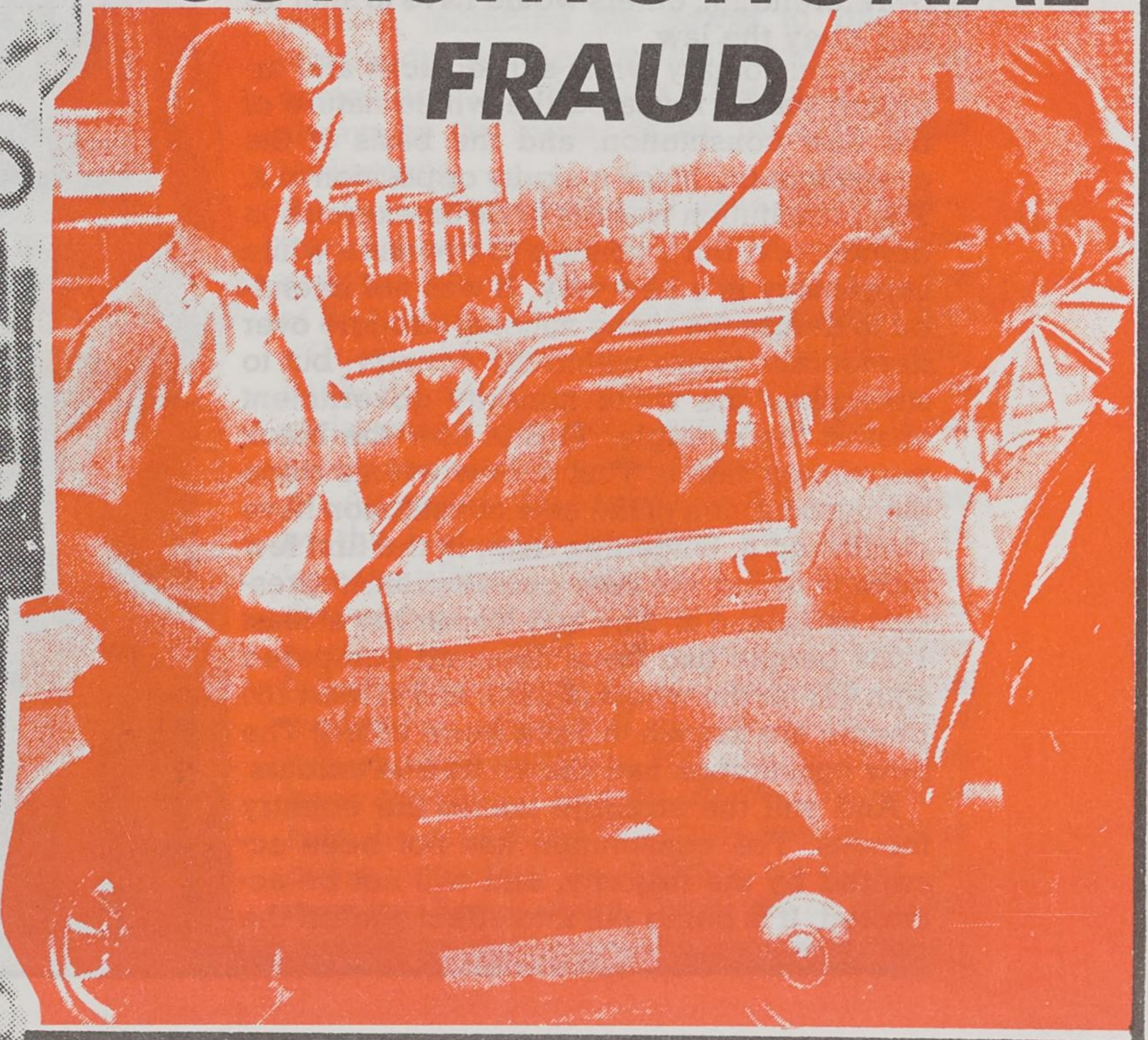


Apartheid 'Reforms' CONSTITUTIONAL FRAUD



In October 1984 the South African regime ushered in its new constitution. For the first time since the Union of South Africa was born in 1910, parliamentary seats and votes were to be opened to some groups of black citizens. The monopoly of white power — and the privileges which come with power — was being broken, or so it was claimed by its chief architect and deviser, Prime Minister PW Botha. This, he declared repeatedly, was a real reform, a real advance towards a wider democracy.

Yet South Africa's black majority, who had spent over seventy years in struggle for the right to vote, rejected the new constitution out of hand. Every black organisation of any significance, and every black leader of any standing, demanded that the constitutional proposals be scrapped and that the black majority be consulted by way of referendum.

Any government genuinely extending democracy would have jumped at the opportunity to put its proposal to a popular test — at least to a popular test of the two minority groups who would be enfranchised, the two and a half million Coloured and approximately one million Indian citizens.

But the Botha government refused adamantly to put its proposals to any such test. The constitution would be imposed on the country whether its black population wanted it or not. The white electorate would be consulted by referendum; others would have to shut up and obey the law.

This customary white-supremacist and arrogant stance revealed the whole nature of the new constitution, and the basis of the overwhelming black majority opposition to it. The constitution was not to be an exercise in democracy, but a venture to preserve white supremacy in a new way. It was not intended to defuse the rising national struggle over democratic rights within the country, but to strengthen the white minority government against the struggle. That is how the black population saw it. That is how events since the introduction of the new constitution have confirmed it. Since that date, in the first few months under the new constitution, repression increased and by mid-November at least 1,054 people had been detained compared with 453 for the whole of 1983, and at least 160 people are known to have been killed. The new constitution had shown its true colours.

And still the struggle inside the country mounts. The constitution has not been accepted by the majority, and will not be accepted. It is being put into effect against the

Apartheid 'Reforms' A CONSTITUTIONAL FRAUD

people's will and in the teeth of fierce opposition. If it operates at all, it is operating against the majority will. But to what purpose?

Its purpose is, as with almost all South African legislation, to ensure the survival of white supremacy. That supremacy, and its 'apartheid' system, has been under challenge for many years. For many years it has defended itself from its own people by massive reliance on arms, police and laws of repression. But today the challenge is bursting through that massive protective screen. The evidence is everywhere — in the linking up in a growing black unity of the carefully separated Indian and Coloured minorities with the African majority; in the mass revolt of youth and students against education for inferiority; in the spreading wave of sabotage and armed strikes against the state by trained and disciplined guerrillas of the ANC's

armed wing, Umkhonto we Sizwe; in the rolling wave of mass strikes and the surge of trade unionism amongst the black workers. Such challenges as these can no longer be contained by terror alone, by repression alone. And everyone in South Africa who thinks and feels is becoming aware of that fact.

The apartheid state is in a desperate condition. Desperate conditions demand desperate remedies. For over seventy years the white monopoly of parliament has stood as a protective rampart against the black majority outside, defended by politician and preacher as God's will towards his chosen race. But now the moving tide of challenge threatens to breach the ramparts. Thus they have devised a new scheme so as to allow a few to join their ranks — as junior partners who will help the apartheid system to work.

This is how the majority of South Africans interpreted the Botha constitution. This is how even a minority of white citizens interpreted it; this is why the overwhelming majority of Coloured and Indian voters refused to participate in it.

Despite massive pressure exerted by employers and the state, less than 20% bothered to vote when the day came, despite the fact that an important Coloured political party — the Coloured Labour Party — defected and campaigned for support '... to fight apartheid from inside'; and a bogus Indian political party was cobbled together for the same purpose.

With this derisory voters' participation, the motley collection of Coloured and Indian MPs have taken office — being paid R68 000 a year, plus a R100 000 house and other perks, in a country where the average household income for Africans is a pitiful R204 (approximately £90) per annum. The bribe has been accepted, and the takers have entered the white citadel of power against the black majority outside. But the majority of their own communities have stood fast, and refused to follow them into the camp of repression.

The intent of the new constitution is revealed in almost every clause — to maintain the old tradition of apartheid and white supremacy while shrouding it in a mockery of democratic appearance.

- There is a State President with executive powers, including the power to veto any legislation, selected by an Electoral College of members of parliament. Effectively, he will always be the leader of the 'majority' white parliament.

- Parliament consists of three chambers — even the terminology is 'apartheid' — a House of Assembly of 178 for whites only; a House of Representatives of 85 for Coloureds only; a House of Delegates of 45 for Indians only. Each 'House' is elected only by voters of that racial group, and only persons of that racial group may stand as candidates.

- All matters for discussion will be classed by the President as either 'own affairs' or 'general affairs'. 'Own affairs' will be matters deemed to be of exclusive interest of one racial group alone; discussion of 'own affairs' is limited to its own racial House only. Social welfare, art, education, culture, health, housing, local government and agriculture have been scheduled as 'own affairs'. 'General affairs' are scheduled to include foreign affairs, defence, justice, manpower, transport, finance and home affairs. These will be debated



by all three houses with a second reading in joint session. In the event that differing decisions are reached by the Houses or differing versions produced by amendment in any House, the President meeting with a selected President's Council will decide which version is to become law.

Every clause is circumscribed by the magical ratio 4:2:1 — the racial ratio of White:Coloured:Indian. It applies to the number of MPs in each House; to the composition of the Electoral College which selects the President; to the membership of the President's Council which decides which version of a Bill will go to the President for his assent.

It is a complicated constitution — a complicated mess — filled with special provisions and special powers which have never been necessary anywhere else in the world. But for all its complexity, its essence is simple: two plus one can never be greater than four. Or, to put it differently, 'white majority' opinion can never be outvoted by black; no opportunity of joint voting is permitted, lest — some day, on some issue — some white members might join with black to break the intended white monopoly.

And even more important, the black majority of South Africans — 24 million, 71% of the total population — remain unrepresented, unheard, outsiders in the land of their birth and heritage.

This is why the African National Congress branded the constitution a fraud, and a way

to maintain white supremacy. This is why every representative leader and every representative body of black citizens — African, Coloured and Indian — rejected it, fought against its introduction and still fights against it today.

TOWARDS A NEW SOUTH AFRICA

Against this fraudulent rearrangement of the old white supremacist fabric of South Africa, the ANC has fought for a simple and real alternative — a democratic alternative without any racial base. The ANC proposes that the constitution be based upon the principles of the South African Freedom Charter, which is now supported by almost every serious section of South African opinion, except only the surviving white supremacists in the 'majority' and 'minority' parties of the white parliament. The ANC demands that apartheid be totally dismantled.

The Freedom Charter's principles are:
THE PEOPLE SHALL GOVERN!

Every man and woman shall have the right to vote for and stand as a candidate for all bodies which make laws. The right of the people shall be the same regardless of race, colour or sex. All bodies of minority rule, advisory boards, councils and authorities shall be replaced by democratic organs of self-government. The law shall guarantee to all their right to speak, to organise, to meet together, to publish, to preach, to worship and to educate their children.

