

Court sidesteps NNP wrangling

Meeting goes on, formalising plans for a pact on co-operative government with ANC

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CAPE TOWN — Western Cape premier Gerald Morkel's attempts to stop an emergency New National Party (NNP) federal council meeting was halted by acting Judge Lee Bozalek's ruling yesterday that it was "not the court's function to stifle debate in NNP structures".

In yet another day of high drama in opposition politics, Morkel sought an urgent interdict against the NNP to prevent its federal council holding an urgent meeting in Pretoria.

The meeting went ahead, formalising plans for an agreement on co-operative government with the African National Congress (ANC), and amending the NNP constitution to effect Morkel's dismissal. Morkel was suspended by the NNP last week, but won a court order restoring his membership on Tuesday.

Yesterday's federal council meeting was delayed several times during

the course of the day as lawyers argued its legality.

In his judgment, Bozalek said that if Morkel was unhappy with NNP federal council decisions he should challenge them through an NNP federal congress or by judicial review.

Bozalek also said the NNP had not acted outside its constitution in calling for an urgent meeting.

NNP deputy executive director Daryl Swanepoel welcomed the decision, but Morkel warned the NNP to "tread carefully" on the constitutional rights of party members.

Morkel did not attend the NNP federal council meeting, but sent a four page letter in which he reiterated his opposition to suspending participation in the DA, and entering into an alliance with the ANC.

Morkel also said that he would continue with his Cape High Court application to have the NNP's decision to quit the DA set aside and with his plans for an NNP provincial congress on November 17.

Meanwhile NNP Cape councillors will hold talks with DA leader Tony Leon over his "leadership style" in an attempt to salvage the DA's thin majority on the council.

A source said the vast majority of councillors were loathe to follow NNP leader Marthinus van Schalkwyk into a coalition with the ANC.

However, he said, there remained disquiet about Leon's abrasive style, including the way he dealt with former mayor Peter Marais, and Van Schalkwyk. A DA official defended Leon, saying he had often been unfairly portrayed, especially by Van Schalkwyk. However, Leon was "willing to listen" to any representations.

The DA cannot lose more than 23 councillors to the ANC, or to a break-away NNP group. The ANC-NNP, with a 77-strong caucus would have a majority in the 200-seat council.

In another development, Cape Town city manager Robert Maydon has confirmed ANC claims that it would cost a prospective ANC-NNP

majority in the council about R35m to cancel the contracts of senior officials. This process is currently being finalised. At the weekend, the ANC called for the process to be suspended until there was clarity on the council's future. Maydon confirmed yesterday that, since the weekend, he had signed his contract. A number of his ten recently appointed senior executives had done the same, and the remainder would sign shortly.

Meanwhile, Parliament is almost certain to be recalled to consider legislative changes to allow elected officials to cross the floor.

Chief government spokesman Joel Netshitenzhe said yesterday that the issue of legislation to allow public representatives to change parties was not discussed at cabinet. The earliest cabinet can approve a bill or a constitutional amendment will be November 21. Parliament is scheduled to rise next Friday.

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