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PREPARATION FOR NORWAY TALKS

SECOND DRAFT

(FOR INTERNAL DISCUSSION)

SUPPORTING THE STRUGGLE TO REPLACE THE APARTHEID CONSTITUTION WITH A NEW DEMOCRATIC CONSTITUTION.

27TH MAY, 1993.

A. The political context:

It is envisaged that the following political scenario would be unfolding in South Africa over the next few years:

1) The installation of an Transitional Executive Council (TEC) made up of one representative from each political formation involved in the multi-party negotiations process. The TEC will be responsible for those areas of government which directly relate to "levelling the playing field" and creating a climate for free political activity. (1 to 3 months)

The Present SA Government would still be in place.

2) The installation of the Independent Media Commission (IMC) and the Independent Electoral Commission (IEC). These would be independent of any party political influence and should ensure free and fair elections for an Interim Government of National Unity (IGNU), and remove bias in the media. (1 to 3 months)

3) Elections for the IGNU which would result in an elected Constituent Assembly (CA). (10 to 12 months)

Whilst the CA writes the new constitution and acts as an interim parliament, the IGNU forms a multi-party cabinet, runs the administration under the present undemocratic Apartheid constitution, and works for national unity.

(12 to 18 months)

The ANC would not be the Government. There will be an Interim Administration composed of various parties/political groupings.

4) Agreement and Adoption of the New Democratic Constitution.
(18 to 24 months)

5) The phasing in of Government of National Unity and Reconstruction (GNUR):
 Within this period a democratic South Africa is being phased in.
 The IGNU continues as the GNUR. The Constituent Assembly becomes the new parliament and fundamentally acts to put into place the new legislature and Government structures, defined in the New Democratic Constitution.

6) First elections under the democratic constitution on a party political basis which would result in democratic majority rule. It is envisaged that the ANC would be the Government.

B. Increased support for the ANC.

As can be noted from the scenario sketched above, there is a great need for increased support directly to the ANC until at least the adoption of the New Democratic Constitution (around April, 1995) since:

- There is no question of the ANC transforming into a political party before then. The elections for an Interim Government of National Unity (IGNU) will be contested on a joint platform with all democratic forces interested in ensuring that democracy triumphs.
- The IGNU would be in control of the country's budget and has to spend it in terms of the Apartheid constitution. Funding cannot be made available to any party or political grouping.
- The Nationalist Party and its allies will have access to enormous resources accumulated over the years whilst the forces for democracy would be disadvantaged.
- Only once the Government of National Unity and Reconstruction (GNRU) is installed would the Constituent Assembly become the new Parliament and be in a position to table new legislature and government structures as defined in the New Democratic Constitution. (NDC)

Enormous tasks and obstacles confront the ANC in the period leading to the adoption, and acceptance by all, of that NDC.

It is reasonable to assume that we can expect obstacles in the various stages of the negotiations leading to the adoption of the NDC - obstacles from the far right and its allies in some of the Bantustan administrations.

It is also reasonable to assume that there will be forces that will instigate violence with the specific intention to break down the negotiations or to gain political mileage.

The leading role that the ANC has to play in ensuring that South Africa is transformed from an apartheid state into a genuine democracy based on the will of all its citizens embracing a common nationhood demands strategic intervention.

Since the ANC would not have control of the fiscus, increased resources would have to be mobilised, fundamentally from the international community.

It is essential that a NDC is arrived at. It is essential that the majority of South Africans feel that the NDC belongs to them all and has been arrived at in consultation with them. The task of taking the majority along in the process falls squarely on the shoulders of the ANC.

C. Activities determined by the political reality:

For the next two years the ANC would have to strengthen its Departments and structures at national, regional and local level.

This is essential for the ANC to meaningfully participate in the various negotiations processes - whether these be national constitutional negotiations or sectoral negotiations taking place through the various forums (housing, electrification, economic, etc.) and the various bi-lateral negotiations. It is important to note that the current negotiations centre on agreements around framework and procedures. The more crucial negotiations around substantive issues would only occur within the Constituent Assembly and the needs of the ANC and the forces for democracy in general would multiply ten-fold.

ANC Departments have to formulate policy in all these areas of negotiations on a constant basis but have to do this with the participation and input from regions and branches. This would require increased administrative and infrastructural capacity.

As the leader of the national liberation movement the ANC also needs to be in regular consultation with the Patriotic Front organisations, religious organisations, NGO's etc., as well as provide information to the general public, professional bodies and the media.

Proper discussion and consultation and the exchange of information and opinions has the added advantage of creating a culture of political tolerance and assist in the democratization process.

Of crucial importance is the ANC's involvement in the elections for an Interim Government of National Unity (IGNU) in ensuring that a high percentage poll is registered. There would have to be direct intervention on the part of the ANC in voter education, elections training, elections monitoring etc.

The ANC has the added responsibility of building the capacity of its membership to effectively implement the new democratic policies and efficiently manage the structures of the future democratic South Africa in all spheres.

These major areas of activity (various negotiation forums; policy formulation; creating a culture of political tolerance; democratization; provision of information; enhancing our administrative and infrastructural capacity; elections for an IGNU; building the capacity of ANC members and officials etc.) will all require added resources until there is agreement and adoption of the various components of the New Democratic Constitution.

D. Support for community development programmes:

Hand in hand with the advances being made in the political arena, there would necessarily have to be urgent intervention at the level of addressing the basic needs of the deprived communities.

The ability of the democratic structures (and the ANC in particular) to deliver and ensure that the changes in the political sphere are coupled with changes in the socio-economic sphere will be a daunting task.

The underdevelopment that has taken place under Apartheid will have major consequences for any future development.

This is important, noting the high expectations the masses of our people have to have their basic needs addressed. It is reasonable to assume that expectations will rise even further as the political scenario outlined above unfolds.

Unless there is a massive intervention from the international community, on the scale of a "Marshall Aid Plan", Black people will inherit a situation in which it will be difficult to provide them with basic needs in a short space of time.

In the longer term, given the state of the economy it will remain difficult for even a future democratic state to provide the millions of jobs, houses, proper education and health services that are needed by the majority.

This inability to deliver on socio-economic needs will make it difficult to reduce the level of violence - violence coupled with poverty, homelessness, unemployment and land hunger that are breeding a desperation in which life is held to be cheap and the prospects for national reconstruction becomes increasingly bleak.

Meeting these basic needs however, must be done in a way that contributes to building human and institutional capacity amongst the oppressed.

The present structures of the Apartheid government involved in development work are structured for programmes that promote either separate development or development that perpetuate dependency.

On the other hand, the majority of the Development Agencies, Trusts, NGO's, Community based organisations of the democratic movement are networked into the National Development Forum (NDF), and united around an alternate approach to development.

This approach involves three inter-related processes:

- changing the existing unequal social power relations that transcends all levels of society, the democratization of all institutions and decision-making processes.
- meeting the basic needs of the majority in such a way that contributes to building human and institutional capacity which allows for people to participate in the process and the product.
- reversing the current trend of economic stagnation towards a national development strategy that places South Africa on a new growth path oriented to meeting basic needs.

E. Some important development agencies, NGO's, Trusts and community based organisations of the democratic movement.

A host of these exist in South Africa involved both in political issues and socio-economic development. Some of the most important are:

E.1 Matla Trust:

Matla Trust engages in furthering the following objectives:

- to actively promote in South Africa the implementation of the principles for a united, democratic and non-racial South Africa as formulated in the UN Resolution on South Africa, unanimously accepted by the UN General Assembly in December 1989; and within this context:
- assists the democratic political movements committed to peaceful transformation with their participation in the negotiations process with the apartheid government.
- supports the re-establishment of the previously banned political

organisations in South Africa, as well as the return and resettlement of their people from exile and the re-integration of the released political prisoners into the South African society.

- supports the activities which are aimed at actively informing the South African people about the proceedings and results of the negotiations, as to prepare them for thier participation in the envisaged elections for an Interim Government of National Unity.

- supports the activities aimed at educating people about their new democratic rights, and the procedures to be followed in exercising their future rights.

- provides assistance in all other activities aimed at promoting the practice of democracy, free speech and dissemination of ideas in South Africa falling within the context of the UN resolution on South Africa.

In deciding whom Matla Trust will give support to, the following criteria will be applied:

- activities should further the principle of a one person, one vote on a common voter's role for a non-racial democracy.

- organisations should be fully committed to the eradication of apartheid.

- organisations should be fully independent from the present South African government and not receive government assistance.

- organisations should be democratic institutions themselves with public accountability to their members.

E.2 Centre for Development Studies (CDS):

To be completed

E.3 Culture and Development Project:

This project is an initiative which grew out of the need to realise two broad objectives, namely (i) redressing the imbalances which were created at a number of levels in South African society by apartheid rule; and (ii) building and strengthening the embryonic democratic culture which is emerging in South Africa.

In essence, the project is directed at creating a consciousness (or awareness) of building a nation with a developmental vision.

Financing of the project will be done through the Arts and Culture Foundation, which has already been established, in partnership with local business organisations.

Main activities of the project would focus on:

- The development of disadvantaged and marginalised communities from the point of view of culture and nation building. Here the terms of reference will be read in conjunction with the National Peace Accord, as well as relevant proposals and recommendations from the UNESCO on issues of culture, reconciliation and transformation.

- Research activity around:

- *the administration of culture and the arts during the era of apartheid
- *assessing training needs for the present and the future
- *implementation of training programmes, both locally and abroad.

E.4 Youth Education Trust:

Trust used for the establishment of the Kangwane Project. Does the Youth League want to take it over??? Refer Ignatius.

E.5 Centre for Education Policy Development (CEPD):

The CEPD has been established in Johannesburg as a professionally autonomous institution, providing independent rigorous and well-researched policy support to the democratic movement in the education and training sector.

The mission of the CEPD is to assist in the formulation of policies for the development of:

- a single, national, non-racial, non-sexist, and universal system of education for children, young people and adults
- appropriately geared to the overall processes of redress, reconstruction, national development and democratization
- planned in keeping with the availability of public and other resources
- competently and efficiently managed
- publicly accountable, and
- committed to the restoration of a culture of respect for learning and teaching.

E.7 Education Development Trust (EDT):

To be completed

E.8 Centres for Community Development (CCD's)

The main objective of the CCD's is the promotion of the interest of persons who have been disadvantaged and are currently disadvantaged in South Africa, with particular emphasis on the following:

-the initiation of projects which, through their functioning, are of benefit to the community at large, and which are able to involve in their activities persons who are disadvantaged, with particular emphasis on persons who have been imprisoned or detained for political activities against the apartheid system and those returned from exile.

E.9 Malibongwe

Malibongwe is a developmental NGO of women, for women, and by women. It is concerned with the development and empowerment of South African women, particularly those from disadvantaged communities.

Malibongwe conceives development as a process of growth through participation in social, political and economic activities towards self-realisation and general improvement of their living standards.

The target groups include rural, poor, illiterate, homeless, semi-skilled, landless and abused women.

The objectives of Malibongwe are:

- to facilitate training, educational and exposure programmes for women
- to impart practical skills for survival
- to empower women with leadership skills which will enable them to participate at every level of government and society - especially at decision making level.
- to set up national and international support networks with organisations, institutions and women's groups with similar objectives
- to mobilise resources (both human and material) and advocate their distribution in a manner based on affirmative action principles that

benefits women.

-to establish resource and development centres for women throughout the country, and

-to contribute, participate and lead in national and international gender awareness programmes.

E.10 Development for Democracy Trust (DEDET):

The primary goal of this Trust is to utilise its resources to promote the development needs and interests of marginalised and oppressed communities and to assist the work and programmes of non-governmental development organisations.

Whilst it would seek to deliver on the expectations of the majority it would ensure that all programme activity has an built-in components processes that assist the building of democracy and peace (through tackling the polarization and fragmentation -racial, social, political, geographic and institutional -of our society).

It is envisaged that areas of activity would include:

- Employment ceation
- Rural development
- Education and Training
- Housing
- Health
- Regional Development Planning and Research

E.11 National Institute for Local Government and Urban Development:

(At Wits & UWC)

This Institute will also impact greatly on the process of democratization. It would focus fundamentally on the urban sector, dominated by fragmented, inefficient metropolitan and other urban areas. It is believed that a properly functioning urban sector is key to unlocking South Africa's economic growth potential, but this cannot be achieved without addressing the existing

institutional constraints which include:

- *racially based, fragmented and uncoordinated institutional structures with respect to local and metropolitan government, impacting in particular on planning and development.
- *overcentralised and conservative institutional control, with restrictive legislative legislation and limited democratic representation.
- *compartmentalisation and ad-hoc decision making with respect to strategic development, project prioritization and efficient use of development funds.
- *consequent upon years of Apartheid mismanagement an extremely limited human resource capacity with an underdeveloped training sector.

Key elements that the Institute would address therefore include:

- building institutional capacity of the democratic movement
- building human resource capacity of the democratic movement
- research and policy formulation.

All these would be done to ensure that the oppressed majority are brought into the mainstream of the decision-making process.

E.12 Peace Coordination Trust:

The importance of this Trust is that it embarks on Pro-Active Peace Programmes at a grassroots level to instill a culture of political tolerance where glaring potential for conflict exists.

To that end it seeks to establish structures at that level in the townships that encourages and monitor compliance with the National Peace Accord as well as ensure that the perpetrators of violence are brought to justice.

Focussing on grassroots involvement on a national basis, participation of the

structures of the Peace Coordination Trust assumes the following forms:

- participation in the functioning of Local Dispute Resolution Committees
- participation in the functioning of the Regional Dispute Resolution Committees and channelling complaints and information to the established structures such as the Liaison Committees as well as the Policing Committee and the National Peace Secretariat
- Provision of information for the purposes of the Goldstone Commission of Inquiry. This involves encouraging persons with knowledge of unlawful activities to come forward and give evidence before the Goldstone Commission.

F. In Conclusion:

This position paper thus advocates a two-pronged approach, viz:

1). Mobilising direct support for the ANC until at least the adoption of a New Democratic Constitution.

This takes priority over the funding through alternate channels.

The support would be broadly speaking to transform South Africa into a democracy. Thus it is **support for the democratic process.**

It would involve:

- Negotiations; national and sectoral negotiations in which some of our Departments are involved.
- Administration/Infrastructure for the ANC
- Information/media
- Voter education/elections
- creating political tolerance and peace
- building the capacity of ANC members/officials
- policy formulation.

2) Mobilising support via alternate channels.

All of these make the link between democratization, peace, institution and capacity building and development. These dovetail with the activities determined by the political scenario we envisage will be unfolding.

end.