

CONSTITUTIONAL DEPARTMENT REPORT BY DULLAH OMAR

During the past year, the Constitutional Committee of the ANC was involved in a considerable amount of work at a hectic pace. The top urgent priority which was identified in this period, was that the ANC should take the initiative on a number of issues relating to constitution-making in our country.

Hence the Constitutional Committee organised a number of national conferences as follows:

- i) On Electoral Systems at Stellenbosch;
- ii) On Gender at Bellville;
- iii) On Constitutional Court at Magaliesburg; and
- iv) On Bill of Rights at Durban.

These were all major national conferences with international participation. They were, however, so arranged that all regions were represented including the Western Cape.

The next of these major conferences takes place at Port Elizabeth in October 1991.

The basic idea was that it was imperative that the ANC sets the pace at a national level to ensure that the initiative in all constitutional matters remained in the hands of the ANC. Hence top priority was given over the past year to national events. It can be said that the ANC achieved its objective in this regard.

In addition, the Constitutional Committee published a number of documents including the following:

1. What is a Constitution?
2. Discussion Document on Principles and Structures for a new Constitution; and
3. Draft Bill of Rights.

Comrades Essa-Mcosa, Bulalani Ngouka and I serve on this Committee.

This means that on a constitutional level, therefore, we were all kept totally occupied at a national level. But during the course of the year we attended branch meetings and meetings of other regions as well to address comrades on various constitutional issues.

We are all aware of the fact that work at national level is not enough and that the debates and discussions around constitutional issues must take place in regions and in branches. Now that the Constitutional Committee has almost completed its focus at a national level, it has been agreed that regional workshops should be arranged. The idea is that workshops are to be held in every ANC region from the end of October onwards. The exact dates for our own regional conference on constitutional issues is not yet known. However, it is expected to be around November sometime. It is hoped to bring all the national debates and discussions to a regional level and to ensure that national participants participate in those discussions together with representatives from every branch. Fraternal organisations and our alliance partners would be part of such discussions.

In addition to the one major regional conference which will take place in our region, we shall also then be in a position to take the debates to branches in an organised fashion.

The cost of the regional conference will be borne, we are told, by the Constitutional Committee which shall be responsible for raising the funds. However, funding will have to be found to enable us to do meaningful and systematic work in all the branches in relation to the Constitutional issues.

It is hoped that a budget will be available for this purpose and I envisage that commencing in December 1991 we shall be able to have a full scale programme for our branches as well. In addition to discussions taking place in each branch, I propose that three sub-regional conferences be held or possibly four eg in Western Cape (say at UWC), in Southern Cape, North West Cape and possibly in the Karoo. This will be subject to funding being available.

In the meanwhile, of course, we have been fortunate in that the political education department has conducted some workshops in connection with issues which also fall under the jurisdiction of the Constitutional Committee.

Pending the conferences and meetings on constitutional issues, branches are requested to use the literature produced by our movement for discussion within branches themselves. Branches are also requested to submit their own proposals and suggestions.

I also propose that we now implement the idea of forming a regional department which shall be responsible for this work - possibly to be made up of one person per zone or one person per branch but other suggestions would be welcome.

DULLAH OMAR
SEPTEMBER 1991