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PS Thompson

P.O. Box 375
Pietermaritzburg
3200

9/3/92

Dear Sir

We hereby acknowledge receipt of your submission dated 20/2/92.

Please be assured that your submission will be forwarded to the relevant Working Group.

Thanking you

Yours Sincerely

A

Murphy Morobe
(Head: CODESA Administration)

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COMWENTION FOR 4 DEMOCRATIC SOUTH AFRICA

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PO Box 307, Isando, 1600, South Africa.

Telephone (011) 397-1198/99. Fax (011) 397-2211

UNIVERSITY OF NATAL

Department of Historical Studies

Sehuery 2p, 1992

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CYakas, Malad and Me Provntial Conrad, 472552. Uni vena

ine: 4%

of Madd, M.A. Yh, 1970.

threatened by Malan.

1. Sritish citizenship,

2. Racial policies .ffecting Provincial empioyees
on the score of bilingualism, and importation of
workers in all spheres from other Provinces *o

affect the voting strength.

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Lei sass n and maindministration cof the hative

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population by officirls ignorant of their language,
officials appointed because of

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laws and customs;
political persuasion.

4. Underdevelopment or wrong development of natural
resources.

Nicholls concluded by saying that he wished to make the

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issue quite clear. If they did not adopt the resolution
he had moved, then so far as he was concerned they would

split the ranks of the Party in Natal from top tc bottom.

In thus thre2tning to leave the S.AePearty, he was playing

te a te tds ae ace i!

his last card.

Cries of "Never," â\200\234are you 2 friend of the Party or

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not ?" were heard.

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hid teep seconded by Borlace,

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F. eCeHollander moved an amendment in the form of a series of recommendations for the re-constitution of the Provincial

Councils. It took the form of four proposals prefaced by

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the Provincial Council resolution of May 18th and a review

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of the constitutional position of the Councils, both prior

and subsequent to 1910.

Firstly, Jollander urged the exutrenchment of the

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conditions which have been created
recent years, where the whole

rey of the government
any devolution

In view of the
in South Africa in
Provincial system is at the me

in power, and in order to provide that

See p147 above.

of the authority shall not be assailable by a mere Party majority in Parliament, it becomes necessary that such powers as may be transferred to the Councils, and such alterations as may be made to the act of Union, should be entrenched, and that any alterations which might be contemplated in the future should not be possible without definite approval and consent of the people via Divviiye Concerned, expressed through its Provincial Councils.~

No details were proposed as to how this entrenchment could be accomplished, but the desirability and necessity of such a safeguard was emphasised.

Secondly, certain alterations to the Constitution of

and

the Provincial Councils were proposed. The South Africa Act provided for Councils which were elected for three years, and could not be dissolved during that period; an Executive Committee of four, who were elected for three years by proportional voting of the members, and could not be removed during their term of office.

Hollander suggested that the Councils should be elected for five years; that the Executive Committee should be elected by, and be responsible to the majority of the Council; that the Committee should be removable on a vote of no confidence: that, in certain circumstances, and to avoid a deadlock, an appeal should lie through the electors of the Province in the form of a Provincial Election at any time during the life of the Council.

Under the existing system, the Administrator, who acted as Chairman of the Executive Committee, was appointed for

five years by the Central Government and was paid by the

Union Treasury. In order to bring the Councils to the

- F.C.Hollander, Extension and Development of the Provincial

Council System, p. 4, Nicholls Papers. Commonly known as the Hollander Memorandum.

Status of a proper local Parliament, it was proposed that the Administrator should be elected either by the Council or by a representative Electoral College consisting of a Province's MeP.S, Senators and Provincial Councillors.

alternatively, he might be elected by Members of the Provincial Sxecutive from among their own number. Should the occasion arise, the Administrator Should be removable from office by those charged with the responsibility of - electing him.

In addition, the Provincial Executive (six if necessary) should be full-time officers in charge of various departments and armed with the powers of Cabinet rank.

Thirdly, the powers asSigned to Provincial Councils

by Section 85 of the South africa Act should be extended with the following powers:

- 1.
- 8.

Power to negotiate loans on the credit of the Province.for capital works. -

Control of the Provincial Public Service.

Control of the vrovincial Publc Works Department.
â\200\234age and Industrial legislation.

Public Health.

Agricultural, Irrigation, Land Settlement, and Immigration associated therewith.

Education in all branches, including Technical and High,

Administration of Native Affairs, and Police.

Lastly, the financial relations of the Union Government
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with the Provinces under such a constitutional development would necessitate the appointment of a Commission of experts.

There were various suggestions put forward by which a

satisfactory system could

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Commission of 1912 recommended that the Provinces should be financed from a per capita grant covering the whole

population, with special reference to non-European inhabitants of the Province. Alternatively, fixed proportions of certain Union revenue earned in a Province might be transferred to that Province as a financial provision for the carrying out of its extended services. A third suggestion might be in the direction of transferring existing fixed Union revenue to the Provinces, with powers to legislate so as to create flexibility.

Railways, Harbours, Customs, the Post Office, Justice

and Defence would remain national in character and administration. One reservation was that the Railways should â\200\230

be controlled by an independent Board of Commissioners, :

entirely free from political control and bias. " While Hollander saw the flexibility of the South Africa Act

as a weakness with reference to the non-entrenchment of the Provincial position, its flexibility was a most important and vital advantage in regard to the development and extension of the Provincial system in that it was possible to do this without making any serious inroads into the Constitution.

Hollander concluded his recommendations by saying:

"I think that it will be agreed that it is desirable that some effort by the Natal section of the South African Party should be made to place concrete proposals before those who, today, are of the opinion that the development of the Provincial system is desirable and necessary on

federal lines, and within the Constitution of the South Africa Act, "ee

' The Karoo Unser

Vol 1 Edition 2

FREE

Februz

A MULTIPLE-VOTING SYSTEM
TO SATISFY ALL ASPIRANTS

HE way this country's future is being
talks, must convince even the most arde
moving too fast for comfort.
most delegates, of all colours, is sure
sophisticated enough to successfully run t

Worst of all is the posi-
tion of the helpless public
who have no say in the

roceedings. They can only
stand by and watch in hor-
ror as some 300 years of
pioneering and hard work
rapi oy momen-
tum, heading for the maw
of Africanisation.

What about the White
farmers we saw on TV the

other night? There's a big Â©

bandied about, in and out of the Codesa
nt New South Africa fans that events are

From what we've seen and heard of the posturings of

by Alan Peden

â\200\224â\200\224
chance they may have their
farms taken away from
them to be handed back to
the Blacks from whom they

were supposedly stolen.

Will this be the end of
those lush pastures. Will
they be overgrazed by dis-
ease-ridden cattle and

goats and turned into a

proof itâ\200\231ll be a very long time before theyâ\200\231re
his country of ours.

dustbowl like so much of
Africa?

If you think this is
defeatism, take a look to
the north Remember:
Never in a th
and Over my dead body
Remember t acre
transition period? What
happened?

The man who ma
those statements is now a
nonentity, and the 10-

riod went like a flash as
another rich and successful
African country retu
to the begging bowl.

Now thereâ\200\231s talk of a 15-
ear transition poe for

uth Africa. Thatâ\200\231s OK
for todayâ\200\231s negotiators
who'll be on fat oe
ment pensions in A 2007
if thereâ\200\231s any money in the
kitty to pay them. But what
about todayâ\200\231s teenagers
who have no say in what is
sup ly being done on
their behalf.

In 15 years they'll be

arents, reaping the sins of
their political fathers. Like
the angry teenager said
when he was called up:
Those apap b---
politicians eciare the
wars, but itâ\200\231s the cream of
us youngsters who die, or
are maimed, to prove them
wrong. How true!

So what can be done?
Why can't the whole nation
become involved in solving
the problems of forming 4
successful future govern-
ment? Would it be such a
daft idea to hold a national
competition on these lines

years

?

for the public to air their sos
views.

Competitions have been
held in many countries to |
find a new national an- E}
them, a tlag, even a name.

So why not a govern- cy

ment? Our leaders might tke
even get a few good ideas
â\200\224 if theyâ\200\231re big enough to gents '
accept them. ygents!

Personally, Iâ\200\231d like to
suggest a form of multiple le
voting which Nevil Shute

t forward in his book, â\200\234=~
In The Wet. I'm sure this <a
system would satisfy the â\200\230<t
aspirations of most
people in this country.

The system is based on
seven possible votes per
person. They are:

1. Basic vote
everyone of voting age.

2. Higher education
vote for those with a de-

gree. Also includes doc- T

for
=

tors, solicitors, :
commissioned officers
and people in similar
positions.

3. Foreign travel vote B
for anyone who has
earned their living outside S â\200\230
South Africa for two :
years. co

4. Family vote (hus-

bands and wives) for a
couple who are married
by law, have raised two
children to the age of 14
and have not been
divorced.

5. Achievement vote
based on earned income.
Itâ\200\231s supposed to cater for
the man who has no
education, has never been
out of the country, is
divorced, but has built up

a big business and pays

high taxes.

6. Church vote for
recognised officials of
specified churches. Can

be vicar, minister, church
warden. Anyone doing a
real job for the church.

7. Honour vote. Given
only by the President for
bravery or special services
to the country.

Well there it is â\200\224 one-
man one-vote included.
Itâ\200\231s obvious that the most
responsible people will
have the most votes. That
way a better class of
politician will emerge to
the benefit of the country
as a whole.

Over to youl