

Transcription: Negotiating Council Meeting - 3 June 1993

Chairperson for the day - Mr L Landers

Chairperson: The suggestion still stands but delegates have requested that they be allowed to speak and I really cannot, I really cannot rule against that, it would be undemocratic you will agree.

Speaker: Mr Chairman, on the point of order, I actually propose that the matter stand over for the next meeting. Mr Chairman, I seldom have the opportunity of seconding the National Party I will do it today.

Chairman: I have no difficulty with your proposal, but having afforded Mr Pahad's opportunity how do I now say to Mr Webb, Chief Gwadiso and Mr Mtshizana that they cannot speak.

Chairperson: I really cannot do it.

Speaker: Mr Chairman, point of order, point of order, briefly we are not taking that fundamental right away to address this honourable council, all we are, what we are saying that could be done under following .....

Mr Webb: I will accept that Mr Chairman.

Chairperson: Mr Webb accepts this, does Chief Gwadiso accept it?

Chief Gwadiso: Definetely Mr Chairman.

Chairperson: Mr Mtshizana can I have your attention please, (he's not a signatory sir), Mr Mtshizana can I please have your attention or I scratch your name off my list. Do I scratch your name off my list. Now do you want .....  
(Mr Chairman, point of order). Thank you Mr Mtshizana. Ladies and gentlemen we have the proposal by Mr Meyer seconded by both Mr Jacobs and Mr Felgate before the house. Does the house agree that we accept Mr Meyer's proposal. Thank you very much

Mr Chairman, on the point of order

Chairperson: What is your point of order

You did accede that I had raised my hand because I wanted to speak and I wanted also to be helpful to you chairman, to say that in part I'll be agreeable that we should be fair, the adoption of the resolution and then in as far as the debate is concerned I would agree that we defer the debate with a proviso, if it also means that then we have come to the end of the meeting and then we adjourn ..... then we'll have to continue with the debate on violence because nothing in the agenda here is much more important than violence. Thank you chairman.

Chairperson: The proposal is still before house and as I understood it the house has agreed that this prop... that this debate stands down until the next meeting of the

council as well as the resolution attached to this debate. Do we have agreement?

WE HAVE.

Chairperson: Thank you very much.

Mr Jacobs: Proposal Mr Chairman, Mr Chairman I propose that the house now adjourn or the council adjourn, if one looks even at the revised time schedule, six o'clock has already been indicated as an adjournment time, we have planes to catch, we have people to .. in any case I.....

Chairperson: Mr Jacobs has made a proposal, does that proposal have support?

YES...YES SIR...YES...YES (PROPOSED)...YES...NO...YES

Chairperson: I hear yes and no, Mr Ramaphosa?

Mr Ramaphosa: Mr Chairman, we oppose the proposal we did indicate earlier that we would want to address three other matters, the election date is one of them and there is, there are reports, two reports that just have to be accepted and that would take no more than one minute each. The question of the election date, Sir, has been on agenda of previous council meetings and in terms of the resolution we adopted earlier, the declaration of intent on the 7th of May, that issue has to be addressed today, and we would say Sir we should be in keeping with past decisions of this council and address the election date right away.

Mr Chair, could I support the notion that if we're gonna continue debating there is nothing more important than violence, if we're going to seize debating violence then we really should seize debating and the election date can stand over as well as any other item. The election date is no more important than the question of violence and I really do believe that is the feeling of the house.

Point of order Mr Chairman, we....point of order, point of order taken, we .... point of order, point of order taken

Chairperson:

Let me hear your point of order.

Mr Chairman, the proposal that we...., that violence stand down was made to my mind and I seconded it on that basis, that we should adjourn after that, otherwise, there is...let me speak out...otherwise there is no merit in letting a most fundamental issue stand down just to carry on with another issue in the place of that one.

Chairperson:

Thank you. I'm ...we are now conducting a debate as to whether we close this meeting or whether we should continue with our agenda. Speakers, I have on my list are Miss Gandhi and I must apologise to Miss Gandhi I have been referring to her as Mrs Ramgobat, my sincerest apologies.

Miss Gandhi: Mr Chairman....

Chairperson: We can't hear you.

Miss Gandhi: Sorry, I just want to talk about what Mr Ramaphosa has suggested and the reaction from the other commit... other members. I just want to point that one of the things that have been said in this, you know, the technical committee's report is the setting of an election date as one of the means of getting peace in the country and if people are really interested in the whole question of violence, I think we have to address the issue of the election date, I'm also referring to the other previously resolution and why the resolution has been set aside, I think that the people from the government said that they wanted some time to discuss two clauses of this resolution and I think it was because of that that the resolution has been set aside for a further date. So I don't think that you know, it says that because we're going to leave the furthest decision on violence, that we shouldn't discuss the election date, I think the election date is very important to the issue of violence, and it says so in the report. Thank you.

Chairperson: Thank you. Mr Mtshizana.

Mr Felgate: Mr Chairman, as a matter of correction, I can't find any specific recommendation in the report for an election date. Though holding an election is important, but the report does not call for the establishment of an election date.

Chairperson: Mr Mtshizana

Mr Mtshizana: Thank you Mr Chairman.

Mr Gordhan: With your permission Mr Chairman.

Mr Gordhan: Page 11, Point 11.11 for Mr Felgate's reference.

Mr Keikelana: On a point of order Chairman

Chairperson: Mr Keikelana I'm still entertaining Mr Gordhan's point of order

Mr Keikelana: He's finished

Chairperson: I didn't hear, all I heard him say was point 11, point 11

Mr Gordhan: That's for Mr Felgate's information Mr Chairperson, I finished.

Chairperson: I would prefer that you read it out please

Mr Gordhan: Well, it says Mr Chairperson, that an election date should be set and an election should be held in terms of the framework set out in the declaration of intent.

Mr Keikelana: Point of order Mr Chairman

Chairperson: Mr Keikelama

Mr Keikelama: That issue whether election date or elections will help violence is debatable. It's a debatable issue Chairman because I ....

Chairperson: Mr Keikelama, are you...

Mr Keikelama: It's a point of order...yes

Chairperson: I don't think you are placing a point of order on the table if you'll allow me. You are now debating the issue, you are debating the issue (I"m..) and I have you down on my list, so if you're debating the issue now, I will take you off the list.

Mr Keikelama: If you want me to debate the issue yes I will but I'm just making a point of order because the issue of elections helping violence is debatable.

Chairperson: Mrs Jajula

Mrs Jajula: Thank you chairperson.

Chairperson: We can't hear you madam.

Mrs Jajula: Thank you chairperson. I wish to align myself with Mr Ramaphosa's proposal and just to remind the house that when we started we had some substantial issues identified in our agenda and amongst them is the very vital issue that is going to solve the problem of this that is 5.4, the election date. I cannot see, or understand why either party say we cannot come out with this election date today in order to solve the ???ripe violent outside, and if we don't come up with this we must show that in fact we are putting flame on the problems that we have, and I think that people need to be more objective than other than dragging their feet as far as this problem is concerned. Thank you.

Chairperson: Mrs Gouws

Mrs Gouws: Mr Chairman, I would like just to refer back to the intent that everyone is now referring to, that we signed the declaration of intent that we adopted on the 30th of April. It says in number 3 therefore we commit ourselves and then we commit ourselves to 3.1 and 3.2, they are very clear Mr Chairman, that we will reach agreement on binding constitutional principles..

Mr Felgate: Point of order Mr Chairperson. Are we now addressing the item on election

Mrs Gouws: Yes Sir.

Mr Felgate: Is it on the agenda? Because if it is on the agenda, then there is a resolution which has to be moved, seconded and then we can discuss it.

Chairperson: Fine, but if, I mean as I understand Mrs Gouws she wants the election date discussed and debated.

Point of procedure Mr Chairman, point of procedure

Mrs Gouws: It is, I am raising this now sir, because there are now voices going on that we should stop violence, the other one says we must now adjourn and go home, the other resolution was just put in that we now discuss a election date, that we must now decide that we will discuss an election date. And I just want to point out, and everybody has referred to our intent, and I want you to look at what we intended when we agreed to this, it was subject 2, subject 2, subject 2.3.1 and 3.2 and 3.1 and 3.2 has not been reached in this negotiating council Sir. So it is subject.

Chairperson: Thank you Mrs Gouws.

Mr Jacobs: Point of procedure Mr Chairman

Chairperson: Mr Jacobs

Mr Jacobs: Mr Chairman, it has previously happened now twice and now for the very third time, that as soon as we are in adjournment phase there comes up a very fundamental and vital proposal. I don't have to refer to names in this regard, but I really suggest that it is highly undesirable to discuss a thing like an election date at this very hour and I think we cannot and we should not indulge in this because this would take us to my mind up to 8 or 9, 10 or even later than that and I think it's highly undesirable.

Chairperson: Mr Mohapi

Mr Mohapi: I supported the proposal that we should adjourn, and I have ???? reasons for that. I also want to state my mind that if we start discussing this point of election date then we're really going to spend the whole night here. If we thought it was so important, we should have started with it in the morning and then we should have had a decision and we should have a good time to discuss this, now it comes the nick of time when the program, the schedule of meeting the proposal of meeting here says 18 hour we are adjourning and then comes a very important thing and this has happened with CODESA II, its now happening with this one, it's gonna be a failure again. We failed with CODESA II because we were pressing on dates...dates...dates, I still remember. I would Mr Chairman, that we adjourn.

Chairperson: Mr Moeti

Mr Moeti: Mr Chairman, it is very essential that this council should emerge from this meeting with a date for election.

Chairperson: Please put your microphone closer to you we cannot hear you.

Mr Moeti: The date for election is the only assurance to the masses that something is being done here, that their aspirations would be met, and the date of the election, I think would be instrumental in the reduction of violence which we consider to be very important. Now without emerging with a date of the election here, we cannot satisfy the masses outside that we are making progress with our negotiation here. It is the only testimony that we are in the final analysis believe that we can achieve the democratic process and achieve it immediately. Thank you Mr Chairman.

Chairperson: Thank you. Mr

Mr de Jager: Point of order please. Mr Chairman, before we could decide on election you should rule that the pre-condition set for the setting of the election date has been met.

Chairperson: Mr de Jager, if you raise that point as a point of order, I must then refer you to this council's declaration of intent dated the 7th of May 1993, item 3.3 which reads as follows: "therefore commit ourselves to ensure that the negotiation process moves forward sufficiently over the next four weeks at which stage to set the exact date for an election that should take place not later than the end of April 1994 subject to 3.1 and 3.2." Fine, now four weeks has passed. Fine .... (3.1 and 3.2 Mr Chairman), okay fine, fine subject to 3.1 and 3.2. Mr Ramaphosa, followed by Mr Meyer then Mr Gordhan.

Mr Ramaphosa: Thank you Mr Chairman, just interpret this resolution, because it is being incorrectly interpreted, and I hope Dr de Jager is listening. Mr Chairman, the resolution says we've got to set an exact date for an election that should take place not later than the end of April. What it means...1994....what it means is that that election should be subject to reaching...to have reached agreements on binding constitutional principles and everything else and to have also reached agreement on an adequate time frame for the implementation of decisions. Now that is what the holding of an election is subject to, it is not the setting of an election date that all this is subject to, Sir, we could never have reached or set adequate time frames for the implementation of decision in four weeks time, and Sir four weeks has now elapsed and you are duty bound Sir, as chairperson of this council to direct this meeting to comply with the resolution that was adopted on the 7th of May, and we now move Sir that this resolution must now be implemented

agreement on an adequate time frame for the implementation of decisions. Now that is what the holding of an election is subject to, it is not the setting of an election date that all this is subject to, Sir, we could never have reached or set adequate time frames for the implementation of decision in four weeks time, and sir four weeks has now elapsed and you are duty bound Sir, as chairperson of this council to direct this meeting to comply with the resolution that was adopted on the 7 May, and we now move Sir that this resolution must now be implemented in term of setting an election date and we would argue sir that in the resolution that is being distributed or has been distributed which was discussed in the Planning Committee a record of the progress that we have made is set out and we argued sir that this is sufficient that we have made to enable us to set a set for elections and we would say sir you should now proceed to guide the meeting in that direction.

Mr Landers: Chairperson - before I do that let's hear Mr Meyer.

Mr Meyer: Mr Chairman, a possible way to deal with the matter still outstanding as far the agenda is concerned I believe there are three matters left could be to either take note or give notice of that what have to be discussed on the basis of priority at the next meeting of the Negotiating Council that could be a possibility in other words the matter of the election date, the matter of the IMC and IEC reports as well as the matter of the Government and the PAC could be dealt with in such a way that we now take note or give notice of what have to discussed on a priority basis at the next meeting of the council.

Mr Landers: Chairperson - before I see other speakers I'm finding it a little hard. I'm going to hear Mr Gordhan, Mrs Mangope, Mr Webb, Mr Ngubane, and then finally Mr Mtshizana.

Mr Jacobs: Point of order, have you asked for a seconder to that proposal?

Mr Landers: Chairperson - which proposal?

Mr Jacobs: The one put forward by Mr Meyer.

Mr Gordhan: You have several proposals before you , Mr Chairman

Mr Landers: Chairperson - there are several proposals, Mr Meyer's is about the fourth one. Do we have a seconder for Mr Meyer's proposal?  
Seconded by Mr Jacobs.

Mr Jacobs: Point of order, Mr Chairman, could you now ask whether there is sufficient consensus in this regard?

Mr Landers: Alright I'm going to ask the house, is there sufficient consensus.

Speakers: Yes, yes, yes  
No, no, no

Mr Gordhan: Point of order, Mr Chairperson.  
Mr Chairperson as I understand it we were on the agenda as decided at the beginning of this session after tea, and at the beginning of the session we agreed that certain items will be discussed before this meeting is over if that is possible and amongst those items were the question of violence the electoral commission, media commission and the question of the election date and the Government/PAC bilaterals. Now unless we have a proposal which now says that decision is to be reversed, Mr Chairperson you are bound by that decision and so is this meeting. Now I want to then propose is line with that, firstly Mr Chairperson that we should relief the technical committee of the agony of witnessing our dogfight and respectfully ask them to leave us and thank them for the work and I'll pause while you do that, Mr Chairperson.

Mr Felgate: Mr Chairperson, could I really just register protest. This is not a dogfight, we are talking about the future of SA, we have got very definite ideas about an election, we've got long and hard arguments to pursue, we cannot just push it through in this manner and Mr Gordhan, really is out of order.

Mr Gordhan: I withdraw the word dogfight, Mr Chairperson

Mr Landers: Chairperson - the Technical Committee on Violence has been kind enough to sit through our deliberations and for that we thank them. We also thank them for the report that we have before us and in particular the thirteen concrete proposals contained in that report and we say to them we look forward to the next time they appear before the Council and they are now free to leave. Thank You very much.

Mr Landers: Dr Ngubane, the Technical Committee may leave



Mr Gordhan: I'm still on my point of order, Mr Chairman.

Dr Ngubane: We were still on the document prepared by the Technical Committee and suddenly someone has brought in the election date, quoting paragraph 11.11. Now I've still wanted to ask the Technical Committee to give us reasonable explanation what they mean by this. Now they are being excused again and we haven't finalised the document.

Speaker: Mr Chairman, on a point of order.

Chairperson: Order, Order, Dr Ngubane, the house and this Council agreed that this item on violence would be revisited at the next meeting of the Council and therefore in terms of that decision this Technical Committee is really no longer required here.

Dr Ngubane: Very well Mr Gordhan quoting from this paragraph.

Chairperson: I'm aware that he did quote from there. It doesn't prevent members from quoting from other reports, but it doesn't mean that immediately that has happened that those Technical Committee must be brought in.

Mr Wessels: Mr Chairman, can I address you on a point of order and procedure? Do I have the floor sir?

Chairperson: You have the floor.

Mr Wessels: I believe sir that when a point of order is raised with you, that matter should be dealt with and the speaker raising the point of order has precedence now various points of order has raised without us deciding on the matter. It would appear to me sir that you have taken the course of trying to be accommodative and accommodating debates flowing from that point of order. May I advise respectfully sir that we stick to the procedural conventions that are known to all of us, viz, if a point of order is raised, that matter is dealt with by the chair and it is then concluded and we move on to the next one. If we follow that line of thought, then sir the first point of order raised was a point of order that the debate pertaining to this report would stand down, Mr Pahad insisted in using his opportunity to address this house. He did so and other members then waved their right to address this house now but reserved their right to address you on this matter, when this matter would come up for discussion further down the line on the next date. Then the issue of an election date came to the fore, but I would submit sir, that moment when that was raised it was out of context and out of line because before you we have an agreed agenda and a sequence of

events and no way at no any particular juncture should anybody have had the opportunity to discuss the merits of an elections date because it was not on the table. So I would fully support you Mr Chairman, if we now conclude that by thanking the honourable members and their colleagues who have presented their report to us and for the matter to stand down till we have a further opportunity in doing so, and that we now proceed now either with the procedural point of order, viz should we proceed with the agenda, yes or no, if it is decided to proceed with the agenda then you have already indicated what sequence should be followed, if it is decided that we should not proceed then we should have either a mini debate or your ruling on that matter.

Chairperson: Thank You very much, Mr Wessels I certainly appreciate your clarifying the situation and before you do that Mr Jacobs, the chair has prerogative. I 've heard points of order from this morning right through until now, points of order that were never points of order. Points of order that were actually debating points. Now, the Technical Committee have been very patient with us, once more we say thank you very much your presence is no longer required.

Ladies and Gentlemen, the question before the house is whether we continue with the agenda or whether this meeting stands adjourned. In terms of the powers vested in me I'm ruling that we continue with the agenda. Now the next item on the agenda is

Mr Alexander: Point of information - if you say we are continuing with the agenda, can you just restate what is the order of the agenda and until what time are we going to be here, so that we know Mr Chairman.

Chairperson: The next item on the agenda is 5.2.3. Independent Elections Commission which is a report after that 5.2.5 Independent Media Commission, Independent Media Commission and finally 5.4 the election date followed by, we haven't forgotten 5.1, the SA Government/PAC report back. Now.

Mr De Jager: It's not your decision, the Negotiating Council approved the revised proposed schedule of meetings stating that this meeting would last from 10h00 in the morning [Speaker - interrupted - point of order Mr Chairman,] until 18h00 this afternoon.

Chairperson: Or until finish of business.

Mr De Jager: That is not stated anywhere on this schedule.

Mr Mtshizana: On a point of order , Mr Chairman we have the right to raise a point of order, but you have the prerogative to determine whether it is a point of order or not, and again Mr Chairman when someone has been called upon to speak then he starts speaking and somebody comes in and says a point of order, you rule that it is a genuine point of order.

It is decided on, you don't then say the man who was on the floor has now forfeited his right and you pass on to the next speaker.

Mr Landers: Mr Mtshizana I have ruled that we now go on to discuss item 5.2.3.

Mr Gordhan: I have in a proposal in that regard.  
Mr Chairperson in relation to those item 5.2.3 and 5.2.5, can I propose that the Negotiating Council notes the reports from those Technical Committees and that if any further submissions are required by those Technical Committees a deadline for the 8 June be set for them as with other submissions that we had in mind for other Technical Committees and that at the next Negotiating Council meeting we receive further reports from these two committees.

Mr Landers: The proposal presented by Mr Gordhan, does it have support? Thank You  
Can I have an indication of who opposes the proposal?  
In terms of that I declare there is sufficient consensus. I beg your pardon.

Dr Ngubane: I'm opposes this.

Mr Landers: Let me hear?

Dr Ngubane: Its not that we don't want to discuss the election date, but we are not going to stand this manipulation, Mr Chair, we simply, we are adults here, this type of movement we are now just going to leave all the agreed items and just push them aside and rush on to the elections date, please Mr Chairman.

Mr Landers: A proposal came from the floor, the proposal was supported, there was not enough opposition to the proposal, now you are saying to me I must oppose that proposal, I mean we've set down guidelines and rules whereby this Council takes decisions and in terms of those guidelines and rules there is sufficient consensus.

Mr De Jager: I would like to note all the parties opposing the decision and I challenge the fact that you rule there is sufficient consensus, and I ask you to refer it in terms of the process if I'm challenging sufficient consensus.

Mr Landers: Fine, that is noted.  
We now proceed with item 5.4.

Mrs Mangope: I've has my hand up for the past fifteen minutes and I'm not going to say it is a point of order, it is not a point of order. I would like to address this house on the issue of the election date. I would like to

preface it by saying, I would like to make an observation, and my observation is as follows, everynight after this house has negotiated, a press conference is held by certain parties, and some of us know what kind of agenda we are going to be presented with even before we come to ratify it in this Council, and the election date is one such example. Now we've gone through drama for the past thirty minutes on pushing the election date onto this, and this is my observation.

Mr Slovo: Mr Chairperson, since we on the item of the election date, I want to move..

Mr Jacobs: On a point of order, I move that a commission be instituted to...

Mr Landers: You are moving a motion that is not a point of order.

Mr Jacobs: Chairman, just hear me out, I move on a point of order that on account of the fact, that information had been leaked to the press creating the perception that certain dates thought to be desirable for elections without this very item coming to this very honourable council, and by prejudicing this very honourable council, I ask you to rule that an investigation be lodged and to see to it that the situation be investigated so that we can know who is responsible for this perception creating about and election date without this honourable council having discussed and decided.

Mr Landers: Mr Jacobs, that is not a point of order  
Mr Slovo, you may continue.

Mr Slovo: Thank you mr Chairman. The Council has before it a resolution which has circulated, it is a resolution which was discussed by the Planning Committee and there were reservations expressed by certain of the parties who no doubt will indicate their reservations at this Council meeting, so I'm not presented it as a collective view of the Planning Committee and the resolution which you have before you I will read portions of, at the relevant moments of my submissions, in moving this resolution, Mr Chairperson, I want to say that when we passed our Declaration of Intent, there was an audible sigh of relief from the majority of our people. After three years of the seemingly endless and convoluted bickering and verbal see-sawing which marked the process that developed on the ground and understandable cynicism and a lack of credibility in it, the overwhelming response to our Declaration of Intent, was that at last we were serious, and not just letting off steam. The media too, in its majority, vast majority reflects the new excitement about the prospect which this Declaration of Intent suggested, there was near unanimity that if we were seriously talking about election date the prospects seemed positive for the first time and we must note too that the whole international community almost unanimously responded in the same way but Mr Chairperson even amongst here the Declaration of Intent created a fresh impetus. It

injected a new sense of urgency in this forum, It gave us a new perspective and the progress we have made, to which I will return is very much connected to the target which we set ourselves to do our best to move the process forward so as to be able to set a firm date before April 1994 within four weeks. Now Mr Chairperson those four weeks have now passed, and I believe that we can now congratulate ourselves that we have moved forward to a significant degree. On a correct reading of our Declaration of Intent, we certainly did not believe, not one of us and the resolution doesn't say it, we definitely did not believe that in four weeks we would have finalised, if you have my attention, that within those four weeks we would have finalised those key agreements. None of us believed this, none of us expected it that it would happen within the 4 weeks but the setting of an election date was clearly as Mr Ramaphosa has pointed out, not dependent on this, what did we commit ourselves to, we committed ourselves to ensure that the process and I quote 'moves forward sufficiently' unquote within 4 weeks at which stage we would set an election date and the only question before us is not whether we have reached agreements on all the fundamental issues, the question before us sir, is have we moved forward sufficiently? In my submission, there can be no doubt that this is so. Mr Chairperson, when we passed the Declaration of Intent, there are no basis yet for the settlement. there was no framework even within which to proceed, we had at that stage not finalised a single substantive issue, we were still at that stage finding our feet on mainly procedural exchanges, now Mr Chairperson, within the short space of the 4 weeks the basis for a constitutional settlement has been laid and it has been laid in among other things the resolution which we passed on Tuesday, and that resolution launched our Technical Committee into preparing reports on some very fundamental questions which included the power and functions and structures of the regions during the transitional period, the constitution making process to be followed, including the structures that need to be established for that purpose, the procedures that need to be followed in the drafting and adoption by the Multi-Party Negotiating Forum of a constitution for the transitional period, the procedure that need to be followed thereafter in the drafting and the adoption of a constitution by an elected CMB. This resolution Mr Chairperson, was described throughout the country again virtually unanimously as a major breakthrough and including some of the responses, included is some of the responses which were reported in the press from delegates here was a response by Mr Webb who described it as quote 'great progress'. Mr Meyer said, 'it was really good news', Mr Felgate is reported as saying, quote 'the Council has at last begun to deal with the difficult issues', Mr Eglin described the resolution as quote 'quite remarkable' and let us look Mr Chairperson at a summary of the general progress which is recorded in paragraph 2 of today's resolution. It says the progress we note, further noting the progress made by the tabling of generally acceptable which is an amendment I would move, the tabling of general acceptable proposals

emanating from the Technical Committee on Violence, agreeing to a substantial number of general constitutional principles, establishing a commission of boundaries/regions which will commence its work shortly, receiving proposals on the powers, functions and structures of regions in the transition and the acceptance in principle of the fundamental rights mentioned in paragraphs 5.1 and 5.2 of the second report of the Technical Committee of Fundamental Rights during the transition. Now Mr Chairperson, in the light of all this, I submit that we have made sufficient progress, we have if I could put it in brief, defined for the first time the framework of our negotiations and I submit that we have made sufficient progress to recommend a definite date to the forum and I may add not the least reason for sending out this signal to the country by the words of the Technical Committee on violence in their report paragraph 7.2, which reads the Declaration of Intent refers specifically to the need to determine a date for an election and to hold an election. The committee believes that an election is a most important moment in the democratic process and its role in eliminating the conditions for causing violence cannot be overestimated. Now Mr Chairperson finally, let me say that it is very important also for delegates to bear in mind some of the consequences of the failure to set a date..(cassette changes)... in the light of the expectations we raised that we would do so in the next four weeks, in the light of tangible progress that we can record we must bear in mind the consequences on the ground if we fail to meet what I believe is our obligation and that obligation for the country about which some of the delegates spoke does not depend upon people missing planes or missing dinners. We are here for serious business and I have no doubt Mr Chairperson that a failure to set a date will have the most negative political consequences on the ground throughout the country and it may well trigger responses on a scale which is unpredictable failure Mr Chairperson to set a date will also spread an immense feeling of letdown and perhaps even a feeling of betrayal it will certainly diminish the new confidence and optimism about the whole process which is visibly in the air, and therefore Mr Chairperson, I wish to move this resolution which as you will see at the bottom of page 1 and I want to read it resolves that the Negotiating Council recommends, we are asking for a recommendation, the Negotiating Council recommends to the NF of the 25 June 1993, that the date of the elections shall be the 27 April 1994, however, should final settlement be reached at an earlier date to enable an election to be held earlier the Negotiating Council should set an earlier date while the period over which the election is to be held i.e whether it should be one day or two days or three days will have to be decided upon in cooperation with the IEC and paragraph 2, participants wishing to consult with their principles on the matter, may do so, which is pretty obvious and report to the NF meeting on the 25 June 1993 on their position and I submit Mr Chairperson that we should resolve today in accordance with this resolution.

- Mrs Gouws: Can I ask a clarification question from Mr Slovo?  
As I have been to stupid Mr Chairman as interpreting our intent so terribly wrong, I ask your indulgence for him to just clarify now for me, if it is not subject to 3.2.1 the setting of the date as he has said, is that then, if we set the date, just clarify that, if we set the date for the 27 April tonight and 3.1 and 3.2 is not reached by the 26 April 1994, must we then push the date forward and what will the consequences be?
- Mr Slovo: Mr Chairperson, it is clear from the resolution that the actual holding of an election is dependent upon us reaching agreements on 3.1 and 3.2, but its 3.3 that we are considering and as I said in my submission that nobody expected 3.1 and 3.2 to be finalised within 4 weeks. I'm dealing with 3.3 and 3.3 all it says is to ensure that the negotiating process moves forward sufficiently over the next 4 weeks at which stage to set the exact date and it is clear therefore that we are almost obliged in terms of this resolution if we believe that the negotiating process has moved forward which I submitted it has, to fix and election date within the target which the Council set itself.
- Mr Felgate: May I make comment in pursuit of this?
- Mr Landers: If I allow your comment then I must overlook about 10 other people before you.
- Mr Felgate: This is going to the heart of the matter.  
There is a very novel interpretation ...
- Mr Landers: Equally Mr Felgate, the other ten people before you feel precisely the same way. I allowed Mrs Gouws a question which was really for purposes of clarity on her part.
- Mrs Gouws: I just want that noted.
- Mr Felgate: Can I then put my name down for speaking later?
- Mr Landers: Now ladies and gentleman, Mr Slovo has moved a resolution..
- Mr Webb: I have an intervening motion sir
- Mr Landers: I'm asking for a seconder. Seconded by Mr Peter Henrickse and others.

Mr Wessels:

I humbly approach you on a point of order. I just want to get clarity in my mind and I don't want to stifle the debate in any way, so what I'm about to say should, nobody should infer from that that I would like to stifle the debate. Earlier on Mr De Jager on another point of order did approach you and then said that this meeting has set down to be adjourned by six o' clock I take it now that what we are engaged in now is a full scale debate about this matter and that Mr De Jager's point of order was overruled. Subsequent. I infer from your body language that that is the position that this is now a debate. Subsequent to that Mr Meyer requested that the motions set down and the points on the agenda set down for discussion should be noted. I'm not so sure what happened to that motion, whether that was regarded as a point of order by you, whether you ruled on that matter because I believe what we now have before us is a motion, we have a motivation for this, we have a seconder for this motion, but nothing that Mr Meyer has said earlier on either stifled the debate or whatever, he should that we should take note of what had been said to do justice to this motion and have a proper debate on this matter at a more convenient time and I would like to support that notion of Mr Meyer and viz, that we should take note of what has been said and due to various circumstances not debate this matter now to its logical conclusion.

Mr Slovo:

This is a point.. on this point. As I understand it Mr Chairperson we were at that point discussing almost alimony whether we should discuss the item this evening, you ruled from the Chair that we are now on this item on the agenda and we are discussing it if there is a motion now that we don't proceed with the discussion that is a separate matter altogether, I think the two things and although I haven't got the same experience as Mr Wessels on these procedures, and it seems to me in my ignorance that is the position.

Mr Meyer:

I would like to support obviously the point that was raised by Mr Wessels in connection with the point of order and let me immediately say Mr Chairman I'm speaking from a point of view that I support the resolution before us as proposed by Mr Slovo, but I believe Mr Chairman it would be obviously important to seek sufficient support from this house to move forward on this matter I have the feeling that it might take us a little bit more time to have a proper debate on this issue in order to seek that support so it would be from that point of view Mr Chairman that I believe that we should allow ourselves sufficient time at a another meeting, at the next meeting of the Council in order to seek that support and have hopefully in the end a resolution taken in this regard on the basis of general consensus.



Mr Landers: Ladies and gentlemen, we have two proposals before the house, one the resolution as moved by Mr Slovo and seconded and the second one by Mr Meyer which proposes that the debate on this issue that is the election date be deferred for the next Council meeting.

Mr Jacobs: Question Mr Chairman, should we now adopt Mr Wessels' and Mr Meyer's proposal then I would like to make quite sure that the impression created by the speech by Mr Slovo will not be to the effect that the Council as such is in favour of the 27 and that is it only the opinion of Mr Slovo.

Mr Landers: Mr Jacobs, alright, Mr Webb on this particular issue.

Mr Webb: I wish to record sir during the debate before you had ruled that we would proceed with item 5.4., I raised a point of order without hearing me you said you would hear my point of order and I take the strongest exception to that I wish to move that this further intervening motion, that this resolution be not put, I base it in on a technicality that you do not exercise your discretion with due regard to the views of this meeting at the time and that I move accordingly.

Mr Landers: We have now have a third motion before the house, do we have support for Mr Webb's motion?  
Supported by Mr Jacobs.  
Ladies and gentlemen, it's decision time. It's time to take a decision. You must decide.

Mr Jacobs: Question Mr Chairman, you haven't answered my specific question?

Mr Landers: Your question will be answered by the Council Mr Jacobs, not by the chair.

Mr Alexander: Mr Chairman I just wanted to say earlier on, I asked you two questions, you answered one, the second one you did not answer which was till what time, sicne you had ruled that we going to debate this matter, till what time you'd like us to be here, so when you do make your ruling on whether to accept or not the proposal by Mr Roelf Meyer, seconded by Mr Wessels rescinded by Mr Meyer, before you discuss this matter and make a ruling on that you do rule for us to continue would you also then say till what time Mr Chairman, that is very important.

Mr Landers: Mr Ramaphosa

Mr C Ramaphosa: Mr chairman I would try and give some guidance, but may I immediately say that Mr Meyers resolution violates the position that was adopted in the Planning Committee and it is a matter that we will have to take up in the Planning Committee. Mr chairman, I would like to propose that on the resolution itself, we can accept that parties would like to have discussions in their own ranks. There are a number of parties who are already ready to give an indication of where they stand with regard to this motion and I would like to propose that you give parties the opportunity to indicate where they stand. There may well be parties who will argue that they are in favour of this resolution and the date that has been suggested, there may well be parties who will say that they prefer that this motion should be discussed at the next meeting and there may also be parties who say they are not ready at all to set a date for the election. We would like you to direct the house once given an indication, because that will determine to what extent we are able to take this matter forward or not.

Mr Jacobs: On a point of order: it is highly irregular for the chair to ask delegates where they stand when the whole debate has not been completed. There is no substance in this proposal by Mr Ramaphosa I don't have the books available at this point in time but on meetings and procedure this is common law, you cannot ask where delegates stand without the debate being concluded.

Chairperson: Part of Mr Ramaphosa's proposal was that you object if you so wish and that the debate continue at the next meeting. You are quite at liberty to make that standpoint, but I'm overlooking Mr Cronje

Mr Cronje: Mr Chairman I would like to speak in support of the proposal from Mr Meyer and I would like to do so on the following grounds. In adopting a position whether we follow Mr Ramaphosa's proposals or not, there is a reasoning behind you indicated just now even before the matter was open for debate you already had ten speakers and in justifying one's position whichever position and judging by the length of Mr Slovo's intervention I would suggest to you that we must prepare ourselves for at least a 3 hour debate. There were important reports this afternoon which was postponed because of time and I just want you to consider the implications of that it is for no other reason that I think we should give consideration to that because it would be improper for a position to be adopted without a substantial reasoning given and argument put to convince each other or to adopt a particular position. Therefore I propose to give this important very important motion sufficient consideration during discussion I believe it should be done in accordance with the resolution or the proposal put forward by Mr Meyer.

Mr Landers: Thank You can I hear other speakers on this matter

Dr Ngubane:

Mr Chairman we are all South Africans and we are very concerned about what is going to happen if negotiations fail. I would request Mr Slovo not to precipitate failure of these negotiations when we agreed to the original Declaration of Intent it was with the clear understanding that we shall have reached sufficient progress and movement forward and as far as we are concerned this has not been the case because right now there are no binding constitutional principles that we have agreed to we have find one another in a very loose manner on broad principles some of which still has to be perfected by the Technical Committee therefore we have not reached agreements on binding constitutional principles, in fact even now with respect to general constitutional principles our Technical Committee still has to polish up a lot of the issues, No constitutional framework has been agreed upon, no clarity whether its going to a unitary, federal or confederal type of system which we going to, no clear decision has been on the constitutional making process there are no adequate timeframes for the implementation of decisions on this issue there is no clarity on procedure for elections, principles dealing with allocation of powers to different levels of government have not even been touched upon, how really can we say we have made sufficient progress forward? We told our principles, we told our controlling bodies =,, cabinets, our central committees, our NECs that we had agreed because we were going to make haste and find the proper framework and agree on constitutional principles which we have failed to do. Why can't we do this thing properly at the next meeting, go through the reports find agreement be confident that what we are agreeing upon has got general acceptance, surely is that timeframe of about ten days going to set the country alight, I take exception from Mr Slovo who I respect greatly as a very senior politician in this country as a person who has spent a whole lifetime fighting for justice in this country that he should now put a sword over our heads on a issue he actually can have provided we are convinced we have made sufficient progress.

Mr Landers:

Mr Mahlangu, followed by Mr Benny Alexander.

Mr Mahlangu:

It has been our conviction that a new dispensation should come with immediate effect and we don't foresee any logic in postponing the decision on a lection of an election date to some other late time or date. This should have been said at the beginning of the Multi-Party Forum in fact the first that when we gathered here we should have had the target date so that we work in a timeframe then we know exactly what would follow because if we don't know we won't prepare, we won't campaign you will not be able to know whether you are within time limits or not, but the moment you know your target date you are working, you are planning all your things towards that target date and for us it is already late, we are already out of time for determining the election we support the question of determining the election date today that give us sufficient time to know exactly how to work within the framework of the other general constitutional principles and other

obligations and other logistics for the day , but if leave the date outside it might well continue for three years negotiating and even somewhere loose support from our followers by negotiating everyday but not having anything but if we have a target date I think this is important.

Mr Alexander:

Thank You very much Mr Chairman. I'm going to try to help the house on this matter first of all by trying to point out where the differences lie between Mr Roelf Meyer who is listening, I'm saying Mr Chairman that I'm trying to see where the differences lie between what is said by Mr Meyer and Mr Ramaphosa, what Mr Meyer says is lets debate the matter next time, Mr Ramaphosa is saying let us note the different views and debate the matter next time is that not what you are saying Mr Ramaphosa. I was saying Mr Chairman we are trying to help here and see what the position is that I understand it we have two proposals one says let us note the resolution maybe, or even not noted but let us discuss it next time let the thing stand over and there is a resolution that says hear the views of the different organisations or the different views rather on this matter then we can go away and say we heard the different views we will try and conclude it in the next meeting I would say Mr Chairman that maybe whether that view is so or not I don't think that there will be hundred different views on this matter there may just be two or three different views let's hear the different views Mr Chairman we take it back and try and finalise it when we meet again the next time but I would not be happy to say we must try and throw the resolution aside and not do anything and just leave it over like this we should maybe just get the points of views so that we can know what it is they are thinking about and then we can come and conclude it maybe the next time. I'm trying to find the middle road. Is not necessarily the PAC point of view, I'm merely trying to find the middle road here.

Mr De Jager:

It's a pity that the fine spirit which prevailed the whole day should be marred because a few parties try and force through their will tonight. I think it will be in the interest of the whole process if we could accept the proposal by Mr Meyer and discuss this election at the next meeting in full. I'm not disputing the fact that a date should be fixed as sure as night follows day there should be an election day fixed and it should be fixed as soon as possible but I think it would be in the interest of the whole process if we kindly sit back alittle and think what's been happening the last hour, and move forward and say let's discuss this thing in full and try and solve the problem and get general consensus on such an important issue.

Mr Felgate:

I believe I great deal is now at stake, the whole process of finding each other the whole process of reaching very difficult decisions together is being jeopardised, I think Mr Meyer's proposal is eminently sensible to protect the heart of what we are doing I do not believe the postponement of the finalisation of this debate is going to prejudice the future of this country I think the indications are very

clearly that there are party political interests as opposed to SA interests here, a very novel interpretation of clause 3.3 is one of the indications and I believe that we must now accept the need to find each other and by definition of what already has been said, that cannot happen tonight and if we proceed along the way which we have started we will proceed through hours of making it more difficult to find the way when we do meet together. So I really propose that we support Mr Meyer's thinking and that this Council puts the need for jointed decision making above all other interests because that is what we are here for and anything which is totally disruptive of that is detrimental to the whole negotiation process and the democratic future of the country.

Mr Webb: Chairman some time ago Mr Alexander requested to you to indicate the time of conclusion of the meeting or alternatively could you please give us an indication of whether you going to put Mr Meyer's proposal to the meeting, I would like to speak but if it's going to hold over to another date I would prefer to do it then because if my...

Mr Landers: I would like you to speak on whether this should be entertained tonight or whether it should be done on another day.

Mr Webb: I would like to speak sir but on another day preferably if not then I would have to do it tonight because you compel me to do as you've done many times this afternoon.

Mr Eglin: Mr Chairman the first choice of the DP was that this Council would this evening adopt this resolution we would have adopted it in a slightly different form we would have put the date of the 31 March but there is a date of the 27 April with the proviso that the date can be advanced should the procedures and agreements be reached at an earlier stage so in principle we would prefer that this matter be resolved this evening. Four weeks ago this Council met and passed a resolution which indicated that at that stage they believed it was an important that a date should be set by today and they said that we should make a certain amount of progress and its debatable in what terms that progress had to be made and I would have weighed up has the progress been made adequate taking the political necessity or the political desiribility of announcing the date tonight and I've got no doubt that in that context, considerable and sufficient progress has been made if that's got to be balanced against the political importance of making a decision of this kind and therefore not in terms of the extravagant claims perhaps very eloquent claims of my friend Joe Slovo but because of the plain realities we have made significant progress, four weeks ago we said it would be important to announce a date today I believe the time has come for us to announce that date there are all kinds provisos to those people who have problems about the date this an announcement of a recommendation to a meeting on the 25 there could be another discussion on the date but here is clear

recommendation to that body there is also a proviso that people could go and consult their principles and so here is a clear signal coming from this meeting that it acknowledges that the first time a date could be set is when the forum meets, but this body having said 4 weeks ago that it believed that it was important that a date should be indicated now it is our view that that date should be indicated now I'd be very disappointed if the circumstances of this evening's discussion are that the matter has to be postponed and I'd hoped that in fact consensus had been reached if it cannot be reached then we have no option but to fall back on Mr Meyer's suggestion but I would really appeal to you this is not casting stone it is a very clear message but it has got certain provisos but those can be dealt with on the 2 and therefore I'd hoped that we can reduce the length of the debate and come to consensus in support of this motion.

Mr Cronje: Question Chairman, we have refrained from debating the resolution because that is another issue my understanding is that we are dealing with the proposal put forward by Mr Meyer so we have refrained from debating the desirability of the resolution.

Mr Landers: And we are still debating Mr Meyer's proposal.

Mr Ngobeni: I stand to debate on the question of the proposal made by Mr Meyer. The question of an election date is a very important one which many people outside are waiting for, in fact it is a perception that has been created that an election date is the solution to the SA perennial political problems there is no question Mr Chairman that the question of an election date will not and cannot be postponed indefinitely somehow some day we will have to set it after all I believe that is the reason why we are sitting around this negotiating table to usher us into a new democratic society through an election. But we need to approach this matter in a more realistic way if we think that by setting a date today we are drawing nearer or closer to the solution to this countless problems then I'm afraid we must not be surprised when we discover then that the opposite is the case. We must never misconstrue different representations around this table to suggest that if you come with another view it is a sign of being afraid of facing an election I don't think that is the correct impression. We will have to face an election one way or another the simple fact that we adopted a resolution in here calling for setting of an election date is a commitment from all of us here that one day we will have to set a date but the question of timing is more important Mr Chairman especially that the contents of the first resolution has not been strictly adhered to therefore we strongly believe Mr Chairman that we need to address substantive issues like constitutional issues, violence, etc before we can come to setting up the date so we would support very strongly the idea of putting the matter in abeyance until such time when substantive issues will have been trashed out. Thank You.

Mr Hendrickse: Mr Chairman we people in this country seem to be on a see-saw of emotions, sir between hope and despair there are also those people who are developing a negative attitude to the whole question of negotiations because there is an impression sir that some of us wish to negotiate merely for the sake of negotiations there is also an impression sir that some of us are either reluctant to commit ourselves or to an election date sir when we agreed to the resolution on the 7 may, we committed ourselves to fixing a date today expectations were raised sir and I think we owe it to the people of this country whose emotions has been vacillating between despair and despondency and frustration. I believe sir the setting of a date will be an important symbol sir, a symbol of hope to the people who have almost given up hope and I believe further sir that those parties who wish to support this resolution should be afforded the opportunity of doing so and at this stage sir I would like to place on record the Labour Party support for the resolution as moved by Mr Joe Slovo.

Mr Landers: We are still discussing Mr Meyer's proposal, whether and Mr Meyer has said that they are in favour of the resolution but that it should be debated at the next Council meeting.

Mr Jacobs: Mr Chairman very briefly, let's not be said that I'm not opposing; one I'm opposing Mr Slovo's proposal, two I reserve all the Conservative Party rights in this regard including the right to report to principle and to speak if necessary on this proposal.

Mr Mahlangu: I want to put the position of UPF in this regard. The UPF doesn't see any problem in setting a date tonight. If we look at the resolution in front of us we could have long concluded the matter, it's very simply I think it's written in very simple terms if you the very sentence of the resolution therefore resolves that the Negotiating Council recommends to the Negotiating Forum of the 25 we recommending that elections be held on the 27 April 1994 and Mr Chairman if you look at number of two of that resolution it spells out very clear that all the participants around this table will then have enough opportunity to go back home and report to their principles, discuss the issue within their ranks and then come back at the Negotiating Forum of the 25 June come back clearly with their positions as to what they are saying, therefore I don't see any reason why we can't accept the resolution tonight and go ahead put it forward on the 25 June to the Negotiating Forum, UPF would like to support the resolution Mr Chairman.

Mr Mtshizana: As a matter of the Transkei has the feeling that there are people here in this forum who now realise that the moment of truth has come and they are coming out in their true colours and as a matter of fact are definitely opposed to the idea of fixing an election date it is just a question that they have absolutely no place to hide at this stage, we of

the Transkei say that we fully support the motion of Mr Slovo after all that has been said and done it has been indicated that it will only be on the 25 that the date will be confirmed or rejected, why not us decide we play our share, we say we have decided and wait for the Forum. Thank You

Mr Mohapi:

We of Dikwankwetla Party align ourselves with the proposal made by Mr Meyer that this matter be referred to the next meeting we do know, we do acknowledge the fact that it is very urgent that we should set a date for the next election and we are already preparing for that, and what I'm against is that we should be pushed like small boys and at the end of the day we come here and say, now, now this must be done. I don't know why are we in a hurry, why should we be so much in a hurry that we should not even think about it, are we afraid of the young lions being set free I don't think we should be afraid, we should be afraid of the future of SA that is going to be destroyed by hurried decisions taken by ourselves, we support the setting of the date at the next meeting.

Mr Ismail:

Mr Chairman on behalf of the NPP of SA we wish to support the proposal by Mr Slovo that the date for the election be set as the 27 April 1994, Mr Chairman since our participation in this Negotiating Forum Mr Chairman it has been inevitable that a date must be set. We have now reached that time when the date can be set Mr Chairman there is an opportunity for parties to discuss the matter at the Negotiating Forum Mr Chairman this is merely a recommendation from the Negotiating Council to the Negotiating Forum. The matter will be decided by the Forum. Thank You Mr Chairman.

Mr Moeti:

Mr Chairman, without revisiting all the motivations we accept them they are convincing we support the idea that tonight we should emerge with a date, we should be sensitive of the aspirations of the masses outside there will be disillusionment and they would see no need of this supporting this process, so Mr Chairman we support that the date must be fixed tonight.

Mrs Baloi:

Thank You Mr Chairman, the INM is in favour of the motion and fully supports it and in fact in view of the resolution that was passed on the 7 May we can no longer waster time on the issue of an election date in view of the present prevailing climate of violence in our country. The urgency of this matter cannot be overemphasised, we therefore do not find the reason why a date for the elections should not be set today. The masses out there have waited patiently and have been very patient, Mr Chairman I afraid that if we don not reach consensus on this issue today only God knows what is going to happen next and if we are concerned about the violence and want to put it to an end this is the best time and the best thing to do by setting a date for the elections today in the interest of our country and everybody in South Africa.



Mr Moodley: Mr Chairman taking into account the resolution of the 7 May and more so the proposal here is a that is a recommendation to the Forum, Solidarity has no problem in supporting that.

Mr Landers: I have no more speakers on my list.

Chief Mokoena: We the Transvaal Traditional leaders have no problem if the date is to be set tonight in the best interest of our community.

Mr Cronje: Gentlemen could I move that you put the motion?

Mr Alexander: We didn't give our party position yet Mr Chairman we just in tried in the past to find a compromise we didn't give out party position, we'd like to give our party position.

Mr Landers: I tried to point out that was necessary Mr Alexander.  
Indian Congress

Mr Mayet: We'd also like to just assert our party position that we'd be in support of the resolution and I also want to point out that in looking at the resolution one has to look at the point which says therefore resolves to in conjunction with other aspects which looks at further resolves and one shouldn't be looking at the resolution on its own while there is a commitment to a recommendation that has been made to the Forum that an election date be set on the 27 April there is also a commitment to further discuss matters before the 25 especially questions around constitutional issues that if one looks at the question of setting the date and commitments to further discussion I can't see why people ought to be objecting to us actually setting the date. A basis has been set if one looks at the way the Technical Committees has been working, the brief that has been set for them I think that there is sufficient, by way of a mandate given to the Technical Committees was to emerge with sufficient further agreements on some of the points that needs to be addressed and that are of concern to other parties so we would be in support of this resolution given the way in which the resolution has been put together.

Dr Madide: I hate the impression that is being creating here, as if there people here that do not want the date to be set that we have gone over that on the previous occasion when we...(cassette change)

**Tape 6 - Side A**

Dr Mdlalose:

That subject to certain conditions of course the date for the election shall, shall take place not later than the end of April 1994. Now any one who might be losing hope or be despondent or think that we are wasting time here has got it in black and white that before the end of April 1994 we are all committed to an election. Now on the date, The exact date when that election can take place is not particularly worried because I cant see the difference between the 22nd and the 27th and the 29th or whatever. But if one of our, if one of the participants, especially from the Government requests, have given a prior assurance that he does support the setting of a date, but just requests that finalise the matter at the next meeting, I don't see who is going to suddenly go into a rage just because we have not pin pointed the day nor the hour when that election will take place. After all who knows, it might rain on that day and we don't have that election on the 27th. So I mean it is not a critical issue, the critical issue is it shall be before the end of April 1994. So please I beg the participants in this meeting not to create an impression of division when there is in fact no division, and I would therefore like us to give Mr Meyer the opportunity he requests to come back and give us his considered opinion as well. However if there are people here who want to tell their constituents that they are committed to a second date, I see no reason why people cannot go outside, hold press conferences and say we propose the 27th of April 1994. Others may say we propose the 31 of March 1994. I mean they can start a process of debate about the exact date. But the important thing is that by before the end of April the election will be held.

Mr Meyer:

Mr chairman I just want to correct if there was any misunderstanding on the side of Dr Madide. I have a very considered opinion about this and I favour the fact that we should set a date for recommendation to the Negotiating Forum of the 25th tonight. I have no problem, but it was especially with a view to allow us the opportunity also to convince others like Dr Madide who might have a different opinion with a view to the next meeting to see to it that we get maximum consensus in this Council on this matter. It is for that reason that I propose that we don't put the matter in abeyance, I want to emphasise this, not put the matter in abeyance but actually seek maximum consensus in this house and it is for that reason that I propose that we put it on the agenda as a priority at the next meeting.

Dr F Mdlalose:

As a point of information Mr chairman, I wish to inform Mr Meyer that he doesn't have to convince me. I don't need convincing.

Mr Landers:

Order, order, order, order. Dr Madide I think you've been somewhat unfair to the Council. Our place was, your place on your delegation

was taken by Dr Ngubane and you still proceeded to make a debating point.

Mr R Cronje:

Chairman when we adopted the resolution on the 7th of May, the very reasons which Mr Slovo so passionately and correctly put about the dire consequences of violence and the ray of light were raised then. We are aware of it, violence is not subsided the issue of determining that date before the end of April still stands. But what is, Mr chairman if I could have your attention, there are two fundamental issues of importance to this Council, the one is the process of making a constitution and the other one is the issues of regionalism. Now I would suggest to you Mr chairman, with great respect, that if we look at the motion, 2.1 - we did not adopt any proposals on violence. 2.3 - We have not even discussed constitutional principles on regions. 2.4 - The Commission on Boundaries has not even yet met. 2.5 - The powers functions and structures of regions have not even been discussed. The Independent Electoral Commission was postponed tonight. The establishment of the Independent Media Commission was postponed tonight. What is the problem, we have said we must make sufficient progress in order to do it. I would submit to you that in terms of the resolution itself and what have just said we have not done that. Hopefully in the week that lies ahead the Technical Committees will make good progress so that we can make decisions and make progress in our negotiations and discussions at our next meeting, a clearer picture and I could be satisfied we have truly made progress to determine that date, and that is the basis of the argument. The date has to be decided, whether it is the 4th of April or 20th of April is beside the point. We have committed ourselves to a date before the end of April, but we have not made required progress as contained in this resolution in my view.

Mr Landers:

Mr B Alexander wants to put his party's point of view on this issue rather than to address Mr Meyer's particular proposal.

Mr B Alexander:

Thank you very much Mr chairman. The PAC's party position is, we have come here with a clear proposal on an election date. Therefore we have no problem in principle with the setting of an election date tonight, here and now. We have however some amendments to this resolution as it stands here. Number one, under, page on where it says "therefore resolves that" and on the second page a "date of the election". We make want to make some addition there. We have made a compromise earlier on in this meeting and in the previous Negotiating Council meeting that we have to take into consideration both concerns, those who want to have a Constituent Assembly and those who want to have the regional matters attended to. We have compromised with those people who wanted the boundaries of regions done, therefore they must understand now that we must be specific

about elections for a Constituent Assembly, we must put it in there, "for a Constituent Assembly". We did compromise on the Boundaries thing and established a Commission. Now it must be cleared what we are talking about. Secondly Mr chairman the date we have a different date from this one of the 27th April, our date that we are coming to propose would be the 31 March. We have the same date as the Democratic Party and there is a reason for that and a rational behind that and that is that early in April there are certain parts of the country which have terribly bad weather and other parts which have very good weather. In the end of April there are parts of the country which have very good weather and parts with extremely bad weather and we feel that towards the end of March is the time basically that would level the playing field in terms of the experience of our country in terms of weather patterns and therefore this has an important contribution on the question of the elections itself. The people who had said that the 27th had no reason other than to say that this is the day they put forward. Secondly or thirdly Mr chairman on the second page there is the last part that says we commit ourselves and then it goes on to deal with the question of violence, now we do have a resolution already from the Technical Committee on Violence itself being very detailed on this matter. That is the first point. Secondly, in the first resolution of the 7th of May, there is specific reference, under 1.3, which says create conditions about the elimination of violence. So the reference that we are making to the first resolution already deals with the question of violence and addition to that we have a further resolution proposed here which deals in detail on the question of violence, armed formations, everything. Therefore it is not necessary to restate it over here, but it is already the PAC position, having stated our position, Mr chairman, as a party, we are ready to have an election date. I must however again express a concern that on an important issue like this, that this house should be so divided, and in that respect I join the sentiments of Mr Roelf Meyer. Again that like ??? we have come here with a clear commitment to have an election date set. In view of the serious divisions that we have heard, Mr chairman, our own view is that maybe we should, we have certainly heard all the parties views. We should maybe in order to account for everybody's concerns, Mr Mohapi's and others have said let's just decide next week. I would like to see a united position on this from this house. I think that will send a good sign out, although we are ready to do so tonight, and I was wondering Mr chairman whether really we could agree with one proviso that we are coming next week with no other view in mind than to decide on this matter, not to reopen the whole debate but to decide on it. I think maybe around that we could try to compromise. I am very worried about the division in this house it does not overwhelm.

Mr Ramaphosa:

Mr chairman I would like to build on what Mr Alexander has said and

try to see if we can reach consensus and it is largely with a view of see whether maximum consensus can be reached and I think those who are reluctant to move towards setting a date should also try and be accommodating to those who believe it should be reached tonight. There are a number of parties, seventeen out of twenty six parties believe that it should be done tonight, but at the same time because we have to have some form of consensus it is important that all of us join in taking a resolution of these proportions. To this end Mr chairman I would like to propose that we add the words "with a view of reaching maximum consensus, we, let me start by saying that the Negotiating Council should recommend to the Forum on the 25th, that the election date should be the 27th. But however with a view of reaching maximum consensus on this matter the Negotiating Council finalise this matter on the 15th of June and put that that recommendation to the Negotiating Forum which will be held on the 25th. That Mr chairman when coupled with paragraph two of the same resolution will allow all parties to reflect on this matter and those who are in favour on adopting this resolution tonight will find accommodation and those who believe it should be done at a later stage, possibly on the 15th will also find accommodation. We move like that Mr chairman and we believe that is a reasonable position to take.

Mr chairman on a point of procedure, if I may, the introduction of the concept of maximum support or maximum consensus could in fact mean minority consensus. We are working on sufficient consensus and maximum consensus as defined, as undefined by Mr Ramaphosa leaves this Council in a very dangerous position of adopting ad hoc procedures on a very critical matter.

Mr C Ramaphosa: Correction Mr chairman, could I then say that maximum should be read as general consensus. I agree with Mr Alexander, that it is important that we get full agreement. So I would amend it to general consensus and it then allows all parties to revisit the matter and finalise it on the 25th. I believe I have Mr Meyer's support.

Mr R Meyer I believe Mr Ramaphosa has come around Mr chairman, I appreciate his support.

Mr Slovo I support what Mr Ramaphosa has said with the exception of one word and that is general consensus because it could be interpreted, when we start splitting hairs next time, as we tend to do, people will say general consensus means that we have got to be unanimous. I think what is meant by the resolution is in order to maximise consensus.

Mrs Finnemore: The Democratic Party would like to support Mr Ramaphosa's

alterations to the proposal and I think if we do not agree to this tonight, this whole thing of the date of the election will just become a political football and it will be held to ransom at every meeting that we have thereafter. So we would like to strongly support the proposal.

Mr Jacobs                    Mr chairman it is not for me, at this point in time, to know what all the consequences of this sudden new resolution is and therefore I oppose and I reserve all the rights and I will speak again in a debate when it comes.

Mr M Webb                    Point of clarity please. Mr Alexander said that we would not be in a position to debate party positions at the next meeting. Mr Ramaphosa said we would be able to revisit the matter at the next meeting. Will you please indicate to me whether my right to speak on the substance of the proposal is limited to tonight or to the next meeting.

Chairperson:                No you can revisit it at the next meeting.

Mr Webb:                    Thank you sir.

Mrs Sigcau                    Mr chairperson, I think I was about to give up in saying that was for some reason you don't see that the Chiefs are here. We've have had our hands, I don't know for how long, and even when there was a ????. I Think that there should be consensus, if we discuss a particular topic to make sure that all other people have ??????. If that is made Mr chairperson, we as Cape Traditional Leaders are happy that there is going to be space for the whole issue to be revisited. Though initially we are going to state that we have no objection to the date proposed being the one that is going to be looked at and of course we also where made easy in our feeling by the fact that number of two of the resolution covers the fears of those wanted to have more time for consultation and a viewing of the whole matter. So in support of the latest proposal, I want to align myself with Mr Ramaphosa when he say that in order to accommodate all let the whole matter be revisited at our next meeting. We are also worried as Cape Traditional Leaders, I just want to add, people are killing one another, violence is rising and already even if we are here at the World Trade Centre, the fact of the matter is that we are aware that are claims should there be no final decision being made on an election date it will further violence.

Mr Webb:                    Mr chairman can I on a point of order suggest that you now put the

amendment.

Chairman: No, I have to hear Mr Felgate.

Mr Felgate: Mr chairman I think Mr Ramaphosa is making a valuable contribution towards the resolution of this matter provided and always provided that the debate we are going to have in due course will be proper and ????, because I must register that I have got no mandate whatsoever to approve implicitly any date in April. All we want to do is to get a date as soon as possible and Mr Ramaphosa might be helping us in that direction.

Mr de Jager Chairman I have stated my position, I am sorry that the debate ??? this afternoon. I am still convinced that (inaudible)

Chairperson Mr Ramaphosa has proposed what I see as a compromise. Does the house have any difficulty with that compromise? Mr Jacobs we hear you and your position is noted sir, and Mr de Jager. That being the case does the house accept Mr Ramaphosa's compromise.

Mr B Alexander Mr chairman could I just get the wording. Can you just read it out.

Mr Ramaphosa: That the Negotiating Council recommends to the Negotiating Forum on the 25th June that the date of the election should be the 27th April 1994 but however with the view to maximising consensus on this matter, the Negotiating Council decides to finalise this matter on 15th June 1993, and should a final settlement be reached at an earlier date to enable an election to be held earlier the Council should set an earlier election date while the period over which the election is to be held will have to be decided upon in co-operation with the Independent Electoral Commission.

Mr Jacobs: Mr chairman just a question please. Before you put the resolution I just want to hear clearly from you as chairman of this Council by taking the proposal whether you are of the opinion that paragraph 3.1 is in accordance of the Declaration of Intent. Paragraph 3.1 of the Declaration of Intent is in accordance with paragraph two of the resolution "progress made by" etc, etc.

Chairperson: My answer to you is yes.

Speaker: You don't want to take legal opinion before you say yes.

Mr Alexander: Just the addition of two words, again as I said earlier on, after elections "for a Constituent Assembly". Thank you Mr chairman.

Chairman Mr Alexander I am going to, as chairperson appeal to you.

Mr Alexander Mr chairman it is very important that we know what we are voting for.

Mr Ramaphosa I would say to Mr Alexander that the agreements that we are going to be negotiating, no doubt, and the issues that we are going to finalise no doubt, clarify all that. So I would say at this late hour, this resolution should be accepted as it is.

Mr Gumede: I would first and foremost like to record here and now sir that I cannot see my way clear in supporting the motion by Mr Ramaphosa. Because, sir as it has been indicated here earlier on that our agreement on the stipulated date was in fact dependent on the fact that we would have, by that time, would have exhaustively debated and discussed all relevant issues that were contained by the resolution. Now to me, sir, there is absolutely no difference that we should now before having discussed and debated those issues now refer the matter to the Negotiating Forum. Because that, sir, would be tantamount to saying that we therefore move away from the content of the resolution which was tabled, which in fact was accepted by us in a very good faith. Now I want also, sir, to put on record here that it may be the case that all of us are living in a fool's paradise, sir, by thinking, I mean by agreeing or suggesting a particular date then that date will simple come with a magic wand that violence will simply abate in South Africa. I speak to you as a person whose followers are dying day in and day out. I am not theorising on what I am saying. I know for a fact that when one looks at the northern countries, when one looks into Angola, when one looks even in Mozambique and all over in Africa where dates were in fact suggested in that agreed upon but violence in those areas has never abated . So the sir if I do agree with the notion therefore that the dates should be suggested but not that the suggestion would therefore deal with the question of violence. That is completely out. So we must be realistic here when we deal with these issues. We must not at all think that in fact by a simple ..... then that will definitely deal with the issue of violence. I would like to say here now sir that I am opposed to the resolution by my learned friend and colleague Mr Ramaphosa.



Chairperson:

Your opposition will be noted. I hoped that Nkosi Gumede is the last speaker. With the opposition noted from Nkosi Gumede, Mr Jacobs, Mr de Jager and Mr Webb we can then declare that there is consensus, sufficient consensus on the resolution as put forward by Mr Ramaphosa which reads as follows: "The Negotiating Council recommends to the Negotiating Forum of 25 June 1993, that the date of the election shall be 27th April 1994 but with a view to maximise consensus on this matter, the Negotiating Council decides to finalise this matter on 15 June 1993. Should a final settlement be reached at an earlier date an enable an election to be held earlier, the Negotiating Council should set an earlier date, while the period over which the election is to be held will have to be decided upon in co-operation with the Independent Electoral Commission". I Thank You and that expedites 5.4.