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Your Ref:
Our Ref:
1 June 1992

Jacob Zuma
ANC Representative
Management Committee
CODESA

Dear Mr Zuma

re: DEFENCE AMENDMENT BILL - 1992

We enclose copies of an updated and amended memorandum on the Defence Amendment Bill as discussed with you at Nasrec on Friday afternoon. We have included enough copies of the memorandum for you to supply one to each member of the Patriotic Front who is represented on the Management Committee. We have also included copies of the resolution which was adopted by the ANC at your Policy Conference.

In addition to the ANC, the following organisations have expressed concerns about the Bill: South African Chamber of Business (SACOB); Association of Law Societies; South African Council of Churches; the Anglican Church; Lawyers for Human Rights; the National Association of Democratic Lawyers; the Conscientious Objectors Support Group and, of course, the End Conscription Campaign. All.of these organisations have expressed their concerns in writing to the Standing Committee on Security Services through which the Government is attempting to railroad this Bill. In addition, the Bar Council has indicated that it also intends to send written representations regarding the Bill to the Standing Committee in Parliament.

We will be accompanying representatives of the End Conscription Campaign to Cape Town on Tuesday in order to lobby the Democratic Party, the Labour Party and Solidarity to attempt to ensure a

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broad and effective opposition. to the Bill in the Standing Committee itself. However, Parliamentary opposition alone is insufficient, particularly as we believe that the Government hopes to push the Bill through the Standing Committee on Wednesday. We therefore trust that the ANC and its allies will do everything in their power through CODESA and any other relevant forums to ensure that this Bill is not passed. We would greatly appreciate it if you could let us know the response of the Government and its allies to your objections to the Bill and the progress of your campaign against it.

Thanks for your assistance and we hope to hear from you soon.

Yours faithfully

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CHEADLE THOMPSON & HAYSOM

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M E M O R A N D U M
PREPARED BY THE END CONSCRIPTION CAMPAIGN (ECC)
1 JUNE 1992
DEFENCE AMENDMENT BILL, 1992
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INTRODUCTION
The Defence Amendment Bill of 1992 is a retrogressive and counter-productive piece of legislation which, if passed into law, could have serious practical, legal, political, social and economic consequences. This memorandum:
Summarises the End Conscription Campaign's objections to the Bill under the three headings Practical Objectionsl Political Objections and Legal Objections in paragraph 2.
Details the End Conscription Campaign's objections to the Bill under the same three headings in paragraph 3.
Summarises the provisions of the Bill in Annexure "A".
The memorandum concludes that the Bill should be withdrawn pending proper negotiations with all interested parties over the future role and composition of the SADF.
SUMMARY OF OBJECTIONS TO THE BILL
The, End Conscription Campaign believes that. the Bill should be rejected in its entirety for the following reasons :
Summary of Practical Objections
2.1.1 The premises of the Bill are erroneous in that the demand of the majority of conscripts is for the system of whites-only conscription to be abolished rather than for punitive alternatives to be provided to it.
The Bill fails to meet the practical objections of conscripts to the system of compulsory military service;
The Bill will exacerbate the crisis in whites-only military conscription rather than resolve it.

Summary of Political Objections
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The Bill is a retrogressive one. It entrenches whites-only military conscription at a time when the system is breaking down of its own accord and should be abolished.
If the Bill' is passed into law and properly implemented it will lead to widespread social, political and economic disruption.
If the Bill is passed into law but not properly implemented it will lead to greater disrespect for the law.
If the Bill is passed into law it will exacerbate existing 'distrust and suspicion of the SADF, especially amongst black communities.
If the Bill is passed into law and white conscripts are allocated. to the SAP (without their consent) it will increase public distrust and suspicion of the SAP, especially amongst black communities.
The Bill constitutes unilateral tinkering with a piece of race-based legislation without regard to the negotiation process at CODESA.
The Bill provides for the maintenance of whites-only military conscription during the transition period leading up to the adoption of a new constitution, without regard to either:
2.2.7.1 the agreements reached at CODESA to place the security 'forces and all decision relating to them under multi-party interim control;
2.2.7.2 the bilateral negotiations between the ANC and the Government over the integration of armed forces.
The Bill does not allow conscientious objection during times of war when it is most needed.
The Bill increases the likelihood of white conscripts in the SADF being deployed in controversial policing functions whether as members of the SADF or of the SAP.
The Bill constitutes unilateral determination of policy regarding conscientious objection at a time when there is a need for widespread public

debate, including representatives of the disenfranchised, on the whole system of conscription and alternatives to it.

2.2.11 The Bill has been tabled in parliament without prior consultation or negotiation with concerned parties.

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Summary of Legal Objections

2.3.1 The Bill fails to resolve the doubt regarding the validity of the whites-only call-up in the light of the repeal of the Population Registration Act.

2.3.2 The provisions providing for compulsory imprisonment of offenders are in conflict with the long-held principle of criminal jurisprudence that the courts should retain a discretion in sentencing.

2.3.3 The Bill contains provisions regarding compulsory sentences of detention which are inconsistent with other provisions regarding compulsory sentences of imprisonment and which are inequitable and contrary to the requirements of justice.

2.3.4 The Bill is complex and abstruse. It is poorly drafted, the implications of several of its provisions are not at all clear and several provisions do not meet the test of comprehensibility to the average literate citizen.

2.3.5 The Bill contains anachronistic provisions which should no longer have any place in legislation.

2.3.6 The Bill increases penalties for offences and creates new offences which did not exist before.

For all these reasons the ECC does not believe that the Amendment Bill could be amended or softened in any way to make it more acceptable. The time has arrived. to abolish whites-only conscription and to enter into multi-party negotiations over the shape and composition of a new defence force. The Bill should therefore be withdrawn pending proper negotiations over the future role and composition of the SADF.

DETAILED OBJECTIONS

Practical Objections

The End Conscription Campaign believes that the entire Amendment Bill is misguided and based on erroneous premises. It will do nothing to assist the plight of the vast majority of objectors to compulsory military service, whether those objectors' objections are based on conscientious, religious or any other grounds. If passed into law and properly implemented the Bill will, however, lead to widespread social, economic and political disruption.

Bill Based on Erroneous Premises

The assumption which underlies the Amendment Bill is that the system of compulsory whites-only conscription can be streamlined and once again rendered effective simply by broadening the scope of approved grounds for objection to military service to include certain moral and ethical objections (section 15 of the Bill). However, this assumption fundamentally misconstrues the motivations of both "political" and "non-political" objectors to compulsory service in the SADF.

The vast majority of the two hundred and fifty-odd ' conscripts who call the End Conscription Campaign's Johannesburg office in search of advice and assistance each month have practical objections to the current system of conscription which the Amendment Bill does not cater for at all. The most common motivations of those who call the End Conscription Campaign's offices are that:

3.3.1 It is neither fair nor appropriate that only white men are required to perform military service or community service.

3.3.2 The Population Registration Act has been scrapped and the government has expressed a commitment to move away from racial discrimination.

3.3.3 Particularly those conscripts who have already done an initial period of two years military service (as well as perhaps a number of camps), feel that they have "done their share" and that if there is a need for military service to be performed, this responsibility should now fall on others. Many feel that the army should rather provide employment for some of the numerous people who are without work.

3.3.4 Most of those called up are economically active members of society, many of them in responsible positions, whose experience is that citizen force camps are a waste of time. These men feel they could make a far more useful contribution to society by staying' at iwork than by attending camps. Citizen Force commitments disrupt their work and their careers.
3.3.5 Due to widespread crime and violence many campers are concerned about the well-being of their families while they are away on camp duty.
3.3.6 There is no longer an external threat to South Africa and many conscripts are unwilling to be deployed for policing functions.
3.3.7 Some campers object to the possibility of being sent into townships to serve as soldiers in areas in which colleagues they work with are resident.

Bill Will ExacerbateI Not Resolve Problems

The Bill does not purport to meet the objections of "non-political" objectors to military service at all. Instead, it broadens the scope of religious objection to include certain moral and ethical objections, whilst simultaneously providing for:
3.4.1 Compulsory community service (in government departments only) of up to three years for white men who are classified as objectors;
3.4.2 Compulsory jail sentences ranging from six months to one and a half years for white men who are not classified as objectors but who refuse to serve in the SADF or render the community service provided for by the Bill
3.4.3 Compulsory sentences of detention and imprisonment ranging up to three years for classified conscientious objectors who refuse to render community service;
3.4.4 Draconian provisions regarding the suspension of sentences of detention and imprisonment.

The provision of punitive community service in government departments with the alternative of lengthy and compulsory periods of imprisonment is of no assistance to most objectors to military service. Most would probably prefer army service to community service if forced to

choose between them. In the meantime, however, the average percentage turnout for camps is under 30%. While selective prosecution and jailing of a few unlucky individuals who happen to be caught will certainly produce a public uproar, it is most unlikely to render the system of conscription any more efficient or acceptable. Many thousands of men will continue not to report for military service and it will not logistically be possible to prosecute them all. If serious attempts are made to prosecute large numbers of those who fail or refuse to report for service, there will be serious social, economic and political consequences. These will include:

3.5.1 The prosecution, conviction and jailing of large numbers of otherwise law-abiding and upstanding citizens;

3.5.2 Severe disruptions to the family and social lives of large numbers of otherwise law-abiding and upstanding citizens;

3.5.3 Severe disruptions to the economy occasioned by the prosecution and jailing of economically productive members of society, and the consequent increase in the emigration of economically productive citizens and their families intent on avoiding the consequences of this legislation.

3.5.4 Widespread anger and protest from. within the affected community.

3.5.5 A widespread loss of faith in the potential of the negotiating ’process to deliver tangible benefits to South Africa’s citizens.

If, however, the Bill is passed into law but not properly implemented, it will lead to widespread disrespect for the law itself.

The Amendment Bill is aISO of no assistance to objectors who refuse to render service on political grounds. The Bill does not include political objections as a valid ground for classification as a conscientious objector. The high-profile objectors who have been sentenced by the courts in recent years, including many of those with strong religious components to their objections, would not qualify in terms of the proposed definitions. Nor does the Bill alter the racial basis of conscription in this country. Many of those who refuse to recognise the validity of the whites-only call-up are no more likely to recognise the validity of a whites-only community service system. Furthermore, Section 72D(1A)(1) will prevent conscripts who do not condemn "crime and the pursuit or

furtherance of violence or anarchy 531 or against any community" from being granted conscientious objector status. This implies that at least members or former members of the AANC's armed. wing, as well as certain right-wing objectors, will not be catered for. The Bill would therefore result in the perpetuation of the problem of political prisoners at a time when negotiations are supposed to resolve this problem.

Political Objections

Whites-Only Military Conscription Entrenched

The Bill does not amend or refer to section-2 of the Defence Act which provides that the Act shall not apply "to females or persons who are not white persons as defined in section 1 of the Population Registration Act". Taken together with other provisions of the Bill particularly those providing for compulsory jail terms and increased fines for white men who refuse or fail to serve, this failure to amend section 2 of the Act means that the Bill entrenches whites-only military conscription at a time when:

3.8.1 It is the government's declared policy-to remove all race-based legislation from the statute books;

3.8.2 The system is unpopular, impractical and inappropriate for a changing South Africa and is breaking down of its own accord;

3.8.3 The Population Registration Act has been repealed and there is no clarity whether the whites- only call-up remains valid.

The perpetuation of whites-only military conscription is antithetical to the creation of a new, non-racial South Africa.

No Consultation or Negotiation

The Bill has been tabled in Parliament without prior consultation with interested parties. It does not meet the objections to the system of whites-only military conscription which have been expressed over the years by the End Conscription Campaign and conscientious objector support groups. It also undermines the negotiating process at CODESA, which has produced tentative agreement on the need to place the security forces and all decisions relating to them under multi-party interim control. It also appears to contradict the bilateral

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negotiations between the government and the ANC over the integration of armed forces, whose object is to negotiate a new defence force whose composition will be more appropriate to the needs of the new South Africa.

No Conscientious Objection During Time of War

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One of the more bizarre features of the Bill is that it prohibits conscripts from applying for conscientious objector status during times of war (section 15). This is precisely the time that rights to conscientious objection are most important (assuming an acceptable non-racial system of conscription is in place).

Compulsory Terms of Imprisonment

The Bill provides for a minimum compulsory jail sentence of 6 months for conscripts who refuse to render military service. In terms of section 31(a) of the Bill, this sentence will apply even to men in their 40’s and 50’s who refuse to report for Commando duty. A conscript who-refuses to do national service at all and is not recognised as a conscientious objector by the Board for Conscientious Objection, or alternatively does not himself recognise the race-based Board, will face a compulsory one and a half year prison sentence. This provision negates the decision of the Appellate Division in the BrucelToms case and the decision of the Witwatersrand Local Division of the Supreme Court in the Douglas Torr case. Section 31(h) of the Bill provides that a certificate purporting to be signed by the Chief of the SADF or by any person authorised by him shall, on its mere production in court, constitute prima facie evidence of the period of national service still owed by a conscript for the purposes of calculating his term of imprisonment on conviction.

The Bill provides for even heavier compulsory sentences of detention for classified conscientious objectors who fail or who refuse to serve the community service to which they are sentenced. Section 22 provides for compulsory imprisonment in detention barracks of up to three years. There is no possible justification for this sentence, particularly because it is twice the length of imprisonment to which a conscript who refuses to render service but is not classified as a conscientious objector is liable.

Section 31 of the Bill provides that the courts may only suspend jail sentences on condition that conscripts render the service for which they are liable and, in addition, that they render any service for which they may

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be called up over the next four years. This provision is a draconian one which, taken together with section 31(a), effectively eliminates the discretion of the courts in sentencing. The provision goes against the long-held and esteemed tradition in criminal jurisprudence that the courts must have the discretion to choose a: sentence appropriate to an accused.

No Proper Community Service

The community service which section 18 of the Bill provides for is race-bound, narrow and restrictive and does not in fact constitute true community service at all. objectors may only be placed in Government service, despite numerous representations made in the past requesting the Government to broaden community service to allow objectors to serve in non-Government charitable, welfare and development agencies.

The current community service system has not proved to be a major or popular alternative to military service and there is no reason to believe that this will change. The length of community service remains punitive (section 18 of the Bill sets out a complex and barely comprehensible formula according to which it is to be determined), remuneration is low and continually falling behind inflation and few community servers are placed in departments which allow them to use their skills to the full. It is not uncommon for community servers with post-graduate degrees to be employed as filing clerks. Therefore, the system of community service which the Bill provides for does not make practical, political or economic sense.

Compulsory Allotment to SAP

Section 67(2) of the Defence Act presently provides that the Registering Officer may, with their consent, allot members of the Citizen Fcrce and Commandos to the South African Police. Section 11 of the Bill amends this section by providing that the allotment be to the Police Reserve and by deleting the provision requiring the consent of the conscripts concerned. The Bill makes no provision for the training of conscripts before they are allotted without their consent to the Police Reserve. If implemented, this provision is likely to arouse widespread opposition among conscripts and to increase suspicion and distrust of the SAP particularly in black communities.

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Propping up the system of whites-only conscription will do nothing to allay suspicions and distrust of the SADF in black communities. Placing white conscripts in the SAP's Police Reserve without their consent will similarly do little to assist the SAP in building an image of non-racialism and impartiality.
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Deployment in Law and Order Functions
Section 2 of the Bill amends section 3 of the Defence Act in order to provide for members of the SADF, including white conscripts, to be deployed "on service in the maintenance of essential services, including the maintenance of law and order and the prevention of crime in co-operation with the South African Police". It is well known that the conduct of both the SADF and the SAP in "maintaining law and order and preventing crime" has been controversial. Both Supreme Court judgments and various Commissions of Enquiry have severely criticised SADF and SAP conduct (for example the Trust Feeds case, the Kannemeyer Commission and the Goldstone Commission). In the circumstances, it is particularly unreasonable to continue to require conscripts to be deployed in these controversial policing functions.
Legal Objections
Population Registration Act
There has been much debate in legal circles regarding the validity of the whites-only call-up since the repeal of the Population Registration Act. This is one of the most contentious issues in the minds of all conscripts. The Witwatersrand Local Division has been approached to decide this question in the matter of Rule v SADF. It is incomprehensible that the drafters of -this Bill have ignored such an important issue and have not dealt with the racial provisions of section 2 of the Defence Act at all. To make matters worse, it appears that the new definition of "call-up" in section 1 of the Bill read with section 22(1)(b) may be used by the authorities to legitimate a continuing racial basis to the conscription system, even should the court case go against the SADF.
Court's Discretion in Sentencing Removed
The provisions in section 126A(1)(a) and section 72I(2)(a) providing for compulsory terms of imprisonment of offenders are in conflict with the long held principle of criminal jurisprudence that the courts should retain

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a discretion in sentencing. It has been a principle of criminal jurisprudence in South Africa for many years that courts should have a discretion as regards the sentencing of offenders. nIn R v Mapumulo & Others 1928 AD 56 at 57, the Appellate Division ruled that the infliction of punishment is pre-eminently a matter for the discretion of the court. This is a cherished principle which calls for constant recognition. Such a discretion permits balanced and fair sentencing, which is the hallmark of enlightened criminal justice. The second, and somewhat related principle, is that of the individualisation of' punishment, which requires proper consideration of the individual circumstances of each accused person (S v TomsI S v Bruce 1992 SA 802 at 806H). Other cases where the Appellate Division has emphasised this point are S v Robby 1975 (4) SA 855 A at 8610, g_y Scheepers 1977 (2) SA 154 A at 158F-G, S v Gibson 1974 (4) SA 478A at 482A.

By providing for compulsory terms of imprisonment the Bill overturns recent Appellate Division and Supreme Court decisions which have been more sympathetic to the plight of white conscripts, such as the cases of S v Tomsl S v Bruce 1990 (2) SA 802 (A), S v Torr 1992 (1) SACR 409 (W).

Provisions Regarding Sentencing Inconsistent and Ine uitable

The Bill contains provisions regarding compulsory sentences, detention and imprisonment which are inconsistent with each other and therefore contrary to the irequirements of justice. The 1maximum compulsory sentence to which a person who refuses to serve in the SADF may be liable is 18 months in terms of section 126A(1)(a), whereas a classified conscientious objector who fails or refuses to serve his community service is liable in terms of section 72I(2)(a) to a compulsory sentence of up to 3 years. There is no possible justification for this disparity in compulsory sentencing.

Not only does the Bill intrude in the sphere of the court's discretion as regards sentencing but it also intrudes on the court's discretion as to what constitutes appropriate conditions of suspension of sentences of imprisonment. In terms of the proposed amended section 126(3A) a court can only suspend the sentence of imprisonment on the condition "that the accused renders the service for which he is liable and which he has been called up to render" and all the service which he may be called up to serve in the next sixty months. Effectively

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this condition ensures that a person refusing to serve will, in fact, serve an effective period of imprisonment. A similar provision exists in section 72(I)(5) of the Bill where the court may only suspend a period of imprisonment for a person committing an offence of his refusal or failure to perform community service only on the condition that that person shall perform community service.

The Bill is Complex and Abstruse

The provisions in the proposed amended section 72D(1A)(a) to (d) constitute the test as to whether an applicant qualifies for conscientious objector status. The language used in these sections is- difficult to understand and could be open to numerous interpretations. It is not clear what any of the following phrases means:

3.24.1 "qualm of conscience" (section 72D(1A)(a));

3.24.2 an application which is "dominated by conscience" (section 72D(1A)(b));

3.24.3 "ruinous to the applicant’s spirit" (section 72D(1A)(d).

Conscripts considering applying for conscientious objector status will therefore find it exceedingly difficult to ascertain the requirements of the amended Act and whether or not they comply with the requirements.

The formula for the calculation of community service in section 72E(3) is barely comprehensible and probably ambiguous. This formula is used elsewhere in the Bill (in Section 126A) thus compounding the effect of its incomprehensibility and ambiguity.

The meaning of the words "in general or in a particular case" in the proposed amehded section 726(1)(h) is not at all clear.

Section 126A(1)(a) relies on the calculation in section 72E(3) which, as noted above, is barely comprehensible and ambiguous.

The proposed section 126A(9)(b) is unintelligible.

The Bill Contains Anachronistic Provisions

Section 132 retains the provision that "sodomy" is a crime. This affronts progressive notions, and is out of

step with developments in criminal law elsewhere in the world.

Section 87 confers upon the Minister the right to make different regulations for male and female persons "if in his opinion the fundamental differences between sexes necessitate the making of such different regulations". It is not clear what "fundamental differences between the sexes" may be relevant to the making of regulations by the Minister. Furthermore, it is inappropriate to have such regulationsy made on the basis of a subjective opinion.

New Offences

The Bill creates numerous new offences and provides for heavy penalties on conviction. For example, failure to maintain a uniform or military badges under the conditions prescribed is made an offence carrying a fine of R2 000 or imprisonment for a period not exceeding one year or to both such fine and imprisonment, as is failure to register for national service during a conscript-to-be's 16th year. This latter provision overturns the decision of the Supreme Court in the Auf Der Heyde case that failure to register is not an offence. Because registration occurs several years before conscripts become liable for service this provision suggests that the government is intent on maintaining whites-only conscription for several years to come, without regard to its commitment to end race-based legislation and negotiate a new constitution and a new role and composition for the SADF. Other offences created by the Bill are set out in section 32 thereof.

Conclusion

If the Bill is passed and its provisions are strictly applied, its consequences will be disastrous. Political parties which represent the disenfranchised will view this entrenchment of the racial call-up with extreme suspicion. There will be an unprecedented public outcry if conscripts are jailed for rejecting the whites-only call-up during this period of transition. If there is an increase in prosecutions of ordinary conscripts who fail to report for citizen force camps particularly, this will be likely to lead to renewed emigration and economic disruption. Research conducted by the Wits Business School has estimated that some 10 000 skilled white men emigrated in the 1980's as a direct result of the system of conscription. South Africa cannot afford a further "brain drain" of this magnitude at this point. If, on the other hand, the Amendment Bill is passed but not

properly enforced this could only lead to greater disrespect for the law. The Bill should therefore be withdrawn pending proper negotiations with interested parties over the future role and composition of the SADF.

Annexure "A" - Provisions of the Bill

The Bill provides, inter alia, for :

The ’maintenance and entrenchment of the system of whites only conscription;

Broadening the scope of religious objection to include certain moral and ethical objections, whilst simultaneously providing for:

1.2.1 Compulsory community service Lin government departments only) of up to three years for white men who are classified as objectors;

Compulsory jail sentences ranging from six months to one and a half years for white men who are not classified as objectors but who refuse to serve in the SADF or render the community service provided for by the Bill;

Compulsory sentences of detention and imprisonment ranging up to three years for classified conscientious objectors who refuse to render community service;

Draconian provisions regarding the suspension of sentences of detention and imprisonment;

A narrow and restrictive definition of where community servers may be required to serve;

Increased fines for those who fail to report for the call-up;

Compulsory allotment of conscripts to the South African Police without their consent;

The Chief of the SADF to deploy members of the defence force, including white conscripts, "on service in the maintenance of essential services, including the maintenance of law and order and the prevention of crime in co-operation with the South African Police";

The closing of loop-holes in the Defence Act created by Supreme Court decisions such as the recent Auf der Heyde case which made it no longer an offence to fail to register for military service and the recent TomslBruce decision of the Appellate Division and Douglas Torr decision of the Witwatersrand Local Division of the Supreme Court which determined that objectors need not be sentenced to compulsory jail terms and that the courts must have the discretion to choose an appropriate sentence;

No right to apply for conscientious objector status during times of war;

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No right to conscientious objection for those who do not condemn "crime or the pursuit or furtherance of violence or anarchy in or against any community";
Prohibiting the Board for conscientious objection from reconsidering applications for conscientious objector status turned dpwn by the Board for Religious Objection under the existing Act;
Regulations to be promulgated by the Minister restricting conscientious objectors from taking part in political activities "in general or in a particular case";
Conscientious objectors who leave their ordinary place of residence or the Republic, to be deemed to refuse to render military service and thereby be rendered liable to compulsory jail sentences;
A ten-fold increase in fines for most offences in the current Act and the creation of numerous new offences carrying heavy fines and possible sentences of imprisonment.

RESOLUTION OF ANC CONFERENCE ON POLICY GUIDELINES FOR A DEMOCRATIC SOUTH AFRICA

NOT ING :

1. That the government has tabled a Defence Amendment Bill in Parliament.
2. That the government appears intent on railroading this Bill through Parliament during the course of the current Parliamentary session.
3. That the Bill provides for the maintenance and entrenchment of the system of whites-only military conscription at a time when it is the government's stated intention to eliminate all racist legislation from the statute books.
4. That the Bill provides for compulsory jail terms for white conscripts who refuse to serve in the SADF and who are not classified as conscientious objectors.
5. That the Bill is designed to ensure that the SADF remains racially constituted and unrepresentative of the majority of South Africans.
6. That the Bill provides for the compulsory allotment of white conscripts to the SA Police thereby ensuring that the SAP will continue to be seen as racist in composition and biased in practice by the majority of out people.
7. That the Bill undermines the negotiating process at CODESA.
8. That the Bill flies in the face of the bilateral negotiations occurring between the ANC and the government on the integration of armed forces and the creation of a defence force appropriate to a democratic South Africa.
9. That the government has not even consulted with the ANC or other concerned parties before tabling this Bill in Parliament.

HEREBY RESOLVES:

1. To demand that the government withdraw the Defence Amendment Bill with immediate effect.
2. To demand that the government cease all actions which undermine the negotiations process.
3. To demand that the government negotiate in good faith with the legitimate representatives of the South African people on the creation of a non-racial and impartial defence force.
4. To demand that the government put an immediate and to all race-based practices in the SADF and SAP.
5. To demand that an urgent meeting of the management committee of CODESA be convened to deal with this threat to the negotiation process.
6. To call on conscripts to continue to defy the whites-only call-up.
7. To request the alliance to urgently contact all membersv of the Patriotic Front so as to ensure a broad-based rejection of the Bill.