

Constitutional proposals debate

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lines formed a good starting point in negotiation politics and should be seen as a "serious, sincere contribution to the constitutional debate". It puts forward proposals around which a process of bargaining can begin, and the availability of such negotiables and non-negotiables can create a favourable situation for serious talks about fundamental political issues. Even non-negotiables may become the subject of negotiations in such a process of mutual understanding, said Prof van Wyk.

Stressing that he did not necessarily represent "white opinion" (something which was also not easily universalised), Prof Van Wyk said most whites would accept that white domination would inevitably come to an end. However, he felt further clarity was still needed around several issues in the ANC's guidelines. These included the implications of a "unitary" system, the status and structure of governing bodies, the implications and range of an envisaged Bill of Rights, the redistribution of wealth and land reforms as well as the impact of affirmative action and the way it is to be tackled.

These reservations apart, Professor Van Wyk, described the guidelines as a serious contribution to the political dialogue. He also stressed that, given the relative isolation of the white community, a large-scale education campaign was called for, not only to reassure whites of their place in a post-apartheid society, but also to show the other side of the coin of government propaganda that the ANC was a "violent and non-negotiating organisation bent on revolutionary takeover". Prof Van Wyk suggested that the guidelines be translated and distributed in Afrikaans to give more people access to the document. Hopefully this will in the long run contribute to the purposeful search for a lasting political solution for South Africa.

Another speaker, Prof Hugh Philpott, director of student support services at the University of Natal, contextualised the problems of a university caught up in the transition of a society such as South Africa. He pointed out that universities had the opportunity to "lead a process of change by example." This could be done by the democratisation of curricula, university structure and leaders, and by the promotion of community oriented outreach programmes.

Ian Liebenberg
IDASA Research Consultant

OPINION

ANC guidelines must be debated by all

By DULLAH OMAR

THE great merit of the publication of the ANC's Constitutional Guidelines lies also in the specific proposals themselves — but it lies primarily in the fact that it has placed the issue before the people of South Africa for debate. My point of departure would be this: that an environment must be created in which the people of South Africa would be able to exercise their right of self determination.

We cannot close our eyes to the reality of continued imperialist domination and exploitation of Southern Africa and its people, and the unwillingness of the Western powers to allow the people of Southern Africa to determine their own destiny and free themselves from such domination. The situation in which the guidelines have been published is one in which those powers and interests which have exploited Southern Africa for so long, seek to impose on our people a neo-colonialist solution which would leave the present economic structure and economic inequalities basically intact.

In pursuance of that aim, models of constitutions are being worked out in drawing and board rooms of Western capitals. It seems to me also that in today's complex world situation, the Soviet Union, despite its historical support for the liberation movement in South Africa, cannot and will not intervene to prevent the imposition of a neo-colonialist solution.

Crucial Lesson

The crucial lesson which must be learnt by the oppressed and exploited people in South Africa is that only their own mass struggles will make it possible for them to win for themselves the *right* to self determination, the *right* to govern the country in the best interests of all its people and the *right and duty* to produce, appropriate and distribute the wealth of the country for the benefit of all its people.

Speaking for myself and many others in our organisations, the danger of the imposition of a neo-colonialist solution upon our people is a very real danger.

The merit of the Constitutional Guidelines of the ANC lies in the recognition and on the insistence that it is the people of South Africa who must work out a new constitution. The guidelines are not intended to be the final word on

the subject. The intention is that the issue be placed before the people of our country, to be debated in their organisations and platforms and for them to come up with ideals and proposals which represent their aspirations. Because there are conflicting class and social interests involved, these ideas and proposals can only be decided and brought forth in the cauldron of actual struggle. It is the balance of forces which will ultimately determine the kind of proposals which our struggle will be able to implement.

Role of ANC

It is, therefore, essential that discussion on the Constitutional Guidelines not be confined to academics and "experts" but that they be taken up in all people's organisations, including the trade

The guidelines reject the concept of 'group rights'

unions. It is also necessary to assert that the oppressed people have never been consulted about the banning of the ANC. They were not a party to the banning and have never accepted such banning. The ANC is an indigenous, internal and legitimate organization. The same applies to all other people's organisations which have been banned or restricted. Which organisation or movement speaks for the people is determined by actual struggle. Today, it is quite evident that the ANC is recognized by the vast majority as the authentic voice of the oppressed.

The ANC, therefore, forms an integral part of the people of South Africa who must, as the struggle unfolds, work out a constitution for the country. There is need to work towards the establishment or convening of a "congress of the people" in the form of a "constituent assembly" to formulate such a constitution.

Concrete Vision

In my view, the publication of the Constitutional Guidelines must be seen in this context. It helps to give direction to the people's struggles so that our aspirations and vision do not remain vague and unformed but begin to take on con-

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crete form. Post-independence Africa is filled with examples of constitution-making in which the people had no part or say — constitutions which have served simply to perpetuate the basic colonial character of the economy and society. The ANC initiative must be seen as providing the people of South Africa with the opportunity to avoid such a fate.

The guidelines themselves also contain a great deal of merit. Its broad vision provides a bold alternative to the status quo. In place of a society which is based on division along ethnic lines and in place of a South Africa which is balkanised (homelands etc), the guidelines put forward the vision of one single undivided non-racial and democratic South Africa in which all persons shall be equal.

The guidelines reject the concept of "group rights" which in South Africa today, is being used as a mechanism to maintain apartheid, the homeland system, group areas and the fragmentation of the working class.

Guarantees

The guidelines provide a perspective of a bill of rights rooted in a democratic order — and not as a mechanism to preserve privileged positions. It takes into account fears — real or imaginary — expressed in the current situation and therefore proposes guarantees with regard to the languages, religions and cultural heritage of all South Africa's people. Again, in contrast to the present situation, the guidelines envisage one single citizenship — and the building of a single nation — in a single undivided South Africa.

The guidelines do not purport to be a final blueprint. Workers and especially trade unions and other organisations representing working people — both in urban and rural areas — will want to discuss economic restructuring, the land question, worker rights, women's and children's rights. In none of these matters has the final word been spoken.

The "guidelines" has placed on the agenda of all our organisations and unions a discussion on the kind of South Africa we are fighting for, what we mean by democracy and what economic changes are envisaged in our struggle.

The actual guidelines require serious consideration. Its greatest merit is that it has placed the responsibility for working out a new constitution on the shoulders — not of financial and other interests in the capitals of the world — but of the people of South Africa on the terrain of struggle.

□ Dullah Omar is a human rights lawyer in Cape Town and the Western Cape president of the now restricted UDF.



Dr Davis (right) in conversation with Mr Hannes Senekal of a leading insurance firm (centre) and Mr Larry Silverman, political officer in the US Embassy.

US sanctions on the cards?

THE QUESTION to ask about sanctions is not whether the United States will impose sanctions but rather, when, how many and under what conditions this will take place, says Dr Stephen Davis, former Southern African policy adviser to presidential candidate Michael Dukakis.

He addressed a meeting of 60 people at IDASA's head office in Cape Town in February on the topic "US Policy Prospects for Sanctions."

Dr Davis explained that tougher sanctions would be approved by President George Bush if he was pressurised by Congress which has a Democratic Party majority. He would have a difficult time trying to circumvent sanctions as he is forced to concentrate on a good relationship between the Senate, Congress and himself.

Dr Davis said the next election was much closer than it appeared and that this adds to the politically vulnerable position in which the new president finds himself. Pres Bush cannot afford to alienate liberals and the Republicans are trying to attract black voters which will further influence the approach he takes.

According to Dr Davis, South Africa is not on America's top list of interests. Their first priority is the US relationship with the Soviet Union. The economic and financial position in relation to Japan is important too. Most attention

will be focused on internal discussion around the US deficit.

To avoid confrontation about these issues, Mr Bush will probably not cross swords with Congress over sanctions.

The policy on sanctions will probably involve the Soviet Union and US allies and will meet Congress halfway. For this to materialise, Pres Bush will most certainly have to adopt some form of sanctions, Dr Davis says.

He emphasised that he was "crystal ball gazing" and that most of what he said was largely speculation.

When asked whether he thought sanctions were a solution for South Africa and whether they would bring about change, Dr Davis chose not to answer the question, saying that he felt he might jeopardise his work in South Africa if he expressed an opinion on the issue. The purpose of his visit to South Africa was to research the impact of sanctions for the Investor Responsibility Research Centre, an institute which monitors political and economic developments in South Africa.

□ Pres George Bush recently faced his first defeat at the hands of the majority Democratic Party Congress over the appointment of the Secretary of Defence. Congress rejected Pres Bush's nomination, Mr John Tower. This example seems to vindicate Dr Davis' analysis of Pres Bush's vulnerability to Congress.

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