

LEADING ARTICLES

THE CABINET

People who won't cut our throats

We need the best team possible to govern the transition



When the first Labour Party government took office in Britain in 1924, an elderly duchess wrote to No 10 Downing Street wanting to know if her throat would be cut. As it happened, the duchess easily sur-

vived Ramsay MacDonald's Cabinet of former engine drivers and millwrights, because that Labour administration lasted only six months. (The worker Ministers wore top hats when parliament was opened.)

South Africans, accustomed to the old order and feel reasonably comfortable under it, may be feeling rather like that duchess at the moment. Within the next year or two we will experience the most dramatic constitutional changes on the country's history. Even though the present system is deeply flawed, it is familiar. Citizens and investors are understandably nervous about what will replace it — and, more to the point, who will be in charge.

The stages of transition are not yet defined. (See *Currents* — The Constitution.) But there seems to be agreement that a multi-party transitional executive council (TEC) will prepare the way for a transitional government to be appointed or elected. Whatever the terminology, the time is approaching when the country will have a broadly based, nonracial Cabinet.

Speculation begins on who will be in the first transitional Cabinet — which, for reasons of legitimacy and stability, will have to be drawn from all the major players. The politicians themselves were reluctant to offer names, so the *FM* canvassed the opinion of four seasoned political observers: Enos Mabuza, former chief minister of KaNgwane; Saths Cooper, former Azapo president; Moeletsi Mbeki, head of the ANC/Cosatu media project; and Willie Breytenbach, professor of Africa Studies at Stellenbosch.

There was unanimity on only one portfolio — Derek Keys at Finance — and general agreement that ANC president Nelson

Mandela and State President FW de Klerk would play leadership roles. For the rest, there was no common ground at all — which indicates the great fluidity and uncertainty in our politics.

Because political sensitivities and symbolism will be the major priority in selecting an interim head of state, the solution may be a rotating presidency, giving Mandela and De Klerk turns in the hot seat. If administrative continuity and dependability were the determining factors, it might have been preferable to appoint DP leader Zach de Beer.

Breytenbach tailors his list to a rather

created — like Regional Affairs, which would encourage closer co-operation between provincial authorities and homeland leaders, and Public Service Rationalisation. Candidates suggested by Breytenbach for deputy chairman of the TEC are Ramaphosa and Nat whizz kid Roelf Meyer.

Keys is the most accomplished man at Finance since Jan Hofmeyr. But Keys' great abilities would need to be reinforced by more outside talent — as well as the National Economic Forum; he should also take over State Expenditure.

The most important and sensitive portfolios in the transition will undoubtedly be the security posts, Law & Order and Defence.

For practical reasons it would make sense to combine responsibility for the police with responsibility for those elements of the SADF which support the civil power. Thus there would be a Minister of Security (or some such title), while the Minister of Defence would have a less controversial job, looking after the borders and coastlines. Defence would be a portfolio with which to give the ANC's Jacob Zuma entry to the Cabinet (though the SACP might not like the idea).

The Security Minister would, more than any other Cabinet member, have to be untarnished by past associations — which would rule out Nat, ANC, SACP or Inkatha politicians. Ideally, he should be a civilian rather than someone drawn from the military, police or guerrilla worlds — yet he would have to be

rough enough to deal with the professionals, be able to speak their language and earn their respect. He would have to be trusted by the major players to act impartially and sensibly.

Above all, a new Security Minister would have to ensure that the general election campaign and voting are conducted without intimidation or violence, thus ensuring legitimacy for the elected government. He would also have to be a man of strong will, able to withstand criticism and bullying from the radicals to the Left and Right.

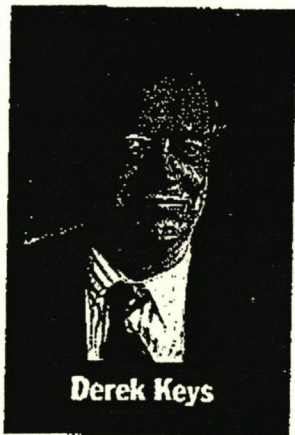
One man who may fit the security bill is Mr Justice Johan Kriegler, never a Nation-



FW de Klerk



Nelson Mandela



Derek Keys



Cyril Ramaphosa



Pik Botha

different structure. He foresees, initially, "parallel executive rule between the conventional Cabinet and about 10 TEC sub-councils during the pre-constituent assembly election phase." Under such an arrangement, he believes De Klerk will remain chairman of the Cabinet in his capacity as State President, with either Mandela or ANC secretary-general Cyril Ramaphosa heading the TEC.

There could, Breytenbach says, be prominent non-Nat figures brought in to handle the portfolios of Law & Order, Defence and Foreign Affairs. New portfolios might be

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alist or a radical, and whose integrity and political intellect are widely respected. He also happens to hail from a family with a strong military tradition. Another possible candidate is former PFP leader Frederik van Zyl Slabbert, who has repeatedly argued that progress towards democracy is impossible until the

role of the security forces is uncontested by major players. His acute insight and experience would be an asset.

Foreign Affairs cannot be left to stagnate, however long the interim period may be. It is known that Thabo Mbeki has strong aspirations to this post (his current shadow appointment in the ANC) and most observers would be happy if he were to be given the job. But there is a nagging feeling that the present Minister, Pik Botha, should not be lost to national life. His charisma, reformist image and experience (both in domestic politics and internationally) would lend weight to a transitional authority — and he could be vital in keeping nervous whites happy.

A place should be found for Zach de Beer, perhaps as Minister of Justice and Correctional Services. Another DP stalwart, Colin Eglin, would be good in a complicated portfolio like Home Affairs — which could include responsibility for the SABC.

An obvious choice for the Manpower portfolio would seem to be Ramaphosa, with his union background — but his seniority as secretary-general of the ANC demands a more important position.

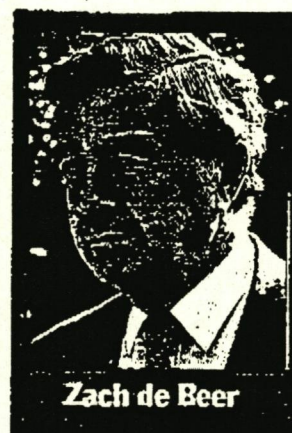
Minister of Health & Welfare Services



Van Zyl Slabbert



Thabo Mbeki



Zach de Beer

Rina Venter should stay in her present portfolio. It would be inappropriate to lose the sole woman incumbent, and a substitute does not easily come to mind.

In view of the painful history of education, it will be difficult to avoid the appointment of the leading ANC educationist, John Samuel — a quiet and competent professional who has no illusions.

Given Inkatha's sensitivity to regional issues, a IFP member should become Minister of Regional Affairs — national chairman Frank Mdlalose has built a reputation for conciliatory commonsense. An Inkatha member with a DP background, Mike Tarr, could be entrusted with Agriculture — a hot portfolio best kept away from both the ANC and the Nats.

Housing and electrification could be combined under a capable technocrat who knows the world of business and has a record of getting things done — and the name that springs to mind here is Ian McCrae, due to retire by next year as CE of Eskom.

A possible transitional Cabinet could look like this:

- ☐ Nelson Mandela (joint president);
- ☐ FW de Klerk (joint president);

- ☐ Cyril Ramaphosa (joint chairman);
- ☐ Pik Botha (joint chairman);
- ☐ Derek Keys (Finance);
- ☐ Thabo Mbeki (Foreign Affairs);
- ☐ Colin Eglin (Home Affairs);
- ☐ Jacob Zuma (Defence);
- ☐ Van Zyl Slabbert (Security);
- ☐ Zach de Beer (Justice and Correctional Services);

- ☐ Frank Mdlalose (Regional Affairs);
- ☐ Rina Venter (Health);
- ☐ John Samuel (Education);
- ☐ Mike Tarr (Agriculture); and
- ☐ Ian McCrae (Housing, Electricity.)

Naturally, not all the areas of government are covered in this list, but this is a transitional authority. Less controversial areas, where there are no ideological disputes and no crises to manage, might easily be left to the management of a senior civil servant, who would report to the joint chairmen.

Such a Cabinet obviously does not reflect the racial proportions in the country as a whole: it happens to have nobody who was once classified Indian or coloured, for instance, partly because competent politicians in these groups have shunned government because of "own affairs" and have therefore not become prominent.

However, two who might be considered are Franklin Sonn (education) and David Curry (housing).

Similar racial proportions could not be expected in a subsequent Cabinet drawn from a democratically elected parliament. What we want are people who can get us to the next stage in one piece. ■

CURRENT AFFAIRS

THE CONSTITUTION

Challenge by timetable

Stung by mounting criticism that it is being increasingly compromised by the reform process, government this week reaffirmed its commitment to a set of principles it insists must be included in a new constitution and added urgency to what is already a tight timetable for change.

Opening parliament last Friday, President FW de Klerk dismissed perceptions that government's efforts to act as a neutral facilitator to promote the resumption of multi-party talks meant its own views were being given a lower priority.

"The government has a clear mandate for the constitutional model towards which it is working. I wish to give the assurance that the principles on which that mandate is based will be promoted forcefully and with conviction in every negotiation and discussion in which we are involved. And we are making good progress. We have not abandoned a single principle."

These principles, said De Klerk, included: power-sharing, strong regional government, checks and balances to prevent abuse of power, the accommodation of cultural and linguistic diversity, the assurance of economic security for owners and investors, protection of the security of tenure for officials and teachers "and all the other principles for which we have a mandate."

He said "good progress" was being made towards resuming multi-party talks next month. "If that happens we shall be able to move well within our projected time scales, which can result in a transitional executive council in June and a new transitional constitution in September."

Constitutional Development Minister Roelf Meyer took the issue further this week in a comprehensive review of the current state of the negotiation process and a reaffirmation of government's standpoint. He told parliament that a set of constitutional principles would have to be agreed to by negotiating parties before a transitional constitution could be formulated.

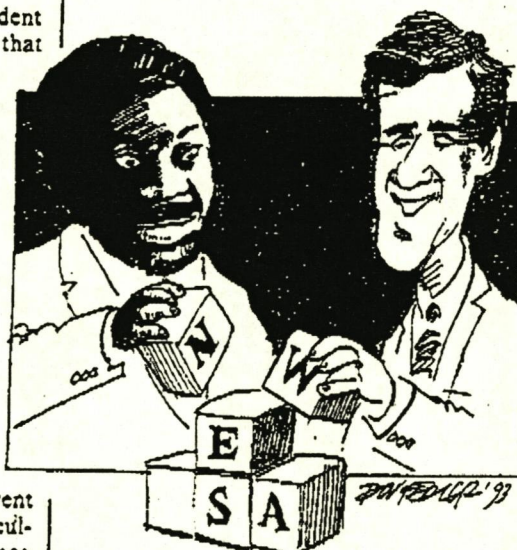
In government's view these included:

- ☐ A Bill of Rights — a comprehensive proposed draft of which was released this week by Justice Minister Kobie Coetsee;
- ☐ A participatory democracy including proportional representation;
- ☐ The devolution of power;
- ☐ Autonomy of civil society to ensure that people did not become "cogs in a uniform socialist State structure;"
- ☐ Executive power sharing in the transitional period and beyond it; and
- ☐ Strong regional government.

Meyer said government's target date for elections remained March or April next

year. He also clarified exactly how government envisaged the proposed phases of the transition:

- ☐ The multi-party forum — the composition or name of which government does not feel particularly strongly about as long as it



is representative — must reach agreement on a transitional constitution by the end of May. The transitional constitution must include constitutional principles which may not be amended by any subsequent constitution-making body;

- ☐ A non-elected Transitional Executive Council (TEC) and sub-councils and an electoral commission must be appointed by the end of June. He stressed that the TEC would not be a transitional government. The TEC would prepare for an election and the installation of a transitional government;

- ☐ The transitional constitution would be piloted through parliament by the end of September; and

- ☐ Elections for a transitional government would be held next year.

"After that," said Meyer, "it will be the task of the transitional government to govern the country in terms of the transitional constitution."

"The transitional parliament can change or substitute the transitional constitution — but will have to comply with the constitutional principles already accepted by the multi-party negotiating forum before May. Government proposes that this task be completed within three years, failing which a further election will have to be held."

Meyer said these steps were based on agreements reached at Codesa. However, he conceded that the Inkatha Freedom Party's views apparently differ with this outline and said the issue would be discussed in bilateral

talks with the party. He also effectively admitted that there were still major differences of opinion between government, the ANC and IFP on the structure and powers of regional government.

In essence, what Meyer said was that the proposed TEC will operate alongside the existing government and make inputs into certain decisions, rather than take over its functions.

This means, for example, that the security forces will remain under the existing political control until after the election, when they will fall under the transitional government.

It is also clear that the transitional government — which government believes must be representative of all major parties that win votes in the election — could remain in power for three years or more, depending on progress made by the constitution-making elected assembly.

But many observers remain highly sceptical about government's timetable (the ANC is insisting on an even shorter period). Meyer's speech also highlighted what could be considered as other serious differences between the negotiating partners, some of which are unlikely to be resolved by the end of the month to allow multi-party talks to resume.

But in his opening speech, De Klerk said good progress was being made "quietly and unobtrusively ... in spite of all the propaganda, protesting and positioning, something dramatic is beginning to happen. A broad consensus is beginning to develop in respect of the course we have to take if we are to ensure peace and prosperity for all."

However, it was felt this week that while De Klerk's interpretation of behind-the-scenes events may well be accurate, the perceived obstacles to the resumption of multi-party talks were still so considerable that the current timetable was hopelessly over-optimistic.

Meyer, in fact, admitted that "the air is still full of tension and there is still a chance that problems may arise." However, he said there was no option other than to "persevere with negotiations until we achieve success for the sake of SA."

This year, his perseverance will no doubt be tested to the limit.

Needling the ANC

Nearly three years after admitting it tortured and murdered its dissident members in exile, critics say, the ANC has yet to publicly censure those responsible.

Last month's Douglas report caused an uproar by implicating top officials in the ANC/SACP alliance, including Chris Hani, Joe Slovo, Ronnie Kasrils and Oliver Tambo. It has pumped new life into an issue that refuses to die.

In April 1990, a London newspaper quoted seven former ANC members who sent an open letter to ANC president Nelson Mandela, detailing the torture in ANC camps abroad. At the time, Mandela said the security department officials responsible had been disciplined and the camp leaders dismissed. He added that he hoped government would act with equal alacrity to address similar allegations against security forces.

Though President FW de Klerk has expelled high-ranking generals, demoted ministers of Defence and Police and appointed high-profile commissions of inquiry into the security forces, the ANC has not been as forthcoming. The ANC's own investigation last year into the allegations turned up a list of responsible officials, which quickly went into Mandela's personal file. The ANC says it wants to give the accused time to defend themselves before naming them.

Conceding that Douglas's information is in line with the findings of its own commission of inquiry in October and that of Amnesty International in September, the ANC, nevertheless, dismisses the report as "anti-communist propaganda, vitriolic attacks on selected ANC leaders and blatant fabrications." It has not denied the substance of the report — that the high-level ANC officials named were responsible for the atrocities and that the SACP organised and supervised the camps. (The ANC has not responded to calls by the FM over the past two weeks.)

Instead, the ANC has focused on the organisation behind the report, the International Freedom Foundation (IFF). In commissioning the report, says the ANC, the IFF aimed to undermine the ANC and sow divisions within its ranks and those of its allies and to create a misleading perception of the ANC in exile.

The IFF says it aims to promote "democracy and the free-market system worldwide." Based in Washington, the foundation operates an office in Johannesburg. It has asked De Klerk to extend the powers of the Goldstone Commission to investigate Douglas's findings.

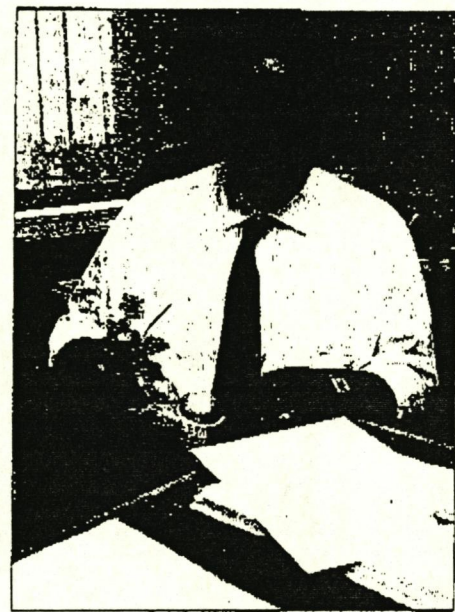
DP justice spokesman Tony Leon says: "It is not enough for the ANC to respond to the Douglas report by questioning the credentials of the commissioner and his sponsors."

The IFF and opponents of the ANC do stand to gain political mileage from the report. But, in picking Durban advocate Bob

Douglas to conduct the investigation, the IFF chose someone whose credentials it knew would be difficult to attack (*People* January 29). Douglas, who has practised for 30 years, was asked to investigate the causes of violence in Natal on behalf of the ANC-affiliated Congress of Traditional Leaders in 1989/1990; and his findings favoured the ANC over Inkatha. He is also a long-standing member of the DP and its predecessors and stood as a Progressive Federal Party candidate for parliament in 1970.

The IFF is not a clandestine movement. Established in SA in 1986, its aims are in line with classical libertarian movements such as the Heritage Foundation in Washington and the London-based Adam Smith Institute. Over the years, critics have tried to discredit the foundation as a government front. But it was not on De Klerk's list of organisations receiving government funds during Inkathagate, according to a De Klerk spokesman.

Washington-based executive director Jeffrey Pandin denies the SA government makes any financial contribution to the or-



IFF's Crystal... "foundation has no political allegiance"

ganisation: "We have never received a penny from any government. All our funds are from private donations, largely from the US and Europe."

Executive director Russel Crystal says the IFF is funded by corporations, foundations and private donations with 20% sourced locally and the rest from overseas. He declines to release a list of contributors.

The question of IFF's connection to government is raised through Crystal's long-standing membership of the National Party. Crystal (35) first caught the public eye in

student politics when he formed the Student Moderate Alliance at Wits University in the early Eighties while at law school. The alliance was little more than a branch of the NP youth but it gave the Left on campus a run for its money by putting up candidates endorsed by the PFP in student government elections.

He later formed the National Student Federation, which was vilified for its outspoken anti-Left stance. The federation did appear on the Inkathagate funding list, though the funds were received years after Crystal had left Wits, without his law degree, and gone on to head the IFF.

Since 1991, Crystal has been an NP-nominated member of the President's Council but he doesn't always go along with the NP line. His NP colleagues were amazed at his virulent attack of the Indemnity Bill late last year, which De Klerk eventually pushed through the council. Says Crystal: "I agreed with the ANC that the Bill enjoyed no consensus and shouldn't be binding on a future government."

He is adamant that the IFF has no political allegiance, a claim substantiated by its regular and scathing attacks of government policy.

What, then, were his motivations in briefing Douglas? "The fact that human rights violations have taken place concerns the IFF. We are concerned that these allegations be dealt with before a general election. We hope that the report will strengthen the position of the democrats within the ANC, who we believe are in the majority yet hold little power in the organisation."

Crystal believes the ANC will put its own interests first. "Mandela is a good statesman but he knows that some of his best organisers are within the SACP bloc. He can't afford a split right now."

More than ever, the ANC is feeling the pressure to oust the primary culprits. The Returned Exiles Co-ordinating Committee (Recc) has stepped up its pressure on Mandela to take action and compensate the victims. And the report has received an endorsement of support from the independent, Frankfurt-based International Society for Human Rights, a group approved by the United Nations.

Representing the ANC victims, Recc spokesman Mwezi Twala says: "By appointing another commission, the ANC hopes to delay the issue until it's in government where it will be more difficult to challenge its decisions."

Says Leon: "Unless the ANC takes swift, decisive and far-reaching action over the violations of fundamental human rights committed in its name in camps under its command, these matters will continue to haunt the organisation and bedevil the establishment of a rights-based culture in SA."

DEFLECTIONS

Small earthquakes

"seismic shift in SA's political geology"
 is one view of the defection by Natal
 National Party veteran Jurie Mentz, MP for
 Vryheid, to the hitherto non-existent In-

katha benches of the (white) House of Assembly. On closer consideration, however, Mentz's stroll across the floor seems barely to have triggered a vibration.

Granted, there was another desertion this week — from the Democratic Party to Inkatha — by Maritzburg North MP Mike Tarr. But observers reckon this crossing, too, is likely to be more of academic than political significance — even if the two are the vanguard of a defection parade. White voters in Maritzburg may feel differently; having voted in two DP representatives, they now have an Inkatha MP (Tarr) and an ANC MP (Rob Haswell, who defected last year).

The debate about Tarr is more likely to revolve on whether it will affect the DP's standing as the largest opposition party in the three houses of parliament, than whether it denotes a meaningful political shift. In proportion to its overall presence in parliament, Tarr's defection will hurt the DP more than Mentz's will harm the Nats. Tarr's move adds salt to the wound opened by the earlier DP defections to the ANC.

Former Nat colleagues have, predictably, played down the defection of the 66-year-old member from Vryheid in northern Natal. Less understandable, on the face of it, is the lack of IFP fanfare at the acquisition of its first member of SA's last white parliament.

Mentz's motives for the move could be twofold. His given reason is his longstanding (and undeniable) admiration for the IFP and its leader, Mangosuthu Buthelezi, and his belief that Buthelezi is the only logical regional leader within a largely autonomous federated structure. Another possible reason could be disenchantment with the Nats. An elder statesman in the hierarchy — he joined in 1948 and has been an MP since 1978 — he feels slighted, according to rumours, at being constantly overlooked for plum jobs.

DP MP Peter Gastrow was reluctant to discuss the implications of Tarr's defection until it had been discussed by the DP caucus. However, he said of Mentz that there was a widely held belief that he was aggrieved at being overlooked in favour of George Bartlett as Natal leader, probably because the party wanted to project a more English image in the province.

A possible reason for the IFP's rather muted welcome of its new celebrities could also be put down to bad timing. It is quite probable that though the IFP and government have papered over their differences, Inkatha is still smarting over government's pointed criticism of the IFP's reliance on white advisers like Walter Felgate — apparently also the cause of a growing rift in the IFP.

Another point, made by the University of Cape Town's Robert Schrire, is that the importance of these shifts should be measured against a parliamentary system and political order which is on its last legs.

"They're all but dead and what once could have been a shattering blow is likely to leave the Nats unmoved, given the fact that, in a sense, every member of the existing trica-

meral system is a lame duck. The way the chairs are shuffled makes little difference. The only significance to the Nats would have been if Mentz's defection had resulted in F W de Klerk losing control of the House of Assembly. But most Nats are locked in by necessity. They believe the party can still offer and promise more than any other political grouping."

Schrire adds that Mentz's impact on the IFP needs to be considered in the context of SA already being in the midst of a major electoral campaign. On that basis, the significance of Mentz's move should be measured by whether it will help or hinder Inkatha. "Again I believe it will be completely irrelevant," says Schrire, "he's unlikely to change many votes one way or the other, especially if a system of proportional representation is used."

Gastrow, however, makes the point that Mentz could have an impact in galvanising Natal's white electorate behind Buthelezi, particularly in view of existing sympathy for the IFP president's stand on a virtually independent Natal.

The bottom line, according to Schrire, is that shifts to the ANC or IFP by white parliamentarians can be regarded more as eccentricity than a real threat. Defections to the Right, he says, would carry far more significance because they would weaken the Nats' psychological hold on this important part of the old order.

form a socialist alliance. It'll be no bad thing.

SACP general secretary Chris Hani stated in an address to the Black Management Forum late last year that "we have improved our position strategically over the last year, quite dramatically." But, he asked, "do we continue the war of attrition indefinitely?"

He added: "We believe that it is absolutely imperative that we now move very rapidly towards a negotiated political settlement, with elections for a constituent assembly next year. We need the certainty of an election date. And we need then to build the rest around such a firm date."

"This will go a long way to introducing some purpose and direction into what is now a very dangerous and drifting situation."

Hani was recently quoted in the London *Sunday Times* as saying that he planned to break from the ANC after the general election to join the unions, other socialist parties and Winnie Mandela. Such an alliance might stand against the government of the day. It would be important, he added, "for the forces of the Left to work together for the realisation of socialist objectives." Hani is also quoted as saying he did not wish to be a Minister in an ANC-led government — even though he plays a leading role in the ANC alliance's election campaign.

Hani subsequently claimed that the report was "sensationalised," though he did not dispute its contents. He explained to the *Sowetan*: "I told the journalist that as a communist party we are committed to Marxist-Leninist principles, even after the elections and a new government."

In reality, none of this is new. The SACP in particular always viewed the struggle as a two-stage process, the first being the national democratic revolution, followed by the socialist project.

It does, however, touch on a rift in the alliance — which is, after all, a broad church — concerning the direction in which negotia-

tions are proceeding, and what negotiations are for. Winnie Mandela's charge of a "sell-out" by a "self-interested elite" in the ANC captures these tendencies.

A major debate within the ANC alliance was sparked by the article by SACP chairman Joe Slovo last year, titled "Negotiations: what room for compromises?" The cudgels have been taken up, notably by ANC information chief Pallo Jordan (not an SACP member, though a Marxist), who argues that negotiations concerned with a national liberation struggle (as opposed to industrial bargaining) are aimed, not at settling differences, but "the liquidation of one of the antagonists as a factor in politics."

No apology

According to an editorial in the current issue of *African Communist*, no apology is needed for "the spectacle of ANC and SACP leaders publicly debating with each other, sometimes in a heated, polemical way," the strategic questions raised by Slovo, as it affects all our futures.

It would be patronising to activists and the people at large to be fed a "predigested line from the top," the editorial said. This did not mean that leaders should not lead, or that "unity of strategic purpose" was not absolutely desirable. "But a false unity, a unity that is simply papered-over differences, a dead unity, a dogmatic unity, is no unity at all."

It was simplistic to see the debate as simply one between those in favour and those opposed to some kind of power-sharing for a limited period, defined by a "sunset clause," says the organ of the SACP.

Its complexity is, in part, due to there being "a number of areas where different comrades are saying very similar things, but where there are mutual suspicions that the apparent agreements are only apparent..."

"For instance, Slovo and his most outspoken critics all agree that the fundamental objectives of our struggle have not, and must not, be altered. But while Slovo explicitly argues this, his critics believe that he and the ANC Negotiations Commission are, in practice, watering down these objectives. The critics believe that in the interests of negotiating tactics, our fundamental strategic objectives are being altered."

In contrast, those closer to Slovo believe that it is the critics who are tending to confuse tactics and strategic goals — but this time in the other direction.

The critics, they argue, are turning longer-term strategic objectives (like the complete destruction of apartheid) into immediate tactical options.

The editorial asks whether either set of suspicions is justified, and advises: "On this the reader must decide." We hope there are voters who would prefer to get some clarity before they decide.

Though the arguments may seem to the uninitiated like hair-splitting, they obviously carry implications for ANC strategy and tactics.



Hani ... Improved position over the last year

THE LEFT

Facing the sunset

Despite the denials, it is clear that the SACP intends — once a democratic government is in place — to break away from the ANC and