Mbeki's answer was former peace accord spokesman Val Pauquet, who took home R32 000 in the first four months of this year for 127 hours of work and a further R6 000 for "24 hours travel".

Comtask chairman Mandla Langa was paid R24 000 for 96 hours of work and R3 000 for 12 hours of travelling.

Pauquet said Comtask members were paid for an eight-hour day while abroad on official business. She said the group travelled tourist class while in South Africa, but had upgraded overseas tickets — which were paid for by foreign governments — to business class.

"A decision was taken that, because we were travelling overnight, we needed to travel business class because of the many engagements we had on our arrival."

Vos said: "They are being paid while they are sitting in planes, this is outrageous and (the money) must be paid back. This is the kind of thing that gives MPs a bad name."

Langa confirmed that the payments had been made, but referred all questions to Mbeki's office. "We are paid R250 an hour and that's it, really." He added: "I'm pleased there are so many guardians of public expenditure out there."

Thami Ntenteni, Mbeki's spokesman, defended the payments, saying: "It's a standard fee. Comtask discussed this themselves and came to the conclusion that it was a standard fee."

He said the government had not paid for any of the air tickets used for international travel, adding that "in some instances, accommodation costs were borne by the governments they were visiting".

Among the countries visited by various members of Comtask have been Canada, the US, Brazil, France, Denmark, Germany, Egypt, the Czech Republic, Hungary, Britain, India, Singapore, Australia, Belgium and Malaysia.

Vos said the international travel was an unnecessary extravagance.

"Government communication is such a simple issue, you don't have to be a rocket scientist to work it out."

Vos said it was strange Mbeki had taken four months to answer her question.

Crack down imminent on pension, grant fraudsters

(300) (34)

ANEEZ SALIE
HEALTH WRITER

CT 9/9/96

LOCAL welfare authorities are cracking down on pension and other grant fraudsters in a pilot project which will empower beneficiaries and eliminate the uncontrolled, multiple collection of payments.

A campaign to warn the elderly and the needy of several pitfalls is under way and the payout procedure has been streamlined.

Also, procurators — appointees who collect grants on behalf of beneficiaries unable to do so because of illness or physical inability — will have to register afresh and have been restricted.

These steps follow a surprise visit to a payout point at the Bonteheuwel Civic Centre on August 15 by the Health and Welfare MEC Mr Ebrahim Rassool in response to complaints. He found the venue overcrowded, there was possible exploitation of beneficiaries and procurators were responsible for too many grants.

Now, the Post Office, which administers the payouts on behalf of the department, has undertaken to install security gates and steel bars where cash is kept, provide an extra payout counter in the civic centre and refuse payment in the absence of positive identification. All procurators now have to submit their own identity books as well as letters of authority.

Also, access to the payment area will be strictly controlled. No voluntary workers, community leaders or hawkers will be allowed in.

Procurators must reregister tomorrow, on Thursday and next Tuesday.

Constitutional draft deemed to fall short on nine provisions

(304A) BD 9/9/96

Susan Russell

ALTHOUGH the Constitutional Court described the final constitution as a "monumental achievement" when it sent the draft back to the drawing board on Friday, it has rejected the text on the basis of some of the most contentious provisions dealing with labour and the power of the provinces.

The court on Friday refused to approve the final draft on the basis of nine provisions which failed to comply with the 34 constitutional principles agreed to at Kempton Park talks before the 1994 elections.

The court also refused certification of the KwaZulu-Natal constitution which the judges described as "fatally flawed" and an attempt to usurp the powers of the national government in a number of key areas and give itself powers beyond those allowed by the interim constitution.

Other provisions rejected were those which failed to provide for "special procedures involving special majorities" for amendments to the constitution as required by the constitutional principles as well as the failure to entrench the fundamental rights, freedoms and civil liberties protected in the new text.

The court also held that the final text did not adequately provide for and safeguard the independence and impartiality of the public protector and auditor-general, described as vital for ensuring effective, accountable and responsible government.

Other provisions rejected by the court were:

- Section 196 which did not adequately safeguard the independence and impartiality of the Public Service Commission. The court also said failure to specify the powers and functions of the commission made it impossible for the court to certify that legitimate provincial autonomy in this regard had been recognised and promoted;
- Chapter 7 of the new text failed to provide a framework for the structures of local government. Chapter 7 also failed to provide for appropriate fiscal powers and functions for local government and for formal legislative procedures to be adhered to by legislatures at local government level; and
- Section 229 of the text dealing with municipal rates and taxes also failed judicial scrutiny because it did not "provide for appropriate fiscal powers and functions for different categories of local government" as required by the constitutional principles. The court specified it did not believe excise taxes were appropriate for local government.

Dealing with the Bill of Rights, the court rejected objections to provisions that allow for the "horizontal application" of fundamental rights, making them legally binding on individuals in addition to organs of state. Objectors argued this would impinge on the separation of powers between the judiciary, legislature and executive.

The court said that this argument failed to acknowledge that the courts had always been the sole arm of government responsible for the common law so there could be no objection if the courts retained that power.

Also rejected were submissions that the new text contained constitutionally inadequate provisions governing expropriation of land and compensation.

The court pointed out that it had received numerous objections to omissions and inclusions in the Bill of Rights on a wide range of issues, including argument for and against abortion, the reinstatement of capital punishment, banning of pornography, and the right to self-defence.

The court reiterated, however, that its task was restricted to deciding whether or not the final text adhered to the constitutional principles.

Provincial powers found to be substantially inferior

Alan Fine

IN DECLINING to certify the new constitution on the grounds that provincial powers were "substantially inferior", the Constitutional Court focused on four specific areas plus, most crucially, two clauses which strengthen central government procedurally in relation to the provinces.

The court found provincial powers were inferior under the new constitution as compared to the interim constitution in the areas of policing, local government, traditional leaders and tertiary education.

In policing, a degree of provincial operational control, and the ability to veto the appointment of provincial commissioners, had been reduced to merely a monitoring role and the right to be consulted on the appointment of provincial commissioners.

The new constitution also reduces provincial powers by giving Parliament responsibility for the payment of traditional leaders and aspects of local government control, and putting teacher training colleges under the responsibility of the national minister.

The court found, however, that none of this rendered provincial power "substantially" inferior.

What rendered the constitution uncertifiable as far as provincial powers were concerned, the court said, was clause 146(4) and 146(2)(b).

The first forces a presumption that any law related to national security, economic unity, issues of equal opportunity — including affirmative action — and environmental protection necessarily fall in the sphere of central government.

The second clause found objectionable relates to laws applying national uniformity of norms and standards — which would necessarily intrude on provinces. In terms of the new constitution, Parliament would have to show that such legislation was in "the interests of the country as a whole". In the interim constitution Parliament would have to show the intrusive legislation to be required for the "effective performance" of the matter.

This, in the view of the court, was a tougher test, and therefore would make it more difficult for Parliament to intrude on provincial competencies.

A key area on which finality depended was the drafting of the powers and functions of the Public Service Commission (PSC), the court said.

Until the PSC's powers and functions were clarified the court would be unable to determine whether provinces would be empowered to establish administrations and employ their own employees. On this depended a determination whether provincial powers were reduced in this respect.

South East Rand Gold Holdings Limited
(the name of which it is proposed to change to Corpgro Limited)
(Registration number 83/11384/06)
("Southgo" or "the company")

CORPGRO

General meeting, grant of listing for consideration shares and last date to register for proposed clawback offer

Further to the press announcements dated 3 July and 16 August 1996 regarding certain acquisitions by Southgo ("the acquisitions"), Nedbank Investment Bank is authorised to announce that:

- a general meeting of Southgo shareholders will be held on Tuesday, 1 October 1996 ("the general meeting") for purposes of considering and, if deemed fit, passing the requisite ordinary and special resolutions to, inter alia:
  - approve and ratify the acquisitions;
  - restructure Southgo's share capital to provide for the required number of shares to be issued as the consideration shares and the clawback offer shares as well as further acquisitions;
  - change the company's name to Corpgro Limited to better reflect the nature of its new business; and
  - amend the Memorandum of Association of, and adopt new Articles of Association for Southgo;
- the last day to register for the clawback offer of new Southgo shares will be the close of business on Friday, 4 October 1996.

Consolidated Mining Corporation Limited, which holds approximately 57% of Southgo's currently issued

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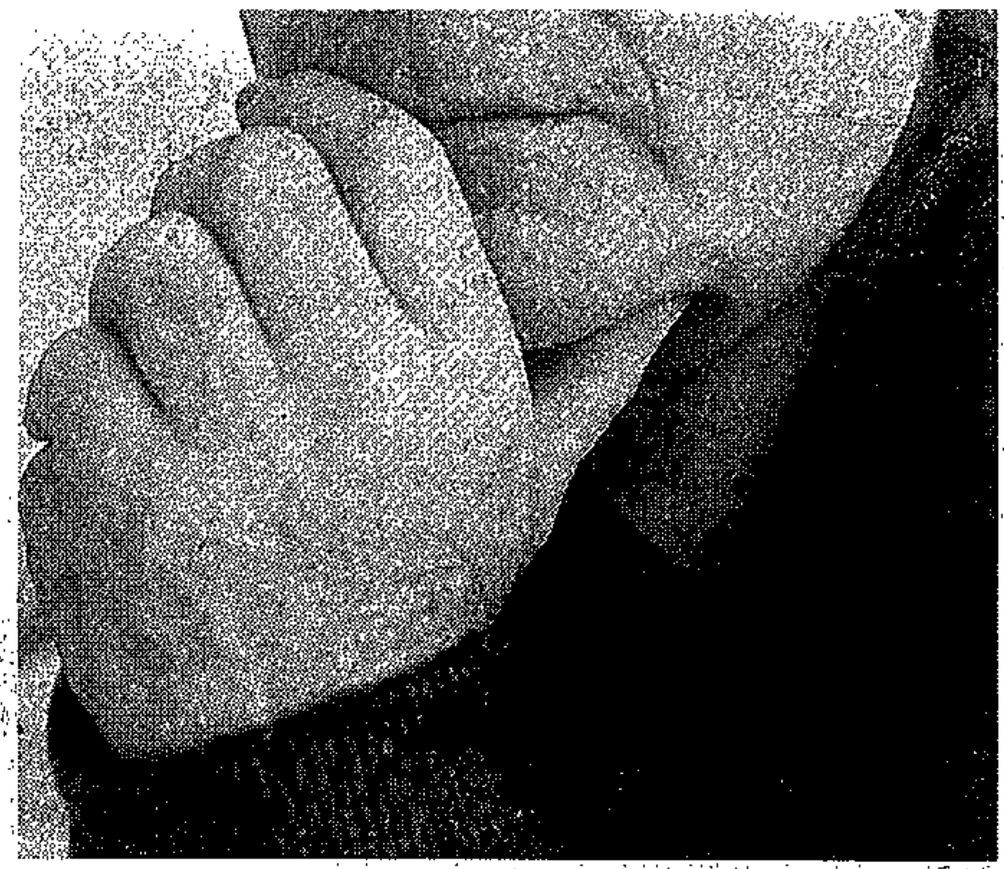
health care, sufficient food and water, social security and basic education. These rights are, ... to some extent, justiciable. Many of the civil and political rights ... will give rise to similar budgetary implications without compromising their justiciability. The fact that (these) socioeconomic rights will almost inevitably give rise to such implications does not seem to us to be a bar to their justiciability.



Constitutional Court president Judge Arthur Chaskalson

□ **On education in the language of choice:** The objectors were unable to point to any constitutional principle that is alleged to have been breached.

□ **On states of emergency:** Although we accept that it is in accordance with universally accepted fundamental human rights to draw a distinction between those rights which are derogable in a national emergency and those which are not, this should be done more rationally and thoughtfully than it is done in the new text.

□ **On protecting legislation from constitutional scrutiny:** The new text provides that the provisions of the Labour Relations Act shall, despite the provisions of the constitution, remain valid until they are amended or repealed. This section is in conflict with the constitutional principles. (From a variety of constitutional principles) it is plain that statutory provisions must be subject to the supremacy of the constitution unless they are made part of the constitution itself. (The same applies to the Promotion of National Unity and Reconciliation Act).

□ **On amending the constitution:** It is of course not our function to decide what is an appropriate procedure, but it is to be noted that only the National Assembly and no other House is involved in the amendment of the ordinary provisions of the new text; no special period of notice is required; constitutional amendments could be introduced as part of other draft legislation; and no extra time for reflection is required.

We consider that the absence of some such independence and impartiality. (The same applies to the auditor-general.)

□ **On the Public Service Commission:** Save for a statement in the new text that it must "promote the values and principles of public administration in the public service", the powers and functions of the commission are not dealt with in the new text. (Without an indication of) what protection it will have in order to ensure that it is able to discharge its constitutional duties independently and impartially, we are unable to certify that this requirement has been complied with.

□ **On politicians switching parties:** An anti-defection clause enables a political party to prevent defections of its elected members, thus ensuring that they continue to support the party under whose aegis they were elected. It also prevents parties in power from enticing members of small parties to defect from the party upon whose list they were elected to join the governing party. This objection cannot be sustained.

□ **On local government:** No provision has been made in the new text for appropriate fiscal powers and functions in respect of different categories of local government. At the very least, the requirement of a framework for local government structures necessitates the setting out ... of the different categories of local government that can be established by the provinces and a framework for their structures.

□ **On provincial powers:** We have come to the conclusion that the pow-

These are not the only relevant considerations. There is in addition the presumption in the new text which favours national legislation....

There is also the alteration in the scope of the override (in favour of national legislation). It introduces the criterion for the setting of norms and standards for a matter that it be required "in the interests of the country as a whole", in place of the criterion that the norms and standards be required for the "effective performance" of the matter.

If the curtailment of powers and the override provisions referred to in the preceding two paragraphs are taken together, their combined weight in the context of the new text as a whole is sufficient to be considered substantial.

It therefore follows that the new text does not satisfy constitional principle XVIII (which requires the new text should not substantially diminish the powers of provincial government).

We ultimately come to the conclusion that the new text cannot be certified as it stands ... but one must focus on the wood, not the trees.

The new text represents a monumental achievement. constitution-making is a difficult task. Drafting a constitution for SA, with its many unique features, is all the more difficult. Having in addition to measure up to a set of predetermined requirements greatly complicates the exercise.

Yet, in general and in respect of the overwhelming majority of its provisions, the Constitutional Assembly has attained that goal.

The thoughts behind sending constitution for redrafting

BD 10/9/96 (304A)

The Constitutional Court has sent the constitution back for redrafting. The following are extracts on specific aspects of the court's judgment

FIRST and foremost it must be emphasised that the court ... has no power, no mandate and no right to express any view on the political choices made by the constitutional Assembly in drafting the new text, save to the extent that such choices may be relevant to compliance or non-compliance with the (34) constitutional principles established during the World Trade Centre negotiations and against which the new constitution must be weighed by the court.

□ **On whether the Bill of Rights should apply horizontally — between individuals — as well as vertically, or between the state and individuals:** The objection was grounded on the basis that the horizontal application of fundamental rights is not universally accepted. That is so, but the requirement of universal acceptance does not preclude the constitutional Assembly from including provisions in the new text which are not universally accepted.

□ **On abortion:** It should be emphasised that this court's current task is not to determine whether the new text permits abortion or not but to decide whether or not the new text complies with the constitutional principles.

□ **On labour relations:** It was argued that the principle of equality requires that, if the right to strike is included in the new text, so should the right to lock out be included. This argument is based on the proposition that the right of employers to lock out is the necessary equivalent of the right of workers to strike and that therefore, in order to treat workers and employers equally, both should be recognised in the new text.

That proposition cannot be accepted. Collective bargaining is based on the recognition of the fact that employers enjoy greater social and economic power than individual workers. Workers therefore need to act in concert to provide them collectively with sufficient power to bargain effectively with employers. The argument that it is necessary in order to maintain equality to entrench the right to lock out once the right to strike has been included, cannot be sustained, because the right to strike and the right to lock out are not always and necessarily equivalent.

□ **On collective bargaining by employers:** The objectors pointed out that new text specifically entrenches only the rights of employers' associations to engage in collective bargaining, and does not specifically entrench the right of individual employers...

□ **On socioeconomic rights:** The new text provides rights of ac-

procedure amounts to a failure to comply with the constitutional principles.

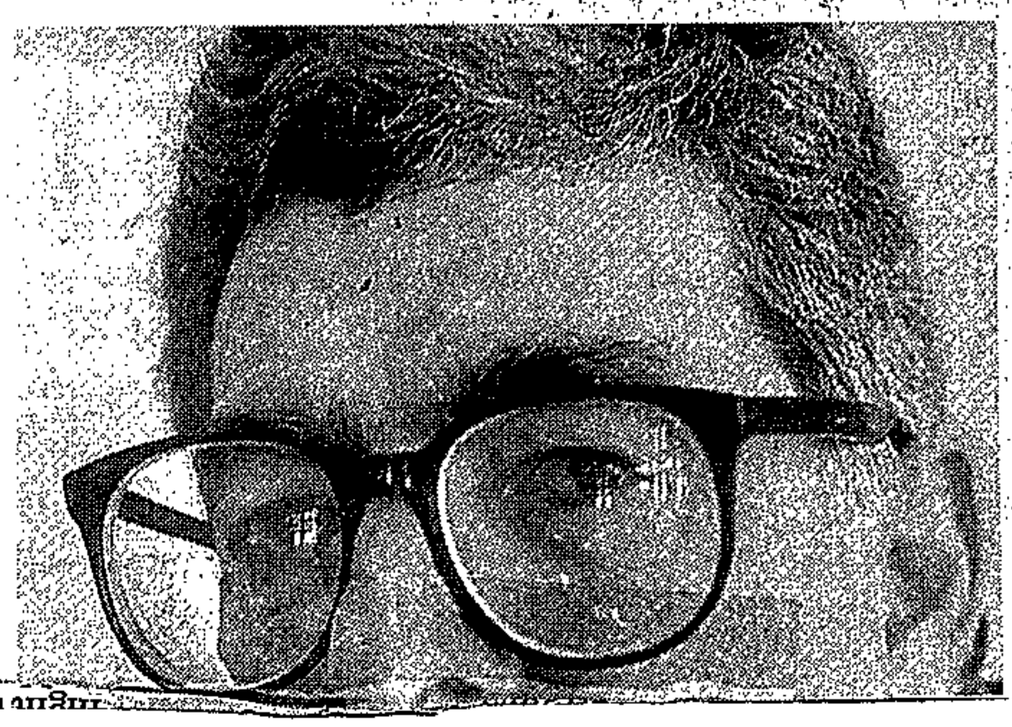
□ **On entrenchment of the Bill of Rights:** A two-thirds majority of one House does not provide the bulwark envisaged by the constitutional principles.

The constitutional principles do not require that the Bill of Rights should be immune from amendment or practically unamendable. What it requires is some "entrenching" mechanism, such as the involvement of both Houses of Parliament or a greater majority ... or other reinforcement...

□ **On independent institutions:** The new text does require that a majority of the national assembly resolve to remove (the public protector), but a simple majority will suffice. We do not think it is sufficient in the light of the emphatic wording of (the) constitutional principle which requires both provision for and safeguarding of ers and functions of the provinces in terms of the new text are less than and inferior to the powers and functions which the provinces enjoy under the interim constitution. The question then is whether they can be said to be substantially less than or substantially inferior to such powers. This has been the most difficult of all the questions that we have been required to address in these proceedings.

None of the functional areas set out in the interim constitution has been excluded but in some instances the extent of the powers has been curtailed. In particular, this has been the case in respect of police powers, and to a lesser extent in respect of education, local government and traditional leadership.

Seen in the context of the totality of provincial power, the curtailment of these four aspects would not in our view be sufficient in themselves to lead to the conclusion that the powers of the provinces taken as a whole are substantially less than or substantially inferior to the powers vested in them under the interim constitution.



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Constitution can include disputed rights — court

(304A) BD 10/9/96

Susan Russell

THE Constitutional Court has dismissed complaints that the inclusion of socioeconomic rights in the new constitution, including the right to access to housing, health care and water, breached the constitutional principles agreed to by multiparty negotiators.

Objections were raised on two grounds. It was argued that these rights could not be included because they were not universally accepted.

Second, it was contended that including socioeconomic rights would violate the constitutional principle of a separation of powers because the judiciary would have to intrude into the territory of the legislature and executive to enforce them.

A major objection was that the courts would end up dictating to government how the budget should be allocated.

Rejecting the objections, the Constitutional Court agreed that including socioeconomic rights might mean court orders which had direct implications for budgetary matters.

"However, even when a court enforces civil and political rights such as equality, freedom of speech and the right to a fair trial the order it makes will often have those implications," the court said.

"In our view it cannot be said that by including socioeconomic rights, a task is conferred upon the courts so different from that ordinarily conferred... by a Bill of Rights that it results in a breach of the separation of powers."

The court also rejected the contention that socioeconomic rights were not justiciable (within the court's competence to deal with them) because of the budgetary issues their enforcement might raise.

It said the argument that these rights could not be included because they were not universally accepted was also wrong, because the constitutional principles permitted the Constitutional Assembly to supplement universally accepted rights with others that might not be.

Sapa reports that the SA Agricultural Union yesterday criticised the Constitutional Court for not contesting the property clause in the draft constitution. The union said the clause did not provide sufficient protection for the rights of property owners, and was in fact a watered-down version of the current property rights law.

Courts would have to be relied on to apply the clause carefully. — Sapa.

The Star .... Thursday Sep

IFP joins constitution redrafting today

(304A)

By Patrick Bulger
Parliamentary Correspondent

Cape Town – The Inkatha Freedom Party is attending today's meeting of the Constitutional Assembly's management committee which is to redraft the new constitution after objections to some of its clauses from the Constitutional Court last Friday.

It is the first time the IFP attends a formal CA gathering since it walked out early last year in protest at the ANC's refusal to agree to international mediation.

The IFP's presence at today's meeting is the second indication that the party may be having a rethink on the constitution-making process. In the first, in July, IFP lawyers argued for stronger provincial powers during the Constitutional Court's hearing on the constitution.

But IFP negotiator Peter Smith said yesterday the party would not be participating in "any formal sense" today, but wanted to ensure that the programme adopted by the CA did not preclude the party from rejoining if it so decided after a national council meeting on September 20.

Star 12/9/96

Mixed plaudits for public protector's baptism

(304A) (498) M+G 13-19/9/96

Mail & Guardian Reporters

PUBLIC Protector Selby Baqwa's baptism of fire over the *Sarafina II* debacle has drawn a mixed reception from political parties and commentators.

The Inkatha Freedom Party slammed his performance, saying Baqwa had been "unfair to the public which demands transparency". The party's health study group deputy chair, Jeanette Wilikazi, said he was "just protecting the donor at the expense of the public".

National Party representative Willem Odendaal said the party did not think Baqwa had dug deep enough. He added that the South African Communications Services had recommeneded that Health Minister Nkosazana Zuma opt for a cheaper and better awareness programme. But Zuma turned down the R5-million project and went for *Sarafina II*.

Steven Friedman of the Centre for Policy Studies at Wits said that if Baqwa's ruling meant that any anonymous donations were acceptable he had failed as public protector. It appeared from Baqwa's slightly confusing report that he would sanction anonymous donations as long as the auditor general and the public protector knew the donor's identity.

This meant he was not protecting the public, for the only reason anyone would ever give an anonymous donation was to hide they were getting something in return. Friedman said by permitting any anonymous donations Baqwa was making "retrogressive changes" to the treasury.

Political scientist Robert Schrire was more forgiving, saying Baqwa had steered a pragmatic path between the need for transparency and accountability and keeping in with political players — "a pass mark".

Auditor General Henri Kluever backed his fellow watchdog saying he supported the recommendations that treasury legislation be amended to make it explicit that names of donors could be kept confidential.

Kluever added that the names of donors should only be kept confidential after close scrutiny by the treasury, the public protector, auditor general and director general of the department which would receive the donation.

"I fully support the public protector's recommendations [about amends to treasury instructions], but I cannot comment on the constitutionality of the matter."

Kluever said he was surprised that the *Sarafina II* donor pulled out at this stage.

The Democratic Party's Mike Ellis said he believed Baqwa had fulfilled his mandate. "I had been concerned that his investigation was not full enough, but after reading his report I believe that he is a man of integrity and worth."

Baqwa said: "In this regard, it is recommended that an additional provision be added to the effect that donations made — of which the donor's identity for good reasons is kept confidential — should be acceptable as long as the political office bearer and the accounting officer concerned are satisfied that there is no impropriety or conflict of interest, and the identity of the donor is made known to the public protector and auditor general."

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Mail & Guardian

Gill Marcus proposes strategy to control confidential donations

(304A) BD 13/9/96

Wyndham Hartley

CAPE TOWN — Health director-general Olive Shisana might have to foot the R10,5m bill for Sarafina 2 if Parliament refused to recognise the spending as unauthorised, it was argued in Parliament yesterday.

A raucous political debate on private funding of government projects overshadowed concrete suggestions from Deputy Finance Minister Gill Marcus on how anonymous donations should be outlawed and confidential ones should be strictly controlled.

DP health spokesman Mike Ellis warned that it was dangerous to take for granted that Parliament would sanction the spending on the AIDS play. For Health Minister Nkosazana Zuma to believe that the public would be happy to pay for her major blunder could be wrong, he said. She had spoken as if it was easy to have expenditure declared "unauthorised" and warned that if this did not happen the accounting officer for the department, Shisana, would be liable for the money.

Deputy Minister Essop Pahad immediately accused Ellis of being in the service of "pharmaceutical conglomerates" and said this was the reason for his attack on Zuma. There was a perception that Ellis was speaking on behalf of "hidden monopolies", he said.

After Ellis said Pahad was "fabricating to protect the minister" and Speaker Frene Ginwala warned him to to be careful, Pahad went on to suggest that drug companies had funded a trip abroad for Ellis. He said the furore was because the companies objected to Zuma making drugs more affordable and all the "sound and fury over Sarafina 2 is to protect vested interests".

NP MP Andre Fourie challenged Pahad to call for a special select committee to investigate Ellis. Ellis supported this, saying he would welcome a probe, which would demonstrate how abominably Pahad had behaved.

NP speakers Willem Odendaal and Fanus Schoeman described Pahad's speech as "character assassination".

During the debate Marcus asked whether parliamentary oversight regulations were adequate to deal with donations to government and said she hoped the debate would produce recommendations that the finance ministry could take into account in reviewing the situation.

Zuma's silence on the identity of the person who offered to finance the play had conformed with current regulations. However, perhaps it should be determined that if a donor wished to remain "confidential" at very least the

Continued on Page 2

Sarafina

Continued from Page 1

name should be given to the auditor-general and certification given to the treasury to ensure "no strings were attached" to the gesture, she said, suggesting that the public protector should similarly be informed and that the donation should be tracked by these two offices.

Anonymity was not acceptable, Marcus said.

Under exceptional circumstances the accounting officer and the minister in the department concerned would have to ensure that there was no conflict of interest, and this would be scrutinised by the auditor-general and the public protector.

See Page 9

State news service faces shake-up

(304A) (2[illegible])

BD 13/9/96

Stephen Laufer

DEPUTY President Thabo Mbeki's task group on communications is to propose sweeping changes to government information structures — including disbanding the SA Communications Service — while taking a pragmatic line on media ownership.

The group's findings are to be presented to government and others, including the media, at a national colloquium in Caledon next month. They are the result of months of intensive investigation of government communications practices in SA and abroad.

The group's report is understood to express concern about the concentration of media ownership in SA, but does not propose treating the media differently from other industries. The report will recommend that concerns be dealt with under general competition policy, rather than through specifically created regulatory mechanisms.

Among other key proposals are those of a chief government spokesman, closer co-ordination and better training of communications officials, and the professionalisation of government communications.

Mbeki established the task group in January in response to widespread government dissatisfaction over difficulties in conveying its transformation message to the mass of South Africans. Mounting media criticism over the inaccessibility of crucial information provided added impetus. Headed by author Mandla Langa, it includes members from the media, business, community bodies, the legal profession and the Commonwealth. The task group concludes that the SA Communications Service (SACS) lacks credibility, is inappropriate for a democracy and is beyond reform. It will propose a leaner support structure for ministerial and provincial communications.

The new agency would incorporate "centres of excellence" from the SACS, but would shed departments that did work which could be contracted out to the private sector.

The new organisation's central tasks will be training government communicators and setting professional standards for all government communications. Informing the public well and involving it in policy debates will be possible only if communications are professionalised, the report will argue.

The new organisation could contribute to the cost-effectiveness of government communications by co-ordinating the purchase of advertising space, the group believes. Savings of up to R30m a year could help finance the use of community media, post offices, the Internet, and technologies to reach those with little or no access to the media. Government must make a big effort to reach communities starved of information, the group argues.

The report will recommend that communications functions currently split between departments and ministries should be unified under a communications chief reporting directly to the minister. A public service or political appointment, this role should be very senior, the task group argues.

The chief government spokesman would head communications in the president's office and co-ordinate counterparts in the ministries.

See Page 9

Many retrenched at communications service

BD 16/9/96

Stephen Laufer (304A)

MORE than one third of the 450 staff of the SA Communications Service have been granted retrenchment packages only weeks before government's communications task group submits a report expected to call for the agency to be disbanded.

About 160 packages had been approved, decimating some departments, including project management and production sections, a senior official said. The departure of so many officials was to "lessen the impact" of possible disbandment.

Staff at the service's Pretoria headquarters had been "rather dejected and dismayed" following first reports late last week on the proposals to close the service.

Few staff members had been naïve enough to believe things would stay the same, but most had been surprised by the magnitude of the proposed changes.

The task group was expected to call for the creation of a new communications service agency better suited to support ministerial and provincial efforts at meeting the information needs of the population.

It was appointed by Deputy President Thabo Mbeki last January and is to discuss its findings early next month at a colloquium in Caledon.

New communications service head Solomon Kotane said at the weekend he had told his staff that the task group's proposals were still a matter for discussion, and there was no cause for panic.

He was sharply critical of "attempts to set the agenda" for the discussions on the future of government communications structures by "mischievous people who released the task group's report before it went to the deputy president." Those responsible had been "trying to cause panic," Kotane said.

He wanted to see the report before commenting, but "would want to ask whether the task group has fulfilled its mandate to help government identify vehicles for effective communication". He had not expected it to suggest fragmenting government's information base; he opposed "obliteration of government's ability to speak with one voice."

Separately, it emerged that more than 50 service staff positions advertised in recent weeks were frozen when the task group wrote to Mbeki saying that it was inappropriate to offer the jobs before clarity on future structures had been achieved.

Comment: Page 9

Bantu still defiant

Holomisa draws thousands to weekend rally

Sowetan 16/9/96 (304A)

By Abdul Milazi

CONTROVERSIAL former environmental affairs and tourism deputy minister Mr Bantubonke Holomisa drew large crowds at rallies at the weekend despite the African National Congress having distanced itself from him and accusing him of dividing the organisation along tribal lines.

Holomisa shocked the ANC top leadership and the country when he attracted about 1 000 people to his rally on the East Rand's Thokoza township last weekend.

This was despite the fact that the ANC national executive committee, through its disciplinary committee, had dismissed him from the party.

At the weekend Holomisa again drew large crowds.

An estimated 2 000 people came to the rally in Mpumalanga's Embalenhle township on Saturday and 5 000 people on the East Rand's Katlehong township yesterday.

The large crowd was testimony to Holomisa's strong national following, disproving claims that his strong support base was the Eastern Cape.

The Gauteng provincial office threatened to take action against the local officebearers who facilitated the Thokoza rally, which forced the branch office to issue a statement distancing itself from the rally.

Branch deputy secretary Molantoa Molaba was last week suspended pending disciplinary measures for organising the rally.

The Mpumalanga branch was more defiant and told the ANC national executive committee that Holomisa's dismissal was still to be debated at its provincial congress.

ANC Secunda branch chairman Mr Edwin Pogisho vowed to fight any attempt by the national office to censure it after inviting Holomisa.

Provincial congress

Pogisho said the branch would also insist that Holomisa's expulsion be debated at the organisation's provincial conference at the end of the month.

In Katlehong it was the more militant, blanket-draped, panga-wielding IsiXhosa-speaking groups who came to the stadium, while other residents watched from a distance.

These blanket-clad people have been seen at all ANC rally countrywide since 1990 and do not mix with the normal crowd. They usually stick together singing traditional Xhosa sings and are armed with pangas.

The ANC Katlehong branch and East Rand regional branch distanced themselves from the rally, accusing Holomisa of trying to divide the ANC along tribal lines and demanded a speedy finalisation of his expulsion by the NEC. They announced this at an urgent Press conference in Germiston only minutes after Holomisa began addressing the crowds at the stadium.

Holomisa's tone was conciliatory throughout his speech in Katlehong, calling on all ANC members to renew their membership and prepare for the 1999 elections.

Sapa reports that Holomisa said he was unaware of reports that the National Intelligence Agency was keeping a close watch on a number of his close associates and that some had even been questioned.

Abuse of power

However, if the allegations were true, this would be "tantamount to an abuse of power".

"If they (the ANC leadership) use government structures, we will soon degenerate to the level of bantustan administration, such as when former homeland leaders and the National Party used the intelligence community to discredit people."

Holomisa remains an ANC MP until his appeal against his expulsion is heard by the party's NEC.

MP's industry ties questioned

(304A)

Bonile Ngqiyaza

BD 17/9/96

THE ANC yesterday again attacked DP health spokesman Mike Ellis for "venomously" criticising Health Minister Nkosazana Zuma, saying he must explain fully the extent of his association with pharmaceutical companies.

This followed media reports last week that Ellis had admitted he and his wife had gone on several trips abroad, funded by pharmaceutical companies. Ellis made the admission after Durban millionaire Vivian Reddy said he had proof in this regard.

But Ellis denied that pharmaceutical companies had influenced him or his political decisions. He also denied ties with the industry.

The ANC said yesterday the disclosures by the Mail & Guardian cast a new light on the campaign Ellis has led to discredit Zuma.

"Lest the impression is created that Ellis and the DP have one standard for themselves and another for Zuma, we shall expect Ellis to explain fully ..."

The party said his approach to transformation might have been unduly influenced.

It was a matter of public record, it said, that the tobacco industry and pharmaceutical companies had been displeased with Zuma's efforts to curtail smoking and bring about change.

Commissioners tell of prison corruption

Linda Ensor

BD 18/9/96

CAPE TOWN — The lenient sentences meted to two of the seven prison warders charged with negligently allowing four right-wing prisoners to escape from Diepkloof prison in March this year were sharply criticised by members of the portfolio committee on correctional services yesterday.

Details of the sentences emerged during a briefing by national and provincial commissioners on corruption in the prisons service. The presiding magistrate at the disciplinary hearing last month found one man guilty of being absent from duty and fined him R300 which was suspended for one year. The other man received a suspended fine of R100. Both men continued to work at the prison. The escaped awaiting-trial prisoners had not yet been apprehended.

National prisons commissioner Henk Bruyn explained that under the Correctional Services Act's disciplinary code, negligence was a disciplinary offence for which prison officials could not be discharged. He believed it should be a dischargeable offence and hoped the committee would approve legislation in this regard.

In his briefing on corruption, Bruyn said staff were corrupted and intimidated by criminal gangs both in prison and in the community to take goods, such as drugs and money, into prison.

It emerged that there were problems of control at the medium security section at Diepkloof which housed 4 200 unsentenced prisoners.

Gauteng prisons commissioner Braam van Zyl said 14 cases of corruption by Diepkloof prison warders had been discovered over the last two years. Another problem was the "disappearance" of prisoners when they were sent to court. It appeared a syndicate of prison warders was assisting them. Prisoners were also believed to be swapping identities.

Western Cape prisons commissioner Steven Karabie outlined a history of corruption at Pollsmoor and Victor Verster prisons. Victor Verster was being run by a very junior acting commanding officer after the entire management went on sick leave in one week in June when confronted with a report on the problems at the prison. More than 30 members of staff at the prison were on indefinite sick leave at present.

Labour courts 'del

BD 18/9/96

CAPE TOWN — Labour Court Judge President, Judge John Myburgh, launched a scathing attack yesterday on the justice and public works departments, saying their inefficiency was helping to delay labour courts being set up.

A dispute between the Judicial Service Commission and the National Economic, Development and Labour Council (Nedlac), both of which are to make recommendations to President Nelson Mandela on the appointment of judges, had remained unresolved for seven weeks, causing further delays, Myburgh said.

He was appearing before the Natic Assembly's labour committee.

He had sent many letters to Cabi ministers, the directors-general of seve departments and their deputies requ ing that the problems be sorted out.

The letters had been ignored, and s sequent meetings also failed to yield conspicuous results.

A justice department official respo ble for ordering books for the courts not done so. This meant the order

NP joins subsidy cuts protest

Kevin O'Grady

BD 18/9/96

THE NP joined a wave of protest yesterday against education MEC Mary Metcalfe's decision to slash subsidies to private schools by 30%, threatening many church and inner city schools with closure.

Gauteng NP MPL and education spokesman Juli Kilian added her party's voice to the DP's demand that Metcalfe rescind the decision immediately because it violated citizens' constitutional rights to administrative justice.

Schools were informed of the retroactive cuts only last month. The way the department had handled the issue raised "many questions about (its) ability to budget responsibly and demonstrates a total lack of insight into the financial planning of institutions in the private sector", she said.

The dismissal of teachers in some schools because of the cuts was imminent and "would have a catastrophic effect on students during the most critical phase of the academic year".

"The MEC clearly has no empathy or sensitivity for the dilemma facing students in the run-up to the year-end exams and for their parents, who simply cannot afford retroactive hikes in school fees," Kilian said.

Nomavenda Mathiane reports that the Gauteng education standing committee was asked to treat Johannesburg inner city schools as a special case. School officials accompanied by parents told the committee their schools were not elitist.

Excelsior High School principal David Harrison said some teachers had not been paid for two months. Schools faced cash flow deficits and banks were now reluctant to deal with them.

A widow from Diepkloof, Nomsa Xulu, said she worked three days a week and the rest of the week sold vegetables to support her children at private schools as no education was taking place in Soweto's public schools.

Sapa reports DP MPL Jack Bloom said he could not understand why Metcalfe was not delighted with the growing independent school sector, as it lifted a financial burden.

Assembly limits redrafting of constitution

David Greybe

(304A) BD 18/9/96

CAPE TOWN — The Constitutional Assembly decided unanimously yesterday against reopening negotiations on the whole constitution.

This, together with the outstanding issue of international mediation, could spell the end of any chance of the IFP reversing its 18-month boycott of the assembly at its national council meeting at the weekend.

"There will be no opening of other issues," assembly chairman Cyril Ramaphosa said after the assembly meeting. "We are going to concentrate on those issues sent back by the Constitutional Court."

The assembly agreed to establish two subcommittees to deal with the sections sent back for redrafting. One would deal with collective bargaining, states of emergency, the public service commission, public protector and auditor-general; the other with provincial powers, local government and the amendment of the constitution.

The subcommittees would meet next Wednesday for the first time. They will have until October 7 to complete their work and table a progress report in the constitutional committee. On October 11 the committee must table an amended constitutional text for assembly approval.

The timetable would give the Constitutional Court time to certify the constitution this year, and for implementation to begin on schedule on January 1.

Failure to meet the October 11 deadline meant the Court would have to consider certification next February. However, ANC negotiator Pravin Gordhan was confident that if the parties showed the "same spirit and determination" as during previous negotiations, they would meet the deadline.

STRUGGLE PENSIONS (300)
FM 20/9/96

SACRIFICE AND REWARD

Legislation governing the payment of "struggle" pensions has been introduced in parliament by Deputy Finance Minister Gill Marcus, in fulfilment of a clause negotiated at Kempton Park as part of the 1993 interim constitution.

The Special Pensions Bill is designed to cover "persons who have made sacrifices or who have served the national interest in the establishment of a democratic constitutional order, including members of any armed or military force not established by or under any law."

To qualify, "veterans" must be citizens — or qualify as such — and at least 35 at the yet-to-be gazetted date of commencement. They must also have been prevented from providing for themselves for five years prior to February 2 1990 (when the ANC, PAC and SACP were unbanned) by one or more of the following conditions:

- That they were engaged in the full-time service of a "political organisation" (that is, in the service, military or otherwise, of the recognised liberation movements);
- They were banned or restricted by the apartheid government; or
- Imprisoned or detained for any offence "committed with a political objective."

The five-year qualification period can have been continuous or combined and, except for the disabled, pensions are payable at 60 (or 50 if so elected, subject to a proportionate reduction). Benefits for those disabled in the struggle have April 1 last year as their commencement date; complicated formulae determine their lump-sum and pension payments. Survivors and dependants of those who were killed or disappeared in the struggle are provided for.

A Special Pensions Board will determine who qualifies, and the applicable scale of benefits. Rulings will be subject to appeal.

Gill Marcus

The Bill is careful to define the "political objective" that must have been aimed at for a person to qualify for a special pension. In many respects, the criteria are similar to those set out in the enabling legislation of the Truth & Reconciliation Commission — except that other clauses restrict pensions to those who worked for organisations banned until February 2 1990. Thus, in considering applications by those previously deemed to have committed an offence, the board must, *inter alia*, consider:

- The motive for the offence;
- Its nature and gravity;
- Its effect on a political opponent;
- Whether the offence was committed with the approval of an organisation which promoted a nonracial, democratic, constitutional order; and
- Whether the offence led to personal gain or arose from personal malice.

In addition, there's what might be termed an "Askari" clause, prohibiting pensions to those who — after being engaged in the liberation struggle — either actively engaged in attempts to undermine the establishment of a democratic order or who were convicted of a common crime after February 2 1990.

Benefits will be calculated according to age at commencement and the length of "service." The explanatory memorandum on the Bill cites the example of a person who is 35 at commencement date, and who was imprisoned or detained for eight years prior to February 2 1990. He/she would be entitled to R9 600 a year. The "ultimate limit" is R84 000 a year — but "indications are that only one or two persons will qualify for a pension of this magnitude." ■

Dissatisfaction with ANC, but no gain for its rivals — survey

BD 20/9/96 (304A)

Kevin O' Grady

PRETORIA— Satisfaction with SA's political and economic situation had declined drastically since 1994, but this was unlikely to hamper the ANC's chances of re-election in 1999, said a Human Sciences Research Council survey released yesterday.

Conducted among 2 241 respondents countrywide during June and July, the survey found that 45% of people were satisfied with current political developments, compared to 76% in May 1994.

Satisfaction with economic developments also dropped, but by a smaller margin — 34% of respondents were positive during the recent survey compared to 51% from the 1994 survey.

The number of respondents who expressed dissatisfaction with the political situation rose from 10% to 40% during the same period and dissatisfaction with the economic situation rose from 31% to 51%.

The council said the widespread feeling of optimism after 1994's general election had been "replaced by a larger degree of realism and an awakening to the outstanding issues that SA still has to address.

"This also means that the honeymoon of government has been very short and that people are becoming more critical of its weak points."

Reasons for a change in levels of satisfaction with the political situation may have included the NP's decision to leave the national unity government, the continuing conflict in KwaZulu-Natal and the Sarafina 2 "debacle".

The fall in the value of the rand, difficulties experienced in implementing the RDP and the wide range of unfulfilled socioeconomic needs were factors influencing satisfaction with the economic situation, the council said.

The high hopes of economic improvement that respondents still had were reflected in the fact that 85% expected their living standards to improve "noticeably" within the next five years, 62% before the next general election and 28% within the next year.

"Given the limitations the economy is facing, these expectations will be very difficult to meet. It is therefore likely that the current trend of dissatisfaction will continue for some time," the council said.

Despite this negativity, average support levels of political parties stayed about the same as in April 1994.

"This is a trend not dissimilar to that in other countries in a post-decolonisation phase (such as) Zimbabwe and Namibia where the ruling parties have in fact consolidated their support to the detriment of opposition parties despite the failure of some policies or the inability to deliver pre-election undertakings," the council said.

Support for various parties between May 1994 and July this year had changed as follows: ANC from 63% to 53%, NP from 19% to 18%, IFP from 4% to 7%, right-wing parties remained unchanged at 3%, DP unchanged at 1% and PAC from 1% to 2%.

Support lost by the ANC had not resulted in a gain for other parties and could have shifted to the "uncertain" or "refuse to answer" categories.

Act to see national archives opened

BD 20/9/96 (304A)

Tim Cohen

CAPE TOWN — Significant new historical material on the Soweto uprising is likely to be made available next year when the National Archives of SA Act comes into effect.

Arts and Culture Minister Lionel Mtshali announced yesterday that the Act would be effective from January 1.

The legislation reduces the 30-year open access period which applied to public records in the custody of the State Archive Services to 20 years.

Mtshali also announced that Cabinet records would be dealt with in terms of existing legislation, effectively reversing the decision of NP leader FW de Klerk when he was president to extend the open access period on Cabinet records for the period 1956 to 1994.

Hence, instead of the open access period Cabinet minutes being extended for 10 years to 40 years as De Klerk requested, the time period had effectively been reduced by 10 years to 20 years.

The shortening of the open access period would result in the archives of the justice ministry becoming available from the beginning of next year, Mtshali said in a statement.

These records included correspondence between the ministry and the public at the time of the 1976 Soweto uprising and the findings of a commission of inquiry into the uprising.

Other records that would become available would include the archives of the Bantu education department, including a series of case files relating to influx control, and the archives of the commission of inquiry into the circumstances of the death of then president Hendrik Verwoerd and the circumstances surrounding the assassination, Mtshali said.

Sapa reports it is also understood that attention will now be given to special requests — several have been filed by media organisations — for immediate access to the records.

Justice files dating from the 1970s dealing with the banning and restriction of individuals under the Suppression of Communism Act would become accessible as soon as the new Act came into effect. Mandela's office had agreed last month that no additional restrictions to public access to Cabinet records should apply beyond those contained in archival legislation.

"Thus the implications are that applications for access to Cabinet records for the closed period will be dealt with in the same manner as those applying to access to any other public record."

The new Act says the national archivist may give permission for access to records falling in the 20-year limit.

New law to open secret files

(3049) Sowetan 20/9/96

By Waghied Misbach
Political Reporter

SECRET files from the previous government's archives on the 1976 uprisings and bannings of activists during the '60s and '70s will be open for public scrutiny next January.

Under the National Archives Law, which will be promulgated in Parliament soon, people will have access to the files on a number of anti-apartheid activities, according to Arts, Culture, Science and Technology Minister Mr Lionel Mtshali.

Previously people could only see files after being kept in the archives for 30 years. However, the current legislation has shortened it to 20 years.

This also applies to crucial cabinet minutes, which had an extra 10 years embargo attached.

Among the files that will be available for public scrutiny are:

- Archives of the justice ministry – files dealing with strikes and uprisings, including correspondence between the minister and the public during the 1976 Soweto uprising. They will be available on January 1 1997;
- Files on the banning and restriction of individuals under the Suppression of Communism Act in the '70s. These will become available once the new laws are accepted by Parliament;
- Archives of the former department of bantu education: A series of files relating to influx control; and
- Files of the government's commission of inquiry into the uprising in Soweto and other places in 1976.

These files include an investigation into Bantu education at the time.

The archives will also contain a commission of inquiry report into the assassination of Dr Hendrik Verwoerd, the architect of apartheid.

Auditor-general set to probe body – set up to evaluate state communications – for wasting money

(304A)

Star 21/9/96

By GLYNNIS UNDERHILL

A special government-appointed task force to investigate government communications is being investigated by Auditor-General Henri Kluever after a complaint of "wasteful expenditure" and possible irregularities.

Kluever told the *Saturday Star* he had asked one of his auditors to do a preliminary investigation into the task force (Comtask). This led to a decision to investigate the matter further.

"We drew certain files and photocopied them. We are still busy analysing them but we have decided to take the inquiry further," he said. The investigation had only just begun and it was "early days", said Kluever.

Part of the investigation would concentrate on whether the 10-member team on Comtask had followed the correct procedures for travel.

"It is all a question of procedures. You can't just jump on a plane and go overseas; there are procedures to follow," he said.

Comtask member Steve Godfrey said all international trips undertaken by Comtask were funded by the United Nations. The task team had raised funds for this expenditure from the UN Development Programme, and travel had formed a relatively small part of its budget, said Godfrey.

Contrary to rumour, Comtask had not gone to Moscow, Zimbabwe or Angola to study communication services, he said.

"South Africa has no history of an open government communication system. Over the past two to three years, the country has drawn a lot of benefit from looking at the experiences of other countries in areas such as drawing up the constitution, policing and public administration. Communications is no different," he said.

Comtask emerged from the so-called Arniston conference and was established in January in response to widespread government dissatisfaction over difficulties in conveying its transformation message to the mass of South Africans. Headed by well-known author Mandla Langa, it includes members of the media, business, community bodies, the legal profession and the Commonwealth.

Comtask was charged with investigating government communications, and foreign ownership of media where it affected those communications. Godfrey said Comtask's brief had been to investigate the whole government communications system, not just the South African Communication Services (SACS), of which Deputy President Thabo Mbeki is the political head.

Mandla, who was in a meeting with Mbeki yesterday afternoon, could not be contacted for comment. Allegations, untested as yet, have been aired that Comtask visited several countries in Europe and Africa since its formation and always travelled business class.

TO PAGE 2

P.T.O

IFP calls for talks with ANC before decision on return to assembly

BD 23/9/96

(304A)

Farouk Chothia

ULUNDI — The IFP yesterday held back from making a decision on whether to return to the Constitutional Assembly, saying it first wanted urgent one-to-one talks with the ANC to discuss the process leading to the finalisation of the national constitution.

IFP leader Mangosuthu Buthelezi said at the end of the party's two-day national council meeting it was vital for the ANC and IFP to reach a constitutional settlement, or else there could be "destabilisation" in SA.

Frank Mdlalose, IFP national chairman, said he had already contacted Deputy President Thabo Mbeki who responded favourably to the request for a meeting. Mdlalose said the meeting would be held as soon as possible.

IFP sources said there were differences in the ranks on whether to stick to the demands for international mediation or to return to the assembly without the precondition having been met. The idea of putting the matter to a vote had been raised but it was believed a decision should be avoided at this stage.

Buthelezi said while he did not want to pre-empt the talks, he did not know why the ANC was "running away" from mediation.

He said in the absence of a settlement between the IFP and ANC, "we can say goodbye to investment". Foreign investors were not impressed at the IFP being "steamrollered" and were "hesitant" to make investments.

Buthelezi said the Constitutional Court's rejection of the KwaZulu-Natal constitution had sparked a "lot of anxiety" in IFP circles on whether 11 years of "ungovernability" in the province would be "promoted".

There could be destabilisation in SA from a disaffected minority and it was therefore in the country's interests that talks took place between the ANC and IFP.

Though a peace initiative was under way in KwaZulu-Natal, there was still "no peace". More than 30 people had been killed during recent clashes on Reef mines, he said.

Buthelezi said the IFP was grateful the court had declined to certify the constitution for being centralistic and autocratic by substantially reducing the very limited powers granted to provinces in the interim constitution.

ANC spokesman Ronnie Mamoepa was willing to hold talks with the IFP as it was committed to finding as inclusive a settlement as possible. While he did not want to pre-empt the talks, the ANC wanted amendments to be made only to those clauses to which the court had referred.

ANC and IFP agree to meet on constitution

Star 23/9/96 (304A)

By Jovial Rantao
Political Correspondent

The ANC was ready to meet the Inkatha Freedom Party to finalise the constitution, party officials said at the weekend.

ANC spokesman Ronnie Mamoepa said it had "committed itself to a process of bilateral and multilateral discussions with all political parties involved in the constitution-making process, including the IFP".

The statement comes after IFP leader Mangosuthu Buthelezi told a two-day IFP national council meeting in Ulundi that discussions between the ANC and the IFP on finalising the constitution were necessary to ensure stability.

"In the interests of the country as a whole, it is necessary for us to meet with a delegation of the ruling party because the constitution is the law of the country."

An IFP statement said that its national chairman, Dr Frank Mdlalose, had already received agreement for a meeting from Deputy President Thabo Mbeki.

The IFP call is seen as a signal of its intention to return to the constitution-making process. It withdrew from the proceedings last year when the ANC's promise of international mediation failed to materialise.

Sapa reports, however, that the IFP did not come to a decision on returning to the Constitutional Assembly. A decision will have to be made soon because the revised draft constitution has to be submitted to the Constitutional Court by October 11.

The court rejected the first drafts of the national and KwaZulu Natal constitutions. It criticised the former which it said stripped the provinces of powers, and described the latter as "seriously flawed".

Buthelezi said the granting of powers to the provinces remained a bone of contention and he was "gratified" that the Constitutional Court had found that powers of provinces had been reduced under the national constitution.

He said international mediation also needed to be addressed as it formed an integral part of the formulation of the national constitution, he said.

Despite peace initiatives in KwaZulu Natal, no real peace existed between the ANC and the IFP because consensus on the constitution had not been reached, he said.

IFP sources told The Star their party would propose negotiating all sections of the constitution, but the ANC is expected to reject this when the two parties meet.

A date for the meeting has not been finalised.

(304A) Sowetan 25/9/96

A closer look at SA's 'interests'

Giving a moral dimension to the country's foreign policy

By Maxi van Aardt

THE TERM "national interest" is often used where foreign policy is concerned. It is usually taken to mean that a country should follow a policy that serves its own interests best.

As such, there is nothing wrong with the term – it is accepted that we have states precisely because the state should and can defend and promote the interests of its people.

But very often "national interest" is bandied about when it comes to what seems to be a conflict between ethical or moral and so-called practical policy issues, as a justification for ignoring or downplaying the ethical in favour of the practical.

For instance, there are those who feel that South Africa should be careful in pursuing its right to choose its friends in the international arena, especially when the choice displeases a superpower like the United States.

The argument is that the US is strong and powerful and that it can harm South Africa economically to go against American wishes.

It is in the national interest, it is said, to take the wishes and concerns of the US into account, and to scale down too open relations with, for example, Iran or Cuba or Libya.

Another argument runs that, when taking the human rights records of countries such as China or Indonesia into account in determining our relations with them, we should rather think of our national interest (trade).

In this way the impression is created that ethics and morality are fine when it comes to foreign policy but that such concerns are somehow less important than "real", practical issues – usually economic in nature.

And the latter issues are taken to be those that deal with the national interest.

In this sense there are several problems with the use and abuse of the term "national interest", and we should be aware of these when we debate our foreign policy:

● It reflects the spirit of the Cold War era and traditional military-political security thinking.

It implies confrontation and calls for a defensive attitude towards other states, as if conflict is the main characteristic of the international system and as if cooperation should only be pursued if there are practical, short-term advantages.

● It further implies that the state is a unitary actor – in other words, that state policy reflects the wishes and aspirations of all its people and that these can be unified in a single objective.

From here it is but a short step for the state to make foreign policy without consultation or providing information and to claim that it is in the national interest.

● Because national interest traditionally refers to "hard" political issues of a military or economic nature, it becomes easy to downplay or even ignore the ethical underpinnings of foreign policy decisions.

This is not to say that we should not consider national interest in our foreign policy. We have to define our interests in order to have guidelines to formulate, evaluate and adjust our policies.

But we have to seriously consider what exactly is meant by the term, as such a definition would also provide clues to the values that underlie our dealings with the world, to the internal objectives of our foreign policy and to how we see our role in contributing to a better world.

Flashback ... President Nelson Mandela with United Nations secretary-general Boutros Boutros-Ghali after he addressed the General Assembly in October 1994.

Debating the meaning of "national interest" should be high on the agenda of all those interested in foreign policy and those who feel this country has a role to play internationally.

The following aspects provide a starting point:

● Firstly, we should perhaps start talking about the "national interest" in the plural – South Africa has national interests and not just a single interest.

This allows for a broader approach to policy-making, and also for a broader range of inputs, especially through public debates. It also takes into account that not all interests are the same and that not all are of equal importance. In this way prioritisation becomes possible.

● Secondly, national interests are based on values. Let us first determine what our values are and then we can define our interests.

If we define a respect for human rights as a value, we might have an immense impact on other societies just in terms of how we realise a human rights culture in our own society.

● Thirdly, national interests, because they are value-based, have a moral dimension as well as a practical dimension. If one of our values is the creation of a peaceful world, one of our national interests is to contribute towards the establishment of such a world.

That would mean, for example, a moral obligation to lend practical assistance in the removal of landmines in neighbouring countries, or to contribute to international peacekeeping operations.

● Some actions that we undertake as part of our foreign policy will necessarily have little immediate or visible impact on the object(s) of such actions, as was proved in the case of Nigeria.

But part of what is in our national interest is also to act in such a way that we honour and respect our national values, no matter how small the impact of our actions seem.

At the very practical foreign policy process level, the debate to define our national interests can be well-served by paying attention to three factors.

The first is for the Department of Foreign Affairs to consider establishing a policy planning unit.

The second is to agree on the composition and speedy institution of a foreign policy advisory council of representatives from civil society who can identify and channel policy issues, and respond to the need for advice and ideas from the Government and the department.

The third is for the department to create and promote effective communication channels with civil society to ensure the flow of information and a sharing of concerns and needs.

(The writer is an international relations lecturer at Rand Afrikaans University, Johannesburg.)

Another IFP boycott looms as request to reopen talks spurned by ANC

(304A) BD 26/9/96

David Greybe

CAPE TOWN — The chances of the IFP rejoining the Constitutional Assembly diminished yesterday after top ANC negotiators spurned an IFP request to reopen talks on issues already certified and to extend the October 11 completion deadline.

IFP negotiators said after an exploratory meeting with the ANC that they hoped to meet the NP today before reporting back to their principals and making a final decision on whether to end a boycott of the assembly.

One ANC negotiator said afterwards: "We told them the ANC is not prepared to look favourably on their requests." The IFP wanted to reintroduce issues already certified by the Constitutional Court and which were not among those sent back for redrafting. "The IFP issues are not new. If we cannot resolve them in the next two weeks we never will." The IFP could submit proposals on any issue, including local government and provincial powers, rejected by the court.

An IFP negotiator said his party did not want to table the whole gamut of constitutional issues dear to the IFP, but rather a much shorter list for "re-examination". These included the role of the Zulu monarchy and chiefs in local government, and schedules four and five of the constitution dealing with concurrent and exclusive national and provincial legislative powers.

The IFP would not table its broader position paper tabled in multiparty negotiations in December 1993.

According to some participants at yesterday's talks, ANC secretary-general Cyril Ramaphosa told the IFP he would "defend" their right to table proposals on any issues, but could not guarantee what happened to them.

The talks followed the IFP national council's weekend decision to seek talks with the ANC to discuss the process leading to finalisation of the constitution. Last week the assembly decided unanimously against reopening negotiations on the whole constitution.

The IFP team includes Walter Felgate, Correctional Services Minister Sipo Mzimela and KwaZulu-Natal finance and agriculture MEC Ben Ngubane. ANC chief negotiator and Provincial Affairs and Constitutional Development Minister Valli Moosa was also present.

Meanwhile, two assembly subcommittees set up to deal with the issues referred back by the court met for the first time yesterday. Participants described the talks as exploratory.

One subcommittee is dealing with

Continued on Page 2

IFP

(304A) BD 26/9/96

Continued from Page 1

collective bargaining, states of emergency, the Public Service Commission, the public protector, the auditor-general and "immunisation" of the Labour Relations Act and the Truth and Reconciliation Act. The other deals with provincial powers, local government and the amendment of the constitution. They meet again today.

Parties agreed in principle yesterday — on the basis of the court's rulings — to scrap two clauses which would have constitutionally entrenched aspects of the Labour Relations Act and the Truth and Reconciliation Act.

However, the NP and DP gave notice that they intended reopening the issue of mechanisms used to appoint the auditor-general and public protector. The court has rejected the dismissal mechanisms affecting both positions. The issue of the Public Service Commission is expected to take up most of the negotiators' time as several policy decisions are needed.

Opposition negotiators believe the ANC's transformation plans for the public service are unconstitutional. Government began stripping the once-powerful commission of its executive powers earlier this year, transferring them to the office of Public Service Minister Zola Skweyiya.

SOWETAN Thursday September 26 1996

No definite stand yet by the IFP

(304A)

Sowetan 26/9/96

Political parties agree to scrap two contentious clauses from constitution

CONSTITUTIONAL Assembly negotiators yesterday quickly disposed of one of the issues in the final constitution which had been referred back to them by the Constitutional Court.

They agreed to scrap two clauses which had constitutionally entrenched aspects of the Labour Relations Act and the Truth and Reconciliation Act.

But negotiators for political parties – excluding the Inkatha Freedom Party, which is still deciding whether to return to the CA – gave notice they differed on such aspects as how widely they should address provincial powers and the appointment and dismissal mechanisms of the Auditor-General and Public Protector.

The day's proceedings were overshadowed by an early-morning two-hour exploratory meeting at Parliament between IFP and ANC negotiators to discuss conditions for a possible IFP return.

It failed to produce any concrete decisions and the IFP team, including senior negotiator Mr Walter Felgate, Correctional Services Minister Sipo Mzimela and KwaZulu-Natal MEC for finance and agriculture Dr Ben Ngubane, left to brief their principals – chief being IFP leader Chief Mangosuthu Buthelezi. By late yesterday no announcement had been forthcoming from the IFP.

Felgate said earlier yesterday they had discussed with the ANC issues like flexibility around time-frames for the CA to address the aspects referred back.

Chief ANC constitutional negotiator Mr Valli Moosa told the committee plenary of CA negotiators immediately afterwards that he and his colleagues had tried to urge the IFP to attend the plenary, but they had said they preferred to report back to their principals first. – *Sapa.*

Star 26/9/96

55 UIF fraud suspects to be arrested

301

Johannesburg police intend arresting another 55 people in connection with a fraud scheme involving the theft of at least R3-million in unemployment benefits from the Department of Labour.

These would follow the arrest of a 45-year-old woman yesterday and 17 men and women aged between 40 and 55 earlier this month, including the suspected leader of the syndicate.

The suspects are alleged to have claimed unemployment benefits from the department using false UIF cards and false company details. Police spokesman Inspector Andy Pieke said said all were unemployed people who had been approached by the syndicate leader. – Staff Reporter.

Afrikanerbond attempts to adapt to change

(304A) M+G 27/9 - 3/10/96

Stefaans Brümmer

WHEN the National Party walked out of the African National Congress-dominated Government of National Unity earlier this year, the Afrikaner Broederbond — now called the Afrikanerbond — lost its last members in Cabinet.

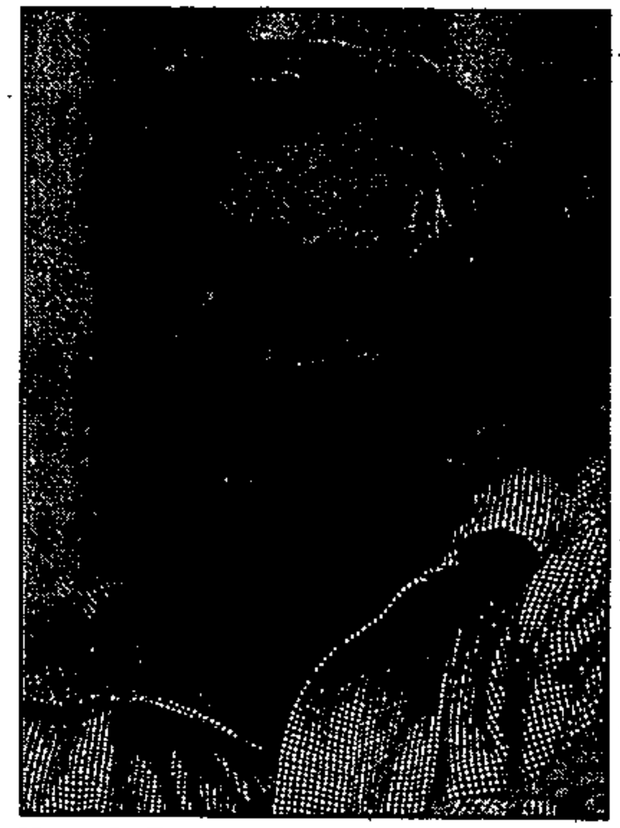
A body that for almost half a century had direct access to the levers of Afrikaner nationalist government power, and described by the *Economist* in 1992 as able to "boast a large part in creating and then dismantling apartheid", the Bond is a victim of a process of change it had helped initiate.

But to Tom de Beer, last chair of the old, secretive Broederbond and first chair of the new, "open" Afrikanerbond, the less cosy relationship with government has its advantages. "In the past, we would have phoned a friend in Pretoria or Cape Town. Now we have to re-evaluate how we work. Actually, it has been pleasantly liberating."

De Beer agrees it has not been easy for the membership. When he was first appointed to the Bond's executive in 1991, the organisation counted about 16 000 members. "My guess [at the time] was that if we changed, we'd probably lose about 40%, and if we did not change, we'd also lose about 40%."

Indeed, today organisational strength is down to 11 000 or 12 000 members.

And the soul-searching is not over yet. This weekend, the Bond is holding its biennial *bondsraad* (congress) in Bloemfontein. The main item on the agenda is the way ahead in a democratic South Africa. Says De Beer, former financial director of mining giant Gencor and the man who ushered in a new name and a new non-racial, non-sexist constitution for the Bond in 1994, a year after he became chair: "Some people are still pining for the old days, and for the secrecy. Any great transformation anywhere in the world goes hand in hand with uncertainties."



Tom de Beer: Pleasantly liberating

As much as he revels in the liberation the new non-party political stance has brought the Bond, De Beer remains a defender of its past. When *broeders* caucused an agenda in secret, then sold it to wider society through dominees, school principals, academics and members of government, it smacked little of the conspiratorial style that detractors always accused it of, if De Beer is to be believed. "It was an approach that could be used effectively only if your cause was right, as we were never in the majority."

He traces the Broederbond's first progressive stirrings back to the 1970s, when it "asked critical questions" over constitutional rights for coloureds, advising the government that "it will not work to hold power in white hands alone". And the "opinion forming input" of the Bond, he says, played a significant role in facilitating the reforms of the 1990s.

Now the Bond, once a brotherhood comparable to the Freemasons in ritual and exclusivity, has allowed its first women and black members.

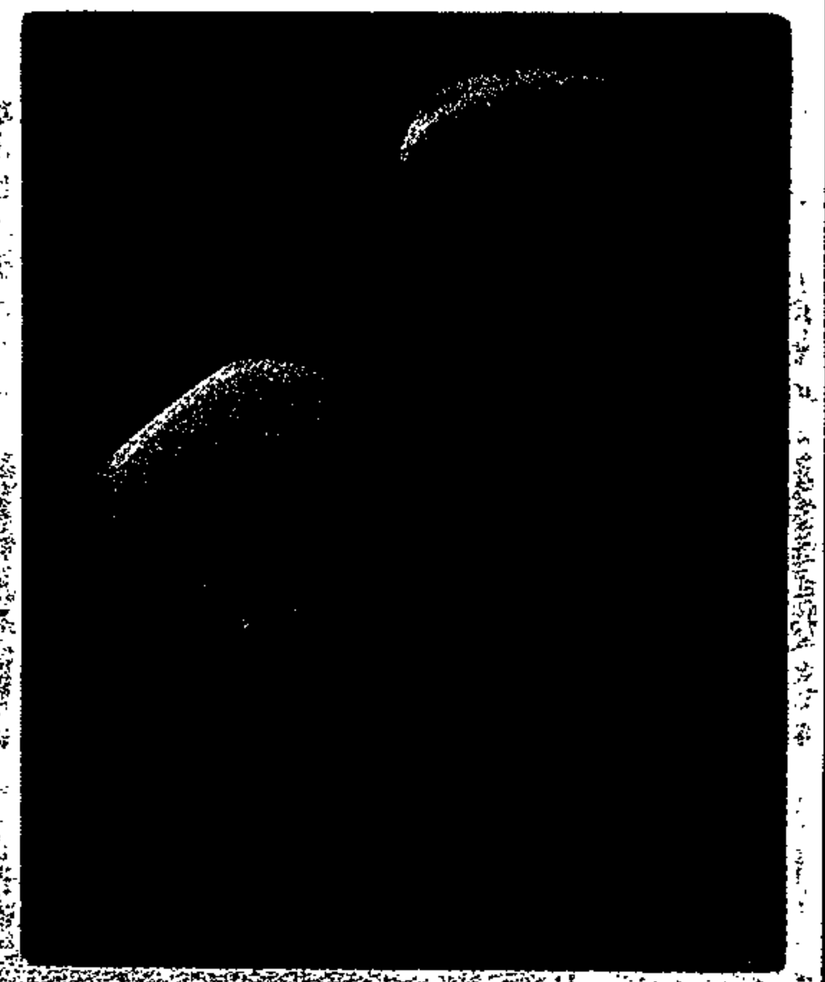
The claim is that the secrecy is gone. Admittedly, much more of what the organisation does, it does in its own name — like talking to the SABC about language policy, or making proposals on the Constitution, education or community care.

But members still have the protection of the organisation if they choose to remain anonymous — De Beer cannot say how many of the National Party's last remaining Cabinet members earlier this year were *broeders*. What he does say, is that it is "not an unfair assumption" that that is where the Bond lost its representation in the highest level of government. (FW de Klerk is or was one high-profile member, like most senior party colleagues at the height of Afrikaner rule.)

Not that the Bond has been inactive in cultivating friends among the new governing class. Shortly before Nelson Mandela became president, De Beer led an Afrikanerbond delegation to meet him in Shell House, where he was shown the Bond's new constitution. Mandela told them while "he found the old Broederbond reasonably sinister, there was a basis for co-operation based on the new constitution", says De Beer.

More contact with ANC government leaders has followed. Mpumalanga premier Matthews Phosa shared a platform with De Beer at a provincial *bondsraad* meeting last year, Jay Naidoo addressed an Afrikanerbond conference on the RDP, and this year ANC deputy secretary-general Cheryl Carolus addressed a Bond conference in Stellenbosch.

"This is the government of the day," says De Beer.



NUMBER ONE AGAIN

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http://www.web.co.za/mg/news/96may/news1.html

ZA*Now Daily News

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SA needs to weigh its options carefully in choosing between China

(304A)

No other problem is more intriguing than that of the recognition issue between China and Taiwan, contends Andrew Schmulow

BD 30/9/96

THE recent visit by Hsu Li-teh, vice-premier of the Taiwan has brought to a head, what is for SA a particularly vexing problem. In the terrain of our international relations, no other problem is at present more intriguing, or has as great an effect on SA's approach to East Asia than that of the recognition issue between China and Taiwan.

China has a policy of not allowing a country to maintain diplomatic links with both China and Taiwan. Consequently, every country wishing to have links with either China or Taiwan is faced with a choice: "either/or, but not both".

This begs the first of a number of questions: should SA, ostensibly free, independent and democratic, allow decisions regarding her foreign policy to be made in Beijing (or any other foreign capital)? Yet supposing for a moment we have to fall in line with Beijing's rules, how do we deal with this predicament most effectively?

The solution lies within three factors: political, economic, and social.

Politically it behoves SA to seek out the company of like-minded (or like-acting) states. So, democracy and a strong human rights culture should play a key role in our decisions on where to establish missions.

Secondly (and perhaps more importantly), SA needs to determine which of the two states is more vital from the point of economic (and especially trade) links.

Lastly, an analysis needs to be made of which of the two Chinas is more willing — and able — to contribute to social upliftment in SA.

On the terrain of human rights, China has a record best described as appalling. Its treatment of Tibet and its inhabitants alone is one of the great tragedies of our time. China has long had a practice of dealing harshly, even brutally, with any form of political dissent.

Her jails are full of political prisoners, regularly given the most outrageous sentences. Public executions are commonplace, and China's practice of using prisoners as slave labour is well documented.

How can a country which behaves like this be sensitive to the needs of SA, as it tries to build and strengthen democracy? More importantly, how can SA, with its own shameful record of repression, be insensitive to the plight of the ordinary Chinese, struggling against a dictatorial regime?

It is of note in this regard that the Taiwanese have recently elected their president by direct ballot — an event unprecedented in Chinese history.

Also, China's own recent international exploits are dangerous and inflammatory, and fly in the face of public international law.

It seems determined to aggressively destabilise the entire East Asian region. (The militarism towards Taiwan and the illegal annexure of part of the Spratley island chain are current examples.)

Economically, SA not only does far more business with Taiwan than with China, but maintains a healthy trade surplus with the former, and a damaging deficit with the latter. Last year trade with the mainland amounted to R2 894,9m, of which R798,5m was in the form of a trade deficit in SA's disfavour. During the same year SA trade with Taiwan was more than double that with China, at R6 733m, of which R627m was in the form of trade surplus, in SA's favour.

In addition, Taiwan, although far smaller and less populous, has greater future trade potential than does China. Taiwan's annual per capita income is 24 times that of China.

Premier Hsu Li-teh on a recent visit to SA

Estimates are that by the end of the millennium, Taiwan's per capita income may be as much as 40 times that of China.

It is also of note that the important Western powers, notably the US, broke with Taiwan in the 1970s in order to benefit from potentially greater trade with the mainland. Yet, to their great frustration and confusion, trade between the US and Taiwan is still twice as great as that between the US and China. There is a valuable lesson in this for SA.

Moreover, if SA breaks with Taiwan diplomatically, while it may not affect company-to-company trade between SA and Taiwan immediately, it will result in Taiwan's government no longer encouraging or providing incentives for companies, to invest in SA. Government backing of trade cannot be underestimated. Also, Taiwan's considerable support for the RDP will immediately cease. Taipei has made this clear and quite understandably so.

Socially, Taiwan's government has shown a high degree of commitment to the RDP, and to the cause of social upliftment in SA. Taiwan supports countless RDP projects, and has made commendable efforts to stimulate trade between SA and Taiwan.

At present, Taiwan is involved in bilateral agreements and aid programmes, in

BD 30/9/96

304A

and Taiwan

economic co-operation and development focusing on small businesses, as well as displaying dedication to vocational training and cultural exchanges.

Estimates are that there are 600 Taiwanese businesses in SA, totalling R6,5bn worth of investments, and employing an estimated 41 000 people.

Mainland China, by comparison, has dumped such large amounts of cheap textiles onto the SA market (some of which is cheap as it is no doubt produced by prison labour, and by use of other unfair trade practices), that it has driven a number of SA textile manufacturers into bankruptcy.

Estimates are that the footwear industry alone has lost 8 000 jobs since 1989. In certain sectors of the SA textile industry, as many as 143 factories have closed, and production is at its lowest level in 20 years.

With these factors in mind, it would seem that there is little in the way of choice. At present, relations with Taiwan are economically profitable, socially helpful and politically moral. Relations with the mainland on the other hand seem to be uniformly damaging to SA's economy, her social fabric, and her political will.

In conclusion, SA should be willing to engage China diplomatically, but not at the expense of relations with Taiwan. SA should not be dictated to, as to how to conduct, what is after all, SA's foreign policy.

□ *Schmulow is a researcher in the department of international relations at Wits University and the department of economics at the Rand Afrikaans University.*

Department budget of R10m for consultants 'too little'

BD 30/9/96 (304A)

Lukanyo Mnyanda

THE R10m budget allocation to the public enterprises department for advice from privatisation consultants would probably be insufficient in the long-term and Cabinet would be approached for an increase after all, a departmental source said at the weekend.

In August the department indicated that it might ask government for more money but later retracted the statement, saying only that the option to make a request for more money was available.

The departmental source said that an increase would, however, probably be requested early next year, when the privatisation process was fully under way.

Of the R10m budget R3m would be spent by the labour movement in formulating its own positions. The remainder would be insufficient to cover long-term needs of the department, the source said.

The source said the department was not aware of the amounts to be spent by Transnet and the post and telecommunications ministry on advisers. Both entities recently appointed UK-based merchant bank SBC Warburg to assist them with restructuring.

Transnet denied that SBC Warburg's appointment — to review and value SA Airways — was linked to its possible privatisation.

Warburg's brief with the telecommunications ministry, however, includes evaluation of possible strategic partners for Telkom.

Post and telecommunications ministry spokesman Connie Molusi declined to comment on the sums to be paid for Warburg's services.

SBC Warburg could not be reached for comment over the weekend.

Private-sector representatives have also questioned the adequacy of the department's R10m budget, noting that advice related to other state assets had been costly.

They pointed out that consultants who had provided advice on the sale of Mossgas alone were believed to have been paid in the region of R6,5m.

Talks boosted by Inkatha's return

By Patrick Bulger
Parliamentary Correspondent

Cape Town – Negotiations on a revised constitution were boosted yesterday when the Inkatha Freedom Party decided to rejoin the process and the ANC gave its negotiators the go-ahead to finalise the draft by the end of next week.

Two subcommittees of the Constitutional Assembly resume their work at Parliament today. They will be joined by IFP delegates, who will be making their first input into the constitution-making process since the party began boycotting the CA early last year.

ANC negotiator, Provincial Affairs and Constitutional Development Minister Mohammed Valli Moosa, welcomed the IFP's return as "wonderful news", and said the ANC would give the IFP "the benefit of the doubt and assume its participation is positive and constructive".

The negotiators want to finalise a revised draft in time for adoption by the CA next Friday. The draft will then be sent to the Constitutional Court, which will certify or reject it on the basis of its compliance with the 34 immutable constitutional principles adopted at the World Trade Centre in late 1993.

Last month, the court rejected the draft, finding fault with 10 provisions, particularly those on provincial powers which it said had been substantially diminished when compared with the interim constitution.

Significantly, the IFP indicated it agreed with the new timetable, saying that "while it agreed that it would serve no purpose for all the parties to attempt to renegotiate all the positions they have had to relinquish for the sake of progress", it would be irresponsible of the party not to do whatever possible to improve the constitution substantially. The IFP's return coincided with a meeting of the ANC's national executive.

Star 1/10/96 (3049)

IFP to return to Constitutional Assembly and end 18-month boycott

(304A) BD 1/10/96

David Greybe and Tim Cohen

CAPE TOWN — The IFP has decided to end its 18-month boycott of the Constitutional Assembly and will return to the multiparty negotiations today.

However, its participation did not amount to a "full" or formal return to the Constitutional Assembly, senior IFP official Walter Felgate cautioned yesterday. Such a decision could be taken only by the party's national council. But, with only a few days left to finalise outstanding issues, "we cannot wait until the next council meeting", Felgate said.

The ANC, NP and DP welcomed the decision. However, the ANC's national executive committee yesterday backed proposals for a quick resolution to remaining constitutional negotiations, indicating that it did not think the IFP's decision to rejoin the process would cause delays.

The ANC's most senior executive body accepted the proposals drawn up by the ANC's constitutional commission, saying "at this stage" time frames decided on by the constitutional assembly were "advisable and desirable".

ANC senator Bulelani Ngcuka said the committee expressed strong support for the deadlines set out by the Constitutional Assembly.

Ngcuka said the IFP's decision to rejoin the committee stage of the process would not delay the process if the party seriously intended to negotiate agreements. But Ngcuka said it was impossible to say without qualification that delays would definitely not occur.

Ngcuka said the committee agreed that discussions on the list of provincial and national powers should not be reopened because the Constitutional Court had indicated that on its own this issue had not caused it to decide that provincial powers were "substantially reduced".

Hence, as a matter of principle, the ANC felt the list of provincial and national powers should not be adjusted. But he indicated some flexibility on the question of police powers at an operational level, saying the ANC was willing to listen to the IFP's arguments on

IFP (304A)

Continued from Page 1

BD 1/10/96

plus the fact that Ambrosini, as the main architect of the rejected KwaZulu-Natal constitution, might have lost favour within the party.

Felgate had been, in the words of one source, "very helpful in trying to make it easy for other parties to help the IFP return".

Felgate said two "teams" of IFP negotiators would be present at today's resumption of negotiations in the two assembly subcommittees set up to deal with the eight issues rejected by the Constitutional Court.

The IFP teams would begin the process by tabling proposals on all aspects of the court's ruling.

He denied that the IFP's return to assembly proceedings was in conflict with the decision by its national council 10 days ago to delay a final decision until it had met the ANC.

The decision was taken within the latitude provided by the council resolution, he said.

He conceded though that "we are jumping the gun to some extent".

the topic.

The committee rejected NP and DP arguments that the majority for passing amendments to the constitution should be lifted to 75% from two thirds.

Meanwhile, some non-IFP sources maintained the party's return was mainly due to Felgate winning a power struggle with fellow "hardliner" and IFP legal adviser Mario Ambrosini.

They noted Ambrosini was absent at the recent talks with other parties,

Continued on Page 2

Govt probe 'waste of time'

SA Communication Service chief walks out of conference after dismissing task group's investigation

(304A)

Star 7/10/96

SAPA
Cape Town

South African Communication Service head Soli Kotane cocked a snook at a government-appointed communications task group set to propose his institution's demise, by walking out of a consultative conference held in Caledon in the Western Cape at the weekend.

Kotane, accompanied by the only SACS delegate at the Comtask conference, Tembeka Nkamba, left the conference centre shortly after dismissing the task group's eight-month investigations into government communications as a complete waste of money, according to ANC MP Duma Nkosi.

Nkosi yesterday said Comtask chairman Mandla Langa accepted that Kotane's reasons for leaving the conference were genuine.

Although Kotane had not excused himself in advance, Langa had later established that he had a prior engagement in Zimbabwe yesterday.

Langa confirmed Kotane's trip but declined to comment on the walkout.

The SACS's disbandment are among several recommendations to be made to Deputy President Thabo Mbeki, which if accepted, will transform government communication structures completely.

Despite demands from several delegates that the SACS should be closed, there are strong indications from Mbeki's office that the deputy president may not agree with the recommendation.

Opening the conference on Friday night, Essop Pahad, a deputy minister in Mbeki's office, urged delegates not to treat the SACS "unjustly and unfairly".

He also warned against approaching the SACS as the only institution in the country that needed transformation.

Since the ANC came into power, Kotane had spearheaded efforts to transform the SACS into a more relevant body.

Mbeki's communications director, Thami Ntenteni, objected to statements made at the conference that the SACS would go.

Comtask was merely making a recommendation and the SACS's demise was not necessarily a *fait accompli*, he said.

Ntenteni also disagreed with views expressed by several government liaison officers that the SACS – an apartheid institution – could not be transformed.

Support for transforming the SACS instead of disbanding it came from Cosatu delegate Nowetu Mpati, who warned that her federation would not take kindly to retrenchments.

She suggested the SACS be given a chance to reform itself as an alternative to closure, although other delegates were of the view that the institution could not be transformed.

IFP again quits constitution talks

(304A) ARG 7/10/96

The Inkatha Freedom Party has pulled out of final talks on a permanent constitution, a senior government negotiator said today.

African National Congress negotiator Pravin Gordhan said that after one-to-one talks with Inkatha, he had been told the IFP would not take part further in the work of the Constitutional Assembly.

"It is with some regret that we must announce this morning that they are not going to be part of the process of finalising the constitution from today onwards," he said.

IFP representatives last week ended an 18-month boycott of the constitution-writing process, tabling about 60 amendments which would have shifted power from the central government to provincial authorities and traditional leaders.

The assembly has until Friday to correct flaws in the draft constitution identified by the Constitutional Court. – Reuter

Constitutional Assembly chairman Cyril Ramaphosa (left) chats with Roelf Meyer, National Party general-secretary and the party's chief negotiator in the CA yesterday after the Inkatha Freedom Party announced it was withdrawing from the assembly. Both Meyer and Ramaphosa expressed disappointment and regret at the IFP's move. IFP leader Chief Mangosuthu Buthelezi (right) whose party quit three days before the revised Constitution is due to come up for debate in the CA.

IFP out in the cold

(304A)

Sowetan 8/10/96

By Rafiq Rohan
Political Correspondent

THE INKATHA Freedom Party has missed all chances of shaping South Africa's constitutional future and could be left out in the cold for good, the African National Congress and National Party said yesterday.

The ANC and NP were reacting to the IFP's sudden withdrawal from the Constitutional Assembly yesterday – three days before the revised Constitution comes up for debate by the 490-member CA.

Yesterday, in less dramatic style than the last time IFP MPs stormed out of Parliament 18 months ago, the party's negotiators, Mr Walter Felgate and Mr Peter Smith, did not pitch up for the all-important meeting at 11am in Parliament.

The announcement came via a simple statement from CA provincial powers sub-committee chairman Mr Pravin Gordhan: "Regretfully, the IFP has pulled out of the process."

Narrow focus

The IFP ascribed its refusal to continue participating in the CA to the narrow focus of assembly structures, which could not address the party's key concerns.

Chairman of the IFP parliamentary caucus Mr Ben Skosana said last night the management committee had made it clear that the sub-committees and the Constitutional Committee could deal only with matters expressly referred back by the Constitutional Court.

"There is no point in pursuing our negotiations in those forums. At this point, the only forums in which our constitutional concerns may be addressed are in bilaterals with other parties, which the IFP is actively pursuing," Skosana said.

Speaking to *Sowetan* yesterday, CA chairman Mr Cyril Ramaphosa said it was "very disappointing" that the IFP had pulled out.

He expressed little optimism at the party's return to the process. "I don't think that there is a chance of them coming back," Ramaphosa said grimly.

NP chief negotiator Mr Roelf Meyer told *Sowetan* that he was not too concerned that new tensions would be created in troubled KwaZulu-Natal.

But he, too, agreed that there was not much chance of the IFP returning to the process.

"We regret that they had to pull out. We were so close, yet so far."

Traditional leaders

ANC MP on the sub-committee Mr Willie Hofmeyr said his organisation had "bent over backwards" to accommodate the IFP and had thought that agreement had been reached.

There was even an agreement that the role of traditional leaders could be accommodated to function on behalf of certain local authorities. The IFP's unhappiness centres around the role of the *Amakhosi*.

The party insists that traditional leaders should have the greater authority in provincial areas.

The IFP's Felgate told *Sowetan* that technically, his party had not pulled out. He said they wanted an extension of time and the ANC was unable to oblige.

"We participated in the committees and the bilateral talks last week and the results of those discussions were referred back to our principals. The IFP national council was not satisfied and we were told to go back and negotiate further." But the ANC was unable to grant a time extension for further talks, he said.

IFP came close to accepting ANC deal before walking out

(304A) CT 8/10/96

POLITICAL STAFF

THE IFP was within a whisker of accepting a package deal offered by the ANC before IFP leader Chief Mangosuthu Buthelezi chose to withdraw his negotiators from the constitution-making process.

The remaining parties in the constitutional committee finalised amendments to address the Constitutional Court's criticisms. "The job is done," said Constitutional Assembly chairman Mr Cyril Ramaphosa.

The draft constitution seems likely to be unanimously approved by the Constitutional Assembly on Friday — but the IFP's 48 senators and MPs will not be there.

The changes considerably beef up provincial powers, particularly the provincial governments' control over provincial police services.

Parties across the spectrum expressed dismay at the IFP withdrawal yesterday, with Ramaphosa and NP chief negotiator Mr Roelf Meyer expressing "shock". The IFP only returned last Tuesday to the Constitutional Assembly sub-committees after an 18-month absence from the CA.

While the party said the decision was taken by a regular meeting of the IFP national council in Ulundi on Sunday, IFP sources said that Buthelezi was insistent that the negotiators should not return to the negotiating table.

Significantly, Buthelezi told a King Shaka rally at the weekend that the media had played down the significance of the unified stance chiefs across the political spectrum (including ANC MP and Congress of SA Traditional Leaders president Chief Patekile Holomisa) had taken against the constitution.

He also railed against the decrease in the authority of chiefs.

IFP negotiator Mr Walter Felgate said the party would continue to negotiate with other parties, including the ANC, and would seek incremental amendments to the constitution if it did not achieve its aim of a fully inclusive settlement before the Friday cut-off.

He confirmed that the party had withdrawn from formal CA structures. "It does not look as if there is any prospect of an all-party agreement on a constitutional text, so there was no point in our continued participation."

Felgate said the IFP would be contacting Ramaphosa to propose talks between the IFP and the ANC.

ANC negotiator and chairman of the sub-committee that dealt with the strengthening of provincial and municipal powers, Mr Pravin Gordhan, said he had been told late on Sunday afternoon of the IFP's intentions.

He told the constitutional committee that during negotiations last week the IFP had honed down its demand to a core issue: that traditional leaders should make up municipalities in rural areas.

The IFP had, however, acknowledged that making the chiefs the primary form of local government not only in KwaZulu-Natal "but in the whole country" would not pass the constitutional test requiring democratic third-tier government, Gordhan said.

NEWS

ANC and NP shocked by IFP walk-out from talks

Blow on eve of final constitution deals

CLIVE SAWYER (304A)
POLITICAL CORRESPONDENT
ARG 8/10/96

African National Congress and National Party negotiators have expressed shock and disappointment at the Inkatha Freedom Party's last-lap withdrawal from the formal constitution-writing process.

The IFP pulled out from the Constitutional Assembly on the eve of committee meetings to put the finishing touches on deals to resolve issues referred back to negotiators by the Constitutional Court.

Inkatha's national council ordered the withdrawal because of its dissatisfaction over a failure to win an entrenched place for traditional leaders in rural local government.

At a Constitutional Committee meeting yesterday, ANC negotiators said the IFP had admitted that the demand was out of line with the principles secured by the 1993 interim constitution.

The IFP said it wanted to continue bilateral talks with the ANC on the constitution, a move seen as emanating from those in Inkatha who have campaigned hard within the party to keep it in formal negotiations. But the bilateral talks will be outside the process and are unlikely to have any effect on it.

The full Constitutional Assembly will meet on Friday to vote on the revisions to the constitutional text produced by intensive bargaining over the past fortnight.

At yesterday's Constitutional Committee meeting, ANC chief negotiator Valli Moosa said he was "lost for words" at the IFP's withdrawal. Mr Moosa had told a press briefing on Friday that negotiations with the IFP had gone well.

Roelf Meyer, chief negotiator for the NP, said he was disappointed that the IFP would not go through with the process.

Before yesterday's Constitutional Committee meeting, sub-committees produced agreements on issues for inclusion in the revised text.

Among issues settled were the right of unions and employers to collective bargaining, revised rules for amending the constitution, municipal fiscal powers and functions and protection of the Auditor-General and Public Protector from too-easy removal from office by Parliament.

Other deals covered the independence of the Public Service Commission and increased input for provincial governments into policing.

Constitution to be ratified despite IFP departure from assembly

(304A) BD

David Greybe

CAPE TOWN — Hopes of an inclusive constitutional settlement were dashed yesterday when the IFP told the ANC it was not returning to the Constitutional Assembly.

The IFP said it had decided to pursue its constitutional concerns with the ANC and other parties in private talks.

The reason, IFP parliamentary caucus chairman Ben Skosana said, was the assembly decision that the latest round of negotiations "could deal only with matters expressly referred back by the Constitutional Court, thereby excluding our key concerns". Among these concerns is the role of chiefs in rural local government.

ANC chief negotiator Valli Moosa said the ANC had been "lost for words" to hear the IFP was not returning to the two assembly subcommittees dealing with the outstanding issues. He said: "If the IFP asks to meet the ANC bilaterally, we will." It was unfortunate that such talks would take place outside the assembly.

The ANC said nothing would delay Friday's ratification of the revised constitutional text in the assembly.

IFP chief negotiator Walter Felgate said that if the assembly vote went ahead on Friday, it would show "it is a constitutional process not waiting for a multiparty settlement".

The IFP would boycott the vote, as it had the first time round, "if our positions are not included".

The reworked text on the eight issues referred back by the court was adopted yesterday in the "engine room" constitutional committee by all parties except the IFP.

The implementation date of the new constitution is the only substantial issue outstanding, because of practical problems around aspects such as the budget. Parties intend to finalise the matter in the management committee on Thursday.

Senior ANC negotiator Pravin Gordhan said Felgate had informed him that the IFP national council had decided at the weekend it would no longer participate in the assembly

IFP

(304A) BD 8/10/96

Continued from Page 1

weekend national council meeting Felgate had argued for flexibility on the IFP demand that the constitution guarantees traditional authorities the status of primary local government structures in tribal areas. Felgate had argued that the IFP should accept that tribal areas would have elected councils, in exchange for a constitutional guarantee that they could assign powers to traditional authorities.

IFP sources said IFP president Mangosuthu Buthelezi, backed by his constitutional adviser Mario Ambrosini, had overruled Felgate.

An ANC source said IFP negotiators had tabled the compromise proposal at a meeting last week, and the ANC had agreed to give it "serious consideration". It now appeared that the IFP negotiators had made the proposal without Buthelezi's approval, and had been unable to persuade him to accept it.

The sources said Buthelezi was against the compromise because he doubted that in tribal areas where the ANC won local government elections it would assign powers to traditional authorities. Buthelezi was said to have set the tone for his stance at a public rally on Saturday when he warned against "municipal arrangements" being "imposed" on chiefs.

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structures. It had also decided that it wanted to increase its "bilateral delegation" for talks with the ANC from two to 20, and that there could be no compromise on its demand that traditional authorities make up the "primary" level of local government.

Farouk Chothia reports IFP insiders said there was confusion in the party on constitutional strategy as a result of deep divisions in its ranks.

The sources said that at the IFP's

Continued on Page 2

IFP meeting ANC for 11th-hour talks to secure its demands

Star 9/10/96 (304A)

By Patrick Bulger and Mondli Makhanya
Political Staff

Cape Town – The ANC and the Inkatha Freedom Party are to meet today in what is expected to be the first of several meetings aimed at brokering an 11th hour deal on their constitutional differences.

The meeting in Cape Town is a last-gasp attempt by the IFP to secure its constitutional demands after walking out of the Constitutional Assembly on Monday.

IFP MP Ben Skosana said at Parliament yesterday they had asked the ANC for a bilateral meeting before the Friday deadline for the new draft constitution to be submitted to the Constitutional Court.

The IFP pulled out of the process claiming its demands could not be accommodated by the process as it is, including the Friday deadline for the adoption of amendments demanded by the Constitutional Court. The party is seeking a special deal for traditional rulers in local government.

Skosana said the IFP did not believe the constitution had been "wrapped up" or that it was too late to make an impact on the final document before it goes back to the Constitutional Court for certification.

The IFP would also have to examine "other tactics" to pursue its demands.

Skosana did not elaborate on what he meant but indicated that the IFP would continue to seek constitutional mechanisms to accommodate traditional authorities.

Responding to the IFP pullout, the ANC's KwaZulu Natal region accused the IFP of engaging "in the politics of boycott and blackmail" and said it was "deserting the electorate that voted it into the Constitutional Assembly to draw up a democratic constitution".

"The electorate that voted for the IFP will have to review the trust they put in the IFP in April 1994," said ANC provincial spokesman Dumisani Makhaye.

Makhaye said the IFP's demand that traditional leaders should be the primary form of local government in tribal areas was a strange one. "Why should the IFP as a political party think it can speak on behalf of the traditional structures?" he said.

Cool look at Midrand Parliament bid

Star 10/10/96 (304A)

Cape Town – Midrand's attempts to woo Parliament away from the Mother City have received a frosty reception from the Cape Town-based media.

Only two journalists (from Johannesburg-based organisations) and a solitary television crew attended a presentation on the virtues of moving Parliament. This event was staged by Midrand's parliamentary bid committee yesterday.

Twenty-eight invitations for the presentation were issued.

The head of the committee, Jenny Lehr, presented a convincing argument for the relocation, saying that keeping Parliament in Cape Town was costing the country R110-million a year to transport and house parliamentarians.

It also made sense to have the executive and the legislature close to each other.

More than 40% of SA's population lived within a 200km radius of Midrand, Lehr said, against 7% of the population who lived within 200km of Cape Town. Midrand's bid was an integrated one that sought to address apartheid imbalances and meet the development needs of a fast-growing region.

Cape Town could compensate for losing Parliament by developing its tourism industry, Lehr argued. Fifty percent of hotel beds in Cape Town were currently taken up by bureaucrats, she said. – Sapa.

Consultants reap more than R1bn from govt, provinces

(304A) BD 10/10/96

Linda Ensor

CAPE TOWN — Government departments and provincial governments would pay at least R1bn this year on fees for 2 359 consultants, a preliminary survey conducted by state expenditure has shown.

On average, this was R424 000 a consultant a year, with many consultants earning more than R1m.

The R1bn figure, presented yesterday to the joint standing committee on public accounts, excluded the cost of consultants used by Deputy President Thabo Mbeki's office, the SA Communication Service, the RDP office, the auditor-general's office and six provinces from which little or no input was obtained. Also excluded were 21 consultants employed by the health department with European Union funds.

While warning the figures were "soft" in that different definitions of consultants were used by different departments, state expenditure deputy director-general Tobie Verwey believed the R1bn was realistic.

Thirty-five departments submitted information for the survey.

The consultants were divided into professional groups such as architects and attorneys, 1 797 of whom earned R768m. In addition there were 22 advisory consultants who earned R6,5m and 540 continuous information consultants — 90% of them members of task teams — who earned R226m.

Gauteng topped the list in terms of the number of consultants used this year — 1 018 at a cost of R64,6m. However, KwaZulu-Natal paid out most, R242m for 236 consultants, even though its input was incomplete.

State expenditure had budgeted for 304 consultants at R32m; SA Revenue Services 105, costing R84,4m (excluding a further 34 to be employed this year); and water affairs and forestry 219 consultants costing R173m.

The figures suggested at first glance that more than 300 consultants would each earn more than R1m this year, but Verwey noted that some of the figures could represent fees to firms of consultants rather than individuals, and should be treated with caution.

For instance, it appeared that the seven consultants in the SANDF would earn R84m this year, and one consultant in public enterprises R11,2m.

The justice department's figures of 20 consultants at R5,3m included former officials employed as chief legal administrative officer, financial management director, Port Elizabeth state attorney, Bloemfontein senior registrar and assistant master of the Pre-

Continued on Page 2

survey

Consultants

(304A)

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toria Supreme Court.

Auditor-general Henri Kluever noted that departments were not complying with state expenditure directives and that these state expenditure directives were not enforceable in the provinces, which had no structures to deal with consultants. There were vast differences between departments in the fees paid to consultants. Fees in the proposals Kluever's department had received ranged from R5 000 to R15 000 a day.

However, Kluever said procedures had recently been tightened up and matters had improved.

There was agreement between auditor-general Henri Kluever, state expenditure director-general Hannes Smit and public service and administration director-general Lukas Stoop that the key problem facing government was the lack of proper management of consultants to ensure that they delivered value for money and work of quality. This was perhaps more important than the fees paid.

ANC MP Barbara Hogan emphasised that government needed the skills provided by a wide range of consultants to enhance its capacity to deliver. What was of concern was the tendency by some government officials to leave the public service only to be re-employed at higher salaries as consultants. The problem of excessive fees appeared to have emerged, she said, among consultants who were not professionally organised, such as human resources, personnel advisers, management consultants and information technology consultants.

Kluever agreed saying that the fees charged by consultants from these unstructured professions were usually far in excess of those from the organised professions.

MAG(PM) 11-17/10/96

Comtask strikes at Sacs

(3049)

Current government communications was lambasted by Comtask, reports **Anton Harber**

GOVERNMENT communications will go through a massive overhaul and fundamental restructuring if the recommendations of the task group on government communications (Comtask) are accepted.

Comtask, which outlined the findings of its eight-month investigation at a conference in Caledon in the Western Cape last weekend, was scathing in its description of current government communications.

The eight-person committee found that:

- too few resources are applied to communications;
- the government does not give the matter sufficient priority;
- there is a lack of central co-ordination of the government's message, no co-ordination of messages between government departments and not even co-ordination of messages on one issue within a department; and
- the subject is not taken seriously at a high-enough level.

"Communications remain a Cinderella and the government is substantially impoverished by its own inability to take this crucial aspect of governance seriously," they concluded.

Sol Kotane: Did nothing to transform Sacs

The severe criticism of government media operations ran almost from top to bottom. The sole exception was the president's office, which "runs an efficient communications system".

But "the Cabinet does not", and ministries are "structurally disempowered" because they have only one media liaison officer, and often these are plucked from departmental structures "regardless of their communication skills or their sympathy with, and understanding of, the policies and persuasion of the minister".

Similiar criticisms were directed at departments and provinces. The committee cited lack of creativity, shortages of resources and the absence of a clear policy.

The Foreign Affairs Department was singled out for special mention: information flow to overseas missions was inadequate, there was no guidance on priorities, no overall strategy and co-ordination, with the result that the country was putting out a confused set of messages abroad just as the country's "honeymoon" period was ending.

In one of its more biting remarks, Comtask said: "The term 'new South Africa' is not a sufficient marketing strategy."

But the strongest words were aimed at the institution which is supposed to deal with all these issues — the South African Communications Services (Sacs). Lacking a "clear mandate", Sacs appeared as "a collection of undirected components", all suffering from low morale and with "no clear basis on which to restructure or reform itself".

So low was its level of interaction with government departments — which should be the core of its work — that two-thirds of ministeries, departments and provinces only had contact with them "from time-to-time" and 17% "not often".

Comtask reported a "lack of enthusiasm for Sacs across the government and in the media" and "low credibility".

There was no evidence that the man brought in by Deputy President Thabo Mbeki to transform Sacs, Sol Kotane, had done anything to change the situation. In fact, he showed his contempt for the work of Comtask by packing up his bags halfway through the conference — having said nothing in the debate until then — and leaving.

Apparently he had to attend a conference in Harare, but made no apology nor offered an explanation to the meeting and left behind no one to argue his case. He boasts a staff complement of 500, but apparently none of them were able to participate in the rest of the conference.

Comtask went on to recommend a complete restructuring of the system, including the closure of Sacs, allowing ministries command over their department's communications, giving the matter a higher financial and policy priority and outsourcing most media production.

■ To PAGE B8

Comtask's scathing attack

■ From PAGE B6

The only centralised bodies in their new structure would be an office in the presidency to co-ordinate overall messages and avoid duplication, and a small body of experts to bulk-buy media space for the government in order to effect savings.

There was also a host of secondary suggestions: that old South African censorship laws still on the statute book be cleaned up; that Channel Africa receive funding to continue broadcasting across the continent; that a system be set in place for the long-term funding of the South African Broadcasting Corporation; and that the Open Democracy Act be passed into law to fulfill the mandate of open and accountable government.

As the conference drew to a close, it was clear that Comtask had come a long way since it was set up by the deputy president last year. A major focus at that conference was the status of white-dominated media and the level of criticism aimed at the government.

Comtask, under the chairmanship of author Mandla Langa, expressed concerns about these issues, but chose to refer them to the Competitions Board. It kept its focus on the gross inadequacies of government communication, and resisted the temptation to divert attention to the media itself.

But many at the conference were left asking whether these recommendations — so different from the media critique frequently offered by Mbeki — would be implemented. Certainly, the signs were not all good: when Kotane abandoned the meeting, it was left to Mbeki's representative, Thami Ntenteni, to take up the fight to keep Sacs in place and try to re-direct criticism towards the media and away from the government. And Deputy Minister Essop Pahad appealed to the meeting "to be kind to Sacs".

A Congress of South African Trade Unions representative also rushed to the defence of Sacs with a raw denunciation of what she said amounted to a "privatisation" and the loss of jobs. The irony of trade unions, a South African Communist Party chief (Pahad) and a former African National Congress propaganda artist (Ntenteni), supporting an arch-apartheid creation was not lost on the audience.

Comtask will now wrap up its report by the end of the month, and send it on to the deputy president. Will he, delegates were left to ponder, accept recommendations he does not particularly want to hear?

Cape Town urged to give up Parliament

(304A) ARG 11/10/96

NETRO CORRESPONDENT

Cape Town should give up Parliament and focus on the tourism industry – which could earn more for the city than politics does.

This is the pitch of Midrand, otherwise known as Halfway House, between Johannesburg and Pretoria, whose representatives have been in Cape Town to promote the town's bid to secure the seat of parliament.

The group, who gave presentations to parliamentarians and journalists, argue that Parliament in Cape Town is obscuring the city's true potential as a world tourism destination.

They say they have been well received by the people who count when it comes to making the decision. The constitution says the seat of parliament can be moved by a simple majority vote.

Marketing consultant Braam van der Vyver claimed that Cape Town had "tunnel vision" and needed to see that hotel beds were being clogged up by bureaucrats rather than tourists, whose "multiplier effect" was far greater. He and Midrand councillor Suzie Naidoo argue that Cape Town should convert the houses of parliament into a conference centre and reap the benefits as the premier convention centre on the continent because of its beautiful location.

They say Midrand, on the other hand, is ideally situated for the seat of parliament because 76 percent of the country's population and 370 of parliamentarians live within 600km. By comparison Cape Town has only 15 percent of the population within 600km and 88 parliamentarians.

They argue that it is costs the country R110-million a year to move politicians and officials between Pretoria and Cape Town and parliamentarians, many of whom are single parents, take personal strain by commuting.

Midrand also has other persuasive arguments why it should be chosen.

Apart from lying midway between the administrative and financial centres, there are plans to promote a circular rail link which would help integrate depressed areas of Gauteng.

Constitution gets the nod

ARG 11/10/96 (304A)

CLIVE SAWYER
POLITICAL CORRESPONDENT

A revised text of the new constitution, aimed at winning the approval of Constitutional Court judges, was passed today by the Constitutional Assembly.

The African National Congress, National Party, Democratic Party and Pan Africanist Congress voted in favour, the African Christian Democratic Party against, the Freedom Front abstained and the Inkatha Freedom Party was absent.

Should the revised text be approved by the Constitutional Court, most of the provisions of the new constitution will come into effect between January and July, but certain budgetary provisions will take effect only from January 1998.

Cyril Ramaphosa, chairperson of the Constitutional Assembly, said he hoped today's meeting of the assembly would be its last.

The decision of the Constitutional Court to refer back some sections of the text approved in May had resulted in a strengthened product, he said.

DP chief negotiator Colin Eglin said the party voted in favour of the constitution in spite of its unhappiness about the dilution of the clause guaranteeing employers' rights to collective bargaining. This could mean the constitution would not be certified by the court.

NP leader FW de Klerk said that while none of the negotiating parties was entirely happy with the final product it was up to all to uphold the constitution and make it a living document.

He called on provincial governments, including the NP in the Western Cape, not to undermine the constitution.

FF leader Constand Viljoen said his party repeated its abstention because of its failure to secure single-medium education in schools.

PAC leader Clarence Makwetu supported the constitution in spite of his party failing to secure its demands on land reform.

(304A)

13/10/96

THE NEW CONSTITUTION

Final fitting c cloth of natic

(304A)

On Friday the finishing touches were put to the Constitution. CYRIL MADLA writes about the last-minu improvements to South Africa's founding documer

HOUR OF GLORY . . . Cyril Ramaphosa has hailed the creation of the nation's 'birth certificate'

WHEN the Constitutional Assembly rose to give an ovation to chairman Cyril Ramaphosa on Friday, it was more than just his hour of glory.

It was, in Ramaphosa's own words, that in adopting the amended text of the Constitution, MPs were giving the nation a birth certificate. It was a living document which, as the country's supreme law, would live with us for many generations to come.

As was to be repeated many times by various speakers, the only genuine regret was that, yet again, the IFP was not there to represent its considerable constituency.

South Africa, once an outcast in the democratic world, has moved so quickly that when the Constitutional Court considers the amendments and listens to objections on November 18, the IFP, like each and every South African citizen, will be entitled to lodge objections and its misgivings will be fully addressed.

For now, we can merely reflect on the process that has been followed in fixing the defects identified by the Constitutional Court in the text adopted in May.

It is largely true, as the IFP frequently pointed out, that the negotiators adopted a minimalist approach and charted a course that would most expeditiously finalise the Constitution.

Legally speaking, any party could have sought the reconsideration of any clause in the text, but in the end, only those few areas with which the court had found problems were improved upon.

For example, the court identified the provision governing the removal of the public protector and the auditor general as failing to meet the standards of impartiality and independence that have to be secured in the new Constitution.

It said a simple majority was not good enough, and the negotiators agreed in the amended text that a resolution of the National Assembly concerning the removal from office of these officials would need to be adopted with a supporting vote of at least two thirds of the assembly's members.

Although not required to do so, the negotiators agreed to tamper with the appointments as well, and said at least 60 percent of the members of the assembly, instead of a majority, would need to approve the appointment of the public protector and auditor general.

Another new provision which has been added, although there was no requirement to do so, deals with the openness of National Assembly committees. The public, including the media, may no longer be excluded f sittings unless it is reasonable and justifiat do so in an open and democratic society.

The previous provision had stated that sonable measures should be taken to reg access to the Assembly and its committe

On the sensitive matter of labour rela the court found that it was not enough to c on trade unions and employers' organis alone the right to collective bargaining right of individual employers also had specifically entrenched, it directed.

This has now been complied with, bu islation may be enacted to regulate coll bargaining and this right may be limited reasonable and justifiable to do so.

The new text provides for special dures involving special majorities in ame the Constitution.

The outcome is a more stringent prot of the Bill of Rights because addi procedural or other requirements, othe those applying to ordinary constitu amendments, have now been introduced

The table of rights which may not b tailed, even under a state of emergenc been revised.

The right not to be discriminated aga the grounds of colour, religion and lan will now enjoy the same status as prote against discrimination on the basis of race sex.

The text adopted on Friday has rectifie shortcomings identified by the court abou Public Service Commission.

The judges had said that the powers functions of this body needed to be defined that the commission had to be protect ensure its independence and impartiality.

The negotiators have done this, and fur strengthened the provinces by adding provincial governments are responsible for recruitment, appointment, promotion, fer and dismissal of members of the service in their administrations within framework of uniform norms and standa

or the nhood

ST 13/10/96

applying to the public service.

The most complicated issue that has had to be dealt with in amending the Constitution is local government.

The Constitutional Court had said that, besides spelling out the powers and functions of local government, a framework for the structures had to be provided.

Fiscal powers had to be set out, as well as formal legislative procedures with which local government authorities had to comply.

The amended text now defines three types of municipalities:

- Category A: a municipality that has exclusive municipal executive and legislative authority in its area;
- Category B: a municipality that shares municipal executive and legislative authority in its area with a Category C municipality within whose area it falls;
- Category C: a municipality that has municipal executive and legislative authority in an area that includes more than one municipality.

Traditional leaders of a community observing a system of indigenous law and residing on land within the area of a transitional local council, a transitional rural council or a transitional representative council will be entitled to be ex officio members of those councils.

Although ANC negotiators have tried to project this as an example of the party's magnanimity and a demonstration of its commitment to accommodate the IFP's concerns about traditional leaders, in essence this does not amount to much.

The traditional leaders will enjoy this status until April 30 1999, or until an Act of Parliament provides otherwise.

This means the ANC can use its majority in Parliament to remove this constitutional privilege at any time.

But then, only the IFP and its *amakhosi* can best judge the wisdom of excluding themselves from the constitution-making process. Perhaps they could have secured themselves a better deal.

The rest of the country is only a nod away from embracing a truly remarkable document. That is, should the learned men and women in robes so wish to indulge the nation, Ramaphosa and his deputy, Leon Wessels.

The two have other business to attend to.

- *Those who object to the revised Constitution have until Friday to notify the court, and until next Friday to indicate in writing what they object to*

SHUNNED TALKS ... perhaps Mangosuthu Buthelezi could have secured a better deal

Revamped constitution draft is spelt out

CT 16/10/96

(304A)

PATRICK BULGER traces the major amendments the Constitutional Assembly has made to the final Constitution in a bid to satisfy the Constitutional Court.

THE Constitutional Court is South Africa's highest legal authority and the guardian of the new constitutional order.

After the Constitutional Assembly had on May 8 completed the two-year project of drawing up a final Constitution, the court considered the draft against the background of the arguments of political parties and interest groups.

The court concluded the draft did not comply with the 34 constitutional principles adopted by the negotiators in late 1993. It referred the draft back to the Constitutional Assembly for more work.

This process of correction and amendment reached the first stage of its conclusion on Friday when the Constitutional Assembly adopted a resolution containing 10 alterations and additions to the May 8 draft.

The most far-reaching of the court's findings was that relating to the powers of the nine provincial legislatures as opposed to the powers of the central government and Parliament.

In keeping with the court's orders, the negotiators increased the powers of the provinces. They did this by two methods.

First, the negotiators narrowed the scope of the "overrides", a technical description of the power Parliament has to veto legislation coming from a provincial legislature.

While the May 8 draft said a national law prevails over a provincial law where "the interests of the country as a whole require that a matter be dealt with uniformly", the new offering says a national law will prevail if it "deals with a matter that, to be dealt with effectively, requires uniformity".

The second method involved the removal of the presumption that a national law prevails over a provincial law if that national law has been passed by the National Council of Provinces and if it deals with matters such as national security and economic unity.

CONSTITUTION WATCHDOGS: The members of the Constitutional Court are (seated from left) judges Sachs, Chaskalson (president), Mahomed; (standing from left) judges Madala, Goldstone, O'Regan, Didcott, Langa, Mokgoro and Kriegler. The 11th judge Laurie Ackermann was not present.

Now, any dispute over whether the national or provincial law prevails may be referred to the courts which will have to consider the national council's views but will not necessarily be bound by its assent to a law which a province may feel encroaches on its powers.

Having enlarged the scope of provincial legislative jurisdiction, the negotiators went further to substantially add to provincial powers in one specific area of government, namely policing. The general thrust of their amendments is to make the police in a province more accountable to the provincial government. For example, a province may appoint a commission of inquiry into complaints of police inefficiency or any breakdown in relations between the police and the community in that province. A province may also call a provincial police commissioner to account and a provincial executive must concur with the national commissioner's choice of a provincial police commissioner. Provinces may institute proceedings for the removal of a provincial police commissioner.

Local government also came under the spotlight with the court arguing for more detailed local government arrangements than were contained in the May 8 draft. So the proposed draft sets out three categories of local government and it calls for national legislation to determine the criteria in terms of which cities, towns and rural areas will be allocated to the categories. Significantly, provincial legislation will determine the different types of municipalities.

Local government finances were also revisited. Municipalities have the right to impose rates on property and other appropriate taxes. But they may not do so in a way that prejudices national economic policies or economic activities across municipal boundaries. Two municipal governments with jurisdiction over a single municipal entity may not impose the same taxes and legislation must ensure that "municipalities raise taxes, levies and duties commensurate with their fiscal capacity and tax base".

The negotiators also had to tighten up the mechanisms in terms of which the Public Protector and Auditor-General are appointed and removed from office. Instead of the simple majority of the National Assembly envisaged in the May 8 draft, the incumbents of these posts may now only be removed by a two-thirds majority of the assembly.

The section on the Public Service Commission has been fleshed out and its functions defined in more detail.

Another contentious area for the court was the provisions relating to labour relations. The negotiators had no choice but to remove the clause that in effect placed the Labour Relations Act beyond the reach of the constitution, a device intended to provide employers with the right to lock-out strikers without the constitution specifically empowering them to do so.

Now, the lock-out is not mentioned but it remains an implicit employer's right. The negotiators also had to give effect to the court's order that employers may not be compelled to bargain with their workers only by joining an employers' organisation. Each individual employer will now have the right to bargain with its own workers at plant level instead of at central level as just one of many employers. In other words, the right of employers not to have to join employers organisations for the purpose of bargaining has been upheld.

The court must now consider whether the amended draft complies fully with the principles. If it finds that the draft complies President Nelson Mandela may then set a date for the introduction of a new legal and constitutional order. If, however, the court is still not satisfied, it will be back to the late-night drawing board for the negotiators.

❑ Patrick Bulger is the parliamentary correspondent of The Star.

Publication of financial register may be delayed

CT(BR) 22/10/96 (304A)

David Greybe

CAPE TOWN — Parliament's ethics committee is expected to decide today to postpone the publication of a register of financial interests of MPs and senators until February next year.

The acting registrar of the committee on members' interests, Peter Lilienfeld, said yesterday he would recommend this when the committee, chaired by Water Affairs and Forestry Minister Kader Asmal, meets.

The main reason for the postponement proposal was administrative, and not because about a fifth of MPs and senators had still to declare their financial interests, he said.

The publication of the public part of the register was originally scheduled for November 15, but will now probably take place soon after the resumption of Parliament early next year.

Parliament's joint rules committee adopted the "code of conduct in regard to financial interests" in May, while the committee on members' interests was finalised at end-August.

About 120 MPs and senators failed to meet last Wednesday's deadline for submission of forms detailing financial interests. But the figure had "dropped steadily to less than 100" by yesterday, Lilienfeld said. A final figure would be given to the committee this morning.

A total of 491 elected officials (400 MPs, 90 senators and President Nelson Mandela) are eligible to provide details for a public and private register of financial interests for themselves and their "immediate family".

Lilienfeld said the administrative reasons for the delay had been necessary for the committee to establish "clear-cut norms for disclosure to avoid any undue embarrassment regarding disclosure". The proposed norms would then have to be discussed and approved by both the National Assembly and Senate.

"The whole objective is not to control people, but to help them avoid any conflicts between their own affairs and parliamentary activities," Lilienfeld said. The code was also intended to "promote confidence in Parliament".

MPs and senators have to disclose, among others, shares, directorships, partnerships, consultancies, sponsorships, gifts, hospitality, land, property, pensions, travel and benefits. Disclosure must begin from the adoption of the code on May 21 this year. Information disclosed in regard to immediate family is kept in the confidential part of the register, unless a member, at his discretion, decides otherwise.

Information must be updated "at annual intervals", with the exception of that on gifts or hospitality, "which must be entered by the end of every second month in each calendar year".

Corruption remains 'a danger' to SA's fledgling democracy

Kevin O'Grady

BD 22/10/96 (304A)

ALTHOUGH corruption featured in SA's new order just as it did in the old, the country now had constitutional institutions to prevent it being overwhelmed by corruption in the same fashion as many other African countries, DP Gauteng leader Peter Leon said at the weekend.

Speaking at the International Bar Association's human rights conference in Berlin on Saturday, Leon said that halfway through the ANC's first term in office, government "can be proud ... that SA ... is today an emerging democracy with the full panoply of constitutional protection for its citizens".

An independent judiciary, a relatively independent media and a vigorous civil society had all contributed to SA's transition from "international pariah to the darling of the developing world", he said.

But as SA prepared itself for the post-Mandela transition, "worrying clouds have appeared on our democratic horizon".

These included rampant crime, high unemployment levels and an economy "grappling with the transition from natural resources to services that our post-industrialised world demands".

Other worrying aspects of SA's transition included the "deskilling" of the public service through affirmative action appointments and early retirements, a lack of effective governance at all levels of government and a culture of entitlement among the new elite in both the public and private sectors.

But it was in the area of corruption that SA, as an emerging democracy, was most vulnerable.

While corruption was not unique to the developing world, it tended to have a much more debilitating effect in emerging democracies in the developing world than in mature democracies in the developed world, Leon said.

While neither group could afford corruption, developing nations could afford it least, he said.

Since the early 1980s, SA had a "watered-down version of the ombudsman" in the form of the advocate-general but it was only since the adoption of the interim constitution on April 27 1994 that a public protector with constitutionally assured independence and impartiality took office.

Although the number of complaints received by public protector Selby Baqwa's office had increased by about 400% — from 69 cases in June last year when he was appointed to 289 cases in August this year — Baqwa had found he had no jurisdiction in almost 50% of the complaints.

Only 5% of the cases were held to be well founded and in about 10% of cases no further action had been taken, Leon said.

These figures gave the impression corruption was on the decrease but the opposite was true, Leon said, citing examples of former welfare minister Abe Williams's resignation, the Sarafina 2 affair and the amount of customs fraud and police corruption.

For this reason it was important the constitution provided that the public protector be appointed and removed only by a two-thirds majority vote in the national assembly.

Setting up of chiefs' body delayed

By Mondli Makhanya (304A)
Political Reporter
Star 23/10/96

The establishment of a national council of traditional leaders is to be delayed until next year following the temporary withdrawal of the bill which was meant to govern the setting up of the body.

The bill was meant to expedite the setting up of the council, which is already two years overdue. It would have allowed the Government to bypass the Northern Province's failure to set up its own provincial House, which has been delaying the establishment of the national council. The other five provinces which are constitutionally obliged to set up their Houses have already done so, but the Northern Province's House is being held up by squabbling between chiefs of different ethnic groups.

It was widely believed the national House would be inaugurated before the end of this year.

However the bill, which was before the portfolio committee on constitutional development, was suddenly removed from the parliamentary order paper last week. Congress of Traditional Leaders of South Africa president Chief Patekile Holomisa said yesterday the organisation's national executive committee would discuss the matter at its meeting next week.

Contralesa wants the House established speedily.

Provincial Affairs and Constitutional Development Ministry official Nelius Volschenk said the bill was removed because of the heavy load Parliament faces in this session, which ends on November 14.

"The bill is just being held over until next year so that it will be possible to go through consultation with provincial Houses," he said.

ANC's support drops, NP static

Farouk Chothia

BD 24/10/96

(304A)

DURBAN — The ANC has recorded a 10% loss in support since the general elections, while NP support was at the same level as in 1994, a Human Sciences Research Council (HSRC) survey has found.

The survey said ANC support had dropped from 63% in May 1994 to 53%, but no other party had picked up the 10% of lost voters.

"This may be an early indication that dissatisfied ANC supporters may decide not to vote, rather than vote against the ANC (in 1999)," the HSRC said.

NP support had been down to 13% in February this year, but rose to 18% in July. This was 1% less than the 19% recorded in May 1994.

The HSRC said the NP's return to the 1994 level might be an indication that old followers had returned to its fold after the party walked out of the government of national unity.

The HSRC said the IFP was in a "survival" struggle outside KwaZulu-Natal, though its national support since May 1994 rose by 3% to 7%. Minority parties such as the DP risked being effectively marginalised. DP support stood at 1%, the same as in May 1994.

General satisfaction with political developments stood at 45% in July, a drop of 31% when compared to May 1994. The positive attitude towards economic developments had also dropped, but to a lesser extent.

A total of 34% of respondents said they were generally satisfied with economic developments, 17% fewer than in May 1994. The dissatisfied category had risen by 20% since May 1994 to 51%.

The HSRC said there were still high hopes of economic improvement. A total of 62% of respondents said they expected their living standard to improve noticeably before 1999.

"Given the limitations that the economy is facing, these expectations will be very difficult to meet," the HSRC said.

A total of 34% of respondents across racial lines said the most urgent need government had to address was the creation of more jobs, 21% cited "economic growth", 17% referred to better housing and 15% to combating crime.

Blacks were most concerned about jobs (50%), whites and coloureds the economy (39% and 28% respectively). Crime was the main concern of only Indians (33%).

Blacks were least concerned about crime.

You can't be half-pregnant: that's the crux of the transparency dilemma

(Star) 26/10/96

DP Senator James Selfe and Transport Minister Mac Maharaj are involved in a row over transparency, reports TYRONE SEALE

MPs who claim they have taxpayers' interests at heart in posing questions in Parliament have to justify to their constituencies the money and effort government officials have to spend in answering those queries.

This is the essence of an argument Transport Minister Mac Maharaj has been having with Democratic Party Senator James Selfe over the past few weeks. It is a year since Selfe first posed a question in which he asked the minister to list details of the qualifications, contract periods and earnings of consultants used by the Department of Transport.

Maharaj lost his patience when he was asked again a few weeks ago to answer the same question, this time with a 1996 update.

In his reply, tabled on September 25, Maharaj said the information had not materially changed during the course of the past year, and that "regular repeat questions of this degree of complexity neither assist the cause of transparency nor allow my officials to concentrate their efforts where they are most needed".

Maharaj said the task of compiling last year's exhaustive answer had involved withdrawing at least six officials from their normal daily activities over a full two-week period.

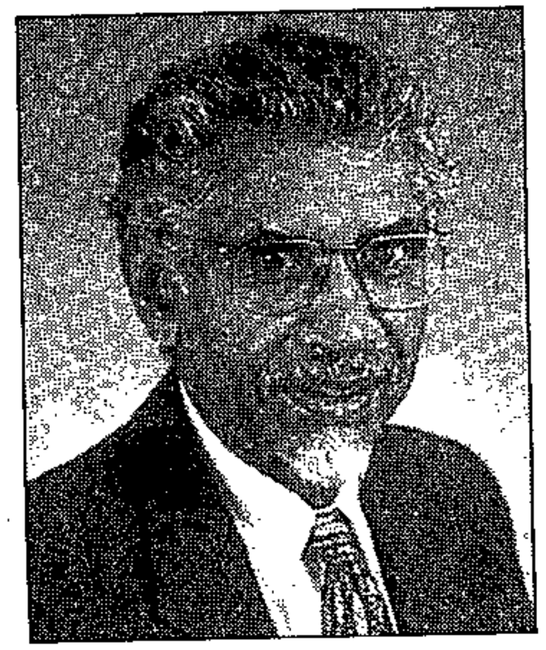
He said he was concerned about the dissipation, through annual repeats of questions, of the energies of officials who should be left to meet developmental and other goals set by the Government.

Maharaj said that while he did not question MPs' entitlement to information, he was appealing for balance that would allow his department to meet its obligations to parliamentary scrutiny without negatively affecting its capacity to get on with its work.

"Perhaps this balance could be achieved if all party whips dealing with the questions office in Parliament would consider carefully scrutinising complex questions annually recycled in this way, and avoid selecting them if they did not deal with substantive new issues."

In a subsequent letter to Maharaj, the DP senator rated the minister's response as a "non-reply", and vowed to continue asking questions about the department as part of his duties as an MP.

"This is regulated by the rules (of Parliament) and has nothing whatsoever to do with the whips. You seem to misunderstand the situation in this regard, or do you propose the sifting of questions which may prove embarrassing? It is, in this case, I, and not you, who is the best judge of relevant information."



LOST HIS PATIENCE: Minister of Transport Mac Maharaj

DEMANDING DETAILS: DP Senator James Selfe

Writing to Selfe, Maharaj warned that the balance between the legislature's right to information and the executive's responsibility for delivery broke down where either party began to lay claim to an absolute right without an equivalent responsibility. "Once that has happened, we are catapulted into the field of crude power relations.

"The ANC can vote you down any day while you, in your turn, can no doubt strive to mobilise your own constituencies to bring pressure to bear from outside the parliamentary arena.

"This may well be one way of going about things, but it is not the way I thought we had chosen to negotiate the delicate issues of democratic transition which we face in the South African context.

"We either agree that a measure of consensus is desirable and necessary in the circumstances facing our country, or we don't. If we do, we look for reasonably mature understandings of how we should conduct our exchanges.

"If we don't, we fall into a simple war of parliamentary majorities and executive power versus parliamentary minorities, which ultimately diminishes us all. This is not the route I want to go."

On the original issue of consultancy within the department, Maharaj said there were no blank-cheque contracts and that each consultant – some earned up to R250 an hour – was tied to tight performance criteria.

There had already been instances where payment had been withheld from consultants who had not met the specifications.

At any given time something like 300 of these contracts were in operation, and the department was continually scrutinising them to maintain a proper balance between what it could do within its own resources and what absolutely had to be contracted out.

Given this background, the compilation of replies to questions such as those posed by Selfe would require going through all these contracts in detail, each of which was held by a different chief directorate.

The minister acknowledged Selfe's suggestion that the contracts be transferred to a central database, but said this would involve another great investment of energy and effort, which taxpayers should probably be spared.

Interviewed this week, Selfe said he might have let Maharaj off the hook if the minister had said the updated, 1996 information would take too much trouble to collate. But he had decided to engage Maharaj in correspondence because of the DP's disappointment at the way in which Constitutional Development and Provincial Affairs Minister Valli Moosa had handled another question from DP leader Tony Leon.

Leon had asked how many elected councillors had criminal records, and Moosa had said he did not have the information, but had he had it, he would still not have made it available because the DP would have used it for political purposes.

Selfe said every single activity of the Government carried a price tag, which taxpayers had to foot.

Question time, he said, allowed MPs to put ministers under a degree of strain where they thought state spending was either peripheral, wasteful or unnecessary.

"Transparency costs, but so does being pregnant, and you can't be half-pregnant," Selfe said.

Senator's Kruger crack leaves minister cold

TYRONE SEALE
POLITICAL STAFF

Why would anyone liken Mac Maharaj to former prisons minister Jimmy Kruger, who was "left cold" by the death in detention 19 years ago of black consciousness leader Steve Biko?

The answer to this question comes from Democratic Party Senator James Selfe, who nevertheless says he has a good personal relationship with his friend "Mac", the Transport Minister.

"Mac" rubbed Mr Selfe up the wrong way on September 25 when, in a reply to a question tabled by the senator, he referred him to an answer furnished a year ago to the same question about consultants contracted to the department of transport.

"It is a pity that you chose to take this line which is so reminiscent of the replies of the ilk of Jimmy Kruger and others in the old regime. It is all the more unfortunate coming from you, whom I have always held up (publicly) as a model of administrative efficiency."

Elaborating this week on the remark he had addressed to the Transport Minister, Mr Selfe referred to Mr Maharaj's statement that there was no central database of consultants' details. Mr Selfe said Mr Kruger and others like him had hidden inefficiencies, irregularities and even crime behind a wall of official secrecy. Mr Maharaj seemed to be doing the same.

In a letter responding to the Selfe criticism – and a letter to which Mr Selfe has yet to reply – Mr Maharaj writes: "Finally, let me say that if my reply reminds you of Jimmy Kruger and the old regime, I too have a long memory, which includes the idea that your party and its predecessors did not think that I was sufficiently evolved to exercise an unqualified right of franchise in a unitary democratic state.

"It's heart-warming to see a new-found respect for democracy blossoming on all sides, but it would be more useful if we could translate this into a practical, working understanding of our respective rights and responsibilities."

ARG 26/10/96

30644

Maharaj miffed by Selfe examination

'Questions cost time, money'

(304A) 26/10/96 ARG

TYRONE SEALE
POLITICAL STAFF

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'SOME of the secret projects are still continuing' - presidential spokesman

By CHIARA CARTER

Black govt puts old spy activities under wraps

(304A)

CP 27/10/96

A TOP SECRET report which names agents and provides details about apartheid era undercover activities has been kept under wraps by the present ANC-led government.

The Kahn Committee report is one of the few remaining documents which can shed light upon shadowy covert operations run by the previous government – because there was a mass destruction of secret files after a May 1993 State Security Council meeting.

But the information contained in the report – which is kept in the office of President Nelson Mandela – remains "privileged" or top secret.

☐ Presidential spokesman Joel Netshitenzhe said some of the secret projects were still continuing. The projects were related to state security and were not repressive.

Some of the contents of the report are protected by laws preventing the exposure of state secrets.

☐ Although the Truth and Reconciliation Commission (TRC) has been granted access to the report, it has not yet been decided whether any of the information it contains will be made public at the end of the TRC process.

☐ Several key security ministries have also recently been granted access to the report.

☐ The Kahn Report was compiled by a committee appointed in 1991 by the then state president FW de Klerk – the Kahn Advisory Committee on Special Secret Projects.

The report is understood to include details about secret agents who worked for the apartheid state.

These agents apparently included businessmen – and prominent members of the liberation movements and the mass democratic movement.

The report apparently also includes details about agents who worked for foreign countries.

The projects examined by the committee apparently included front companies and organisations, as well as schemes ranging from the grandiose to the ridiculous.

☐ Together with the Harms Commission report, the Kahn report is one of the few clues to the nature of secret projects run by the previous government – and bankrolled by taxpayers.

Destroyed apartheid era documents include all the Military Intelligence files, most security police files and some National Intelligence Service files.

☐ Earlier this week, the SADF told the TRC that some secret projects had been closed down at the recommendation of the Kahn Committee in 1991 and the remainder ended in 1993 when Military Intelligence's sub-division of Intelligence Operations was dismantled.

"As far as could be ascertained the relevant documentation – apart from the documents submitted to the Kahn Committee – was disposed of in accordance with existing regulations. At the time of the drafting of this submission there was therefore no documents on project detail available," the SADF said.

☐ This weekend, the head of the TRC's research unit, Professor Charles Villa-Vicencio, said the TRC had read the Kahn Report and was awaiting further documents compiled by a committee established to implement the Kahn Committee's recommendations.

The TRC intended meeting with the President's Office to discuss how to handle the matter.