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Important for the ANC to intervene quickly. We did not want to
:esponse to an initiative of any of our adversaries. We took the
lean and forced them to :eegond to ours. This way, our plan, the
Ha:ere teclaration, gradually Became accepted as the road to
geace

The neg:tiatiens process "as never seen as the only element
necessarv to get rid of e?ertheiu. Not only have we always
stressed this, but the Declaration itself refers to negotiations
at patt cf CtueI overall struggle of the people of South Africa.
Objective of the process

Et Le Luportant to remember that the aim was not merely to get
the government t3 sit down with us, to talk with the legitimate
leaders. The aim was to hegotzate an end to apartheid and a
democratic constitution.. The Declaration embraces this in its
tStateneAt of Principles' where it says that, in agreement with.
tie liberatlon movement, they believed that tthe outcome of such
a process should be a new constitutional order based on the
follotLHg principles, among ethers:

1 South Africa shall became a united, democ: tic and non-racial
state.

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2. Ail lts people shall enJov common and equal Citizensnlp and
netLORelit", regardless of :ace, colour, sex or creed.

3. All its people shall have the right to participate in the
government and administration of the country on the basis of a
univetsal suffrage, exercised through one person one vote, under
a cornea voters roll.

4- Alt geogle have t.e right to form and join any golitical
part? of their CthCS, provided that this is not in the
furtherance of racism. '

5. All shall enjoy universally recognised human rights, freedoms
e2l cile liberties) grotected under an entrenched Bill of Rights

6. Seuth Africa shall have a new legal system which shall
garrentee equalitv of all before the lawn

7G South uf::ca shall have an independent and non-racial
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as effect the transition to a democratic order including the holding of elections.

8. July after the adoption of a new Constitution will all armed forces be deemed to have formally terminated? And only then, would the international community lift sanctions. Since the adoption of the Declaration, the government has removed some of the obstacles to negotiations. In particular, it has released the ANC, SACP and other organisations and released major leaders of the ANC. It has declared a state of emergency, but retained equivalent

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most of the obsta cles in the way
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rresh obstacles have emerged or emerged more
doption of the Declaration. In particular,
ve violence unleashed against our people in
he country and most recently in the war on the
addition,. the failur of the state to take
to stop right wing violence and hit squads.
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also be asked, whether there is an agreed
the ANC.ah ld th 8 government agree on what the
are. There may be agreement on the
but there clearly is not a common
type of new South Africa that should take
speech of de Klerk and Viljoen makes clear that
cist veto on majority rule- -in order to protect
is not sticking by agreements
our suspension of the armed
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' 0 stop this and also, to take the process
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Tue Qecple must be mobilised and organised around the fundamental
eemancs that we make-the demand for a Constituent Assembly and an
interim government, as well a demands which must find a place in
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EHAT 13 A COESTITUEHT ASSEMBLY?
the ANC's perspective, the entire negotiation process is
stem at the achi evemeht of peace, through the establishment
ew social order, under a democratic constitution.
'3 a very good, Clea er explanation of the meaning of a
t Asse -mbly in the most recent issue of Learn and Teach.
le begins by saying:
iNew onstitutions are usually drawn up when countries are "born
aim exhe. the old way of ruling is changed and a fresh
litical start is made.'
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'lle 2:43 South Africa ma. we lived under a variety of
i ns, none of which has emerge from a democratic'
. n every case, the majority of our people have been
ed from constitution-making., While constitutions
71V record rights, for black South, Africans all
l ions have given expression to their disempowerment and
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ARC wants to put an end to this and enters the peace process
a view to the people themselves making a const itution that
heir most basic demands. This, we believe, can best be
by the election of a Constituent Assembly on the basis
on one lvote. This people's Assembly will have the
a new constitution.
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 Assembly the various political parties are
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 r words, if the ANC gets 70% of the vote in a
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 mbly is elected by the people, then the
 'will show who among the parties has
 that support is. Likewise it will show who
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only way of realizing our basic demand that 'The People Shall
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The first route is, that favoured by the government, where all
interested parties would have a seat at the negotiating table.

In this respect, the process is similar to that adopted at
Lancaster House i.e. we omit evaluation, here, of the role of
outside parties. In the talks leading to Zimbabwean
independence, the British acted as mediators between the
Patriotic Front (PF) and Zanu (PF) on the one hand and the
Smith/Muzorewa grouping on the other. While Smith's party
commanded majority support amongst the whites, at that time,
Muzorewa, it was shown at the elections for blacks, commanded a
mere 3% of the votes, with the Patriotic Front winning 97% in
combination. a

The way in which the Lancaster House talks were organised did not
reflect the weight of the various parties. There had to be a
consensus between the PF and the Muzorewa/Smith grouping. Even
though the PF had overwhelming support for their basic positions,
they 'had to modify these to find a compromise acceptable to the
racists and puppets. They had to compromise to achieve
independence through the negotiation table, but the extent of the
compromise was not related to their political strength.

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The result was that the PF had to agree to their being ten
reserved seats for whites for 10 years and that these could then
only be removed by a two-thirds majority vote.

We also favour a negotiation set-up where all
no matter how flimsy their support base may
place at the negotiation table. This means
of fakes and puppets must form part of a
future South African constitution.

The ANC does not want to ram its constitutional vision down the
throats of its opponents. At the same time, attempts to win
people over to democracy cannot mean an abandonment of democracy.
There must be a democratic outcome to any negotiations for their
to be any lasting peace. On that we cannot compromise.
We can assure people who differ with us that there will be a
place for all who respect equality and democracy, but we cannot
subvert these principles, universally accepted, in order to win
racist consent.

So, in the South African context, means
that all people 'get together as equals'
for our country. The fact that there is no
shortage commanded, between the puppets and
-nt, because the support enjoyed by the ANC
is of struggle for a democratic South

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; r-the ANC because it stands for people's

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.. is important to note that

- it is not only a racist referendum:

that is undesirable, but any referendum to ratify a constitution that has already been negotiated. This is unacceptable because the role of the people is limited to saying yes or no. They make no input. The constitution will not be their product. i V
The thing about a national liberation struggle is that we are trying to create a new nation and one of the best ways of cementing that new unity is for as many people as possible to feel part of the victory, which a democratic constitutional order will be. To just say yes is to applaud victories made on your behalf. But people's power means that the people themselves must show the strength and be a real part of any victory. '

The concept of subsequent ratification means that a deal must first be struck by the principal actors, before it goes to the people. What is necessary, however, is that a deal must be struck in accordance with a freely expressed popular will that guides the negotiators. They go to the talks with a mandate and a

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Let that mandate cannot be fully complied with, we must know why and decide whether or not the result is acceptable or whether negotiations should be resumed etc. That is what elections to a Constituent Assembly makes possible

INTERIM GOVERNMENT

The concept of an interim government is a difficult one. The key thing is first to be clear why we need some type of transitional authority. Then, we can consider the scope of its duties. What we are saying is that the South African government cannot be in charge during the negotiation process. It is not impartial. It cannot be trusted to use its powers fairly. It will in fact use its powers, as it does now, to favour its own, narrow political interests at the expense of the democratic forces. This is illustrated by the arrest of Mac Maharaj and the removal of immunity from him, Ronnie Kasrils and Chris Hani. That is why we say that you cannot be both a player and a referee. The South African government is not an impartial observer but also a ruling party with specific goals in the negotiation process

The word interim means-temporary or transitional. In other words, one is speaking about a government that is not permanent, but this is the job. Once that job is completed its work is over. The interim government is required to oversee, to supervise, monitor the process of establishing a democratic institution.

The concept of an Interim Government is not new. As the most recent issue of Hayibuye points out, it has been applied during

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transitional periods in many countries. Postwar: situations and transition from colonial rule to independence have been the most common. This is because the legitimacy of the existing order has been questioned and; also, because there has been agreement, in principle, on the need to create a new order.

In some cases outside arbiters have been used, to ensure impartiality. In others, the major parties have shared responsibility.

Another reason to have an IG has been to ensure that the authority that emerges after the transition, is made up of people with some experience in running of government. It is essential that the majority of our people, who have been excluded from government, get experience in executive power and government administration, before the new system, which will include them, is established.

If we fail to do this, we risk creating conditions for maladministration. It also gives functionaries of the old state a free hand to conceal crucial information and do what they can to sabotage things before power changes hands.

Having said that, it must be admitted that there is not yet complete agreement nor total clarity in our own ranks. I am therefore putting forward my own understanding of this concept, which is basically in agreement with the Hayibuye article. The basic position that must be stressed is that the interim government is part of the process of the transfer of power to the people.

In other words, while the interim government must ensure that there are free and fair elections for a constituent assembly, it is not unbiassed towards "democracy. It must be a vehicle for realizing democracy. Its acts must contribute towards the final dismantling of apartheid and establishment of a democratic alternative.

One of the first jobs of such an interim government would be to dissolve the existing parliament and it would rule by decree. It would systematically eliminate all apartheid laws and all laws that might still impede freedom of political action.

The establishment of an IG means that a number of things have already happened. There must have been commitment by all parties to free and peaceful political engagement. In addition, all 'should accept the need for fundamental change, the creation of a united, nonracial and democratic South Africa. There would also have had to be agreement on the mechanisms for drawing up a new constitution.

The IG would start off with a mandate to implement these arrangements. The actual form that the IG takes, even its name, are issues to be negotiated. But this has to be within the

amework of its being representative, acting zpartiallly and
th a broad commitment to facilitate the process of transitionl
-is immediately ex ludes the idea that the present authorLty
htinues to exist in its existing form, drawing in others as
nior functionaries. This was the type of set up in the
zorewa internal settlement in Rhodesia. If the ANC "eretdrawn
to an unchanged governmental set up we "ould be in the sahe
pe of situation. '

cannot allow a situation Where we share responsbilitv for the
d activities of the state, but have no authority to decide on
s policies.

t only would that make us legitimators of apartheid, it would
so involve us in immobilising our people and even seeking to
me down their demands.

w an IG is composed is a very difficult question- It could be
8' major players' alone, ie the ANC and government, or it could
elected, or it could comprise a' number of different players.

i is again something that will be decided through
gotiations and struggle. We will have to t?7 to balance the
ed for legitimacy, representativity and-effeciivitv in trying
get an adequately functioning power.

is preferable in this type of arrangement that the government
ies to rule by consensus rather than majority vote._ Its term
existence should be as short as possible, so that those
sisting change have as little time as possible to obstruct the
ansition

l of this may seem rather remote at this point in time. But
e Hayibuye article puts this in perspective:

.8 rulers needto be made to realise over and over again that,
then to continue governing, they rely on the consent of the
armed. The liberation movement needs offensive strategies to
ilg about an impartial transitional arrangement. The people
, in various ways, capable of refusing to be governed by the
sent administration. For instance, when the right moment
es, they can declare that they will pay tax only to an IG
the final analysis, an impartial transitional mechanism Will
the codification of what we have won in struggle.' -

DIFFICULT QUESTIONS

now that many of the issues that I have referred to are making
v people unhappy about the negotiation process People are
ing whether we should continue talking in the -light of the
acxs on us. People are asking whether the process has been at

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 useful to us rd "heth : e have not perhaps compromised
 't t h ' t
 on
 . 'se that com; romise is an element in all
 has to be some willingness to give and take
 if one wants to achieve a settlement. The key thing remains that
 any compromise that we make must be with a view to furthering the
 process leading to freedom. We cannot compromise on that goal,
 but we can agree to go there by a different route
 he question of combromise, I think it is
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 t is how I see the decision to suspend the armed struggle. AT
 time of the Pretoria Mlnute, the leadaership saw the armed
 ggle as a blockage in the way of continuing the peace
 ess. Even though it was felt that the governmentis
 objections to armed st :uggle were unr easonable, it was regarded
 as necessary to make this compromise in order to realize our
 broader stra egli o objectives. We made a tactical retreat in
 order to be in a better position for a strategic advance
 Obviously there are some things that are non-negotiable. As the
 Harare Declaration says of nonracial democangcy, on that there
 can be no compromise. That is why it iswimportant that the
 g vernment and the ANC agree h the objectives of the process,
 that any settlement that does not provide for a nonracia
 d moo ratio state, Will not stick.
 It may be that people regard the possibility of such agreement
 and agreement on the IG and CA as unlikely. To draw this
 conclusion is to focus on pure reasoning. As mentioned, we need
 to make the government feel the might of the people. This can be
 very persuasive and make non-negotiables become negotiable. That
 also applies to their making -our non-negotiables negotiable.
 That is why we must use our strength. The people are our best
 defence and best weapon of attack.
 The apart heid regime uses all forms of struggle against us. He
 must not deny to ourselves any available form of attack.
 Do we continue the talks? I think that we definitely mpst do
 so, with the tfuller mass involvement I have mentioned. It is
 esse.tial tha we strive for peace. It is our people who are the
 prime victimst of acats of war. We must force the government to
 allow free political activity and through marshalling the forces
 who back us , ensure that agreements are implemented and in a way
 that will move speedi ly towar ds people's power.