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L E?gfe exploitersâ\200\231 call
; Q) R A S

By Kamal Singh

| MEMBERS of â\200\234progres-
| siveâ\200\235 organisations who ex-
| ploit the have-nots must be

| e d, a senior memberx
' of the SA Communist Par-

ty said at the weekend.

. Speaking at the annual
â\200\230meetingRof the Durban
| Central Residentsâ\200\231 Associ-
| ation on Saturday, Profes-
'sor Ian Phillips said many
| eople, including lawyers
'who acted for landlords,
â\200\230were enriching themselves
because of the housing
crisis.

~ Professor Phillips is a
lecturer in politics at the
University of Natal
(Durban). He is a member
of the SACP and also
serves on the regional ex-
ecutive - committee of the
'ANC.

He said the ANC and
SACP were aware that
among its members were
landlords who charged high
rents.

These hypocrites, he
| said, needed to be exposed
because the policies of the

parties and the landlordsâ\200\231

actions could not be
reconciled. :

Professor Phillips also
pointed out that politicians
negotiating a new govern-
ment were little aware of|
the plight of the tenants,
the homeless and the inad-
equately housed.

The housing crisis was an
important issue_that has
long been side-lined. The
provision of housing was
the responsibility of the
Government.

Community organis-
ations needed to be vigilant
to ensure that th%&)eople
voted into power ad(ressed
socio-economic issues,

'such as housing.

Community organisations, he said, shaped policies and could ensure that these were implemented. :

â\200\234These organisations could applaud or criticise the actions of those in power. If no action was forthcoming after successive criticisms people in power did not deserve to be there. They should be voted out.â\200\235

s STV e

/By Fawzia Moodley,
Yuri Thumbbran and

couraged to participate in
the corying elections, it was
t a meeting called
uslim Youth

ovement in Durban.

The meeting was attend-
ed by a range of Muslim
organisations and
nent leaders, including
Imam Abdur Raoof Soo-
fie, of the Soofie Mosque
in Westville, and Moulana
â\200\230Abbas Khan' of the Sunni
Jamiatul-Ulema.

It was agreed to launch a
voter education pro-
gramme, and a co-
ordinating committee
headed by Mr Essa-El-
Seppe was elected to map
out details of the campaign
which will be launched
shortly.

EEE

INTERNATIONAL inter-
| vention was necessary to
deal with the ongoing po-
. litical violence in South
Africa, said Natal Univer-
sity academic Dr Paulus
| Zulu at a peace meeting
. called by the National As-
sociation of Democratic
Lawyers. '

Dr Zulu said joint con-'

- trol of the security forces
' would be counter-produc-
| tive unless there were in-
| ternational supervision to
legitimise the policing and
. investigation of violence.
He said the legal frater-
" nity could also play a role
by â\200\234intervening in the in-
| vestigative processâ\200\235.
. This was because there
- were â\200\230â\200\234â\200\230valid complaints re-
| garding the unsatisfactory
;550â\200\2311}â\200\231. of the police in their
- investigation of violenceâ\200\235.
. Dr Zulu said lawyers
' who had the necessary
. training could intervene to
| ensure that the masses
- were not manipulated by
' the police.

THE National Party

- launched branches in the predominantly Indian ~ areas of Shallcross and Reservoir Hills on Wednesday last week.

no Blom said the launch in Shallcross, held at the Joydeen Centre, was attended by about 85 people and addressed by the Minister of Mineral and Energy Affairs, Mr George artlett, and MP for Cavendish, Mr Paliansamy.

romi-

NP spokesman Mr Han-

tended by about 85 people and addressed by the Minister of Mineral and Energy Affairs, Mr George

artlett, and MP for Cavendish, Mr Paliansamy.

The Reservoir Hills launch at the Asoka Hotel was attended by more than a 100 people and was addressed by the Deputy Minister of Foreign Affairs, Mr Renier Schoeman, and MP for Reservoir Hills, Mr Kamal Panday.

The basic principles and policy structures of the NP were highlighted. The launches are not merely to attract voters. It is essential that potential voters understand the NP's commitment to the elections and a democratic South Africa, Mr Blom said.

EEE

MISS India South Africa, Denise Dass, will attend a cross-cultural prayer for peace function hosted by the Community of Greenwood Park and neighbouring areas at the Greenwood Park Community Hall, Park Station Road, on Saturday at 2pm.

Mr Ashwin Trikamjee, resident of the National Soccer League, has also been invited. The theme will be End to Violence.

The programme includes
a poster competition for
primary schools, sketches,
and dances by pupils from

the different cultural

groups. ;

Leading political person-
alities have also been invit-
ed. Phone (031) 83 6083
for details.

EER

THE parliamentary seat of
Durban Bay left vacant by
the appointment of Mr
Sathie Naidoo as an MEC
for Natal will be filled to-

day (Wednesday).
Ministerial representa-
tives Mr Nelson Raju and
Mr Solly Mansoor, and for-
mer Presidentâ\200\231s Council
members Mr Arumugam

Pillay and Mr Ashwin -

Beesham have applied for
the position. &
EEER

PRESIDENT Mr FW de
Klerk, will kick off the

NPâ\200\231s Natal congress which
continues tomorrow and on
Friday at the Amanzimtoti
Civic Centre, with a public
address at the Durban City .
Hall tonight.

Key areas of debate will
include: law and order;
constitutional develop-
ment; finance; and rela-
tionship with the IFP to
which the NP has recently
lost a number of MPs.

Continuing violence on
farms, the East Rand and
the St James church killing,

and the general escalation.

of crime, will also be:
discussed. H

The congress is expected -
to call for firmer action
against â\200\230â\200\230private armiesâ\200\231â\200\235

such as the AWBâ\200\231s

- Wenkommando, Apla, and |
Umkhonto we Sizwe, and |
the ailing economy will

also come under the
spotlight. It

THE Umgeni North
branch of the ANC
launches its election cam-
paign at the Athlone Hotel
on Saturday at 3pm. Key-

- note speakers will be

- all
member Professor Mike

southern Natal regional
chairman Mr Jeff Hadebe
and regional executive

Sutcliffe.
[A\$ B

THE Zambian experience
had shown that the church
had a positive role in en-
suring free and fair
elections.

|

Peter Henriott, director of |
the Jesuit Centre for Re-
flection in Lusaka, which
played an important role in
the 1991 multi-party elec-
tions in Zambia, in an ad-
dress at a Diakonia 1

breakfast forum in
Durban. ot

Father Henriott said the
church had to be politi-
cal in a non-partisan way
and Christians had an ob-
ligation to support the
party which furthered
Christian values.

He warned that democ-
racy could not survive un-
less there was a strong
economy and its success
was, therefore, dependent
on finding economic
solutions.

THE launch of an IEP. |

branch in the ANC strong-
hold of Bhambayi on Sun-
day was accompanied by
violence in which at least
seven people were killed.

The ANC had previously accused the SAP's Internal Stability Unit of promoting the IFP in the area and questioned its role in the violence.

ANC spokesman Mr Dumisane Makhaye accused the ISU of promoting confrontation by ignoring pleas to prevent IFP supporters from marching through the ANC section of Bhambayi during the launch.

He added that violence monitors Mr Roy Ainslie and Mrs Mary de Haas had witnessed indiscriminate

shooting and teargassing of

sections of Bhambayi by the ISU.

Police spokesman Major This was said by Pathiel Pfessses St PRy |

Bala Naidoo denied accusations, saying while the ISU was still harassing them (ANC and

use an alternative route

broken away and towards homes where they had been ambushed.

EEE
A VOTER DAY organised by students at the department of public relations and journalism at the ML Sultan Technikon will be held on the campus on September 8.

Organiser Mr Agvaan Singh said the project was aimed at educating people about voting procedures and the academic transformation of South Africa.

' The students have appealed to businessmen and companies to give financial assistance for the event. For details contact Mr Singh on (031) 269 3879 or Ms Priscilla Reddy on 578 2254..

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" Mhven 0 S

T' HE police hiave acknowledged i Bati.on policernen belonging to

poli-
an jmage problem. 4s one-of Â\$. tical parties; though the effect%.ot .
| the-causes of. theirlack: 6 â\200\230the Tegulation were: not-easily dis--- |
- â\204ç . acceptance {0 the black com cernible in the days when the SAP .
â\200\230munity. They, 'Would therefore b â\200\230enforced aparieidlaws. They were:
wise to moye cautiously when:they Widely "r.Ã@garded_â\200\234â\200\231as, agehts-...-?offâ
\200\230:fthÃ© d
consider-the-position of the police- " ": uling=National Party,..sind they
. menâ\200\231' who participated in 2N ANC - made no bdnese about the fact that
rally- in" Port â\200\234KlizabÃ©th- at. the. .. "they Saw the- outlawed:: liberation -
weekeÃ©nd.. - YT atee Sndlen el â\200\230moverpeits as enÃ©my Noi: "=
"..'The SAP is investigiting reports [~ -~Times have chinged so-dramati-"
that 300 uniformed-members: of the - ~-Callyâ\200\234that'the SAPâ\200\231 now-has senior.
â\200\234Police -andâ\200\231.Prisoos~Civik Rights. < officers. with -the â\200\230Specific
- task .of
Union ' (Pbpcr),â\200\230x)_â\200\230-h_tgâ\200\230e'ndea.iï¬\202xÃ©,â\200\231;rally;;-' --i
mprovitg â\200\230the forceâ\200\231s commimity
in which they wereâ\200\230escortedinto the' - Telations. In fact, the aim is to turn
stadium by an Umkhonto we Sizwe- - the SAP into â\200\234peopleâ\200\231s policeâ\200\235.
But
band, The rallyâ\200\231 was addressed by~ - ~this does not imply alignments with
ANC leader -Tokyo' Sexwale;~and. - political groups; â\200\230and both the ANC
afterwards the policemen â\200\230are re- - and Poperu should realise that-any
ported to have declared themselves.. - move in this direction would only
â\200\234peopleâ\200\231s policeâ\200\235â\204ç.â\200\235 I " < vt - Âç - worsen the credib
ility problems of
" "There are 8004 rÃ©asons Tor thÃ©. " _the police in.a new dispensation.

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better. That might be the principle; if official authorities. New regions will
palâ\200\231s comment on the report card? % inevitably include a number of old

oy

of the constitutional technical !Â°

|MPROVING, but could still do . # by exiâ\200\231sti'n'g homeland and prd?,in- :
administrations in some cases, and

committee, whose second draft con-

stitution was tabled at:the Worldâ\204ç~~*out a methodical plan:the process

Trade Centre yesterday. Ly

.The most important â\200\234improve-
mentâ\200\235 over the first draft is that the:
committee has allocated a list of 15 -
original powers to regions. Such;
powers, which _central government:~
cannot withdraw without amending -;
the constitution, are theâ\200\231essence of *
federalism. While, arguably, the list gt

the draft. For federalists (or, at -
least, those who bother to turn up to .
negotiate). it represents the â\200\234thin
edge of the wedgeâ\204ç. â\204çâ\204ç .__ . = -
The dozen areas where regional
and cÃ©ntral government share con- -

current powers .~ education,
health, local policing and the like = ..
are-the real -meat of regional govÃ© " "

Ve

* ernment. â\200\230Clausesâ\200\231 which limit the

ability of the central government-.

â\200\230Ã©ncroach in'bad faith in these areas - .

are thoughtful additions - -which-
should help pacify regionally based-
parties and interests. It is difficult -

to devise an altogether satisfactory . Majority of theÃ© national assembly,

formula, but central -govÃ©rnmentâ\204ç

does have a legitimate interest in- *- region, which â\200\230would seem more

aspects of these-functions â\200\224 as-is.
recognised. "if most- federal
constitutions, . = tree - 22

The committee hasâ\204çalso attempt~
ed. to address- the' complexities_of -

the establishment of new regions-

and this handover to them of powers .. dream. "" .. L g

- .could be chaotic, and the committee -
. deserves praise for devoting a sub-

is not sufficiently extensive, the im- 47" be at the mercy of the majority
important thing is that the principle
has been accepted and written into .

~-. The most unsatisfactory features

have to be carved in half in others. With- .

. substantial energies to the subject..
" Some less satisfactory aspects of .
the first . draft remain. -Regions
would require a central government

- approval for any .taxes they may
. wish to levy. Regions governed by
4 parties hostile to the centre would

party. While national fiscal policy " considerations demand that certain .
constraints be placed on regions a
taxation rights, those constraints:
should be set out in the constitution, '
and disputes adjudicated by the
courts.

of the entire document are, firstly,

that a simple majority of a constitu-

tion-making body would, in terms of

' its deadlock-breaking mechanism,

_ be able to dismantle the entire re-
gional structure of the interim con---

" stitution. This is unacceptable. Sec-
only, regional constitutions would

- have to be approved by a two-thirds

- rather than by a referendum of that

..appropriate. ~ *

" -The technical committee has -
called on the negotiating council for. .
~ guidance on these two matters. If

the ANC refused to yield; an April 7 -
. election may become impossible

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â\200\224â\200\224â\200\224â\200\224â\200\224â\200\224y.

Boundaries and national

TWOQ new investigations were initiated by negotiators yesterday â\200\224 the first to hear more evidence on regional boundaries and the second to recommend patiopai symbols, including optional flags

After often fractious debate on regional boundaries on Mounday, negotiators at the World Trade Centre resolved that local communities and organisations be given another chance to argue their cases. -

Negotiators resolved to ask the co-chairmen, assisted by other members of the drafting commission, to receive oral evidence on â\200\234sensitive areasâ\200\235. The commission would then prepare a technical report evaluating the informatiog and indicating the application of criteria and reasons for and against establishing different regions.

The resolution emphasised that â\200\234the people and- communities who would be directly affected . . . should have a further opportunity to contribute to the process of regional demarcationâ\204ç, ;

Negotiators also passed a resolution calling for a comyuission of between 10 and 15 people to be set up before August 17 to

symbols under investigation

\ ~_TIM GoNEN]

rms, a seal and an anthem for the transitional period.
. As this was an â\200\234extremely emotional] issueâ\200\235 it would have to be dealt with with

the utmost sensitivity. The. commission, -

Wwhich would make its recommendations before November, would be asked to take into account the diversity of the population but concentrate on the unifying functions the symbols would serve, -

A debate on Walvis Bay was postponed after the submission of a PAC resolution, supported by several other parties includ-

Ing the ANC, calling on government to be -
mandated to promulgate legislation to
transfer Walvis Bay to Namibia â\200\234as a mat-
ter of urgencyâ\200\235.

In 2 news release circulated at the talks,
Namibiaâ\200\231s foreign affairs ministry said
government had claimed it could not take
2 unilateral decision.

The draft resolution had given SAâ\200\231s gov-
ernment an opportunity for & decision tak-
en jointly by leaders representing all poli-
tical viewpoints. =

recommend at least four flags and coats of

SOA INNHEZNS BRa6

Change of tack
on TBVC issue

CONSTITUTION drafters have made an about-face, urging the continuation of homeland and TBVC administrations past eleg., tions and ditching an earlier suggestion that regions quickly be consolidated.

The changes were apparently designed to accommodate homeland
Â© governmentsâ\200\231 fears that their administrations would be dismantled abruptly and had raised hopes that some of the fÃ©ars of parties outside the negotiations would be assuaged.

â\200\230The new constitutional draft tabled at negotiations yesterday made provision for the reincorporation of the TBVC states and the _homelands.

However, instead of recommending the establishment of â\200\234a single consolidated SPR (state, provmce. region) as expeditiously as possibleâ\200\235, the new draft said administrative structures â\200\234shall continue to perform the functions which they previously performedâ\200\235.

The draft recommended t.hat the national and regional governments would have to co-operate in rationa-

. lising the administrations, but urgency was not mentioned.

It said that the national and regional governments would establish administrative structures and institutions and employ the persoonel

. needed for the performance of functions undertaken by them.

* The new draft placates public servants by guaranteeing them not only job security but also salaries.

It states that personnel â\200\234shall be deemed to be in the employ of, and shall be entitled to be remunerated

on the same basis as they were pre--

TiM COHEN

: viously remuneratedâ\200\235.

_ For the first time, the draft included a mechanism to cope with possi-

* ble disagreements that could arise in

the rationalising of administrations and institutions, referring difficulties to the proposed commission-on ..

"regions.

The draft, like the old draft made provision for the continuing applicability of laws passed by governments incorporated into a particular - region.

The draft foresaw the quick con-

: solidation of legislation, saying "Par-

liament and the legislatures of the SPRs will undertake the consolidation and unification of the laws as expeditiously as possible"

Section 119 of the proposed interim constitution stated that the administrative institutions and structures of provisional self-governing territories and the TBVC states would continue to perform the functions they performed before the pro-

posed constitution came into operation. "The personnel shall continue in the posts they occupied immediately before the coming into operation of this (interim) constitution and shall continue to perform the functions which they previously performed," the section said. ;

Likewise, the national government

" would continue to be responsible for the functions which formed part of a

department of the existing government, the draft said.

It was envisaged that this structure would form the basis for eventual consolidation. :

The - section is likely to be dis-

"cussed by negotiators today.

SOA INNHNZNS O ER

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Mangope will "never relinquish power"

PRETORIA — The ANC would never have its way in Bophuthatswana, homeland president Lucas Mangope said yesterday.

Addressing the Northern Cape Agricultural Union congress, he said Bophuthatswana was prepared to consider the federal option provided it was not a thinly disguised attempt at reintroducing unitary government and the disaster this would spell for anyone who disagreed with the ANC/SACP alliance. "We will never ever

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(DIRK VAN EEDEN |

relinquish our precious right to be masters of our own destiny," he said.

Government should be given to compatible peoples in their own areas. Democracy would remain a pipe dream if power remained the exclusive preserve of a central government in a majoritarian system.

He was disappointed with the draft regions tabled. ' - ? L

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Parties call for
conduct code

Political Staff

CAPE TOWN â\200\230â\200\224 The ANC, the
Inkatha Freedom Party, NP and | Â°
DP yesterday called for an en- | |
forceable code of conduct for poli- |
tical parties and the imposition of
sanctions against parties whose
supporters contravened it.

â\200\230DP leader-Zach de Beer mde
an urgent call for a meeting of |...
political leaders -and the Gold-
stone commission to decide on an
effective code of conduct that
would bind all political parties.

â\200\234We have all signed documents
in the past but these are not being
honoured by many people on the
ground. We must find ways of ea-
suring that all of us are able to
exercise our democratic rights to
talk to the people anywhere we
chose,â\200\235 he said.

De Beer made his appeal to the |.
leaders of other political groups
after a DP rally 2t Orapge Farm
was disrupted.

NP media director Marthinus
van Schalkwyk said the disruption
| of DP meetings by the ANC was
an outrage and 2 serious threat to
the democratic process.

Inkatha spokesman Suzanpe
Vos said her organisation con-
demned the attack on the DP
meetings. The leadership of all
political organisations had to exn-
sure there was a free political
climate, she said.

ANC southern Natal spokesman.
Dumisani Makhaye said one way
of punishing organisations whose
members displayed bad behav-
iour in the run-up to the elections
would be to restrict that partyâ\200\231s
air time on the state-controlled
media. Makhaye said the ANC
sought a strong electoral commis-
sion which could punish parties
which did not keep their members
in order.

Death monthX '

. PATRICK BULGER

JULY was a disastrous month for peace in SA with 580 politically related deaths, the Human Rights Commission (HRC) said.

It was the highest death toll since August 1990 when 709 people died in township violence. The HRC said yesterday that violence on the East Rand accounted for 50% of the deaths.

" Natal experienced its most violent period in three years during July. Political violence has

claimed 1983 lives so far this year.

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ANC â\200\230ap

tewgmâ\200\224

paiedâ\200\231 by FWâ\200\231s

threat of emergency rule

THE ANC vesterdav condemned
as irresponsible President F W
de Klerk's reported threat to con-
+ sider emergency rule as a last
resort against violence.

ANC spokesman Car! Niehaus said
that the ANC was appalled by De
Klerkâ\200\231's suggestion, in an interview
pubdlished by German newspaper
Welt on Monday.

Reuter reports Niehaus said: â\200\234We~

accept it is necessary to use addition-
al police and soldiers, but . . . violence
can be addressed only in {ull consul-
tation with the community and by a
multilateral peacekeeping force.

â\200\234We consider it an irresponsible
remark. It smacks of the old govern-
ment attitude of unilateralism and
baasskap and it reflects the bank-
ruptcy of his rule,â\200\235 Niehaus said.

However, governmeni spokesman

Dave Steward said yesterday De
Klerk had mentioned emergency rule
as a possibility, not as his choice of
strategy, to control violence. :

Police spokesman Gen Leon Mellet
said he did not expect De Klerk to use
his power {0 impose an emergency.

â\200\234At this stage it ils an option, dbut itâ\200\231s

an.inappropriate option because ...

. emergency rule would put an artifi-

cial }id on the violence without ad-
dressing the roots of the trouble.â\200\235

Mearwhile, the head of a woman
was fournd in the veld near Katile-
nongâ\200\231s Radebe section yesterday,
bringing to 11 the number of dead
discovered by police in East Rand

" townships after another night of vio-

lence, LLOYD COUTTS reports.

This brings to 483 the number of
people killed in the.area since July 3,

Police spokÃ©sman Lt Janine Smith
said most of yesterday's victims had
gunshot, hack, stab and burn wounds,
and were found near the Thokoza,
Byafati and Kwesini hostels, and in
Radebe section,

A man was shot dead in Vosloorus after opening fire on police with an AK-47. Two policemen were injured in the incident.

Violence appeared to spread to Alexandra near Sandton yesterday, with three deaths reported in the area. One man was discovered with seven bullet wounds in his body, another was stabbed in the neck and a third shot in the neck, police said.

The SA Red Cross Society said yesterday it had called in psychiatrists to counsel its southern Transvaal branch staffers who had been doing relief work in the East Rand and Vaal regions. : ;

Sapa reports the society said its staffers in conflict areas had been working non-stop since the April 10 assassination of SACP leader Chris Hani and had been â\200\234traumatized by the gruesome killings, especially in recent fighting in Thokazana, Katerberg, Daveyton and Tembisaâ\200\235.

In northern Natal police reported five people had died since Saturday in renewed violence in the township of Sundumbili. g

In Durban yesterday the Inkatha Freedom Party accused Transkei Defence Force soldiers of involvement in the conflict which left eight people dead at Bhambanathi at the weekend. Inkatha leader and Kwa-Zulu government minister Thomas Shabalala told a news conference evidence to this effect would be forwarded to the Goldstone commission.

Transkei's military ruler Maj-Gen Bantu Holomisa challenged Inkatha to substantiate its claims in order to

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bring guilty parties to court.

SOA 3MNMEZMS 20:60 Â£6, T1

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_â\200\234 BUSINESS DAY, WEDNESDAY 11 AUG

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Negotiators race to
make forum deadline

NEGOTIATORS in the local government
negotiating forum are frantically trying to
make the October deadline to have joint
appointed administrations in place.

The forum had to postpone its third ple-
nary session twice as various working
groups raced to finish their tasks, sources
said yesterday. A :

Also holding the forum back was the
need to keep in step with the multiparty
talks. 4

The forum had revised its timetable to
have draft Legislation ready for the Octo-

â\200\234 ber sitting, instead of September as origi-
nally planned.

The final draft proposals should be
ready within the next few weeks. Negotia-
tors hoped to be able to distribute guideline
documents to enable local authorities to
start the process as soon as idle.

Meanwhile, officials in the Local Gov-
ernment Department had been gearing up
to have the necessary mechanisms in
place, and legislation prepared for Parlia-
mentâ\200\231s next sitting.

Once the draft Bill was prepared, it had
to be cleared by the forum. :

Issues still to be resolved were the draw-
ing up of boundaries for the joint adminis-
trations, the composition of administra-

t [~ GAVIN bU venAGE

2d

{ tions, and how to overcome resistance to |

.Â« the plan. An official said opposition was a
major obstacle. All parties were hoping to
come up with a solution to draw detractors
Into the process.

Technical committees are hoping to
have demarcation boards in place soon to
_overcome the problem of boundaries.
Local Government Minister Tertius Del-

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ANC asked to addr

THE ANC has been app-

roached by PWV-based *

policemen to address g ral. -
ly similar to one- held in '

3
!

| Lovo coutrs |
:

{ANC's co-operation.

However, he understood

Port Elizabeth at the week-. * policemen in the PWV were

end at which 300 policemen
and prison wardens dedi-
cated themselves to impar-
tial community policing in
a new SA.

ANC PWV chairman To-
kyo Sexwale, who ad-
dressed Sundayâ\200\231s rally, said
yesterday the Police and
! Prisons Civil Rights Union
(Popcru) intended â\200\234activat-
ingâ\200\235 police in the PWV re-
gion, and had requested the

being intimidated into ot
attending such a rally, and
were being told they would
lose their jobs if they did so.

It is the same form of
intimidation meted out to

police in' the eastern Cape.

But they braved the storm
and came In large numbers,

Sexwale denied that the
ANC was' forming an alli-
ance with the police, and
said police were instead re-
committing themselves to
their communities.

â\200\234Even the ANC should not be able to misuse anyone in the police force,â\200\235 Sexwale said.

He said policemen and warders had read a declaration at Sunday's rally in which they committed themselves to community-

based policing, reconciliation and cutting links with police methods of operating under apartheid. :

ess police rally*â\200\231

â\200\234They are committing

â\200\230themselves to a democratic police force, to a new constitution, to a new SA and to proper policing methods in conjunction with the community, One other thing they are saying is 'noâ\200\231 to police apartheid practices of the past.â\200\235

A date for the rally has. '

not been finalised. .

An ANC spokesman said Sexwale had 4150 been approached by striking policemen based in Tembisa,

SAP spokesman Col Johan Mostert . denied there was a strike. He said he had no knowledge of a forthcoming rally, but the ANC should present evidence of

â\200\234intimidation of police wishing to attend.

" Å® Comment: Page 12

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BUSINESS DAY

Regions get exclusive powers in second draft of

THE three major power blocs at publicly talks between the government/NP, the ANC/SACP alliance and the Concerned South Africans Group have welcomed yesterday's second draft of the constitution as a major step towards a final agreement. Tabled yesterday, the draft produced by the constitutional (technical committee) spell out the areas over which regional legislatures would have exclusive powers. These were: the appropriation of regional revenue and money for financing the regional government and services; regional planning and development; town planning;

civil protection services such as firelighting and ambulances; language policy and the region's official languages; regional cultural affairs; traditional authorities and indigenous law; markets and pounds; road traffic; supplying essential services such as water and electricity, regional tourism and recreation; regional public media; re-

- gional roads; public transport; and casinos, racing and gambling. ~

Regions can refuse to accept any exclusive power if they are unable to competently exercise such power because of a lack of administrative, infrastructural or

[BILLY PADDOCK]
related capabilities. However they can call on Parliament at a later stage to transfer

[he power.
Parliament may not legislate on mat-

ters within the functional areas of regions -

unless this is necessary: to set minimum standards or for the effective control over the delivery of services, to maintain national standards or to ensure that one region does not act in a manner prejudicial to another; for national economic policies and interregion commerce and to protect

L

new constitution=

the common market. :
Regional governments will have full legislative competence for regional purposes and the national Parliament will have concurrent powers in the following areas, subject to qualifications: taxation for regional purposes: local government; housing, edu-

cation; health services; welfare services; .

agriculture; fish and game preservation
the environment: public works; regional and local policing; and regional correctional services.

Regional powers may not be amended or diminished without the consent of regional

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legislatures. The constitution also restrains Parliament from exercising its powers "so as to encroach upon the geographical, functional or institutional integrity of a region, or in a manner which would deprive a regional government substantially of any of its competences": in terms of its powers.

Bophuthatswana chief negotiator and senior Cosag member Rowan Cronje said he was very happy with the "constitutional provisions for the powers and functions of regions and their original powers",

) To Page 2

the law," Cronje said,

i _ Constitutional Development Minister
Roelf Meyer said: "It is a more comprehensive document and more representative

- live of how the final constitution will look.

Constitution

However, he was concerned about the establishment of regional constitutions and the lack of regional powers of taxation.

"He who holds the purse strings, dictates . . .

Ly)
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"From Page 1

1. breaking mechanism, and further clarification was required on the nature of the concurrent powers shared between Regions and central government, Meyer said.

He was confident the end-August deadline would be met (to finalise legislation) before Parliament in September. !

ANC secretary-general Cyril Ramaphosa |

The shortcomings of the first draft have been said it was a good document that been effectively addressed especially re-

garding regions' powers and functions. However there were still

the constitution-making body's deadlock -

problems with

provided a solid base from which to negotiate a settlement.

See Page 12

@ Comment: Page 12

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A INNEZNS ER:6

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BUSINESS DAY, WEDNESDAY 11 AUGUST 199

SBDC .invites umons to discuss board T

sentation on the SBDC board. ;
He said he had not yet been approached ;

doubted that the ope-third representation, .
that labour reportedly called for, was â\200\234en-
tirely feasibleâ\200\235 but he said he was â\200\234more
than willingâ\200\235 to talk to the unions, ..
â\200\234Trade unions have genÃ@rally tended to
steer clear of small businÃ@ss. However, it
is a policy issuÃ@ to be discussed and dealt
with by the interested parties.â\200\235 - e
The SBDC has been criticised recently
for not having greater black representa- .
tion on its board, and for being dominated -
by big business and government. -

. 4 â\200\224 e

SMALL Business Development. Corpora-
tion (SBDC) MD Ben Vosloo yesterday in- ;
vited trade unions to discuss future repre- &

by the trade union movement to discuss the . :
issue, raised at the Naicoc conference and f
â\200\230at the National Economic Forurn. Vosloo 3.

. mative action policy and paved the way for

L

ROBYN CHALMERS -~ |

. sentation on the board. The remaining
seats are occupied mainly by members of

4 the private sector, but there is an opening

. for â\200\234skilled expertsâ\200\235 via drticle 49E.
â\200\234\$" This allowed implementation of an affir-

people skilled in important aress. â\200\234I can-
not say whether or not there will be a
change in control in the SBDC in the future,

. but it Is something which must be dis-|.

â\200\230cussed,â\200\235 Vosloo said. :

', Theissue of black representation will be
addressed at the AGM at the month-end.
SBDC sources said they were sensitive to

_ criticism, but it was up to shareholders to

_decide on strategy. B

- o Ewb

Government has a 50% shareholding in :
%+ the SBDC, which secures it a 25% repre-

BUSINESS DAY

Gaye 'Derby-Lewis' split on

" GAYE Derby-Lewis, one of the three right-

wingers accused of assassinating former
SACP leader Chris Hani, was granted bail

-of R30000 by the Rand Supreme Court .

yesterday. 4

She will be kept under constant police

* supervision at a secret venue until her trial -

on October 4. The court did not make pub-

lic any details of what is believed to be her

virtual house arrest. It

Judge Chris Pileman rejected the

State's objections to bail and ordered her

release on several conditions, including

that she submit to constant supervision by -

[- STEPHANE BOTHMA

the police. He said the State had opposed

bail on the grounds of fear for her safety and

a fear shared by Derby-Lewis and it

" would be self-defeating to provide details

" of the bail conditions.

The typed order regarding her bail con-

ditions will be retained by the Registrar of

the Supreme Court in a sealed envelope

under lock and key until the trial, Pile-

man ordered

Derby-Lewis was further instructed not

-to contact or communicate with any State

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â\200\230 â\200\224i)erby-Lewis

s of jusiice, oulrapeous. - .
_ â\200\234The decision cau only help fuel
tions Lhat the slate views black
cheap. Whereas the ANC does not call into

Apri} 21,
onth later

bail
57

enable her (o Jeave the country.

Placing Derby-Lewis under supervision
ensured her safety, prevented her from
absconding and not standing trial, and pre-

venled her from interfering with Slate wit-

nesses, the judge said. i
Although the charges against her were
serious and she faced a severe sentence if
convicted, any accused was presumed in-
nocent unlil proven guilty.. Therefore

- courls generally leaned towards granlin

D 7To Page 2 3

O From Page 1 Â°

bail lo a prisoner awailing tria ! 3 "see itionsâ\200\235
it wJuld sl Lht u:dl. boless Lhe H30 000 and the "secret conditionsâ\200\235 were
Derby-Lewis was arrested on
11 days after Haniâ\200\231s murder. A m
she filed an unsuccessful bail application,
Derby-Lewisâ\200\231s husband Clive, also

percep-
lives as

wilnesses and had to hand over her pass- .
- port and all other documents which could

charged_with Hani's murder and conspir-
acy to kill eight others, has nol reapplied

for bail aiter the Transvaal Supreme Court .

rejected his earlier applicalion.

The couple's relationship indicated that she would stand by him and not abscond, the judge said, adding that Derby-Lewis

- had made no attempt to leave the country
- after the arrest of her husband several

days before she was detained.

Meanwhile, the ANC criticised the court's decision, saying the amount of

question the judicial process in the country, the decision of the Rand Supreme Court in this respect is insensitive to the feelings of Hani's family and the majority of the people of this country, black and white. ;

The state has full knowledge that Derby-Lewis has international right-wing connections which might assist her to escape justice. The state must take full responsibility for the consequences of her

- * release should she escape the due process

of the law, the ANC said. .

SOA 3NNEZN

THE CITIZEN, WEDNESDAY 11 AUGUST 199,

e wee | Ve ges

Back IF

WHAT uuer nonsense
Koos van Rensburg)
writes (2.5 patriots back 4
Volksfront, The Cirtizen |
Aavgust 5). I have 21 Afr. |
Kaner friends, and to. -
gether with wives that
makes 42,

Nincteen of them do
N0t support â\200\234the Volks-
front and presumably
their wives go along with
them, which makes 38,

The other one fleft to
support the AWB, so on
this basis 38 of 42 do not
support Viljoen.

After asking â\200\230them of
their affinities, tran-
spires that most of them
will support the IFp!

D ROBERTSON :
Boksburg North

Â\$

Motlana |
gets 1993
\\:.._Man of the
â\200\230Year award

THE Institute of Man-
agement Consultants of
Southern Africa named
businessman Dr Nthato
Motlana as 1993 Man of
the Year.

Dr Motlana is chair-
man of Metropolitan In-
vestment Holdings and
Metropolitan Life,

He has been in pri-
vate medical practice in
Soweto since 1958 and is
closely involved with
health care, housing and |
development agencies.

Dr Motlana is to re-
ceive his award at a din-
ner at Megawart Park,
north of Johannesburg,
on August 23. â\200\224 Sapa.

JHE VC 1_.

WEDNESDAY. 11 AUGUST 1993

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Culzon Reporter
RESIDENT of the ;
waMadala hostel near

Y nderbljlpark yesterday sfo
- testified in the Pretoria

S\Iipreme Court how resi-
dents of the hostel had on
Jyne 17 last year attacked
B ipatong.

The man, who may fot
be identified in terms of 2
order, described
how several groups of
KwaMadala hostel dwell-
ers had invaded Boipa-
tong, at first breaking
windows and then enter-

i mg homes after being un-

i-able to find the â\200\234ene-
â\200\234imiesâ\200\231â\200\235 they were looking

ed stabbing with a spear
into a bed. while a young
boy pleaded for his life.
He asked another man,
who pointed a firearm at
the child, not to shoot

- him, but the man said if

they did not shoot him the
child would later be able
to identify them.

The witness said he lat-
er heard shots coming
from the room where the
boy was, as well as shots
being fired in a room
where the child's mother
was hiding ln a cupboard.

He also saw one of the accused stabbing with a spear at 8 woman, who was hiding behind a table in the dining room.

The witness said he had taken 3 hi-fi set from the house and saw other men

Hostel man tells of attack on Boipatong

leaving wnth items,

At

various

another house.

- goods were taken and a
At one house, the wn-;
ness saw one of the accus-

woman chased down the street by one of the accused. who was armed with a spear. The witness saw an accused coming out of a house that had been set alight.

After seeing an army vehicle, the group returned to the hostel, reporting to their leaders that they had â\200\230done wellâ\200\235,

Some of the goods that had been taken were later burnt on the instructions of two of their leaders.

The 31 accused in the trial have pleaded not guilty to 46 counts of murder, one of public violence, 11 of attempted murder and 84 counts of malicious damage to propeny.

The trial continues before Mr Justice J M Smit.

P.2

2 SUZANNE YOS

TIZEN, WEDNESDAY..11 AUGUST 1993

'_ Political order,

then tourists

THE political process in
the country has to be fi-
nalised -before - tourism
and the hospitality indys.
They made headway and
proceeded with business
development, the Deputy

Minister of Constitutional,

Development and Com-
munication, Mr. Fanie
Schoeman, said yester-
day, saying,
Speaking at the Fede-
rated Hospitality Associa-

tion of South Africa

"doing its utmost to con-

Sun City, Mr Schoeman
said the Government was

to contain violence, but the last-
ing solution was a politi-
cal settlement,

He said the political |. -
process would be finalised :
within 2 years and a new |
dispensation would be in
place,

The tourism industry
would need to have its
house in order to be ready
for business, he added, and

(FEDHASA) congress at

Sapa. _J

Farmers urged%

by CP: Join | |
SADF commando|

~ Citizen Reporter -

THE Conservative Party
yesterday called on farm-
c7s to join the South Afri-
can Defence Force com-
mando system in order to

improve security meas-

ures on farms. _ . . .

This followed reports
that three elderly people
had been murdered in the
Bethal area at- the wcck-
end,

The CP spokesman on
Law and Order, Mr
Schalk Piensar, de-
manded that the govern.
ment take notice of the
increasing number of at-
tacks - in the Eastern

Â« Trapsvaal and said the
police and the SADF -

should ' be â\200\230allowed -â\200\230to

\

launch pre-emptive aec-
tions against attackers.

He said such attackers
and those who planned
the attacks should be re-
moved from society and
brought before court and
APLA should be banned,
for its self-admitted mur-
der campaign against
farmers.

The police and the

. 'SADF would also need to

consider an attacking de-
fence as a method 10 stop
the murders.

Mr Picnaar said it was

.ot acceptable that mur-

ders were still being com-
mitted without end.

Local patrols and security measures on farms should also be intensified.

3:43

szet!'l Re'pdners

CAPE TOWN

More urgent attention
.may * be| given to

| guarantees of-freedom

of speech during the
election campaign, fol-

lowing an urgent call

by Democratic Party
leader, Dr Zach de
Beer, on/ all political
| leaders to agree to a
[code of political con-
duct

~The Democratic Party,
National Party and Ink-
atha Freedom. Party have
all complained- this week

about attacks or intimi-

dation by people claiming
to be ANC supporters.

There is also some im-
patience among some pol-
itical parties over the de-
lay in instituting an en-
forceable code of conduct
for - political
parties, so as to ensure free-
dom of speech and free-
dom of assembly

State
Klerk asked the Presi-

dent to ask the Council to conduct -

an inquiry into a possible
political -ethical code as
far back as October 1990,
The President's -Coun-
cil examined the election-
governing rules in 26 coun-
tries and steps to ensure
freedom of speech and as-
sembly, in order that pol-
itical parties might freely
promote their views.
The Goldstone. Com-
mission has also proposed

organisa-:

{President De-

SUZANNE YOS

that among s'cpts o com-
bat violence should be
agreement on -2 code of
political conduct in pub-
lic. A

â\200\230Dr De Beer yesterday
referred to the â\200\234outrageâ\200\231
perpetrated against the
DP â\200\234at Orange Farm on
Saturday. when senior
DP officials. were sub-

. jected to stoning. viol-

ence and sbuse by people

" claiming te represent the

â\200\230ANC. :
Subsequently. Mr Ron-
nie Mamoepa, speaking
for the ANC, condemned
the violence but stated
that the DP had â\200\234vilifiedâ\200\235
the liberation move-
ments. !

â\200\234Mr Mamoepa appears

not -to -understand the

prmmple that partiÃ@s cniti
cise vk other. and that

thiy are entitled to do

â\200\224â\200\224

sald Dr De Bu.'r
Tolerancc for â\200\230other
peoples views, whether

they ate for or agamst our .

own, is an essenua! â\200\230part
of mum party dcmoc-

. fulCV

Mr Jasper w.xlsh â\200\230DP
chairman in the Western',
Cape, yesterday deplored
the violent overturning of
DP Youth information.

tables and. the buening of :
its pamphlets at Universi- -
ty of theâ\200\235 Western Cape
(UWC) on Monday.

â\200\234The DP now believes -
such actions form â\200\230part of
a deliberate strategy to
stifle political opposition
in order to secure a terri-
torial advantage by what.
ever: means," Mr Walsh

said.:
; Mx'il?ik Bt)llâ\200\230Â»:\
vaal leader of the NP,
said NP cumpaigners had

'I'runs-

10 'contend wjth' hat-
.. assment and intimidation
. in Reef townships. It was
"not enough that the ANC

condcmned violence - it
.- had to take action.

The â\200\234Pan Africanist
Congress said the Demo-
cratic Party should raise
its concens at the multi-
party talks, which was the
proper forum to deal with
polmcal intolerance and
mtxmd' mon i

= According to PAC sec-
retary for politicat affairs,
Mr Jaki Seroke, while his
organisation empathised
with, the. DP, it. could

_however not guarantee

political tolerane in the
townships.

Mr Seroke said just as
there â\200\230were certain *'no

" goâ\204ç dreas for the DP, the

PAC also experienced

- similar problems.

EN, WEDNESDALâ\200\224H AUGUST 1993

.Tĩ-\\201c 11â\\200\\23193 (19:43 SUZANNE VYOS
â\\200\\230 h1 1 Â£ VOS
,â\\200\\230 IZEN, WEDNE

THE ANC yesterday Â£on-
demned as irresponsible

alledâ\\200\\231 by

4 cer said emergency rule

% was not the favoured 0p-

State President - De 7 tion of hard-pressed se-

Klerkâ\\200\\231s reported threat 10

consider emergency rule -\\

as @ last fesort measure
against violence.
But a senior police offi-

_\\ curity forces.

" 'ANC spokesman, Carl
.. Niehaus, said â\\200\\230the ANC
< was appalled by Mr De
Klerkâ\\200\\231s suggestion, in an
interview published by
the German newspaper
Welt on Monday, that
emergency rule â\\200\\230could be
an option of last resort.

â\\200\\234\\We accept it is necess-
ary to use additional
police and soldiÃ©rs, but
violence can only be ad-
dressed in full consulta-
tion with the community
and by 2 multilateral
peacekeeping force,â\\200\\235 he
said.

â\\200\\234We consider it an irrc-
sponsible remark. It
smacks of the old govern-
ment attitude of unilate-

~

ralism and baasskap and
it reflects the bankruptcy
of his rule.â\\200\\235

Government Spokes-
man, Dave Steward, said
Mr De Klerk had men-
tioned cmergency rule as
a possibil'ny_and not as his
choice of strategy to con-

trol violence.

Major-General Leon
Mellet, SAP public re-

lations chief, said in an interview he did not expect

Mr De Kletk to use his

power to impose an emergency.

option, but it's an inappropriate option because emergency rule would put an artificial lid on the violence without addressing the roots of the trouble.â\200\235 he said. : â\200\224_ Sapa.

e

Yar) ;
â\200\234At this stage it is un

SDAY.11 AUGUST 1993

e 5

SLIZAMME YOS

. WEDNESDAY_11 AUGUST

DURBAN. - The Inka-,
dc Haas, who were
tha Freedom Party yester~ { Bhambayi at the week-
day accused Transkei De-:
volvement in the conflict
which left
fence Force sldiers of in- E
ight people
weekend. :

. At.a pews conference
in - Durban, |an Inkatha
leader -+ an KwaZulu
Government, Minister,

I81
dead at Bhambayi at the' /

Mr Thomas
[said evidenc
fect would b

Shabalala,
e to this ef-
Â¢ forwarded

to the ,Golli¬\201.stone Com-
mission.

" Inkatha
Natal peace
Roy Ainslie

also alleged
monitors, Mr
and Ms Mary |

.end, were working to 2

1 double agenda. They de-

{ nied this.

Mr Shabalala said he
suspected that corpses re-
covered after Sunday's
- battle in the overcrowded

shack settlement north of

Durban, might be identi-

fied us TDF members.
Transkei's military rul-

!

/

!

â\200\224 â\200\224â\200\224 - â\200\224â\200\224 e

Â¥ er Major-General Bantu
tf Holomisa, yesterday chal-

Y langed Inkatha to sub-

2 stantiate its claims in or- .
der to bring the pcrpetra-

tors of the violence' to
court, ke, o

He. said he had grown
used â\200\230to such allegations
from Inkatha, adding the
organisation was free to
contact the Transkei
potice commissioner

TFP blames T'kei for Bhambayi

Â© gbout any suspected

-crime., SN
. The eight-month con-
flict in Bhambayi erupted
again. at

were . -attacked while
launching a branch in the
African .. National.. Con-
gress stronghold. More
than 200 people have died
in Bhambayi since the
Â¢end of last year. â\200\224 Sapa.

the~â\200\231_weekend :
when Inkatha â\200\230members

P

1993

[19: 44 SUZAMNME VYOS

<EN, WEDNESDAY.11 AUGUST 1993

v

char

CHARGES agains:
Mt - Jerry Radebe,
African National Cog-
gress deputy president
Walter Sisulu's body-
guard, were temporari-
y withdrawn yeste;-

ing charges of. ar-
gmpted murder fol-
lpwing a shooting inci-
nĩ-\\201:nt with police.

i Police spokesman Cap-

}ay. Mr Radebe is fac-

â\\200\\224â\\200\\224â\\200\\224â\\200\\224

|

- Shootout:

ANC man
ged again

fain Eugene Opperman
said last night Mr Radebe
was immediately charged
with the samie crime and
had summons to appear
in court served on him.

Capt Opperman said
the release was a techni-
cal adjustment to make it
possible for Mr Radebe to
be released on his recog-
nisences and claim his bail
money,

Mr Radebe and the
other two bodyguards,
Mr Jabuiani Ntuif and Me
Reggie Makhulo who
were earlier released on
their own recognisanees,
will appear together in
court on charges of ar-

tempted murder and -
legal possession of fire-
arms on September 29,
Capt Opperman said. â\200\224

Sapu, J

â\200\224â\200\224â\200\224

F.8

1993

*g3 SUZAMNE vOS

TIZEN, WEDNESDAY_ 11 AUGUST

THE

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By Deborah Fine Lo â\200\231 : 1 |
THE release on bail

yesterdaylof Mrs Gave o r aye

OO to release M Der.

by-Lawis wis insensitive

... Derby- is, who is of

(o .uhy I..cL\|f|.s, who is of

[accused gf complicity
fo the feclings of Mr [y
mes family, as well as the

N the assassination of
SACE peenerd seg-
WUs - outrageous and
- g ; & Mty
ould only fucl per- Majory of people i
: South Africa. hoth Black
viewed Black lives ag
cheap, the African o Derby-Lowis, 4,
Vas Logranted hail of
(ANC) said yesterday
P) (-,,-;uâ\200\230nf)\::.\i[:[(Iâ\200\230-'}" Piewman i the Rand Sy-
Wi TRt â\200\234remie Court. on cnmâ\200\230lix-
it did not gudstio Â¢ | 2
_ fugstion the ju. o)y il
okl : MO constimt pofice
: oCesk, the docl - L o
process. the degi- pervision and clmmâ\200\230nl at

an unknown location until
the St of the marrde
al o Qctober 4.
E_'x::c(details of the [o-
crtion. as well as the form
of police supervision and
orl}cr nuatters, will not he
pubdlicly disclosed, ynq
will be- kept in g sealed

-

retary Mri Chris Hani,
ceptions that the State
and White.

National % i

Â\$ Congress R30000 by air Justice â\2027
in a statemels that whi i

al while Jon that she <ubhs
A she subjeet hep-

GAYE DERBY-LEWIS
- -+ On R30 000 bail.

ANC slams bail for Gaye
to take full responsibility

FROM PAGE 1

envelope â\200\234under lock and
keyâ\200\235 by the Court Regis-
trar.

Mr
said
stant
ensure Mrs Derby-Le-
wisâ\200\231s |safety, as well as
prevent her from abe
sconding or inteifering
with Htate Witnesses.

The application was op-
posed by the State on the
arounds that Mrs Derby-
Lewis would flee South
Africa to avoid standing
(ri:\l.Tl'hc State was also
concerned that attempts

could be made on her life

Justice Plewman
esterday that con-

olice control would

by supporters of Mr Hani.

Mr Justice Plewman
found. however, that Mrs
Derby-Lewis had made
no attempts to abscond

prior to her arrest on

April 23. It also appeared that

that her relationship with her husband, former CP MP, Mr Clive Derby-Lewis, 57, was such that she would stand by him during the trial.

The ANC said that many other accused who had been detained and charged with similar offences were languishing in jail because they had been refused bail. 3

We ask: Was the accused in the Fani case

- granted bail because the

victim was Black and in the other cases the victims were White, the ANC asked. It will be unfortunate if a public perception develops that the judiciary, which is suffering from a legitimacy crisis, is viewed as applying double standards, the statement read.

The ANC also said the State was fully aware of Mrs Derby-Lewis's international contacts, who might help her escape justice.

The State would have

for the consequences of her release should she escape.

The Derby-Lewis couple, as well as a Polish immigrant, Mr Jaasz Walusz, 38, are accused of murdering Mr Hani as he stood in the driveway of his Dawn Park home in Boksburg, on April 10 this year.

They face further charges of conspiring to murder eight other people, as well as the illegal possession of a firearm and ammunition.

â\200\230The plantfing comamit-
tee. int turn, [has to make
its recommÃ©ndations on
the composition of the
commission| 1o the couile
cil on or betore Thuars-
day, August {9.

The resolution
adopted yosterday said
the issue wis â\200\234extreme:
ly emotion:{lâ\200\235 and that it
would have to be deakt
with the utinost sensitiv-
iy.
The resaiution added
that the camnussion on
national symbols would

â\200\230National
- symhols
~ probe

DEMOCRACY ne-
gotiators agreed yes-
terday to appoint a
commission to make
recommendations on
the national symbols
for South Africaâ\200\231s
constitution for the
transitional period.
The proposai was acs
cepted without debate
at the World Trade
Centee at Kempton
Park.

Delegates said pri-
vatcly they expected the
debate to begin once the
10-member planning
committee made its ce-
commendations on the
compoasition of the com.
mission. :

The â\200\234commission on
national \$ymbolsâ\204ç will
comprise at least 10 but
not more than {5 mem-
bers.

Participants at talks
were asked to lodge
nominations for the
commission on or. be-
fore Tuesday, August

17. :c-iâ\200\230- 3 -t

have to make its recom:

menduations 10 the negotiating couple, or to any body that might at that time have replaced the council, a coat of arms, a seal and an anthem for the constitution for the transition period.

The commission will be requested to:

proposals

must serve; and

that national symbols

from all interested persons or parties and to allow at least one month for submissions to be made:

e.g. Take into account the diversity of the South African population, but concentrate on the unifying function

e.g. In its recommendations submit at least four alternative flags:

and coats of arms. Also at the talks yesterday, participants

adopted a resolution

~ mandating the commission on the delimitation/

demarcation of regions to consult further with people and communities, especially in areas

~where there were disputes.

The commission has proposed nine regions, but there is free opposition to most of the proposals. Sapa.

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1 AUGUST 1993

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powers for regionsâ\204ç,
said.

Other |matters still
needed aupntion, but in
general the draft provided
a clearer picture of what
the final product would
look like.

The i imppreant issuc of
dei¬\201Tï¬\202ncI\ breaking
mednnm for the draw-
ing up of the tinal consii-
tution still had to be
warked out. but negotia-
tors agreed during yester-
day's debate to allow for
bilaterat aaid multilateral
contact behind the scenes
to find an ieceptable for-
mula.

The divi
tween naty

ling line be-
mal and re.
gional governments on
the issue Âç concurrent
powers â\200\224 such as educy-
tion and hehlih == woull
ulso have o be sorted
out, Mr Mever said.,
Haoweever| the sccond
deaft alread{ provided an
improvement on the first
as far as the conceras
raised by the government
and othter dislegates were
coneerncd, Re added

"It s spmething o
build on.â\204ç |Alfrican Nat-
ional Congress seeretarys
general Cyret Ramaphosa
commented.

Mi Cronjd

thatswana w

) rimse funds,
dle, regional
should have

for regions Â¢

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sind Bophue |
wald be argu- &
ing for incrÂ¢ased powers -

X companies

operating focally, he said,

Mr Cronje described
the secona draft as u con- !
stitutton with federal as-
pects â\200\224 â\200\234not a federal :â\200\230
canstitutionâ\200\235.

The second drait is still
not a complele constitut- ,
lon for the interim penod,
but besides the proposed
changes to regions, it con-
tains a lot more techical
details.

The committee of
specialists responsible for
the interim constitution
said in an accompanying
report yesterday that fol-
lowing the debatc on the
first draft â\200\234we have made
it clear that SPR (States.
/Provinces/Reygions) legis-
latures and governments
will be vested with defi-
nite powers from the mo-
ment that the constitution
comes into forgeâ\204¢,

At the sanie tune, the
constitution makes pro-
vision on a transitional
basis for the way in which
adnunistration will be
handled and supervised -
until the necessary co-or-
dination and rationalisas-
tion hits beea completed.

For the first tme the
constitution proposes that
regions will have so-called
original powers. which
are dereved directly from
the constitution.,

Ithey difter from del-

delegated powers, which are derived from a higher legislative authority, and as such can be altered or withdrawn by that authority,â200\235 the technical committee of specialists said in its report.

Moreover, the exercise of delegated powers is subject to much stricter scrutiny by the court, whereas the only limita-

* tion on original powers is

the constitution itself,â200\234Put simply, original powers vested in SPRs which are derived from the constitution cannot be withdrawn by the national government, nor can they be changed without amending the constitution itself. They are stronger and less open to challenge

" than delegated powers.

The report adds: â200\234The national government may not use its powers so as to negate the powers given to the SPRs in the constitution.

â200\234It cannot occupy the whole field itself and must leave legitimate scope for the exercise of power by the SPRs.â204

The exact powers proposed for regions fall into two subsections: Exclusive powers and concurrent powers,

Exclusive powers refer to those powers which are essentially within the primary legislative competence of the authority in whom they are vested.

â200\234Ordinarily the authors say with exclusive powersâ200\235

â200\234is the only authority with

the competence to enact legislation in the field of such powers,

â200\234Put simply, the national government may not legislate in the field of

exclusive powersâ\200\231 pee
served tor the SPRs save

ew constitution draft

in the special circum-

stances identified in the -
coastitution, and then
only to the extent that the
constitution permits such

intervention,â\204¢ the techni-
cal committee explained
in its feport.

Concurrent powers are
those in which two or
morte legislative author-
ities have legisiative com-
petence.

â\200\234Where there is a clear
coaflict between the legis-
lation of the national
authority, and the SPR
authority, the legislation
of the national authority
prevails,â\200\235 it states.

The committee ex-
plains, however, that it
has made this subject to
the limitation recognised
in the 27 constitutional
principles already identi-
fied, and which will
underpin the interim and
final eonstitutions.

In effect, that means
â\200\234the national government
IMAY NOL UL its PORNSTS \$O
as to encroach on the geo-
graphic, functional or
nstitutional integrity of
the SPRs or' in a mannecr
which would deprive an
SPR subst: mn.lllv of any
of its concurrent compet-
enciesâ\200\235

Shou[d there be a dis-
pute between the national -
and the SPR governments
in regard to the exercise
of concurrent powers, a
court will decide whether
ar not the nationg] gov.
ernment has gone oo fur
and encroached on the in-
tegrity of the SPR

Sapa.

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THE sccond dralt in-
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with a better teception -

at its \200\230uaveiling at the
World Trade Centre at
Kempton Pack ycstce-
day than its predecas-
sor did.

The \202act that so-called
exclusive amd cancurrent
prowers were for the first
time ilentificd was wel.

~>came by pacticipants
across the pelitical spec-
trum, including those who
had criticised the pro-

in the fiest dralt,

\200\234This is dcflinitely a
steg forwadd,\200\235 Bopliutha-
tswana's Rawan Cronje
said dwiing a break in
praceddings.

Discussions on.the sce-

ond draft began yesterday
alternately and will con-
tinue today.

Baphuthatswana, a
member of the Cou-
cerned South Africans
Group (COSAG). Further-
= v attacked the lack of re-

â\200\234rptional powers, exclusive
viols - and concurrent, during

the debate on the Grst [
draft. .

The leader of the gov-
ernment negotiating
team; and Minister of
Constitutional Develop-
ment, Mr Roell Meyes,
said afterwards that as-
pects of the draft
which had been criticised
had in the second draft
been handled effectively.

The second draft con-
tained â\200\234specific improve-
ments, especially with the
recognition of exclusive

Doy mews

SIR â\200\224 It is with regret that I have to write a letter objecting most strenuously to the content of the article, â\200\234Sick of Spoilersâ\200\235, in The Saturday News of August 7, 1993. I must object strongly not only to the content of the article by Hugh Robertson, but also to the prominence your newspaper gave the article on its leader page.

I say that I write with regret because I should never have to criticise your newspaper the way I am now obliged to do so.

The article as a whole is written in the vein of slick journalese in which analysis is precluded by language such as, â\200\234What they best understand, and respect, is power â\200\224 and the use of it. Ultimately, one senses, . that is all they are going to bow to and the use of it is going to be the only way to waken them from their deadly intoxication of their ignorance and bigotry.â\200\235 This language is so vehement that it could not form part of an analystâ\200\231s thoughts.

The whole theme of the article is that the president of Inkatha Freedom Party, | Mangosuthu Euilielez:, is seeking to secure ' at least some foothold in the emerging pol-

_itics by seeking to ensconce himself in a -

regional power base in KwaZulu because he has no chance of achieving recognitivi in the polls to come.

Over 130000 new members joined the

IFP during the year ending June 1993. Right now the IFP is simply not able to cope with the flood of new members from black society, and everywhere in the country whites are moving to join the IFP.

The IFP of all the political parties clamour most for a final constitution and general election at the latest by September 1994. The IFP has the most to prove that it has widespread support, and of all the parties it will most confound the pundits who now - talk so knowledgeable of relative strengths of different parties.

The IFP rejects delaying the final election under a definite constitution because the ANC and the Government do not want to go to the people on policy issues. .

The whole article is written in astonish-

thelezi is

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part of the solution]

Showdown looms with Buthelezi and Co

e Governmert 3Â°C Te

ingly bad taste and amounts to one of the crudest exercises of â\200\234Buthelezi-bashingâ\200\235 that I have had the misfortune to read in recent months.

To talk about Dr Buthelezi, who is intent on finding a place in â\200\234... a small tribal fiefdom within the new constitution if the IFP is a national force capable of winning a broad spectrum of supportâ\200\235, is surely nothing but a bigoted writing. Dr Rutheâ\200\231azj is fiercely struggling for the good of Souis

- Africa in his struggle for a federal system

for the country. .

_ Dr Buthelezi has more than any other national leader nailed his personal and political flag to the mast of sound and honoured constitutional principles. As the

most principled of all the political leaders,

he has paid prices bandwagon leaders and fly-by-night leaders nÃ©Ã¥er had to pay.

The IFP walked out of the Negotiating Chambers because of its commitment to democracy, and the act of walking out was in itself an act of democracy. When a negotiation process has gone so wrong that stalemates and deadlocks are unavoidable, democrats throughout the world have stepped out of the negotiating process to put right that which is wrong before returning to it. ;

Robert Mugabe did that in Switzerland -

" parts of the world. -

Sick of the spoilers

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and the success of the Lancaster House talks were direct consequences of that walkout. This has happened on numerous occasions in nuclear armament reduction negotiations, in Middle East negotiations and in constitutional negotiations in many. Only Dr Buthelezi and the IFP has sufficient clout to stop the madness of the Government and the ANC attempting to drive the African continent in their direction through secret bilateral discussions and then by col-

lusion and connivance in the negotiation
process with whosoever will join them.â\200\235 ~=-
For you, sir, to tolerate talk in your
newspaper about President de Klerkâ\200\231s rec-
ognition of the power of Dr Buthelezi as a

.concession to which he â\200\234... nails trium-
phantly to the public record in a statement
on television. ", is again nothing but big-
otry. by

Dr Buthelezi'is-part of the solution and
he has the power to ensure the negotiations
do take South Africa in the right direction.

â\200\230 He will yet be honoured beyond all others

in his own lifetime as the man who made

the greatest contribution to the final emer-
gence of democracy after apartheid.

- * - DR F.T. MDLALOSE

NATIONAL CHAIRMAN

Inkatha Freedom Party