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World

Mandela plea to black rival

JOHANNESBURG — Nelson Mandela, bolstered by support from 19 parties that joined the African National Congress in signing the new South African constitution, attacked Inkatha leader Mangosuthu Buthelezi yesterday.

"We've done everything possible to get him (Buthelezi) back to negotiations," Mr Mandela said. "If you have a plan, we'd like to hear it."

Mr Mandela was answering questions from Inkatha members and others who attended a "people's forum" in Empangeni, near Durban, after addressing a rally at Sundumbili Stadium.

Police confiscated two home-made guns from members of Inkatha, the ANC's main black rival, while Mr Mandela was speaking.

About 20 Inkatha members had been protesting outside the stadium. Ten were arrested.

Mr Mandela was addressing crowds in Inkatha territory hours after negotiators completed the constitution which ends white-minority rule.

The constitution is expected to be approved when white lawmakers convene the last session of their parliament on Monday.

That step clears the way for the first national election to include blacks, set for April 27.

The African National Congress is expected to win the vote. The Zulu-dominated Inkatha Freedom

Party boycotted the constitutional talks, contending the charter will produce a government dominated by the ANC.

More than 11,000 blacks have died in political violence in the past three years that has been blamed largely on the feud between the Leftist ANC and the more conservative Inkatha.

Mr Mandela repeated criticism of KwaZulu police, a force Mr Buthelezi leads that has been accused of bias against ANC supporters.

He said KwaZulu and the other homelands created to deny blacks legal residence in South Africa would be reincorporated into the country after April 27.

- AP

Hopes fade for agreement with Alliance

Natal on
Saturday
20/11/93
HE/Im

HOPES that the Freedom Alliance as an intact group might find accommodation in the new dispensation appear to be slipping away, writes DALE LAUTENBACH.

THE Alliance leadership met President F W de Klerk and his negotiators last night at the Union Buildings for nearly two hours and despite the brave faces put on by both delegations in separate Press briefings, the mood was glum.

The area of most fundamental difference between the two sides appears now to be the powers and functions of provinces and a sharply divergent view of the degree of federalism that is possible in South Africa, now.

"We have to look at the practical realities of South Africa when we judge the question of how far we can implement federalism," said government chief negotiator Roelf Meyer after the meeting, briefing the Press on behalf of De Klerk.

"We have to depart from existing realities. South Africa is a unitary state and we have to depart from that point."

The Alliance departure point is profoundly different. In a proposal handed to the Government on Monday and released to the press today, the Alliance accords a limited list of powers to a national government including principal functions like defence, foreign affairs, currency and control of financial institutions, customs, air transportation and national roads.

The Alliance proposes a list of 59 exclusive provincial powers including, it seems significantly, the judiciary. It agrees to some concurrent powers like human rights, industrial law and regulated substances.

Meyer identified the powers and functions of regions — clause 118 in the transitional constitution which makes provision only for concurrent powers — as being so different from the Alliance proposals that "it will be difficult to find a solution".

The first signal that little would be well at last night's talks was KwaZulu Chief Minister Mangosuthu Buthelezi's sharp comment on the way in: "I just came because I promised to come. Nothing is going to happen at this meeting."

What did happen was that the two negotiation delegations agreed — in part at least — to

Government has submitted further documentation to the Alliance.

Following the Alliance document on Monday, the Government replied in writing in a bilateral meeting earlier yesterday with the Alliance. Afrikaner Volksfront leader General Constand Viljoen characterised the Government response as "disappointing". When asked to confirm the perception that there seemed little hope left now, the Alliance leaders piped up in a chorus to the contrary.

"We'll wait for government's reaction and then we'll decide," said Viljoen.

Meyer stuck to his guns with his insistence that the door remain open. "We'll go out of our way to find solutions."

What remains to be seen now is whether the all of the parties in the Alliance wish to remain outside the more broadly negotiated settlement which received a major boost early on Thursday morning with the approval of the transitional constitution.

Sources in the Afrikaner Volksfront have meanwhile hinted that their talks with the ANC are making some progress and that, because their constituency is impatient with the Alliance's apparently futile encounters with government, they might consider last night's meeting with De Klerk as the last.

It is unclear whether all members of the Alliance have agreed to a meeting with the Government next Tuesday. Meyer said the majority of them had agreed and when the Alliance met the Press, Viljoen appeared to think that the meeting was still conditional while Buthelezi

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THE contention that the present court system lacks "legitimacy" or "credibility" is a smokescreen. With whom, may I ask?

The Appeal Court under the leadership of Chief Justice Corbett has an exemplary record of competence and impartiality. It has also shown its determination to preserve and protect the fundamental values of a just society.

Statements concerning "credibility" are sometimes made with genuine concern about representativeness. In this context they need to be taken seriously. Views expressed that the court cannot be the "creation of the law barons of South Africa" (Dullah Omar) or "we are primarily here for the interest of the majority"

(Joe Slovo) tend to confirm that those who contend for the present proposals to be enacted intend the court to function not primarily as a court of judicial excellence.

Instead, such views indicate an intention that the court should act in the interest of the State in giving expression to its mandate from the voters, against the rights, freedom and liberty of the individual, as an extension of the

political will of the majority political party.

Representation has to be addressed. The mandate to the Judicial Services Commission could well include targets to be achieved in pursuit of this goal.

The latest proposals will, however, ensure that members of the Constitutional Court cannot be appointed by the head of state with no check or balance other than convention. Instead, the role

played by the Chief Justice and the Judicial Services Commission will now be paramount in the process.

To understand how this will affect daily life, I can quote no better source than the former Chief Justice of Zimbabwe (Enoch Dumbutshena) who, when addressing a national conference of Lawyers for Human Rights in Pretoria earlier this year, said the following about the system of

appointment of judges in that country:

"The Judicial Services Commission recommends to the president names of legal practitioners for appointment to the Bench. This is the best way of appointing judges. Twice in Zimbabwe, Ministers of Justice have tried to have their friends appointed to the Bench. Twice they failed.

"To some extent we are successful in appointing independent-minded judges... I can say with pride that from our humble and inexperienced backgrounds we lifted the belief of our people in justice. And I say this without drawing a distinction between black and white.

IN ZIMBABWE the appointment of black judges to the Bench introduced new attitudes to justice. From the beginning of my appointment I had the misfortune to handle sensitive cases. I declared detentions unlawful and unconstitutional. I acquitted the air force men accused of conspiring to destroy war planes.

"When I announced the verdict of the court, the packed courtroom was upon its feet. Both black and white cheered. It was a new experience and the birth of a new trust and confidence in the judiciary.

"For my sins I was appointed Chief Justice."

The last-gasp amendments to the provisions of the constitution dealing with the composition of the Constitutional Court and the appointment of its judges have gone a long way towards achieving the objectives I have outlined above.

The capacity of the Chief Justice and the Judicial Services Commission to ensure quality appointments is considerable. However, representativeness can and should be promoted through these mechanisms.

While I personally adhere to the view that the Constitutional Court should have been integrated into the existing court structure, South Africans can breathe a great deal more easily in the knowledge that independence is bound to continue to be the hallmark of our courts, including their constitutional arm.



BAD OLD DAYS: The courts have spoken and armed police carry out orders — In this case the forced removal of a resentful community from the area of their choice to another which they'd rather not live in.

Court does affect everyday life

WHY should the public be worried about how the Constitutional Court is structured, how it functions and the impact its decisions could have on their lives? The court is not remote from the everyday concerns of John and Mary Chixen, writes JAN STRYN, former Judge of the Supreme Court in South Africa. He is a member of the Court of Appeal of Lesotho, a trustee of the Legal Resources Trust and chairman of the Independent Development Trust.



On another wavelength

DISSENTING OPINIONS: "Views expressed that the court cannot be the 'creation of the law barons of South Africa' (Dullah Omar) or 'we are primarily here for the interest of the majority' (Joe Slovo) tend to confirm that those who contend for the present proposals to be enacted intend the Constitutional Court to function not primarily as a court of judicial excellence (but) in the interest of the State."



HE/IN Natal Witness

ANC and AVF set up joint group

PRETORIA — The African National Congress and the Afrikaner Volksfront have decided to establish a joint working group following two days of discussions.

General Constand Viljoen led the AVF delegation and the ANC deputation was headed by its chairman, Thabo Mbeki.

A joint statement issued yesterday did not specify the issues discussed, but observers said they believed the AVF's demand for a "volkstaat" and self-determination for whites was central. "Both parties expressed their commitment to finding a sustainable arrangement," the statement said.

Meanwhile, the Freedom Alliance met the government yesterday.

Constitutional Development Minister Roelf Meyer said there is such a fundamental difference of opinion between the parties on the issue of regional government that a real agreement on the subject appears difficult. Nevertheless, the government will keep open the door for the Alliance as long as possible.

Viljoen said after the meeting, which included President F.W. de Klerk, that despite the disagreements, the Alliance has not given up hope. He stressed the Alliance does not view the expected parliamentary ratification of the Kempton Park deals for an April 27 election and interim constitution as a cut-off date for talks.

The Alliance wants a long list of powers for regional government with no say by central government. Practically, this would create an insufferable situation, Meyer said.

The Alliance's proposals include a map of a possible Afrikaner volkstaat, centring around Pretoria with various sub-regions. Adjusting regional boundaries to join the proposed Afrikaner sub-regions could be the way to form a future volkstaat, the document suggested. Alternatively, the final approval of the boundaries of a volkstaat could be delayed until January and only the principle of a volkstaat be approved at this stage.

The Alliance has fundamental objections to many chapters of the draft constitution and submitted its document "to show that an all-inclusive solution can still be found, if there is a willingness to walk the extra and final mile".

— Sapa

CONSTITUTIONAL COURT: Latest proposals ensure that members can't be appointed by head of state without checks or balances

Victory for rule of law

WITH many of my former colleagues, I believe that the Constitutional Court is a bottom-line issue for all South Africans. We anxiously seek to live under the rule of law, secure in the knowledge that one oppressive system should never be supplanted by another, that we ought not be seen to legitimise a system with a renewed capacity to trample on the fundamental rights of the individual.

This is as important to the majority as to the minorities in South Africa.

We need to understand the dangers inherent in a new dispensation, more particularly if the instruments through which our rights are to be protected are subjected to the unbridled authority of those who hold political power.

Rendering with humour the famous dictum about the capacity of power to corrupt, Lord Shawcross said "power is delightful, absolute power is absolutely delightful". The checks and balances that a constitution and a bill of rights impose on the political authorities of the day are almost always anathema to those who govern.

After all, "the will of the people" should prevail.

Lest we forget, I would remind readers of our own very recent history. The "volkswil" required that voters should be removed from the common roll. A "High Court of Parliament" was created to achieve this objective. The Senate was packed. (As the late Hamilton Russell observed, it became a "House of ill-repute peopled by gentlemen of easy virtue".) The Appeal Court was enlarged.

THE selfsame "will of the people" and their protection was the justification for arbitrary detention and bannings. As we now know, this resulted in the torture and assassination of dissidents by a security apparatus operating beyond the law and outside the supervision and control of the courts. The provisions of the Group Areas Act were enforced and mass relocations under grand apartheid took place through administrative fiat.

It is because of this painful history that we are about to enact a new constitution, agreed on this week by the negotiators at Kempton Park, with a Bill of Rights. The manner in which constitutional provisions safeguard the principles of good government is subject to interpretative powers by the courts.

They are the custodians of this socio-legal contract. This capacity in turn places some constraints on the ability of the legislative and the executive to depart from its terms.

Most importantly, however, the Bill of Rights has been "sold" to the public on the basis that it will be justiciable by an independent judiciary, as indeed it should.

To my mind, this means a court of law and not some semi-political creation. For this reason alone I believe that the Constitutional Court should be an integral part of the existing judicial system and fully integrated into its structures.

As long ago as the Sixties and early Seventies, both serving judges and leading lawyers urged the establishment of what is now referred to as a Judicial Services Commission. The provisions in

the 25th report of the technical committee in this regard are accordingly to be welcomed. It creates a mechanism through which both judicial excellence and representativeness can be provided.

Accordingly, the conventional judiciary can be appointed only on the advice of this body.

It is puzzling that this desirable mechanism was not harnessed when the method was considered for appointment of judges of the Constitutional Court.

Let there be no doubt that we, as lawyers, must assume some responsibility for the unrepresentative nature of the system through which justice has been administered in South Africa. That this must be rectified is beyond dispute. However, the answer can never lie in conferring virtually unbridled power on the head of state to appoint persons whom he believes will ensure such representativeness.

Richard Nixon attempted to secure appointments complying with his political preferences with two symbols of mediocrity in Judges Carswell and Haynsworth in the Seventies. One notes also the damage inflicted on the status of the US Supreme Court in its present politicised structure with the controversy surrounding the appointment of Mr Justice Thomas and the rejection of Professor Bork's appointment.

DP: council deal is undemocratic

CAPE TOWN — The Democratic Party will vigorously oppose the "undemocratic" deal struck by the Local Government Negotiating Forum at Kempton Park this week, DP spokesman on local government Jasper Walsh said yesterday.

He said the forum is an unrepresentative body from which political parties such as the DP have been excluded.

The agreement entrenches wards drawn up on racial lines during the interim period and makes no allowance for mixed wards agreed to by local consensus.

It imposes deadlines for appointing councils early next year with no allowance for consulting local communities, he said.

"Most importantly, it prescribes racial representation which in itself is unacceptable, but which furthermore takes no account of regional and community differences. For instance, blacks in a small rural town comprising 10% of the population will have 30% of the seats."

Where whites are in the minority, the reverse will apply, which was no doubt why conservative whites supported the deal, which smacks of expedience, Walsh said. — Sapa.

Natal Witness 20/11/93 HE/IM

Spoilt paper

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WHILE wrongly claiming to have entrenched federalism in the new constitution, the government has rubbed salt in the wound by making it difficult for voters to exercise free choice at regional level. With one ballot paper for both national and regional elections, voters will be unable to choose different parties for these two tiers of government. The excuse proffered is that uneducated voters might be confused by two ballot papers. This is spurious. Bamboozlement has not been a hindrance in any previous decisions emanating from Kempton Park. And voter education programmes could cope with the problem. The new ruling punishes parties with strong regional support who lack a national following. Pushed through in the late, rushed stages of constitution making, it favours the ANC and the Nationalists at the expense of the IFP and other smaller parties.

Aside from these legitimate party political grievances, the move is an affront to individual voters. It renders problematic the task of bringing democracy closer to the people.

ANC 'death squads killing IFP leaders'

INKATHA Freedom Party leaders are being assassinated at the rate of one every six days as a result of ANC "death squad" activity, the IFP has charged.

National Inkatha spokesman Ziba Jiyane, expressing his party's "deep concern," said that ever since the ANC signed an agreement in 1990 with the government "to legalise MK's (Mkhonto We Sizwe) training, thousands of trained killers have been let loose upon hapless communities throughout the country."

"Safe in the knowledge that Pretoria has been browbeaten into submission, ANC hit squad activity has intensified dramatically. In the past few months alone, over 5 000 recruits have been sent to Uganda and Transkei for training. On the streets of Durban's townships, thousands more are receiving training with AK 47s," Jiyane said. The strategy was "abundantly clear" — Sapa.

Natal Witness 20/11/93

New jet for Buthelezi?

MANGOSUTHU Buthelezi may be getting a new intercontinental jet worth about R33,6 million. The KwaZulu government released a statement this week about the possible purchase but later withdrew it, saying they would release a more comprehensive one next week. The plane will probably be leased for Buthelezi and other senior officials with the option of buying it at a reduced value when the lease expires — Sapa.

Natal
Witness
20/11/93
HE/IM

OWN CORRESPONDENTS
and SAPA

WORDS of war and a war of words exploded yesterday between the Right and Left after the signing of the draft constitution of the new South Africa on Thursday.

A senior ANC official and Joe Slovo of the South African Communist Party vowed harsh retaliation if there was any obstruction of the reform process.

There were far-right threats not to recognise the transitional government, while the all-white Mineworkers Union (MWU) threatened violence.

The one glimmer of hope was an agreement between the ANC and Afrikaner Volksfront to set up a working committee to discuss differences (See Page 2).

The MWU warned that it would "shake the country to its foundations" with commercial explosives.

Reincorporation

And senior ANC official Matthew Phosa said "tanks will roll" if there was any obstruction to the reincorporation of the TBVC or self-governing states into South Africa.

Slovo told the right-wing Freedom Alliance that if its actions led to the spilling of blood, the Government would have a duty to meet such actions "with resolve".

Speaking at a news conference called by ANC-SACP negotiators, Slovo said the right wing had a right to mobilise in the political sphere against the agreements reached at multiparty negotiations.

"What we object to is the underlying threat from the leaders of the Freedom Alliance that if they don't get their way, they will use force.

"If it comes to that and they continue to threaten to spill blood, it is the duty of the Government to meet that threat with resolve."

ANC constitutional head Mac Maharaj rejected AVF co-leader Dr Ferdi Hartzenberg's call for a white election. "He is losing contact with reality. A white election will never take place in South Africa again and it is impossible for the demand to be realised."

War talk erupts after new deal

Right warns of sabotage, ANC of reprisals

ANC negotiator Mohammed Valli Moosa told the conference that if the TBVC states and self-governing territories failed to participate in the April 27 election, certain clauses in the Interim Constitution would have to be invoked and the "law would have to take its course".

The Independent Electoral Commission had wide-ranging powers to ensure everyone had the right to campaign and to vote.

The constitution made provision for the scrapping of the Status of Self-Governing Territories Act and the Acts governing the independent status of the TBVC states. This would be put into effect during the sitting of Parliament later this month.

Phosa said the activities of the Transitional Executive Council and other structures would include levelling the playing fields throughout the country.

"If the process is undermined, the relevant authorities must be empowered to expedite the

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War talk

● FROM PAGE 1.

implementation of the relevant provisions of the (interim) constitution. We are not in a helpless situation.

"If the only option left to us is to roll in the tanks, then that is what we will do," Phosa said.

Moosa said the TEC would probably hold its first meeting within two weeks and preparations for its work had already begun.

It was hoped that the Independent Electoral Commission and Independent Broadcasting Authority would be established before the Christmas break so that they could be up and running by the new year.

The MWU's threat of a sabotage campaign, by the union's president Cor de Jager, was part of the resistance strategy against the Interim Constitution unveiled by far-right leaders at a press conference in Pretoria yesterday. Right-wing organisations present, including the Conservative Party, the Afrikaner Weerstandsbeweging and the Herstigte Nasionale Party, called for a whites-only election.

"White mineworkers are all experts in underground work and the use of explosives," De Jager said. "We will use this knowledge to shake South Africa to its foundations to obtain our self-determination and to fight affirmative action."

The warning came hours before the Freedom Alliance was due to meet the Government in Pretoria yesterday.

The CP's Hartzenberg said De Klerk had no mandate to agree to the interim Constitution on behalf of South Africa's whites.

"De Klerk is now morally and constitutionally obliged to call for a general election in order to prevent any further escalation of violence. If he does not comply, he will have to bear the full consequences."

Hartzenberg said the demand for an election under the present constitution was the first step in the far right's resistance to the Kempton Park agreements.

Rightwingers were planning to march on Parliament on Tuesday to demand an election.

The second step was the rejection of the TEC, Hartzenberg said. The far right would establish its own transitional government-within-a-government when the TEC was introduced.

Far-right town councils would also refuse to hand over power to multi-racial local authorities established in terms of transitional local government arrangements.

● The Afrikaner Volksfront has admitted a Walvis Bay group promoting the concept of independence for the enclave.

Barthold Bahr, of the group Freedom for Walvis Bay, addressed the AVF news conference in Pretoria, saying Foreign Affairs Minister Pik Botha had delivered the whites of Walvis Bay to Namibia like slaves.

Volkstaat outlined

THE Freedom Alliance has released a map of a possible Afrikaner volkstaat, centering around Pretoria with various sub-regions, as part of its proposed regional dispensation.

This forms part of the alliance's document containing its constitutional "bottom-lines", notably self-determination and a federal dispensation, presented to the Government and made public yesterday.

Adjusting regional boundaries to join the proposed Afrikaner sub-regions could be the way to form a future volkstaat, the document suggested.

Alternatively, the final approval of the boundaries of a volkstaat could be delayed until next January. — Sapa.

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In a proposal handed to the Government on Monday and released to the press yesterday, the alliance accords a limited list of powers to a national government, including functions such as defence, foreign affairs, currency and control of financial institutions, customs, air transportation and national roads.

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On his way into last night's talks, KwaZulu Chief Minister Mangosuthu Buthezi said: "I just came because I promised to come. Nothing is going to happen at this meeting."

KwaNdebele's books cooked

Commission lifts lid on corruption

NORMAN CHANDLER
Pretoria Bureau

THE lawmakers of KwaNdebele have turned out to be law-breakers *par excellence*, a commission of inquiry has found.

A devastating report on the homeland's government — made public this week — has lifted the lid on the territory's mismanaged and corrupt government security service.

The Parsons Commission of Inquiry into unrest and alleged mismanagement in the KwaNdebele government was released yesterday after the bulk of the commission's deliberations were made public earlier.

Those documents slammed the entire government, accusing Cabinet Ministers and civil servants of gross mismanagement, corruption and theft.

It now transpires that not only did officials of the KwaNdebele Department of Law and Order financially take things into their own hands, but they also privatised the police force, hired suspected Umkhonto we Sizwe cadres as policemen, and ran up bills without a thought for how they were going to pay.

One account for R300 000 for the purchase of pantihose and buttons led the commission to declare: "There is something very wrong in the logistics division of the KwaNdebele police."

In addition, no one asked for prior authority to spend taxpayers' money — it was only after the deed had been done that permission was obtained.

The commission also found that the training of police officers was inadequate, being based on the notion of "learning from each other".

Changed financial decisions

It points out that politicians involved — identified as the "Chief Minister, Minister and Deputy Minister" — as well as the the Commissioner of Police and other senior officers "gave orders to subordinate that conflicted with the use and availability of funds".

The Commissioner of Police changed financial decisions "at will" and a so-called economy committee established within the department was, as a result, "a farce and its meetings a waste of time and manpower."

In one instance, cars to the value of R1 million were bought, while the budget was only for R20 000.

The department even established "a type of union" of seven panelbeaters who could be awarded contracts. Everyone else in this business, even if their work was cheaper, was excluded.

The report adds: "In general, the evidence revealed a disturbing situation of misuse of State and subsidised transport by the Deputy Minister, his chauffeur and other officers."

Some of the excesses included:

- The purchase of luxury 3-litre motor cars when 2-litre vehicles were available.
- Every officer — even the Commissioner's chauffeur — had a subsidised car.
- A R15 000 gold chain and medal, known as the KwaNdebele Police Order for Outstanding Leadership, was purchased, even though the country's Treasury objected.
- Law and Order built a conference centre without authorisation, and left the Department of Works having to "conjure" with funds to cover costs totalling R46 492.



STILL POLES APART: ANC leaders look on with concern as the Afrikaner Volksunie delegation at the World Trade Centre objects to yet another resolution before the new South African constitution was adopted this week. © Photograph: MYKEL NICOLADU

ANC, AVF reach working agreement

AS A war of words between the Left and the Right escalated yesterday, following the adoption of SA's interim constitution on Thursday, the ANC and the Afrikaner Volksfront (AVF) agreed to establish a joint working group to pursue matters arising from their meeting.

In a joint statement issued at the end of their two-day meeting outside Pretoria, ANC national chairman Thabo Mbeki and AVF co-leader General Constand Viljoen said their parties had committed themselves

to finding "a sustainable arrangement".

Although neither would say what had been discussed at the meeting, it is believed the AVF's demand for a "volkstaat" featured prominently.

The two men said their respective organisations had presented proposals on a number of matters and would refer these to their principals. Another meeting would be held soon.

In Pretoria yesterday, Constitutional Development Minister Roelf Meyer said it was pos-

KAIZER NYATSUMBA
Political Correspondent

sible to accommodate the Freedom Alliance between now and November 30, when the interim constitution will be submitted to Parliament. Speaking before the Government's meeting with the FA in Pretoria, Meyer said if his team found the FA's proposals acceptable, it would urge other parties to seek agreement and amend the constitution.

Meyer rejected suggestions that the interim

document reflected capitulation by the Government or a takeover of power by any party.

He was responding to a senior ANC official's remarks that the NP's last minute concessions ahead of Wednesday evening's plenary session amounted to "a complete collapse" of the Government.

In another development, ANC president Nelson Mandela yesterday called on his supporters to turn out in great numbers to vote for his organisation on April 27 — a day he said

would mark the "burial of the NP".

"We must never hear of it again," said Mandela in Durban, accusing the Government of neglecting the lives of black workers.

In contrast to the man many believe will be his boss next year, President De Klerk preached reconciliation in Cape Town, expressing optimism about next year's elections and the future.

The election, he said, would be about the future and not the past, about building and not recrimination.

THE SAT. STAR, 20 NOVEMBER 1993

New era

dawns ...

... and many share in the glow

Let the show begin.

THE curtain opened on a new South Africa this week. It was certainly a moment of high hopes, but with participants from the ANC's chief delegate Cyril Ramaphosa (shown on internal TV at the World Trade Centre) down the line to journalists taking strain following long, long hours of debating and waiting. One TV cameraman finds out whether he has missed anything important by reading The Star. Report by PAUL BELL, photographs by MYKEL NICOLAOU.

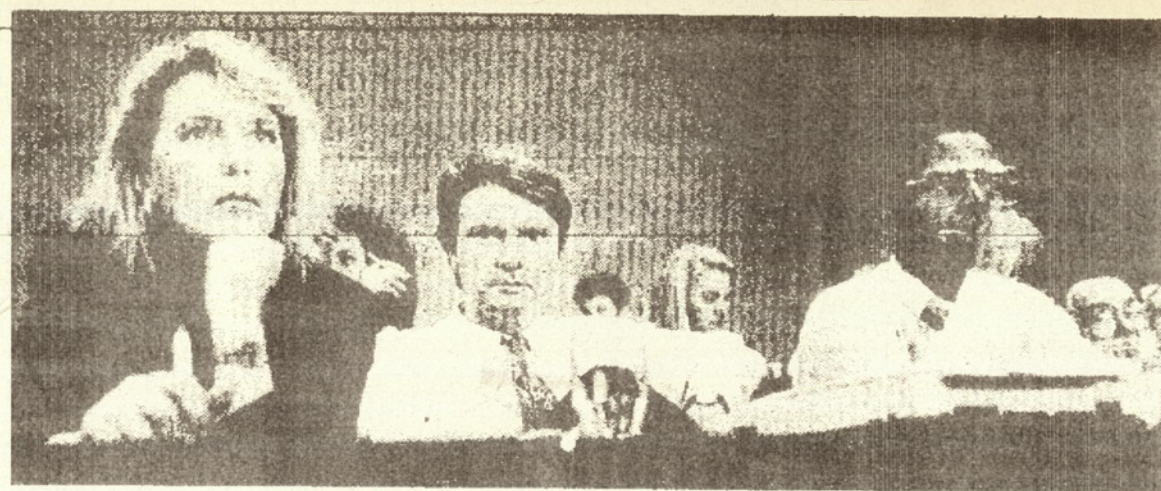
WHILE the negotiators were doing their best to drag things out upstairs at the World Trade Centre this week, the media were downstairs doing what they do best — killing time.

Even to the last, the Afrikaner Volksunie (AVU) was conducting a rearguard action with the desperation of the Alamo.

Corlia Kruger felt it necessary to come to the rescue of the dignity of the process.

Chairman Pravin Gordhan said she was filibustering and basically told her to shut up.

Amichand Rajbansi was indulging in what he does best — obsequious flattery. Gordhan shut him up too.



READY FOR INSPECTION: Part of The Star's team — Esther Waugh, Shaun Johnson and Kaizer Nyatsumba — were often there deep into the night, but wouldn't have missed it for anything.

Journalists took refuge in the dining-room — which was a real jam-boree, a gaggle of hacks and hackesses come to witness the delivery of the constitution. That was the first party, but

because there was work in the offing, it was conducted with a modicum of restraint.

Between 7 pm and 11 pm my crowning achievement was to persuade the Democratic

Party to let me use its fax machine. "Look," I said, "this is about your stunning victory on the Constitutional Court. I've got to get this over to The Star."

In the flush of victory

— and boy, were they bucked! — they graciously transmitted it for me. At 10.30 the council closed its business, gave itself a round of applause and sent itself off to the plenary.

Shortly before 11 the press gallery was treated to the sight of our TV and photographic colleagues charging, like a crazy caravan of camera equipment, up the right of the auditorium on to the main floor.

But at 11.08, as Mr Justice Ismail Mahomed took his place at the podium and opened the proceedings, I felt curiously flat. There was no fanfare, no roll of the kettle-drum, just the judge speaking his emotional and rather florid introduction.

Rolled out

Or so it seemed. While obviously appropriate to such an occasion, it felt out of kilter with the state of the delegates, whose excitement was gradually being overcome by fatigue.

The speeches were droll. Mandela had the advantage of being first. I thought Jerry Coovadia was good: he gave the AVU a snoklap about presuming to give the negotiators a lesson on democracy.

That woke people up for a minute but by the time we rolled out of there, nearly 4½ hours later, it was like we'd sat through Ben Hur twice.

I thought I'd have one drink, just to fire up the engine sufficiently to get home. Then that other party, Cyril's one, started and, well, we won't go into that again.

A SMALL army of backstage workers attended to the negotiators' physical needs, helping to keep them on the rails. Chief Reporter JOHN PERLMAN spoke to some of them and found a common thread: pride in helping to shape history.

THE talks that produced the new constitution this week took long enough, but how much longer might they have dragged on if the negotiators had been hungry, disorganised and nervous?

That they weren't is testimony to the efforts of a small army of people — caterers, security guards, typists and secretaries — who all take pride in the fact that they too, in their own ways, have helped to shape history.

Take Anton Human (26), for instance, banqueting manager at the World Trade Centre.

"If Minister Roelf Meyer, let's say, asks for a plate of food, we know what he wants — mostly vegetables, not too much meat — and if he drinks wine it's always Zonnebloem Premier Grand Cru," Human says.

"Good catering is when people don't have to spell out every detail. It just means they have one less thing to worry about."

One part of Human's job has been to make sure that individual needs are met. Another has been ensuring that the flow of food and drink keeps step with the twists and turns of the talks.

"Today (Wednesday's plenary session) it was supposed to be just luncheon. Now we are getting ready for dinner," he says.

For a man suddenly called on to provide another



DRAINED: Long sessions took their toll on Roelf Meyer. ● Photograph: MYKEL NICOLAOU

major meal for 1 000 people, he looks pretty calm. "It's no hassle. If I had to go to an eight-to-five job every day, I'd be hysterical"

Catering will continue, but Human admits it won't be quite the same.

"I'll miss the people, Roelf Meyer and Cyril Ramaphosa especially. All of us do feel there is something different about this job. We're part of making history, and it's been exciting."

The security guards at the talks — a multiparty force drawn primarily from the SAP and Umkhonto we Sizwe (MK) — also talk with a strong sense of pride.

"We are combatants, we worked throughout our lives for such a thing," says Jude Francis, who spent five years on Robben Island for involvement in MK operations.

"That makes it more than just a job."

Says Sergeant Lawrence Coetzee (25) of the SAP's VIP protection unit: "I feel proud. History is being made here."

Some members of this multiparty force believe they may have achieved more than just securing delegates' safety. "It's an example of what can be done in a bigger way," says Captain Eugene van Eck (27), one of the joint operational commanders.

"It wasn't easy. In the early days there was distrust, but it helped that we took young guys who are a little bit more broad-minded, and not the older policemen who had to work with things like the Internal Security Act."

Now, says Coetzee, "if there's a problem we try to sort it out between us".

The experience gained by the administrative staff will almost certainly be used — most have applied for jobs with the Transitional Executive Council or the Independent Electoral Commission.

"The fact that they have been working here, their sensitivity and understanding of the process, should count in their favour," says administration chief Theuns Eloff..

He and assistant Gillian Hutchings have had the closest possible view of the talks, sitting as they do in the Negotiating Council and the planning committee. "It's made me realise that despite what people say about politicians, their job isn't easy," says Hutchings. "The stress is incredible. I've got a lot of respect for a lot of them."

The talks have taken a central place in their lives. "Because it's such an intense process it almost cuts you off from everything else," says Eloff.

Says Hutchings: "It will leave a big gap in my life when it's over."

SaturdayStar X

Remember it's election time

THERE is no doubt that the spirit of camaraderie and celebration at the World Trade Centre this week was genuine. It is likely that the friendship established by Cyril Ramaphosa and Roelf Meyer will continue even after the good ship Talks has been steered successfully to port.

But South Africans must now brace themselves for a change in the wind, something clearly signalled by Nelson Mandela last week when he used the platform of a Natal meeting to tear strips off De Klerk and the Nats in general.

It's election time now, a competition that will grow fiercer as April 27 comes closer.

That, after all, is the way it goes everywhere in the world. Don't expect leaders to be singing each other's praises. Don't expect compliments to be thrown like confetti, as we had when the ANC and the Nats were contriving a marriage of minds.

If South Africans take fright at the rhetoric; if they probe each statement deeply for meaning and a climate of gloom sets in, we will be undoing much of the good that has been done.

The fact is that the race is now on and no one wants to finish second.

Hard words are going to be hurled. We should expect it. And if insults are the only thing flying around, we can count ourselves fortunate indeed.

New boundaries bound to collapse scrums

THINGS will never be quite the same again, now that they've wrapped up their business at the World Trade Centre. Now that they have their new South Africa, draft constitution, new provincial boundaries et al.

"Quite the same"? No, strike that. Simply make it "things will never ever be the same again — period".

We don't know whether Cyril Ramaphosa, Roelf Meyer and Co quite realise it, but as good a job as they may have done, they've also tampered the hell out of tradition.

Never mind the national anthem, what about volksliedjies? You realise that soon we'll be singing "Daar onder in die mielies by die nuwe PWV ...?"

Imagine

And if you think that's a mouthful, imagine shouting, "Come on the PWV!" at Ellis Park.

Come to think of it, here's some news for Louis Luyt. He might as well return that golden éhâlice to the South African Rugby Football Union at its headquarters in the "Cape Metropolis". Right

now. Yes, Transvaal won the Currie Cup for the first time in 21 years in Durban, KwaZulu/Natal, in October — but it was also the last time.

How so? Well, the PWV might get the chance to defend it, but Transvaal never will.

Better Luyt than never though, hey Louis?

If they get their independence, things aren't likely to change that much in KwaZulu/Natal. After all, Ian McIntosh will still get the majority of his players for New Zealand and the World Cup squad from the same area. And now he can call them the Protea-Zulu-Boks.

Elsewhere, however, things might not be quite so bright and gay. Indeed, come to think of it, the Roelf 'n Cyril Show is going to have quite a lot to answer for among the country's rugby folk.

A quick squiz at the new South Africa map shows that Johannesburg and Pretoria will soon be in the same PWV province. Now how are you going to contain the egos of Oom Louis and Hentie Serfontein, formerly of the Blue Bulls, in the same rugby

WHEN they announced that the new SA would be divided into nine regions, they didn't realise what they were doing (especially in the world of rugby), writes Sports Editor MIKE SHAFTO.



union?

On the other hand, if the PWV can agree on the colours — as a combination,

light blue, red and white could make spectators fairly bilious, one imagines — the PWV could be-

come the permanent holders of the Currie Cup.

Northern Transvaal, with places like Ellisras, Soutpansberg and Thabazimbi to choose from, could soon become the permanent holders of a new cup to be called the Hicksville Trophy.

WP, by the looks of it, will change to WC, but that's not exactly inapt at the present time.

According to the new map, with its lists of towns, Stellenbosch would seem to have disappeared. Presumably it is contained in Cape Metropolis. Be that as it may, we all know what Doc must be doing right now ... no, not

turning in his grave. Spitting blood is more like it.

Doc had a favourite joke. He used to say the mayoress of Koekenaap was invited to kick off a game to open the town's new field. Afterwards at the cocktail party, she told the local players: "I never knew it was so much fun. Or I'd have asked to kick all your balls off this season."

That is probably what Danie Craven is contemplating for the negotiators at this moment.

Ah well ... see you at PWV Park next season. Perhaps even the price of private boxes will be down.