

Witness in Goldstone inquiry can't remember

CITIZEN

5 MARCH 1992

THE committee of the Goldstone Commission of Inquiry investigating Weekly Mail allegations against the SADF adjourned early yesterday after one of the main witnesses could not remember facts of his previous employment or what he did prior to a conviction for fraud.

For most of the afternoon's cross-examination by Mr Johan Rabie, for the SA Defence Force, Mr Mbongeni Khumalo told the committee he could not remember what he did at Durban petrol refineries or when he worked for two of them.

Mr Rabie told commission chairman Mr Niel Rossouw, SC, the committee — investigating charges of SADF involvement in the training of Inkatha personnel — should "either adjourn or the witness must be compelled to answer" questions.

Mr Khumalo, whose voice got softer and softer through the afternoon, said he was tired and the committee adjourned to tomorrow.

Mr Rabie accused Mr Khumalo of being "reckless with the truth" and said he did not care about facts.

Mr Khumalo said: "I told the commission I do lie and am dishonest. I don't want to deal with it again," he added in reference to his conviction and discrepancies on his employment record, which were brought to the com-

mittee's attention last week.

Earlier yesterday, Mr Khumalo told the committee the 200 people selected for specialised training at a camp in the Caprivi Strip had to be loyal Inkatha members.

Earlier the committee was told by IFP president Chief Mangosuthu Buthelezi's former personal assistant Mr M Z Khumalo that the trainees had to be "loyal Zulus".

Mr Mbongeni Khumalo was insistent that a group of Inkatha members from Wesselton near Ermelo, called the Black Cats, had undergone weapons training at the Mkuze camp in KwaZulu and were instructed by a former Caprivi trainee Daluxolo Lithuli.

Mr Louis Visser, SC, for Inkatha, said Mr Lithuli would deny giving the group any weapons training.

Mr Lithuli would also deny being a member of the KwaZulu Police or carrying a KZP appointment card which Mr Khumalo told the committee he had seen.

He said the card he saw showed Mr Lithuli was a KZP warrant officer.

Mr Visser also said Mr Khumalo's version of a story about a kombi that had been shot up and collected from Mphumlanga was incorrect.

Mr Khumalo said he had gone to fetch the vehicle on instructions from Mr M Z Khumalo and exchanged it for another he

drove from Ulundi.

Mr Visser said the vehicle had been reported stolen eight days before it had been recovered and a driver had gone to collect it. — Sapa.

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De Klerk should tell South Africa what he has in mind for the future

SIR — South Africans admire the courage that the State President has displayed in seeking a mandate from white South Africans to continue negotiating on their behalf, for a future democratic South Africa.

It would be helpful if President de Klerk could give South Africa some indication of what he has in mind on this matter, Plan A or Plan B.

Plan A
Codesa is an admirable concept which deserves the support of all South Africans seeking peaceful change in South Africa. However, it has many serious flaws which need correction: Many South Africans are not represented there. Is "half peace" of any use? Codesa is operating on a "runaway train" basis at present and the Codesa secretariat cannot cope. Frequently, the previous week's minutes are produced on the day of the meeting. Delegates are being allowed no time to consult their parties and are being press-ganged into making "off the cuff" decisions. Do 190 delegates have blank cheques to sign away South Africa's future?

Plan B

Is set out in The Weekly Mail in an editorial: "What the ANC didn't say", which believes that "constitutions may not be quite as important to our

future as some of our negotiators think. That, at any rate, may be the message which ANC leaders are trying to send the Nats."

The gist of the editorial is that the Nats and the ANC will form an extra-parliamentary pact. The Nats will deliver the de facto power to the alliance, i.e. the Defence Force, the police and security forces, and the economic power, i.e. control over the parastatal Transnet, Iscor, Escom, etc.

The ANC/SACP will deliver to the alliance the misguided souls who still believe in communism.

The extra-parliamentary pact will determine the power-sharing between the Nats and the ANC/SACP.

There is a strong and widespread belief among many members of the public that President de Klerk has Plan B in mind, in which case he does not need Codesa. We, the IFP and like-minded delegations, are then merely providing a facade of a "democratic" Codesa.

President de Klerk and the Nats should therefore clarify their position. Exactly what mandate are they seeking? A mandate for Plan A or Plan B?

DR E. BENARD
IFP Delegate to Codesa

ILANGA

5-7 MARCH 1992

LITHI...

Ngezikhali

UMTHETHO wokuvinjwa kwezikhali eziyingozi emphakathini yinto edinga kakhulu ukwesekelwa yibobonke abantu. Kungeze kwalunga abantu baphathe izibhamu udede njengoba kwenza abe-AWB nabanye emphakathini. Imibese nemikhonto nontshumentshu nazozonke izinhlobo zezibhamu eseziphathwa umgangela emalokishini, yinto edinga ukunqandwa nakanjani. Emalokishini aboMdabu sekuyinsakavukela ukuzwa kuqhuba izibhamu ebusuku.

Kepha makwaziwe futhi ukuthi ummese uyasiza uma usentshenziswa ekhaya kuqotshwa izinkwa nokunye. Umkhonto uyasiza uma kuhlathwa izinkomo nalapho kwenziwa namanye amasiko ezizwe ezahlukene. Lokhu kanye nokunye kudinga kudedelwe kuhlale kukhona endaweni yakho ekufanele.

Kodwa-ke sesikushilo lokho, makukhumbuleke futhi ukuthi inhlango i-African National Congress kanye nezinhlango eziwudibi lwayo, yibona abaqala umkhankaso wokuba kuvinjwe izikhali zendabuko. Lokhu kwakungeyona nje inhloso yokuvikela umphakathi ekuhlaselweni ngabathile, kepha kwakuwumkhankaso wabezepolitiki behlose uku-feza izinjongo zabo. Makukhumbuleke ukuthi emphakathini kukhona imikhosi yaboMdabu edinga kuphathwe amahawu, imikhonto, izinduku nezagila nokunye. Lokhu kwenziwa ngokwesiko lalabobantu.

Kukhona futhi phakathi kwaboMdabu abangakwazi ukuhamba bengaziphethe izinduku nezagila. Loluhlobo lwabantu luyadinga ukunikwa indawo yalo. Naphakathi kwamaZulu akuwona wonke apha izinduku, njengokuthi-nje, amakholwa nezifundiswa kabahambi bephethe izinduku. Kepha lukhona uhlobo lwabantu olujwayele ukuphatha izinduku hhayi ngoba luhlose ukulwa. Bakhona futhi abaphatha izinduku beyogibela izitimela namabhasi ebusuku beyosebenza emadolobheni. Lababantu basuke befuna ukuzivikela ezinswelaboyeni. Sethemba amaphoyisa ekusebenzeni kwawo eqhuba lomthetho omusha azokwazi ukusebenzisa ubuchopho bawo angabahlukumezi lababantu.

Kodwa nansi enye inkinga, i-ANC inombuthe wezempi, uMkhonto weSizwe. Lababantu banayoyonke inhlobo yezi-bhamu ababuye nazo lapho kade beviva khona. Izibhamu zabo kakuyizozonke ezinamalayinsense ngokwasemthethweni waseSouth Africa. Lomthetho omusha uma ungezukulubathinta bona, lokhu kungasho ukuthi kusasiniwa amahleza.

16/1/92

X Dawn raid after ANC informant's false claim

C1526- 5/03/92

FALSE information from an ANC informant led to a dawn raid on a Heidelberg farm allegedly used by a hit squad said to be murdering train commuters, the Goldstone Commission of Inquiry has revealed in an urgent submission to the office of the State President.

A statement yesterday from the Department of Justice on behalf of State President De Klerk said the raid was initiated by information from the

ANC last Thursday.

In the wake of the affair, the commission has accepted the ANC's bonafides but made it clear that the information was false.

The ANC's attorney had detailed evidence from an informant who claimed to have been part of the hit squad based on the farm.

"He alleged that he and others were involved, inter alia, in the murder of train commuters on the Witwatersrand. He furnished the ANC with considerable detail including

the precise address of the farm, the name of the owner, the names of White and Black instructors, the number of vehicles employed ... the nature of sleeping accommodation," said the Justice Department statement.

The ANC attorney had told the commission that neither he nor the ANC doubted the information, but that they had no means of verifying it.

Two members of the commission accompanied police in a raid on the

farm on Saturday, February 29.

"The information given to the ANC was false. The informant was brought to the area of the farm and led Adv (commission member J J) du Toit and the police to two other farms. Again his allegations were proved to have no factual basis. After some nine hours the operation ended."

The commission stated that it hoped that the prompt action by the commission and the sup-

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Dawn raid after false claim

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port given to it by the SA Police would publicly demonstrate the commission's resolve and ability to inquire into public violence and intimidation.

"These events again demonstrate the danger of relying upon unchecked reports concerning public violence and intimidation and it is hoped that the public and the media will take due notice of this danger."

On the same day the allegations were heard it was decided that their seriousness and the impressive detail furnished called for the commission to use its powers of search and seizure.

Commission staffers Adv Du Toit and Lt-Col H Heslinga were authorised to get help from the SAP to raid the farm. The informant had told the ANC that the property was guarded by armed men, said the statement.

"Lt-Col H Heslinga was informed of the general nature of the operation on the morning of February 28 1992. He was

given no information at all concerning the location of the farm or of the alleged nature of the activities conducted there."

A large SAP unit was briefed before dawn last Saturday on the precise nature of the operation. Fifty-two policemen, nine police helicopters, a medical doctor and a para-medical helicopter moved in on the farm. They were accompanied by two ANC officials.

The raid uncovered nothing and the informa-

tion was proved to be false.

"The commission would like to express its sincere appreciation to the South African Police for the prompt, professional and complete co-operation which it rendered," said the statement.

"It accepts the bonafides of the ANC and its attorneys in providing the information to the commission."

The commission also apologised to the owner of the farm involved.

The police acted

promptly and professionally in reaction to hit-squad allegations made to the Goldstone Commission of Inquiry, the ANC said in a statement yesterday.

"The ANC expresses its appreciation for the prompt and professional response of the police to this matter, as well as for the efforts of the Goldstone Commission to uncover the truth regarding the continued violence afflicting our country," said the ANC. — Sapa.

Referendum and the CP

Natal Witness - 5 March 1992

THE referendum announced by President de Klerk for March 17 has placed black political leaders between a rock and a hard place. They rightly reject the white-only referendum because it takes us back to the days of race-based politics, which they thought Mr de Klerk and the National Party had outgrown.

On the other hand they realise that if they were to engage in militant mass action before

and during the referendum, this would most probably lead either to a low poll or a Conservative Party victory. Consequently, the "indirect" message that black leaders are sending out to white voters is that they should vote yes in the referendum.

There is also a realisation that at the end of the day it is much better to negotiate with a strong De Klerk who can be able to deliver on the agreements reached at Codesa. There is nothing as futile as negotiating and signing agreements with someone who, owing to lack of adequate support from his constituency, is unable to honour or execute these agreements.

If President de Klerk had any reason to doubt the extent of his support at this extremely crucial stage of democratic transition, he had no choice but to call a referendum, even though it was a racist one. The sooner black leaders know once and for all where they stand with white South African voters the better for the future.

Ironically, Mr de Klerk's resort to his traditional constituency has triggered a few "whispered" questions from certain sectors of the black community. At one conference I recently attended, these whispers were audibly enunciated by one discussion group participant who asked how many of the predomi-

nantly black parties and movements represented in Codesa have consulted their constituents about what is happening in Codesa.

In calling for a no vote in the referendum, the CP reminds one of the words of the song *Stop the world, I want to get off*. All over the world apartheid and

racial discrimination have been outlawed. Indeed it is as a result of these policies that South Africa has languished in international isolation for almost 30 years. The CP has not been able to explain what is "new" in its version of apartheid and racial discrimination that will miraculously make these universally evil systems suddenly acceptable to the world and to the black majority.

The CP has not explained where it will get black leaders who will be willing to accept independent homelands in a partitioned South Africa when three of the four leaders of independent homelands are clamouring for re-incorporation into greater South Africa and when six leaders of self governing homelands have persistently rejected homeland independence for over a decade.

The dishonesty inherent in CP strategy is that it is exploiting the political tolerance of those black leaders who have held talks with CP leaders and is creating a wrong impression to the world that these black

leaders support CP apartheid policies.

What is even more amazing is that two senior leaders of the CP — Drs Treurnicht and Hartzberg — are former National Party ministers who were in

charge of departments which dealt with black affairs. If they failed as part of the National Party government to make apartheid and racial discrimination acceptable to blacks, God knows how they hope to succeed to do this as part of a CP government. Are they perhaps going to use more brutality to enforce apartheid?

If the answer to this question is yes, then concerned South Africans are correct in accusing the CP of practicing "ostrich politics" in a country that desperately calls for political pragmatism.

The CP has already announced that if it became the government it would immediately restructure Codesa in such a way that only leaders who represent various ethnic groups would participate. The CP is apparently unaware that the present Codesa was not singlehandedly structured by the present government.

The CP is also apparently unaware that the present government's strategy of attempting to choose "preferred fellow negotiators" within the black community was tried during the P.W. Botha era, but it did not succeed.

The idea of a so-called "Commonwealth of nations" was tried by Dr Verwoerd, but it did not work. The idea of a so-called "constellation of states" was also

tried by Mr Vorster and briefly by Mr. P.W. Botha, but once again it did not work.

The challenge in the coming referendum is very clear. Vote no and see civil war; intensified mandatory economic sanctions, possibly spearheaded by Western countries like Britain, Germany and America; increased racial polarisation and the radicalisation of every black man, woman and child in South Africa.

Vote yes and see peace, economic prosperity, racial harmony and the return of South Africa to the family of nations. On March 17, white voters will inform the voteless black majority which of the two scenarios they prefer for themselves, their children and grandchildren.

Fortunately the CP has already given the white voters a clear signal of what to expect under a CP government.

The recently announced AWB-HNP-CP alliance shows that the CP is even prepared to co-operate with violence, neo-nazism and naked racial hatred in a bid to re-instate apartheid. God save South Africa from racial bigotry, greed and cruelty and also save the Conservative

Party and its leaders from political suicide.
• Dr Oscar Dhlomo is the Executive Chairman of the Institute for Multi-Party Democracy.

Accused man denies earlier confession

THE Katlehong man charged with the murder of three train commuters, and attempted murder of nine others, yesterday challenged the admissibility of a statement he made to the police shortly after the incident.

Albert Dlamini claimed during a trial within a trial in the Rand Supreme Court that the facts contained in a statement signed by him

STEPHANE BOTHMA

were not based on what he had told the policemen who had questioned him at the Modderbee prison on October 11 1991.

The State alleges Dlamini was part of a group who had attacked rail commuters with sticks, axes and a firearm.

COMMENT

Get on with it

FOR most of the past year the country has been stuck in a no man's land between apartheid and democracy. It is a condition causing political and economic uncertainty, but many will watch the return to constitutional negotiations with mixed feelings.

The end of the political hiatus brings prospects of settlement, of interim rule which will see the ANC and others in government, and of economic upliftment because of the confidence inspired by hope. More certain, however, is that renewed talks mean renewed crises, threats, warnings and the real possibility of failure.

Cynics believe the talks will succeed because the major parties have secretly agreed in advance on a division of the political spoils. That belief will be tested at planning meetings tomorrow and Saturday, and at subsequent multiparty negotiations scheduled by the end of this month. Part of the current crisis is precisely because Inkatha, the white right wing and some black homelands object to a published understanding between government and the ANC. There are suggestions that some objectors will attend today's meeting only to stage a walkout.

Others maintain the negotiations must succeed because the parties have no alternative. They said that last year, too, when delegates to Codesa seemed to be making progress too fast for ordinary mortals to comprehend. Then Codesa collapsed as international observers

jettied in to witness its triumphant conclusion. Not only was there no agreement on transition to democracy, but the parties cannot now agree on what had been agreed before the talking stopped. It is difficult for negotiations to resume where Codesa II left off if that point cannot be marked.

So, eight months later, we are not quite where we were last June. The new round of talks will be more inclusive, with the PAC and elements of the white right wing taking part; it will also be more fragile because of the demands they will make, and because of Inkatha's insistence on advance agreement on regionalism and a federal structure.

Now, however, some politicians are in a hurry, with government and the ANC aiming at elections within a year. Inkatha and its allies may seek to delay matters, claiming minorities are being steamrollered by the two major parties acting in secret concert. Success is possible, but far from assured; a peaceful negotiated settlement may prove as elusive as ever.

The politicians need reminding that success does not depend entirely on them. They go to negotiations as brokers, but also representing constituencies and interest groups. It is the public who will lose in the violence, instability and deepened economic recession threatened by failure; it is they who will have to tell the politicians to go back and try again when next they threaten to dump us into disaster.

13/00ay 5/3/93

ANC moots cattle farming in Kruger Park

THE ANC was looking at all categories of land — including conservation areas like the Kruger National Park — which might be used more effectively.

ANC land desk and agriculture spokesman Derek Hanekom said SADF and SA Development Trust land was under consideration by the organisation as part of its land policy.

He said yesterday: "Land is a scarce resource which needs to be put to its best use." As an example of the ANC's approach to the land issue, he said an area of the Kruger Park, which was the largest tract of conservation land in SA but ran at a loss

MARIANNE MERTEN

every year, might be better used for cattle farming. "This is not to suggest we are looking at it seriously. It is a matter of principle."

Our Durban correspondent reports that ANC environment spokesman Prof Stan Sangweni said the organisation was investigating the wise use of resources, including wildlife, to ensure "fuller participation by local communities". It was examining examples from other African countries where local communities were directly involved in managing protected areas.

Cabinet

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day the draft agreement, which has been leaked to the Press, still had to be referred back to the principals of the negotiating parties for endorsement and possible amendment.

He was hopeful that a final document could form part of a "constructive" progress report to Codesa II.

Government's spokesman on Codesa, Deputy Constitutional Development Minister Tertius Delpoit, described the agreement reached by Codesa as "a very, very important breakthrough".

Du Plessis said: "We talk and talk at Codesa until we reach consensus — we do not vote — and that gives this document, despite its preliminary status, an awful lot of weight."

He said the consensus agreement represented a victory for minorities because even the smallest group represented at Codesa "can rest assured that their views are weighed as heavily as the largest group".

Du Plessis said when it came to interim arrangements, the central government executive — as opposed to Parliament/the legislature or the judiciary — had been identified as the starting point.

It was difficult to set time frames for matters affecting interim government as interim arrangements would have to be worked out in tandem with the need to resolve issues related to checks and balances and a bill of rights, violence and private armies, establishing the correct political climate, and the legislatures of

the central, homeland and provincial governments.

Even the status of the TBVC countries would have to be taken into account, Du Plessis said.

Delpoit said that particularly significant in government's view was that the Codesa parties had accepted that there should be no suspension of the existing constitution and that the process of reform should proceed along constitutional lines.

"This document contains a major breakthrough, maybe a final breakthrough, for constitutionality," he said.

Du Plessis confirmed that the agreement also implied a possible change to the presidency itself, with the NP ready to put forward its own proposals for a three-man presidency as set out in its constitutional proposals last year.

Details and exact procedures to be followed are still to be thrashed out once final agreement on the principles for a Codesa-appointed executive is reached.

However, Codesa sources said government was anxious that those appointed to the executive would assume full Cabinet responsibility — not only for areas like the control of the security forces and decisions on the Budget.

The President would not appoint the individuals to the executive, but this would instead be done according to participating parties.

Du Plessis said the agreement made it possible for individuals not currently part of the Codesa process to be drafted into the executive.

Rotating
g presidency 'an option'

Blacks

Blacks may be in Cabinet 'in months'

CAPE TOWN — SA could have its first black Cabinet members within months, a top government source said yesterday.

This follows a breakthrough at Codesa where the 19 participating parties have reached consensus on the need to appoint — rather than elect — a new transitional executive structure to govern SA.

Codesa still has to decide on the details of how central government will be restructured, but according to the government vision, this will include a multiparty cabinet and possibly a shared or rotating executive presidency.

Legislation allowing for blacks to be appointed to the Cabinet — first proposed during the P W Botha era but ditched on the grounds that this would amount to "co-option" — will be reintroduced during the current session of Parliament.

TIM COHEN reports, however, that the ANC yesterday reaffirmed its rejection of its members being co-opted onto the existing Cabinet and of a rotating interim presidency.

ANC national executive committee member Joe Slovo said yesterday the ANC had not deviated from its proposal that an interim government council be established which would oversee, and stand apart from, the existing Cabinet.

The ANC proposed last week that the existing executive, including the President and Cabinet, should continue to exist until

Political Staff

a constituent assembly is elected.

The council would also oversee two independent commissions (an electoral and a media commission) and four multiparty committees (on security, the Budget, foreign relations and local government).

However, Slovo said there was nothing in Codesa's provisional agreement — which is subject to approval by the principals — that contradicted the ANC's proposals for the transitional period.

Government sources said it was not possible to say if any government Ministers might be sidelined as a result of the agreement or what positions newcomers to the executive would be given as this still had to be negotiated.

The agreement, thrashed out over the past month by working group 3 on interim government arrangements, specifies that the interim executive will be appointed in accordance with procedures to be decided by Codesa.

In an important victory for government, the agreement also stipulates that such arrangements will need to be given legal and constitutional effect by Parliament through the necessary amendments to the constitution or legislation.

The government's principal negotiator in working group 3, Finance Minister Bar-end du Plessis, told a news briefing yester-

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Fight for influence over State-funded broadcasting

BEHIND all the hoopla of the presidential primaries, and the evidence they provide of America's robust democracy, there were some disturbing events this week which showed just how fragile are some of the basic freedoms Americans take for granted — freedoms of rather intense interest to South Africans right now.

The first was an attempt in the United States Senate to cut off \$1.1 billion (R3,08 billion) in funding for the altogether admirable non-commercial radio and television systems which provide such civilised relief from the shallow crudeness of most of the commercial services.

The object was not to save money. It was to twist the arm of the Corporation for Public Broadcasting, which funds National Public Radio (offering some of the best radio available anywhere) and the Public Broadcasting System, its television counterpart, into dancing to the ideological tune of a coterie of right-wing senators.

According to the senators, NPR and PBS are hotbeds of liberal excess, paying obeisance to communists (believe it or not, they still fret about them), homosexuals, feminists, serial killers, blasphemers and drug addicts, to the exclusion of ordinary, decent Americans with "family values".

Another sign of how precariously freedom of speech survives in the US came with a formal bid by the Bush administration to ban "indecent" television broadcasts, a matter which it said was "of concern to virtually every American household". The genesis of the attempted ban was, inevitably, Senator Jesse Helms, a man deeply troubled by much of the modern world, who persuaded his colleagues to pass a law in 1988 prohibiting "indecent" television.

Of interest to South Africans is the fact that Americans have also been witnessing much the same struggle for influence over State-funded broadcasting as that raging within Codesa. **HUGH ROBERTON** reports from Washington. *Daily News 3 Mar 92*

But it was an episode with a happy ending this week. The Supreme Court refused to uphold the ban, thus allowing to stand a lower court's ruling that such a prohibition violated the constitution's protection of freedom of speech. In effect, the highest court in the land had ruled that an Act of Congress was unconstitutional. Just about every far-right spokesman was left hyperventilating.

And then, almost miraculously, the Senate itself came to its senses and lifted the "hold" on funds for NPR and PBS by a vote of 87 to seven, although the issue has still to come up for formal debate and the money has yet to be voted on. No doubt the conservatives will put up a fight, but of interest to South Africans is the fact that much the same struggle for influence over State-funded broadcasting now rages within Codesa.

None other than the ANC's communications chief, Mr Pallo Jordan, told a distinguished audience at the Carnegie Endowment for International Peace a few days ago that the ANC, and other Codesa participants, wanted an equal say with the Government over the operation of State-controlled radio and television. Not once in his lengthy address did he refer to freedom of speech, or the need for an independent media.

Will Codesa liberate broadcast journalism, or will that closed club of politicians simply agree among themselves to share



PALLO JORDAN . . . equal say.

power over it? It would seem to be an invariable rule of politics around the world that when politicians are in a position to exercise influence over the media, they will not only cling to that power but ultimately will be prepared to abrogate freedom of speech.

After more than 200 years of democracy, and many embittered struggles to sustain it, the US Congress still was moved to pass a law which the Supreme Court found to be a violation of the constitution's guarantee of freedom of speech. And it was still prepared to consider withholding funds for radio and television on purely ideological grounds.

How much more vulnerable is our own fledgling democracy to the grasping hands of politicians.

This Citizen 5/3/92

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CODESA AGREES TO MULTI-PARTY CABINET

By Brian Stuart

CAMP TOWN. — Codesa has agreed that the State President should appoint a multi-party transitional Cabinet as the first step in constitutional reform, although the details and timing have yet to

be worked out. The government has welcomed the agreement as "a major breakthrough" in achieving reform by constitutional methods.

In terms of the agreed principles, Parliament would have to approve legislation to enable the State President to appoint

the transitional Cabinet. Consensus was reached within Working Group 3, which is considering transitional or interim government. Although the agreed principles are still subject to confirmation or new proposals can be put forward by the Codesa parties, Mr Barend du Plessis, Minister of As-

sumes and chief government leader in Group 3, yesterday emphasised the importance of the accord.

The document on which consensus was reached in Working Group 3 is as follows:

- There is need for inter/constitutional or

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Multi-party Cabinet OK'd

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arrangements in order to facilitate the transition towards a new democratic constitution, to which Codesa is committed.

- An important aspect of such arrangements will be the creation of a transitional executive structure (Cabinet).

- The transitional executive structure should at least initially be appointed in accordance with procedures agreed upon by Codesa.

- Agreements reached at Codesa in this regard will have to be given effect by Parliament through amendments to the existing Constitution and relevant legislation, in order to give them constitutional and legal form.

- Other aspects of the interim transitional arrangements still need to be discussed.

Mr Du Plessis told a media briefing yesterday that this draft agreement was very important. It meant there was agreement on what the first step in the constitutional reform process should be.

"We (Working Group 3) agreed on the draft. But we agreed to take it back to our principals, who will be required to apply their minds."

"If they want to suggest any change, in terms of formulation, obviously they are free to do that. Further, they are free to address the very essence of the issues in these points."

"What is important here is that it is a fundamental point of departure

that, for the interim period, the central government executive is identified as the starting point."

Various options as to how to do this would now be put on the table. But the principle was that a new Cabinet would be appointed by the State President in terms of the Constitution, and members of the executive would not be elected.

It was also important that Parliament would have to approve of whatever Cabinet structures was decided by consensus within Codesa.

"In other words, an agreement reached at Codesa will have to be translated into proper legal form by this Parliament, as it exists today."

Mr Du Plessis said that "co-option" to the Cabinet had in the past been unacceptable. Therefore Codesa would seek some procedural arrangement on how to go about making the appointments.

"Initially, you appoint, and Codesa is involved. At any later stage, if other structures have come into place, then that procedure can change."

"Instead of saying to the State President that he can now co-opt people, it was agreed that, while using the mechanism of the legal and constitutional structure, there will also be a procedure agreed upon at Codesa as to how it will take place."

"The decision as to who it will be will not be made by the State President, but by the individual participants. They will not be

elected by Codesa, but appointed by the various participants in the negotiation process."

There were many factors not addressed in the agreement, including a Bill of Rights, how the legislature functioned with a transitional executive, the checks and balances that all participants wanted in a future structure, and the role of the self-governing or independent states in the system.

Stressing the nature of consensus, Mr Du Plessis said Codesa Working Groups did not take "decisions" based on voting, but discussed the issues until consensus was achieved.

"The fact that we did not vote here gives this document an awful lot of weight."

"Consensus should certainly be a source of great comfort to all the various minority groups in South Africa, whether they organise themselves according to culture, or religion, or political parties, or whatever."

Right-wing critics counted how many people in working groups were Communists, ANC or sympathetic to the ANC. Numbers were not significant when operating on the basis of consensus. This meant "talking, talking until there is agreement," Mr Du Plessis said.

Sapa reports that Mr Du Plessis confirmed the correctness of the consensus document, which was leaked to the media yesterday.

He regretted the leak-

ing of the document itself, because it was still of a preliminary nature and those concerned "do not want to be conducting negotiations on centre court at Wimbledon."

"This generates an awful lot of public speculation and generates severe pressure on members, inhibiting further discussions."

Mr Du Plessis confirmed that the agreement also implied a possible change to the State Presidency itself, with the NP ready to put forward its own proposals for a three-man presidency as set out in its constitutional proposals last year.

Details and exact procedures to be followed are still to be thrashed out once final agreement on the principles for a Codesa-appointed executive is reached.

A Bill proposing to co-opt Blacks into a Cabinet was shelved when the former State President, Mr P W Botha, and the then Minister of Constitutional Development, Mr Chris Heunis, withdrew it in the face of strong opposition.

"The climate is very much different today," Mr Du Plessis said.

"To avoid any notion of co-option the main objection then and now — and to remove any shadow of a doubt, there is to be procedural agreement on how to make appointments to the Cabinet and to adhere to the present constitution, legal structures and proceedings, as well as agreement at Codesa as to how it will take place."

The Citizen 5/3/92

Koos:

Stop

interim

govt

THE country should vote "No" in the coming referendum to stop State President De Klerk introducing an interim government with Mr Nelson Mandela and the Communists, says Conservative Party Member of Parliament Mr Koos van der Merwe.

Instead, there should be a return to the drawing-board so that a better dispensation for all the people of South Africa could be worked out.

Mr Van der Merwe was appearing with Democratic Party MP Dr Denis Worrall, on the television programme Agenda last night, in what at times became a friendly leg-pulling debate on the international implications of the referendum.

Dr Worrall said in reality a No vote would lead to international isolation and the re-imposition of sanctions and sports boycotts.

"Right now South Africa is in the pound seats with a re-entry into international sport and trade. With a No vote, it will be chips for the country."

Dismissing Dr Worrall's statement as scare-mongering to frighten the voters into voting Yes, Mr Van der Merwe disagreed that calamity would overtake the country if the CP won the referendum.

He pointed out what the overseas leaders expected was that the reform process should continue and that there should not be a return to the apartheid system.

"The truth is that the Conservative Party is not racist. It wants to negotiate with Black leaders and it wants reform."

Dr Worrall said international perception was that a No vote would mean a return to apartheid as was evidenced by statements in England. They believed in the reform initiative introduced by President De Klerk on February 2 1990.

What overseas leaders wanted, was reform as defined by what was happening at Codesa. And it was only the CP, Pan Africanist Congress and Azapo who were not represented on that body. — Sapa

The Citizen 5/3/92

Man killed and two hurt in rail clashes

Citizen Reporter

A MAN was killed and another seriously injured during a probable attack on a Soweto-bound commuter train yesterday afternoon.

Witwatersrand police suspect an attack on a train after discovering the

body and the injured man next to the railway line between the New Canada and Crown stations at about 5.50 pm.

Neither of the victims have been identified. The injured man was admitted to Baragwanath Hospital.

In another incident yesterday, a woman was wounded during a shooting incident on a train at the Mlamankunzi station in Soweto at about 6.40 am.

Police are investigating the incidents and no arrests have yet been made.

The Citizen 5/3/92

Violence could go on: Warning*

VIOLENCE could continue in the post-Codesa period if people and parties believed their voices were not being heard. South African Institute of Race Relations head John Kane-Berman said yesterday.

In an address to the SA Institute of Management on the facts behind the current violence, Mr Kane-Berman said viol-

ence was central to the quest for political power.

The government, through years of repression and bannings, had taught its extra-parliamentary opposition that violence was the only strategy to which it responded.

Over the years this had included actions such as strikes and stayaways and the killing of Black town

councillors labelled as collaborators.

Warning that a culture of violence was developing, he said a recent survey by the institute showed that one-third of the people in South Africa had been intimidated or had experienced coercion at some time in their lives.

"We have reached the point where the threat of violence and coercion has

become an accepted strategy in certain circles.

"If one uses violence to achieve a goal, can one just switch it off once one has achieved that goal, or has it become entrenched in our political culture?" Mr Kane-Berman asked.

In a best case scenario, all parties would be able to make themselves heard in a decentralised type of government structure. — Sapa.

Rotating presidency 'an option'

Blacks may be appointed to Cabinet soon

CAPE TOWN — SA could have its first black Cabinet members within months, a top government source said yesterday.

This follows a breakthrough at Codesa where the 19 participating parties have reached consensus on the need to appoint — rather than elect — a new transitional executive structure to govern SA.

Codesa still has to decide on the details of how central government will be restructured, but according to the government vision, this will include a multiparty cabinet and possibly a shared or rotating executive presidency.

Legislation allowing for blacks to be appointed to the Cabinet — first proposed during the P W Botha era but ditched on the grounds that this would amount to "co-optation" — will be reintroduced during the current session of Parliament.

TIM COHEN reports, however, that the ANC yesterday reaffirmed its rejection of its members being co-opted onto the existing Cabinet and of a rotating interim presidency.

ANC national executive committee member Joe Slovo said yesterday the ANC had not deviated from its proposal that an interim government council be established which would oversee, and stand apart from, the existing Cabinet.

The ANC proposed last week that the existing executive, including the President and Cabinet, should continue to exist until

Political Staff

a constituent assembly is elected.

The council would also oversee two independent commissions (an electoral and a media commission) and four multiparty committees (on security, the Budget, foreign relations and local government).

However, Slovo said there was nothing in Codesa's provisional agreement — which is subject to approval by the principals — that contradicted the ANC's proposals for the transitional period.

Government sources said it was not possible to say if any government Ministers might be sidelined as a result of the agreement or what positions newcomers to the executive would be given as this still had to be negotiated.

The agreement, thrashed out over the past month by working group 3 on interim government arrangements, specifies that the interim executive will be appointed in accordance with procedures to be decided by Codesa.

In an important victory for government, the agreement also stipulates that such arrangements will need to be given legal and constitutional effect by Parliament through the necessary amendments to the constitution or legislation.

The government's principal negotiator in working group 3, Finance Minister Brand, told a news briefing yesterday.

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day the draft agreement, which has been leaked to the Press, still had to be referred back to the principals of the negotiating parties for endorsement and possible amendment.

He was hopeful that a final document could form part of a "constructive" progress report to Codesa II.

Government's spokesman on Codesa, Deputy Constitutional Development Minister Tertius Delpoit, described the agreement reached by Codesa as "a very, very important breakthrough".

Du Plessis said: "We talk and talk at Codesa until we reach consensus — we do not vote — and that gives this document, despite its preliminary status, an awful lot of weight."

He said the consensus agreement represented a victory for minorities because even the smallest group represented at Codesa "can rest assured that their views are weighed as heavily as the largest group".

Du Plessis said when it came to interim arrangements, the central government executive — as opposed to Parliament/the legislature or the judiciary — had been identified as the starting point.

It was difficult to set time frames for matters affecting interim government as interim arrangements would have to be worked out in tandem with the need to resolve issues related to checks and balances and a bill of rights, violence and private armies, establishing the correct political climate, and the legislatures of

the central, homeland and provincial governments.

Even the status of the TBVC countries would have to be taken into account, Du Plessis said.

Delpoit said that particularly significant in government's view was that the Codesa parties had accepted that there should be no suspension of the existing constitution and that the process of reform should proceed along constitutional lines.

"This document contains a major breakthrough, maybe a final breakthrough, for constitutionality," he said.

Du Plessis confirmed that the agreement also implied a possible change to the presidency itself, with the NP ready to put forward its own proposals for a three-man presidency as set out in its constitutional proposals last year.

Details and exact procedures to be followed are still to be thrashed out once final agreement on the principles for a Codesa-appointed executive is reached.

However, Codesa sources said government was anxious that those appointed to the executive would assume full Cabinet responsibility — not only for areas like the control of the security forces and decisions on the Budget.

The President would not appoint the individuals to the executive, but this would instead be done according to participating parties.

Du Plessis said the agreement made it possible for individuals not currently part of the Codesa process to be drafted into the executive.

The Citizen 5/3/92

'SA firm handling Nat plan'

THE National Party has hired a wholly-owned South African company and not a foreign company to handle its referendum advertising campaign, says Saatchi and Saatchi Klerck and Barrett chairman. Mr Henrie Klerck.

Mr Klerck was responding to Conservative Party leader Dr Andries Treurnicht's statement on Tuesday that "he would be ashamed to hire foreigners to promote his policy to his own people".

The National Party had hired the SA company, Saatchi and Saatchi Klerck and Barrett, for its referendum campaign and not Saatchi and Saatchi UK. Mr Klerck said. — Sapa.

The Citizen 5/3/92

Ciskei signs Peace Accord despite row

THE embattled Ciskei military government signed the National Peace Accord yesterday, a day after pulling out of a conflict resolution committee amid a row with the African National Congress.

"A highly positive note of today's meeting of the National Peace Committee was the signing of the Peace Accord by a high-powered delegation from the Ciskei," the committee said in a statement.

The chairman of the Ciskei Council of Minis-

ters, Mr N Mgcantsi, signed the six-months-old Peace Accord that has faced a serious test in recent weeks due to a resurgence in violence.

"I believe that the mere fact that people from opposite ends of the political spectrum are talking to each other has the effect, to some degree at least, of reducing violence," Dr Antonie Gildenhuys, chairman of the Peace Secretariat, told the meeting.

Ciskeian strongman

Brig Oupa Gqozo, is scheduled to meet senior officials of the ANC to discuss an alleged plot to topple his government by the ANC's Border region.

It is believed the ANC will send international affairs head Mr Thabo Mbeki, SACP national chairman Mr Joe Slovo and veteran ANC activists Mr Raymond Mhlaba and Mr Govan Mbeki.

Meanwhile, NPC chairman Mr John Hail told the meeting yesterday that lack of funds was hindering progress by the sub-committee for socio-economic reconstruction.

He said development agencies would be approached for financial aid for projects in the most needy regions.

Signatories to the Accord hailed the work of the Peace Secretariat and the Goldstone Commission of Inquiry.

The Commission tabled a comprehensive report on inquiries it has conducted so far.

Also at the meeting, the Boy Scouts of South Africa signed the Peace Accord.

A report from the publicity and communications sub-committee stressed the urgency of the distribution at grassroots level of copies of the simplified version of the Peace Accord. — Sapa.

The Citizen 5/3/92

Protest plan by Cosatu, SACP

COSATU and the SA Communist Party have promised widespread protests on March 18 to stop the government from using the referendum result to impose reforms at the expense of the poor.

This decision was taken at a top-level meeting between Cosatu and SACP leaders in Johannesburg yesterday.

Recognising the Right-wing as a serious threat to negotiations, they called on White democrats to vote in defence of talks on

March 17 — but continued to condemn the "racist referendum".

Cosatu and the SACP said they and their allies would also be concentrating on VAT, escalating food prices, unilateral economic restructuring and government refusals to take part in an economic negotiating forum.

The planned demonstrations would include protests against racial disparities in pensions and demands for a representative interim government to be installed immediately.

March 18 — the day of the official Budget — would also renamed the day of the "The People's Referendum". Cosatu and the SACP said.

"(The protests are) to ensure that De Klerk does not ride on the wave of the referendum to push through a harsh and anti-democratic economic and political agenda to the detriment of the poor," said the statement.

Among those present at the meeting were SACP chairman Mr Joe Slovo, SACP general-secretary Mr Chris Hani and Cosatu vice-president, Mr Chris Dlamini.

They urged White democrats to vote in defence of negotiations on March 17, though Cosatu and the SACP continued

to condemn the referendum on White backing for constitutional talks as racist.

"The meeting reaffirmed that the de Klerk regime, which continues to exercise State power contrary to the interests of the people, remains the main enemy.

"Nevertheless it was noted that the Right-wing poses a serious threat to the process of negotiation, a process which was brought about by mass struggle."

The referendum was described as a waste of taxpayers' money which could have been spent on housing, pensions and other basic necessities. — Sapa.

The Citizen 5/3/92

THE CITIZEN COMMENT

Tell us

THE referendum has descended into a mud-slinging contest.

The National Party, the Democratic Party, Big Business and foreign governments are adopting CP-gevaar tactics.

If you don't vote Yes, you and South Africa will go to perdition.

The world will impose sanctions again, we will have no sports tours, there will be no cultural exchanges, there will be civil war and the country will be finished.

It is quite a formidable attack, calculated to scare the pants off the electorate.

And to a large extent it is working.

The slogans are quite simple — Vote Yes, vote for peace, vote for FW.

The CP, for its part, uses NP-gevaar as its main tactic.

You must vote No because if you vote Yes you are voting for Nelson Mandela and the ANC, which the government is supposedly putting into power via Codesa.

You are supposed to believe that a No vote is the only one that can save this country from falling into the hands of Communists.

To the NP, survival rests with a Yes vote. To the CP, survival rests with the ousting of the NP government.

We can expect that the shrill voices will become even shriller by the time Referendum Day arrives.

Unfortunately, many people are saying that the country is in a no-win situation.

There will be sanctions and civil war if the Noes win.

On the other hand, the prospect of having the ANC-SACP in control of the country gives them the heebie-jeebies.

They also see the prospect of civil war if there is a Yes majority, but the Noes poll so heavily that they are a force that can only be denied at the country's peril.

At this point in the campaign, we find the need for cool heads the most vital aspect.

Since State President De Klerk has made it clear that there can be no turning back — and he does not intend to go back to the White electorate unless the constitutional proposals are other than those he outlines in the campaign — there is a need for sober assessment of whether people should vote Yes or No.

And we don't think that anything is served by both sides yelling at each other.

We would, as we suggested yesterday, prefer the NP to spell out its plans in detail, rather than in principle.

A document leaked yesterday shows that Codesa has agreed that the State President should appoint a multi-party transitional Cabinet, although the details and timing have yet to be worked out.

We want to know what is being considered, also how the interim Parliament will be elected and so on.

Only when we know where the government is taking us — Mr Harry Schwarz, our ambassador in Washington, foresees the possibility of Nelson Mandela being State President in two or three years — will we be able to assess who is likely to run the country and under what kind of constitution.

For its part, the CP cannot simply whip up feeling on the basis that the government is selling the Whites out.

We need to know, without ambiguity, what the CP intends should it win the referendum and the subsequent general election that would be occasioned by the De Klerk government's resignation.

We must know what a partitioned South Africa will look like even if some borders are to be adjusted after negotiations with homelands and independent states.

We must also know what place English-speakers will have in a Boerestaat (it is no good just saying that they will be welcome if they share the CP's views).

It is a time not for platitudes, or gevaar tactics of one kind or another.

It is a time for both sides to place their cards on the table so that the electorate can judge for itself.

The future of the country is at stake — as is the future of each and every one of us — and we are entitled to the answers.

Let's have them.

The Citizen 5/3/92

Drastic steps to curb crime

CAPE TOWN. —

Drastic steps to curb the unacceptable level of crime, including increased manpower and funding for the SA Police, will be announced today, State President De Klerk said yesterday evening.

The government was serious about curbing the unacceptably high

level of crime.

"Far-reaching steps have already been taken in this regard. They include the drastic increase of both manpower and funding for the South African Police."

At a Press conference today, Law and Order Minister, Mr. Hernus Kriel, will announce increased, continuous, visible police public

presence; greater police mobility, and an increased application of modern technology.

"I believe that, with the co-operation of the public, this initiative can make an actual contribution to curbing the present level of crime, and I repeat my assurance that no stone will be left unturned to achieve this," Mr. De Klerk said. — Sapa.

The Citizen 5/3/92

Dawn raid after false claim

FALSE information from an ANC informant led to a dawn raid on a Heidelberg farm allegedly used by a hit squad said to be murdering train commuters, the Goldstone Commission of Inquiry

has revealed in an urgent submission to the office of the State President.

A statement yesterday from the Department of Justice on behalf of State President De Klerk said the raid was initiated by information from the

ANC last Thursday.

In the wake of the affair, the commission has accepted the ANC's bona fides but made it clear that the information was false.

The ANC's attorney

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Dawn raid after false claim

FROM PAGE 1

had detailed evidence from an informant who claimed to have been part of the hit squad based on the farm.

"He alleged that he and others were involved, inter alia, in the murder of train commuters on the Witwatersrand. He furnished the ANC with considerable detail, including the precise address of the farm, the name of the owner, the names of White and Black instructors, the number of vehicles employed... the nature of sleeping accommodation," said the Justice Department statement.

The ANC attorney had told the commission that neither he nor the ANC doubted the information, but that they had no means of verifying it.

Two members of the commission accompanied police in a raid on the farm on Saturday, February 29.

The information given to the ANC was false.

The informant was brought to the area of the farm and led Adv (commission member J J) du Toit and the police to two other farms. Again his allegations were proved to have no factual basis. After some nine hours the operation ended."

The commission stated that it hoped that the prompt action by the commission and the support given to it by the SA Police would publicly demonstrate the commission's resolve and ability to inquire into public violence and intimidation.

"These events again demonstrate the danger of relying upon unchecked reports concerning public violence and intimidation and it is hoped that the public and the media will take due notice of this danger."

On the same day the allegations were heard it was decided that their seriousness and the impressive detail furnished called for the commission

to use its powers of search and seizure.

Commission staffers Adv Du Toit and Lt-Col H Heslinga were authorised to get help from the SAP to raid the farm. The informant had told the ANC that the property was guarded by armed men, said the statement.

"Lt-Col H Heslinga was informed of the general nature of the operation on the morning of February 28 1992. He was given no information at all concerning the location of the farm or of the alleged nature of the activities conducted there."

A large SAP unit was briefed before dawn last Saturday on the precise nature of the operation. Fifty-two policemen, nine police helicopters, a medical doctor and a para-medical helicopter moved in on the farm. They were accompanied by two ANC officials.

The raid uncovered nothing and the information was proved to be

false.

"The commission would like to express its sincere appreciation to the South African Police for the prompt, professional and complete co-operation which it rendered," said the statement.

"It accepts the bona fides of the ANC and its attorneys in providing the information to the commission."

The commission also apologised to the owner of the farm involved.

The police acted promptly and professionally in reaction to hit-squad allegations made to the Goldstone Commission of Inquiry, the ANC said in a statement yesterday.

"The ANC expresses its appreciation for the prompt and professional response of the police to this matter, as well as for the efforts of the Goldstone Commission to uncover the truth regarding the continued violence afflicting our country," said the ANC. — Sapa

B. Day 5/3/92

Hit squad informant proves no hit with police — or startled farmer

A HEIDELBERG farmer had a rude awakening on Saturday when scores of policemen and 10 helicopters descended on his property early in the morning.

The police had been told the farm might be a secret training camp for members of a hit squad specialising in attacks on train commuters. But their information proved to be wrong.

The raid followed a tip-off given to the Goldstone Commission of Inquiry into public violence and intimidation by an informant to the ANC, who claimed he had been trained in terror techniques at the farm.

The informant furnished the ANC with precise details of the farm, its owner, the names of black and white instructors, the number of vehicles based at the farm, the nature of the sleeping accommodation for 30 trainees, and other information.

The ANC's attorney passed on the details to the Goldstone Commission. While the ANC had no reason to doubt the accuracy of the information, it could not verify it.

On Thursday night the Goldstone Commission decided the information and seriousness of the allegations warranted use of the commission's search and seizure

LINDEN DIKENS

powers, and a raid was ordered.

Because the informant had said the farm was under armed guard, the commission requested SAP assistance.

The following morning Lt-Col Henk Healing was given a general briefing of the operation, but was not given any details regarding the location of the farm or the nature of the activities alleged to be taking place there.

At 4am on Saturday, the large SAP unit was given a detailed briefing. Under the

control of Gen J J de Swardt, a force of 52 policemen, 10 helicopters, a doctor and paramedics then swooped on the farm — which turned out to be just that... a farm.

The ANC's informant told the police to two other farms, but again his allegations were shown to be false.

After nine hours the operation was called off.

SAP spokesman Capt Burger van Rooyen said last night the informant had not been held for questioning, but could be questioned soon.

ANC spokesman Saki Macozoma said

last night the informant was not an ANC member, but was probably involved in a plot to discredit the organisation, which he said was the subject of a major disinformation campaign.

In a statement yesterday the Goldstone Commission said it accepted the bona fides of the ANC and its attorney in providing information to the commission.

It hoped the incident had demonstrated the commission's resolve and ability to use its powers to inquire into public violence and intimidation.

Sullivan Code pathfinders

Daily News This, 5 Mar, 92

Delving back two decades to the moment when the Rev Leon Sullivan turned his wrath on the apartheid system at work inside the business world in South Africa is like spinning downwards in a time capsule into the Dark Ages.

We're in the early 1970s. "Whites Only" or else "Slegs Blankes" signs seem to be everywhere — in works canteens, on office doors, even stencilled on park benches.

The black/white wage gap is a chasm. The search for black managers is like looking for needles in a haystack.

Across the Atlantic, Mr Sullivan, the lone black member of the board of directors at General Motors, among the biggest multinationals in the United States, hammers a fist on the table and demands the withdrawal of the giant corporation from its South African operations in furious protest.

The demand is tossed out when it comes to a corporate vote. But the massive publicity given the controversy started to prick the conscience of hundreds of corporate boardrooms around the world.

Tidal wave

It began a tidal wave of overseas protest about apartheid that reached a crescendo in the 1980s. General Motors, at the crunch, was one of scores of US companies that closed down their SA subsidiaries in a series of disinvestments that rocked the South African economy.

Equally important, the civil rights clergyman managed to lay down the ground rules of standards that all US-controlled businesses in South Africa should follow in breaking down racial barriers. The rules hit the headlines as the "Sullivan Code".

Now that democratic reform is underway, one might assume the Sullivan Code, which forced American companies in South Africa to dismantle racial discrimination, could be filed away and marked "mission accomplished". Instead, the signatories are still determined to act as pathfinders in building new bridges between business and black society, reports **MICHAEL CHESTER**.

It started as a package of voluntary guidelines. But by the mid-1980s, with the global anti-apartheid campaign reaching a peak, the US Congress stepped in to make it mandatory for American firms in South Africa to scrap all racial discrimination — with severe penalties in store for laggards.

US companies tied to subsidiaries or affiliates with operations in South Africa were given the simple option: voluntarily sign allegiance to the principles laid down in the Sullivan Code — or else be obliged, by law, to submit a written account on non-racial employment practices every 12 months to the US State Department.

Since President F.W. de Klerk in 1990 announced the burial of apartheid and the start of political reform, the Sullivan Code has slipped out of the headlines.

However, it has still not slipped out of the sight of anti-apartheid watchers in Washington.

US subsidiaries in South Africa must still abide by the code, whose introduction is now regarded as a landmark as a set of classic guidelines in the pursuit of non-racial fair play in corporate employee policies.

Forceful reminders of the deep imprint made by the Sullivan Code have been provided by a new 1992 audit of results.

It was carried out by international management consultants Arthur D. Little Inc, based in Massachusetts and engaged in on-the-spot checks on progress by US companies with operations in South Africa ever since the code was launched 15 years ago.

D. Reid Weedon jun, senior vice-president of the firm, arrived back in Washington this week from Johannesburg with an audit that glowed with successes that he believes should be regarded as beacons to the pathfinders of a new deal in non-racialism in the business world.

There had not been as many companies to audit as there used to be. In the mid-1980s, at the peak of direct US investment, there were as many as 400 companies in South Africa with close American connections.

Today, diminished by disinvestments under political as well as economic pressures, the total has shrunk to less than 75 and the number of Sullivan Code signatories from more than 150 to only 52.

What impresses Mr Weedon is that the impact of the code on corporate conduct in racial affairs has proved out of all proportion to the actual number of standard bearers.

By now, every single US business operation in South Africa has met the basic demands of the first three principles of the code:

- Non-segregation of races in all work facilities, down to canteens and locker rooms;
- Equal and fair employment practices for all employees;
- Equal pay for all employees doing comparable jobs in equal time spans.

Principles

Even that basic set of principles, Mr Weedon believes, has yet to be matched by most South African companies here on home ground — not least a rule that insists that all basic pay levels, even in the rural areas, must not only equal the minimum living level set by the University of South Africa for a family of five, or else the household subsistence level set by the University of Port Elizabeth for a family of six, but start at least 30 percent higher.

"All the signatories passed that simple standard long ago," says Mr Weedon. "They have now moved on to far higher targets."

In voluntary schemes that go well beyond the brief of the Sullivan Code,

the American corporate pathfinders have between them ploughed R586 million into social projects beyond the call of duty.

Moreover, the evaluations carried out by the Richard D. Little audits count not only the rands and cents expended on socio-economic upliftment, the quantity of schemes, but also the quality of effort as measured by personal involvement.

For example, in education programmes which have cost more than R200 million, the US companies have so far "adopted" as many as 424 black schools with over 300 000 pupils, building new classrooms, renovating older schools and laying on courses to upgrade the qualifications of teachers.

That is aside from handing out thousands of bursaries and laying on special career guidance schemes for matriculants and university students.

Training and advancement programmes go well beyond show-case exercises. All the signatories submit annual reports with detailed breakdowns on the precise number of black employees moving up the ladder to supervisory, professional and management posts.

Problems

Community development is also high on the agenda: assistance and advice on home-buying, a helping hand for black entrepreneurial initiatives, family planning courses — the first Aids clinic in Soweto.

Nor do the signatory companies hold community problems at arm's length like so many do-gooders who bask in the headlines. They encourage hard American football style tackles. Thus scores of white managers have been assigned to spend time in black townships, perhaps spending whole weekends with black employee families, to feel realities at first hand.

The direct involvement can be judged on the man-hours devoted to outside projects. Though the 52 firms have a combined labour force of less than 18 000, between them they allotted a staggering 70 600 man work days to social responsibility programmes last year alone.

Surely, the Sullivan Code can be filed away as "mission accomplished" now that South Africa has announced the burial of apartheid and embarked on democratic reform?

Not so, says Mr Weedon. "In many respects," he insists, "the need for such programmes is more urgent today than ever before to meet the growing expectations and opportunities of the majority of the population. If collective

pressure is halted, social tensions will increase and hurt the efforts of all parties working towards a unified, non-racial democracy."

Did the Sullivan Code ever inspire any South African companies themselves to become signatories? "Several have launched social responsibility programmes of their own," says Mr Weedon. "But when it came to the crunch, none of them could be persuaded to volunteer to meet the full set of rigid requirements."

Key role

"We believe the Sullivan signatories still have a key role to play as pathfinders in building new bridges between business and the community at large."

"At the start, the code must have sounded like a Washington ball-and-chain on their operations. Funnily enough, most of the signatory companies have come to enjoy it, especially when they see the benefits flowing back in better internal and external relations."

"Our annual evaluations of progress have become tougher and tougher in recent years. They'll be as tough as ever next year too."



Rev Leon Sullivan: business code still relevant today.

5-03-92

Was Tongaat behind the

ILANGA, MARCH 5-7, 1992

COMMENT & OPINION

smear of KwaZulu?

One of the greatest political crimes committed against a major component of the South African people this century is that committed by the African National Congress against the Zulu people in general and Inkatha and its President, Dr M G Buthelezi, in particular.

Inkatha met the exiled ANC for talks in London in 1979. At this fateful meeting Inkatha rejected an ANC proposal that it become a surrogate of the ANC in line with its Marxist-inspired doctrine of hegemony. From that day onwards the ANC has conducted a deliberate policy to isolate and destroy Inkatha and its leadership.

It launched a worldwide propaganda campaign of enormous proportions in an effort to achieve its goal. But, it was not confined to propaganda alone. Many senior ANC leaders, some of whom continue to hold leadership positions, broadcast on radio calls for the murder of Mangosuthu Buthelezi and all members of Inkatha's Central Committee.

It is ironic indeed that

the ANC's propaganda campaign was, knowingly or unknowingly, aided and abetted by the world's major democracies. Within South Africa some of this was done through the Kagiso Trust.

This campaign has gained such momentum that people from all walks of life believe that they can smear, insult, and besmirch Inkatha and its successor, the Inkatha

Freedom Party (IFP) with impunity.

It is done not only to score political points. Individuals and corporate bodies do not hesitate to smear the IFP and KwaZulu to gain personal or commercial advantage.

A case in point is the current campaign by the Tongaat-Hulett group to counter a rival shopping centre project initiated by the Khulani Properties group at Kwa-Mashu.

We will show in this article that the issue involved is a straight commercial tussle between the mighty Tongaat-Hulett on the one hand and the Khulani on the other. Or, at least, that is what it should be.

But, one or other of the players on the Tongaat-Hulett side have chosen to play politics with the

issue and have tried to win their commercial fight with Khulani Properties by latching on to the ANC-inspired smear campaign against the IFP and KwaZulu. Since they have chosen to fight politically, they need to be answered politically.

The role players are: Mr Gordon Hibbert of Tongaat-Hulett Properties. Hibbert answers to Tongaat-Hulett chairman, Mr Chris Saunders; Mr Robert Levitt, a very wealthy Westville lawyer who specialises in property development and acts as a agent for Tongaat-Hulett; Mr Michael Sutcliffe, University of Natal town planner, one-time supreme of the Kagiso Trust in Natal and treasurer of the Southern Natal region of the African National Congress. Believe it or not, he acts on the side of the mighty

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Tongaath-Hulett group. Finally, we have Mr S J Mhlungu, Managing Director of Khulani Properties.

Sadly, it is necessary to make the observation that all the actors on the Tongaat-Hulett side are white, while the actor on the Khulani side is black. Readers will need to know a little more about these people to properly understand the tale that will unfold as our inquiry proceeds.

Tongaath-Hulett (which we shall call Tongaat for short), as we have seen, is headed by Chris Saunders, arguably one of the wealthiest men in this land and undoubtedly one of the most influential. He sits on the main board of directors of the Anglo American Corporation and has his finger on the pulse of a very large sector of the economy. He has been close to Government planning for a long time.

The scene is set, so let us now sketch the background to the tussle.

In 1988 Khulani acquired a 27 ha site near the main entrance to Kwa-Mashu with the view to building a major regional shopping centre. Numerous professionals were engaged to plan the centre and an amount of almost R70 million had been mobilised to finance the project. It included a regional shopping centre, a clinic and other health care facilities, a small hotel and a soccer stadium of international standard.

The project was called "Bridge City". The name, we are told, was chosen, because the project was a black initiative and it was seen as a tool to bridge the economic, social and cultural inequalities that are the legacies of apartheid.

All was running smoothly when, like a bolt from the blue, Tongaat-Hulett threw a spanner in the works.

The giant conglomerate owns large tracts of (white) land in the Phoenix Industrial Park hard-by the entrance to Kwa-Mashu. One of the sites it owns is a 20 ha piece of land zoned for industrial use by the Durban City Council.

Tongaath and its partner, Sanlam, the Afrikaner-controlled financial giant, conceived a plan to build a regional shopping centre on this land and applied to the Durban City Council to have it rezoned from industrial to commercial.

The site is a stone's throw from the Khulani project and would obviously serve the same people - those of Kwa-Mashu, Ntuzuma, Inanda and Phoenix.

Naturally Khulani lodged an objection to the rezoning application, as did other interested parties.

Prior to this Gordon Hibbert had heard about the Khulani project and invited Mr Mhlungu to a meeting, at which he informed Khulani about his company's plans to develop a rival shopping centre. The purpose of the meeting was clearly designed to discourage Khulani from going ahead with its project.

Khulani would have none of it, but was willing to compromise by inviting Tongaat to join as a partner in the Khulani development.

At this stage, enter Michael Sutcliffe. Strange as this may seem, he was engaged by the Tongaat group. A little digression is called for at this stage of our tale.

Readers will recall that quite recently the Tongaat Group initiated a major investigation into the greater Durban area, which it styled the Durban Functional Region (DFR). One of the key players in this initiative, which was the brainchild of Chris Saunders himself, was none other than Michael Sutcliffe, at that stage a very high-profile figure in the African National Congress.

Incredibly, nobody from the IFP was invited to serve on this initiative. Mr Musa Zondi, the National Chairman of the IFP Youth league, was invited to take part, but, significantly, he served in his capacity as chairman of the Leadership Foundation. Senior executives Tongaat admitted in private discussions that the Group felt vulnerable from the ANC. Appeasing this political grouping was thus a major objective of the whole DFR exercise.

To Sutcliffe's credit he was taken in by the Khulani proposal of a joint venture, but he could not persuade his principals of the virtues of sharing - they again firmly rejected a partnership.

At this stage Gordon Hibbert again invited Khulani to a meeting and, in the presence of his property development lawyer, Robert Levitt, he told Khulani that his company would be

going ahead with its development and that the company was confident that the Durban City Council would agree to rezone its land for commercial use.

Tongaat also sought to destroy the Khulani project by claiming that access was poor, that the land was unsuitable, that Khulani would fail to raise the millions necessary for the project and saying that it doubted whether Khulani would be able to find tenants because they would prefer to go in with Tongaat.

Khulani refuted all arguments Tongaat advanced, pointing out instead that Tongaat's land did not suit commuters because it was far from transport, that it was zoned for industrial use and that the country was very short of industrial land needed for job-creation.

It now appears that although Durban initially supported the Tongaat proposal for rezoning, officials in the Durban City Engineers Department concede that Khulani's site has as much merit from a town-planning point of view as that submitted by Tongaat.

It thus becomes a policy matter and this is where, whoever it was in the Tongaat camp that took the decision to try and win its commercial argument by politically smearing its adversary, enters the picture.

That individual clearly saw that Tongaat had a good chance of being defeated in straight argument. It was then that the Press was inspanned.

A reporter on a Durban newspaper was fed the story. The individual could not have got it from Council town planning documents, for these are not given to the media.

Suddenly Mr Mhlungu was asked how it was that he had managed to buy a piece of land for R124 000 from the KwaZulu Government, when it was ostensibly worth R46 million.

Ilanga has also established that somebody within the Tongaat camp had suggested to the reporter that the land sold to Mr Mhlungu was worth far in excess of the price he paid. Similar land in Durban, the person was told, would be worth R2 million a hectare. The same person

suggested that the KwaZulu Government had given Mr Mhlungu - note, not Khulani - shopping centre rights without a proper investigation.

When the report appeared it was headlined "Land worth R46 million bought by official for R124 000." The opening paragraph stated that KwaZulu Legislative Assembly Chief Whip Johnny Mhlungu had bought 28 ha of land with shopping centre rights - allegedly worth R46 million - from the KwaZulu Government for R124 000.

The smear is crystal clear. Dark hints of corruption, dishonesty and bribery. What on earth has the position of the Chief Whip got to do with land bought by a private company for development? What are the facts? The facts are that the land was bought perfectly le-

gitimately and legally. The price has got nothing whatever to do with the KwaZulu Government. It was in fact determined by the central government. In terms of Proclamation R2626 dated December 1978 and signed by W L Vosloo, Deputy Minister of Co-operation and Development, the selling price of land with trading rights was fixed at R11 for each 25 sq metre.

The business rights for the Khulani site were legally awarded to Khulani Properties by the Kwa-Mashu Town Council on the 23rd of August 1988.

Any reporter worth his salt could have established these facts. And Robert Levitt and Gordon Hibbert would certainly have known exactly how prices were determined and how business rights were allocated. Why then did somebody within the Tongaat camp

feed such muck to the Press? It could only have been done to win a commercial battle they could not win in open debate and so they resorted to smearing a commercial adversary.

And they did so by exploiting the groundwork done by the African National Congress.

But we must go a little further with our tale. Why is there no mention of the fact that until very recently no black South African could buy land in so-called white areas? Why no mention of the fact that Mr Mhlungu and millions of other black South Africans could not trade and compete with whites in so-called white South Africa? What about the myriad of injustices committed against black South Africans in the name of apartheid?

And then these people have the temerity to sme-

ar KwaZulu and a black South African in this fashion. And they feign concern for morality and ethics.

Let us remind these people of some hard facts. Was it not Chris Saunders of Tongaat-Hulets who exhorted white voters to vote yes for PW Botha's tri-cameral pa-

liament? Did this not lead to untold misery and bloodshed for thousands upon thousands of black people, particularly Zulu people? Was Tongaat not in league with Pretoria then? Why is it now siding up to the ANC?

Did Mangosuthu Buthelezi not campaign to the point of exhaustion on white platforms to try and persuade his fellow countrymen not to exclude black people from Parliament?

Who did what was right and who holds the moral high ground?

And Mr Levitt? He is not a friend of KwaZulu. Zulu people will not forget his role in the Natal Parks Board. He was a central figure in that organisation at the time of the consolidation proposals. It was he and others that resisted with everything they had plans to hand the KwaZulu game reserves back to the Zulu people, to whom they rightly belong. It was the Natal Parks Board that used every trick in the book to try and keep black visitors out of its reserves.

It was the Natal Parks Board of which Mr Levitt remains Deputy Chairman that sought to stop Dr M G Buthelezi and other Black leaders from using their lily-white VIP facilities. It even went as far as building a special camp especially for blacks - a la apartheid.

The Natal Parks Board

was a citadel of racism for years. One white officer once said that Dr Buthelezi was fit to work in his road gang, while the Zulu King might be considered for work in his kitchen.

Mr Levitt has for two days refused to answer written inquiries from Ilanga as to whether he supplied the Durban newspaper with information. He was, he said through his secretary, too busy to answer the enquiry or speak to Ilanga. Mr Hibbert have also did not respond to written questions and following two telephone calls he finally said he had had no contact with the newspaper, but would make no further comment. Does not their silence convict them?

Some final words about this unsavory business. Why is it that white business always wants to de-

velop its projects on the periphery of black areas? They can no longer hide behind the Group Areas Act and other apartheid legislation, can they.

Is it not a fact that they are dead keen to tap every drop of our black consumer power? What is needed most right now is industrial development to create jobs. Let Tongaat get on with it. Let them create a little, rather than simply reaping black-owned rands and cents.

If the Tongaat project goes ahead, its shareholders might care to re-

member that black consumers might decide it is a venture they would prefer not to support.

Finally, Tongaat-Hulett, you have done KwaZulu and Mr Mhlungu a massive injustice. You need to do the honourable thing and put it right - publicly.

Pilot project for revolution in S.A.?

The ANC appeasement media machine is working overtime to minimize the effects of the plot by the ANC to overthrow the government of Ciskei led by Brig. Oupa Gqozo. But this time an aroused public will not be satisfied with the usual slap on the wrist. There are very profound underlying factors which require a very serious view of the ANC caper.

The notorious "Operation Vula" demonstrated that the ANC was capable of treachery and duplicity in the midst of the most delicate negotiations. On that occasion the sheer incompetence of Mkhonto WeSizwe and the exposure of the operation enabled the whole matter to be swept under the carpet for the sake of continuing the negotiation process.

The blueprint for the overthrow of the government of Ciskei might again appear to be of a youthfully romantic and amateurishly theatrical nature. This, however, is occurring after the adoption of the National Peace Accord and after the signing of a Declaration

of Intent at Codesa. The Republic of Ciskei was signatory to both documents. It is a well known fact that the government of Brig. Gqozo is overkeen to see Ciskei re-incorporated into the Republic of South Africa.

What then would the purpose be of a dramatic "Seizure of power" in little Ciskei? Could it be that the real planners saw this as a pilot project for a takeover of the country as a whole if conditions permit?

We are told by the obedient Left media that the blueprint nowhere mentions the use of violence.

Furthermore the one overworked word in the document is "symbolically". There would be a "symbolic voting for the removal of Gqozo". This would be followed by infiltration of the administration and security services. Thereafter an interim administration would be appointed to "symbolically" take over the government. Finally Bisho would be "symbolically" occupied. By which time a great deal of violence and bloodshed will have taken place, which

would no doubt be blamed on the opponents of the ANC for reacting to this blatant coup attempt.

As usual these are plans worked out by some committee of bureaucrats with no thought for the mass of the people who would be at the receiving end of any reaction by the Ciskei government. As for the headquarters of the ANC they will know nothing, see nothing and hear nothing.

CODESA and the organisations represented there must make it absolutely clear that any such actions will adversely affect the peace process and the ANC must be warned that its double agenda will be resisted without hesitation even if it means suspending the whole negotiating process.

5 - 7 March 1992

editorial comment

Talks can save the country

AS the country moved nervously towards the multi-party preparatory conference, this week, two incidents acted as reminders of apartheid's dark past and the prospect of another dark phase in our history if we cannot save the talks.

The first was the resumption of the Inquest into the death of Matthew Goniwe which saw a cacophony of denials, failed memories and contradictions by those involved in the dispatch of the signal document ordering his "permanent removal from society".

For the first time this week the nation was offered a glimpse of the secret workings of the security forces, particularly the notorious Joint Management Councils (JMCs).

Many people await the outcome of the Inquest with keen interest because they believe that the time has come for the courts to give a moral verdict on the security forces and on the type of conduct described in documents before the Goniwe Inquest court.

Even if no individual or groups of individuals are ultimately held responsible for Goniwe's death, the truth is that it would be impossible to punish all the social agents of apartheid because they permeated all segments of society - including the courts.

But many will say that the important thing is to know what happened to Matthew Goniwe and his colleagues.

The second incident which stood out this week was the horrific killing of six school children at Table Mountain in the Natal midlands. These are incidents and events

which while sitting very uneasily with each other, have at the same time become part of the same problem.

The killing of the children has served to highlight the extent to which violence has become a way of life for many South Africans.

These killings cannot find any justification whatsoever nor can they be defended politically. Certainly this is an act that must stand condemned by all.

We do not know who is responsible for the killings, we don't even know if they were political. What we do know is that the systematic annihilation of children in this manner will only serve to beget more violence and so make the spiral of violence a permanent feature of our lives.

Violence

We have said that we believe that in certain circumstances violence may be the only option open to an oppressed people to rid themselves of oppression.

But such violence is usually aimed at the state and so in that sense it is quite specific and, we believe, legitimate.

However, when violence ceases to be accountable to political authority, its objectives also tend to change and assume a non political and even a narrow personal character. When that happens, it becomes dangerous to all and opens itself to the work of agents provocateurs.

We must take a leaf from the experience of the people of Cambodia whose struggle went horribly wrong under the leadership of Pol Pot when millions of Cambodians

became victims, ostensibly of the very forces of social change.

The major question that faces us now is what can be done to stem the violence? The answer can only come from this weekend's preparatory conference.

The problem of violence has become too huge and can no longer be contained by the police, who for a long time, were unwilling to confront it.

Whatever progress is made at this week's meeting will have a direct impact on every aspect of our lives and for that reason it is crucial.

The need to move to the Transitional Executive Councils are more urgent than many imagine. This government can no longer govern. Day by day its legitimacy is whittled away as more scandals emerge.

In spite of all these scandals we are yet to see a single cabinet minister lose his post.

At the weekend conference, those leaders, who continue to frustrate the negotiations process, must know that ultimately they will have to bear responsibility for the type of violence that continues to claim the lives of so many.

The delaying tactics at the negotiations table are costing the lives of thousands of people, the very people, who have through struggle, made democracy possible in our country.

In the end the true custodians of democracy are those ordinary South Africans, who have paid with their lives so that others could inherit a better country.



unless there is a convergence of views represented by the PAC and the ANC on the one hand, and government and the Concerned South Africans' Group (Cosag) on the other.

But it would be foolish to examine federalism in isolation from the economic context, especially when areas such as Bophuthatswana and Ciskei demand that the borders of regions making up a future federal state be drawn up along existing homeland boundaries.

Bophuthatswana has based its land claims almost entirely on ethnic considerations. It also appeals to pre-colonial boundaries and argues that this offers a basis for the establishment of a regional state.

It is in this type of reasoning that one finds a basis for Bophuthatswana's reluctance to be reincorporated into South Africa.

Similarly, kwaZulu has on various occasions rejected criticism that its existence was a product of apartheid. Its leaders argue that kwaZulu came into existence long before apartheid.

While these boundaries may satisfy the political aspirations of Lucas Mangope, Oupa Gqozo and Buthelezi, they could signal the death knell economically for millions of inhabitants in these areas.

Auditor-general Peter Wronsley's report to parliament illustrates vividly just how unwieldy homelands have been economically.

He pointed out that the total debt accumulated by homelands was in the region of R10-billion.

He also says that the TBVC states - the Transkei, Bophuthatswana, Venda and Ciskei - were given about R4,4 billion last year to subsidise their budgets. They were, however, unable to stay within these limits, Wronsley said in his report.

In addition to the R4,4-billion, the government agreed to underwrite a further R2,5-billion in overdraft facilities for these homelands.

And it is unlikely that they will ever be able to repay this amount.

It is estimated that the TBVC states, together with the six self-governing territories, absorb about R12-billion of the South African budget each year.

What is clear from these figures is that none of the TBVC states are economically viable units.

The Democratic Party's Peter Gastrow agrees and says these homelands have effectively survived on "hand outs" from the central government. He points out that they have never had the capacity to generate growth and create economic wealth.

He also doubts the economic viability of kwaZulu/Natal, pointing out that while the region accommodates about 25 percent of the country's population, it does not come anywhere near producing as much as a quarter of the country's wealth.

This was even demonstrated by an economic research group commissioned by the kwaNatal Indaba.

Gastrow says this is in fact one of the criticisms of Inkatha's desire to go it alone as kwaZulu-Natal.

But it was not only the inability to generate wealth that is to be blamed for the current economic state of the homeland regions.

A total lack of accountability and a style of government characterised by a high degree of secrecy are equally to blame.

It is not mere coincidence that political leaders demanding a federal state have little to show by way of accountability to their constituencies.

The National Party government, another strong proponent of federalism, has also not demonstrated a commitment to transparent administration.

Gastrow says one of the most important prerequisites for a viable federal state or regions in a new South Africa is that the regional authority must consist of elected representatives, who can be recalled if they resist accountability to their constituencies.

Their administrations must also be characterised by a high degree of transparency that will allow monitoring by the general public.

Gastrow says funding of homeland governments is so shrouded in secrecy that not even MPs know exactly how much is poured into sustaining these structures.

In the absence of a culture of accountability and transparency, it becomes impossible to monitor spending and the scope to exercise censure is severely limited.

Wronsley agrees, saying that strict financial controls are of central importance if the experience of the homelands is to be avoided.

Political leaders demanding agreement in principle on the establishment of a federal state will have to do more than offer the standard justifications in support of their desire for regional autonomy based on political, historical and ethnic considerations.

They will have to demonstrate a concomitant desire for accountability and transparent administration.