

PUBLIC SECTOR - LOCAL - AUTH, - O.F.S. (INCL. QWA-QWA)

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Cape towns don't want to be in OFS

South 317-418193
By Claire Keeton

RU: **C**OMMUNITY organisations in north-east Cape towns have rejected reports that residents would like to be part of the Orange Free State when the country's borders are redrawn.

They claimed communities were not informed about the recommendations submitted to the demarcation commission in Port Elizabeth. (222)

The Drakensberg Regional Services Council (DRSC), which consists of 36 local authorities, earlier this month submitted a proposal for eight Cape towns to be included in the Orange Free State (OFS). (265)

DRSC chief executive officer Mr Earl Loxton said the council had consulted with white, coloured and black residents.

But the Border region of the South African National Civic Organisation (Sanco), under which many of the civics fall, said residents from the towns had complained that they were not consulted. (233)

Sanco publicity secretary, Mr Sakunzi Scatsha said the civics and ANC completely opposed the current recommendations

Burgersdorp ANC chairperson Mr Toto Wonga said he did not know of the proposal to be part of the OFS.

"They should have consulted organisations on the ground before they took a decision"

In Alwal North, the ANC publicity secretary Mr Sam Smith interpreted the leaning towards the OFS as an attempt "to force an Afrikaner regime on the region".

Sanco will hold a meeting on July 31 so that people from these areas could present their positions and his organisations could take decisions — **ELNEWS**.

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Mixed councils rejected

By JOCELYN MAKER

MORE than half the municipalities in the Free State have rejected proposed multiracial town councils

And the CP, which has spearheaded a campaign of resistance to the implementation of legislation that would end white control of local government, expects more declarations of support.

Mr Abrie Oosthuizen, CP spokesman for local government in the Free State, said 45 of the 74 municipalities in the province had already come out in favour of retaining the status quo. By Wednesday, he said, this figure was

expected to reach 70. Mr Oosthuizen said the government would be informed that if the local government legislation was passed next month, white residents of the towns would start a rates boycott. (265)

Although Durban could have a new, non-racial city council within a month, the Cape Municipal Association has reported a "large number" of municipalities in the province rejecting the proposal.

Mr Koos le Roux, chairman of the right-wing Transvaal Municipal Association, said at least 28 councils had held referendums. All had rejected the proposal.

Potch council told to resign

By DAN DHLAMINI

THE AWB has demanded the resignation of the Potchefstroom Town Council over the use of the local Banket hall for political meetings

The last straw, which made the AWB see red, was when the council allowed ANC president Nelson Mandela to address businessmen in the once "whites only" hall after having earlier refused the Afrikaner Volksfront permission to use it

According to the AWB's Potchefstroom branch chairman Hannes Diepenaar, the council had decided on August 28 1991 that the hall should no longer be used for political meetings

Council management committee chairman Chris Hattingh said all meetings which had been held at the Banket hall have been information related and not political as such

A few days after the AWB had publicly registered their discontent, bombs went off which targeted Potchefstroom mayor Dr Wilhe Victor, Potchefstroom branch ANC member Jan Serfontein, Cosatu offices in Klerksdorp, ANC offices in Ottosdal's Letsopa township, the Groot Marico black communal hall, and Eskom and Spoornet properties.

In the reign of terror Victor's car was petrol bombed next to his house, and Serfontein's farm gate blown up

Sixteen acts of sabotage involving commercial explosive have been reported to police since December 22 1993, but there have been no arrests despite a police reward of R100.000

Regional ANC deputy chairman Zacharia Tolo blamed the police for failing to apprehend the perpetrators

After the bombing of the Klerksdorp branch NUM and Numsa offices this week, Tolo told reporters that police were not doing enough to bring culprits to book

"When acts of sabotage were committed during the ANC's armed struggle, culprits were caught in no time," he said

Volkstaat: Councils warned

PRETORIA — The Transvaal Provincial Administration's executive committee yesterday strongly objected to city councils executing "mandatory orders" which were served on them and in which they were requested to swear allegiance to a "Volkstaat"

In a statement, Pretoria MEC for Constitutional Development and Negotiation (Local Government) Mr Andre Cornelissen said the orders requested councils to, among other things, safeguard the infrastructure for a Volkstaat, use their infrastructures for acquiring a Volkstaat and put up Volkstaat banners

across main streets (265) (262)
Mr Cornelissen said local governments did not have the authority to make such decisions
"These decisions can only be detrimental to the community and may even result in the breaking down of stable local government structures," he said

— Sapa CT 7/2/94

ORANGE FREE STATE Birthplace of ANC

Parties look at their chances

Sowetan 2/4/94

(2/65)

By Ruth Bhengu

The Orange Free State is regarded as the birthplace of the African National Congress because the ANC was launched in Bloemfontein in 1912

Bloemfontein, Welkom and Phuthaditjaba are the main towns in the Free State. This region has a diversified economic base with mining, agriculture and services playing an important role

It is in this region that the organisation is confident it will make a "clean sweep." The ANC's media officer for the Southern Free State region, Mr Moses Mogamusi, maintains the only rival his organisation should worry about is the National Party

"The only obstacle we have is the presence of the rightwing Afrikaners on the farms. They make it impossible for us to get access to farm workers," he says

According to Mogamusi, rightwing Afrikaners threaten farmers who in turn threaten workers to not get involved in politics

Lack of housing

Some of the biggest social problems in this province include unemployment and lack of housing. There is a huge informal settlement community in the entire Free State

"Poverty is one of the biggest problems but fortunately the crime rate is not high despite these problems," says Mogamusi

While the ANC is confident that it will take a large number of black voters, with a sprinkling shared between the Pan

CLEAN SWEEP

Main parties think they have a chance:

Africanist Congress and the ruling Dikwankwella Party of South Africa, the other parties are just as confident of winning the elections

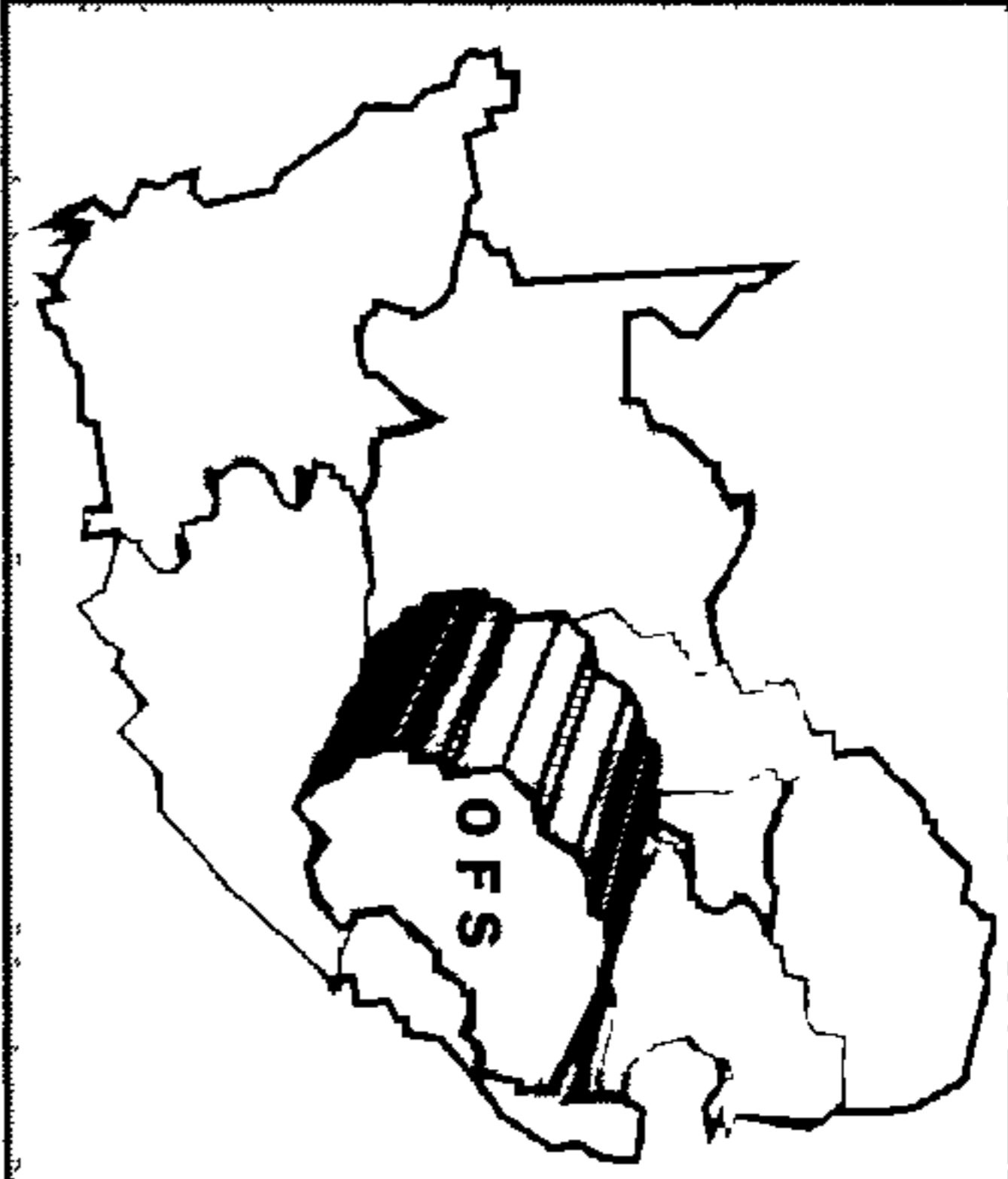
According to the latest survey by the *Sowetan-Media Research Group* the ANC, as the most popular party, will take between 59 and 64 percent of the national voters, while the PAC will get between 3 and 8 percent

But Mr Thomas Dikotsi says the PAC is sure of 75 percent votes in Botshabelo (near Bloemfontein) alone

"The ANC has deceived itself that it need only worry about the NP but we are ready for the elections," says Dikotsi

According to him, the PAC is very popular in the Free State because that is where blacks are mostly concerned with the acquisition of land

Vital statistics



Population as at June 1991

Total of persons 18 years and older 2.6 million.

Whites 365 000

Coloureds 71 000

Asians 70

Blacks 2,17 million



Graphic: J Tsatsi

"The people see the PAC as the party that will secure land for them," says Dikotsi

The PAC has had "sporadic clashes" with the ANC but is confident that it can handle such problems

According to Dikotsi, it are the police who pose the biggest obstacle by allegedly harassing PAC members when they campaign

"The NP is not sincere about these elections. Not much has been done to pave the way for free and fair elections

"People are still in jail and members of the PAC

get harassed by the police. They are sometimes rounded up and arrested and released the following day," says Dikotsi

Organiser of the National Party in the Southern Free State Mr Letsabale Mmonafele says "We know we will win the elections because the NP has a large following of blacks in the Free State"

Mmonafele believes the NP has changed from a party of apartheid adherents to a new party which has the interests of all at heart

Regret the past

"Even if it is the same party as long as they regret what they did in the past it is acceptable," says Mmonafele

Another party that believes it stands a chance of winning the elections if it is not intimidated, is the ruling Dikwankwella Party of South Africa. The party's spokesman, Mr Buti Mohlakeng, thinks the ANC has an unfair advantage

"If you ask us who will win the elections we can tell you it is obvious. There are people who regard themselves as the government in wait-

ing," he says
"The TEC is supposed to level the playing fields so that we all have a chance to campaign but it is not," says Mohlakeng.

The Democratic Party has been given between one and six percent of the national vote by the most recent research

Discouraging blacks from voting

Azapo is not taking part in the elections. Instead it is discouraging blacks from voting

"Our programme is not a reformist one but a socialist revolutionary one informed by history

"And its objective is to seize back the land by whatever means," says Mr Thabang Matabako.

Matabako claims Azapo's membership is growing rapidly, especially in the villages (Report by R Bhengu, 61 Commando Road, Industria West, Johannesburg)

● On Monday: Spotlighting the northwest region.

Quite a different bow from Lekota

Bloemfontein — The last time Patrick "Terror" Lekota bowed to a judge was in 1988, when he was sentenced to 12 years in jail for high treason.

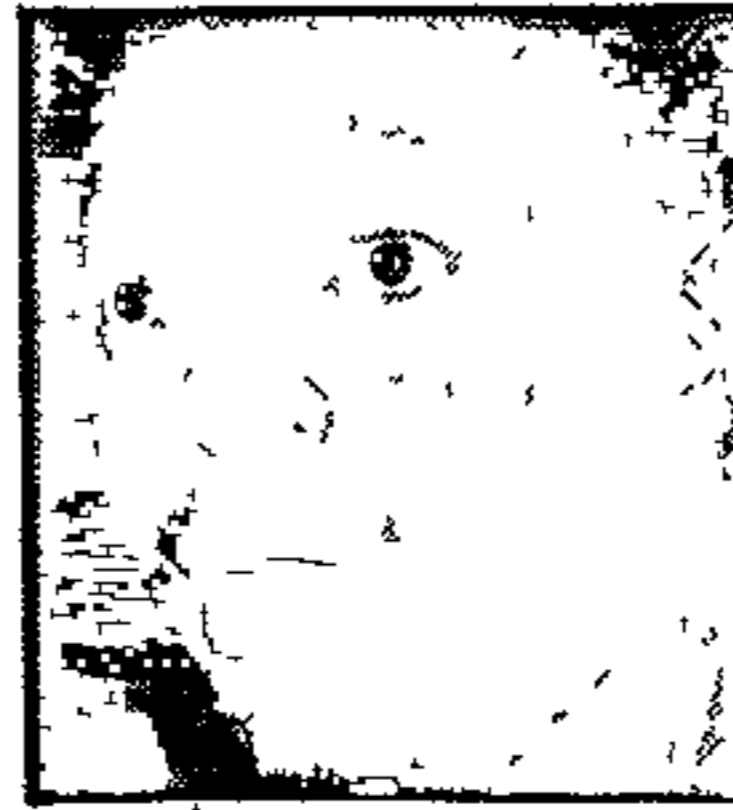
On Saturday morning he bowed once again, but this time it was to a judge who had just declared him premier of the Orange Free State.

The setting was the Raadsaal in Bloemfontein, symbolic seat of Afrikaner power in the Free State since the arrival of the first settlers in 1839.

The occasion was the first sitting of the province's first democratic legislature, 24 of whose elected representatives — of a total of 30 — are members of the ANC.

■ The Orange Free State leader of the Freedom Front — the smallest minority group in the Free State provincial legislature — said it would be dishonest to say it was a privilege to congratulate the premier of the province.

Nevertheless, Abrie Oosthuizen said, it was his duty to wish Lekota



Lekota . . . the previous time was for treason

well

Oosthuizen said he and his people were where Lekota had been a few years ago. (265)

Lekota would have appreciation for the desires and aspirations of Oosthuizen's people.

He hoped and trusted that this would be granted to them.

Congratulating Lekota, Dr Lous van der Watt, leader of the National Party in the legislature, said history had again been made in the beautiful historic building that dated from the old Free State republic.

There would be a new era and a new start with Lekota, Van der Watt said — The Independent News Service, Sapa

Lekota has work to do

Job creation, reconciliation, better education and improved housing are the priorities of the Free State Premier, Mosiuoa Patrick "Terror" Lekota (45). One of the initial moves by the former activist, who has moved from



a cell on Robben Island to the front bench in the historic Bloemfontein Raadsaal, was to extend a hand of friendship to the Freedom Front (265)

"It is vital to get the debate over the volkstaat going through negotiations. That is a commitment we made before the election and it must now be met."

Born in the Free State, Lekota, who earned his nickname because of his prowess on the soccer field, has been involved in the political struggle since 1970, starting with his expulsion from the University of the North.

His greatest contribution was as publicity secretary of the United Democratic Front between 1983 and 1985.

This led to his treason conviction, overturned on appeal in 1989, after he had served a year.

He says his policy of attracting investment to the Free State will help to address the problems of unemployment, education and housing.

— Shirley Woodgate

ANC ready to
APR 18/5/94 (18) (215)
sack strikers

BLOEMFONTEIN — Striking civil servants in the former QwaQwa have been threatened with dismissal by Free State premier Patrick Lekota

He said here an African National Congress provincial caucus had decided that any abuse of state property or refusal to carry out duties had to be stopped immediately

"It is a crime against the people to expect pay while not reporting for duty, or to report for duty but not work"

QwaQwa's civil servants could secure their positions only by loyal service to the democratically elected leaders of the province — Sapa



Lekota warns strikers

BLOEMFONTEIN — Striking civil servants in QwaQwa must either return to work or face dismissal, Free State Premier Mr Patrick Lekota warned yesterday. (52) (265)

Mr Lekota plans to travel to the former homeland tomorrow with members of the Free State cabinet to address the striking workers

He told a news conference here that an ANC provincial caucus meeting had decided that any abuse of state property, refusal to work or officials who arrived for work but failed to do their duty, had to be stopped immediately — Sapa

CT 18/5/94



Wednesday, June 1, 1994 SOWET

NEWS Volksfront

Minister but not a *Sowetan* candidate

By Mpikeleni Duma

CONTROVERSY continues to surround the vacant portfolio of the minister of police services in the Free State provincial parliament

Miss Lizzy Kubushe of Phuthaditjaba was sworn in together with 29 other provincial parliamentarians and appointed a minister

But last week she could not be sworn in as a minister because it has been established that she was not a candidate in the elections 11/6/94

This resulted in objections from other political parties

Free State premier Mr Patrick Lekota said there were problems with Kubushe's registration as a candidate (265)

He did not elaborate but said it could be resolved amicably this week

Health systems: the way ahead

Star 20/6/94

They call it, with characteristic brevity, the PHC/Info project. It's currently the main preoccupation at the Centre for Health Systems Research, established in January last year on the campus of the University of the Orange Free State.

With equal brevity, the centre's director, Professor Dingie van Rensburg, says "The project is about information and management." It's something of an understatement.

It looks more like an administrative revolution. By the time the project is complete, the delivery of primary health care throughout the OFS will be radically improved. And the new system, currently under development here, shows signs of being transferable to other parts of the country.

To understand the significance of what is happening in the OFS, we need to start at the beginning of the PHC/Info project story.

Enter a young doctor from Wits, Ronald Chapman, who found himself doing his national service in Bloemfontein in 1986.

He enrolled at the local university to specialise in community medicine and developed a special interest in epidemiology and biostatistics.

"During my post-graduate studies I became involved with the provincial administration," Chapman recalls, "and I witnessed at first hand the frustrations generated by trying to manage health services without reliable information."

"The chief director of professional services, Dr A G S Gous, challenged me to do something about it. So in 1989 I did a community-based study, attempting to record the actual health status and existing PHC coverage for the whole province."

He trained 250 nurses to do random selection and interviewing of households, and with the aid of a single secretary, fed the information from the questionnaires into a computer.

Some important results emerged. First, that the standard monthly returns completed by PHC nurses in the field were inaccurate and incomplete. Second, that health managers didn't know how optimally to use the more reliable and extensive information provided by Chapman's own survey.

Chapman made recommendations. These were noted but not acted on.

But the wheel soon turned full circle. After completing his post-graduate studies, Chapman accepted the post of director of community health services with the Free State Provincial Administration — and found his own recommendations staring at him from the middle of his new desk.

"I knew that what I had to do was change the whole information culture: what was collected and how it was used," he said. "That was the bottom line. I decided that I needed a specialised group to design and drive a special project."

Van Rensburg recalls how Chapman asked for the participation of the Centre for Health Systems Research. "At first I couldn't understand what he was driving at. But when he drew a diagram on a table napkin in a Pretoria restaurant, everything fell into place. We succeeded in getting a grant from the Health Systems Trust in Durban (R350 000

A DYNAMIC partnership in the OFS could soon change SA's whole approach to primary health care (PHC). David Robbins reports

for the first year) and the work is now forging ahead."

The task includes changing a rigid and inappropriate system of information-gathering to one which more accurately reflects conditions, and then using this information in a way which makes health management, including budgeting and planning, more precise.

The obvious question is how on earth has the system worked before? Listen to Annalize Fourie, PHC/Info project co-ordinator.

"PHC nurses spend a large portion of their time filling out statistical returns which aren't used as management tools. The returns are inappropriate, often inaccurate, and generally inaccessible."

"Managing health up until now has been a bit like trying to plan for a dinner party without knowing how many guests are coming, what their preferences are, and which couples are bringing their children. As a result, PHC planning has been rather haphazard. In other words, what was spent last year, plus a bit extra to cope with population increases and inflation."

Says Van Rensburg: "The aim of the project is to establish a need-related, community-based information system which reflects the real situation on the ground. This is not an academic exercise: it must work for, and be comprehensible to, everyone in the administration and the communities the administration serves."

Fourie says the project had been divided into four phases. The first, already completed, established the administrative, planning and evaluating infrastructure.

Phase II involves the setting up of eight task groups to address specific areas within the overall project. Each task group will establish strategies and write detailed instruction manuals by the end of the year.

In 1995 (Phase III) pilot programmes will be launched to test and modify these strategies and manuals. One urban and one rural area in each of the four hospital regions of the OFS will be included in these studies.

Phase IV will be a two-year implementation programme throughout the province.

Among the aspects to be examined by the task groups are routine statistics, community-based research, community involvement; management information, general health and health-related information, financial resources management, and information about traditional healers.

A special recently established task group is examining the crucial question of computerising the entire information system. In this regard, Chapman has already persuaded a major private company to become involved at the design stage.

Call for crackdown in chaotic QwaQwa

BIDAY 21/10/94

MARK ASHURST

BLOEMFONTEIN — Anarchy in the former homeland of QwaQwa demanded tough action from the new government of the Free State, premier Patrick Lekota said in his opening address to the provincial legislature yesterday.

A culture of "permanent holidays, salaries without service and general collapse of order" prevailed in QwaQwa. The legislature would "put an end to the anarchy that has prevailed since elections, both in the province generally and in the area of QwaQwa as whole".

President Nelson Mandela signed over the powers of the QwaQwa administration on Friday.

Lekota listed violations of constitutional rights that had occurred in the homeland. These included theft and vandalism of public property, the setting up of kangaroo courts on the terrain of recognised traditional leaders, and the commandeering of property and businesses. Black, white, farmers, churches and property developers had suffered alike, he said.

In the interests of stability, the Free State would give political assistance to the Northwest by "explaining the transition path". Devolution of powers assumed by central government had been "painfully slow", and had prevented a meeting of the legislature since the swearing-in ceremony on May 7.

Elsewhere in the province the objec-

tives of the reconstruction and development programme demanded urgent attention. "Everyone must prove on a daily basis that they deserve their jobs," said Lekota.

The provincial government would build 2 200 low-cost houses within the next 12 months. Negotiations had begun with Eskom to provide electricity for 35 000 houses over the same period. In the longer term more than 250 000 additional housing sites had to be developed.

However, spending on infrastructure could be justified only if township residents met the cost of servicing those facilities, said Lekota. The ANC — which holds 26 of 30 seats in the legislature — and related mass movements would encourage residents to pay rates.

Sapa reports Lekota said the January agreement that annulled all arrears on rental and other service charges was not intended to encourage permanent non-payment of service charges but a move to enable people once more to resume paying for the upkeep of their communities.

The legislature had to insist that everyone had to fall in line. Townships could be serviced only if residents paid for their upkeep.

Meanwhile, the administration of Thaba N'chu, now incorporated into the Free State, remained in the hands of the Transvaal Provincial Administration.

Free State first to table Bill

BLOEMFONTEIN — The Exchequer Bill, tabled in the Free State yesterday, is the first legislation to be placed before any of the nine new provincial legislatures.

The Free State's MEC for finance and expenditure, P. Makgoe, said the Exchequer Bill was aimed at establishing a fully-fledged treasury in the province.

This would enable the OFS to exercise treasury power in its own right.

The Bill provides for the arrangement, recovery, receipt, control, safekeeping and payment of state property, the exercise of duties and powers of the treasury and the granting of guarantees, indemnities and securities.

The Bill was supported by Abrie Oosthuizen, leader of the Freedom Front in the house, who said it was essential for clean administration.

The Free State's Tender Board should support the region's people and be "Free State-orientated", NP Free State leader Inus Aucamp said during the second reading debate of

the province's Tender Board Bill in Bloemfontein yesterday.

However, ANC member Henri Lerm, who declared his interest as member and chairman of the past provincial Tender Board, cautioned that the legislature should not prescribe to the board.

He said the board should favour Free Staters only where it was within the framework of the Act and in the best interests of the province.

The Freedom Front's Kobie Gouws said nominations to the board had to be made with great care, and it had to be autonomous.

While it was important for Free Staters to be acknowledged in the awarding of tenders, Tender Board members should not be connected to members of the legislature or administration.

The Bill passed the committee stage without amendment and was read a third time.

The legislature authorised Premier Patrick Lekota to establish a committee to consult traditional leaders in the province — Sapa

Free State learns the language of reconciliation

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(265)

THE Rev Motalapula Chabaku is unequivocal "I am black and a woman and Speaker of the provincial parliament, and I am telling you the Free State is a progressive state."

She smiles when reminded of the roadblocks and watchtowers set up by the Viljoenskroon traffic department to guard Bloemfontein against communist insurrection on the first day of elections

Voting in the Free State was the most peaceful in SA, she claims. And despite a landslide victory for the ANC — which won 26 of the 30 seats in the regional legislature — members do not address one another as "comrade"; they are known only as honorary members. "We do not want people to feel their culture is under attack. Attitude is all."

The Speaker's ruling is less a token gesture than it may appear. There is consensus within the CR Swart government buildings that the most sensitive issue in the province is language. This was highlighted during the first session of the new legislature in the week of June 16. Responding to the opening address by provincial premier Patrick Lekota, Freedom Front leader Abrie Oosthuizen rose to thank him in English for "using Afrikaans so frequently" in his speeches.

Constitutional provisions for multilingualism give rare substance to the otherwise abstract ideal of

"reconciliation". In the Free State, Hansard will be kept in three languages: Sesotho (the most widely spoken language in the province), Afrikaans and English.

Members may also debate in Tswana, Xhosa and Zulu. Although the Zulu-speaking population is tiny, it balances the provision made for Tswana speakers of parts of the for-

mer Bophuthatswana now incorporated into the Free State.

The provisions require technical support. Inside the Fourth Raadsaal, two newly erected wooden sheds housing R200 000 worth of communications hardware are more conspicuous than the absence of statues of former presidents. The technology enables the simultaneous translations of speeches in the three Hansard languages via an infrared beam to MPs' headsets. Lekota has no doubt about the expense. "Some representatives will only speak Sesotho or Tswana. We are honouring a constitutional obligation."

According to Prof Albie Sachs, who negotiated the constitutional provision for 11 official languages at the multiparty talks, the Free State's approach to multilingualism is unparalleled. "There is a need for greater professionalism of language services. The Free State is taking this issue more seriously than anyone else." The principle behind the new technology is inclusivity.

Awareness of linguistic differences is traditionally acute in the Free State, where Afrikaners struggled for recognition of their language in the 1870s.

The history of Die Patriot newspaper is a salutary reminder of the extent to which cultural identity and the right to language are embroiled.

Appealing for new correspondents, editor the Rev Stephanus du Toit wrote in the first edition in 1870: "More than one Afrikaander of spirit and intelligence had to remain silent because he had no language in which to express himself. And the Dutch or English language which he wanted to use for the purpose fitted him as ill as Saul's suit of armour did David. Why longer be buried under foreign dust and trodden underfoot by foreign feet?"

Mutual ignorance of other people's languages is one of the few legacies of apartheid common to different racial groups. The daily ritual of accommodating different languages is a practical form of reconciliation and an indication of political parity.

Although Lekota concedes that English is likely to become the main working language of the Afrikaans-dominated Free State public service, he insists that the creation of a single working language is not the business of government. Any such policy would be perceived as undermining the diverse ethnic identities of the Free State which the government is pledged to protect.

Most of the interpreters in the Fourth Raadsaal have been second-

ed from Free State University, and various council departments, including the traffic inspectorate.

Provisional parliamentary secretary Gerhard Nordier claims they are a model staff. "My experience during 30 years of civil service is not one of professionalism. But these are positive people, and there are good relations here that one doesn't find in the Transvaal."

Free State Chamber of Business director Louw Pretorius agrees. The architect of recent plans for a unified business chamber in the province, he predicts that language will cease to be contentious once new administrative structures are in place.

"Business wants a hand in government — after the first greeting, we will speak any language. There is only one issue. Please recognise my vernacular."

His attitude is similar to that prevailing at last year's multiparty talks. Constitutional provisions are a means to an end — but ultimately the right to one's own language, albeit sacrosanct, can be a red herring.

Arguably, forcing a person to speak in someone else's language disempowers them. But Sachs is confident that once the right to one's own language is accepted, natural selection will take its course. "The impression given in the media that everything must be translated 11 times is ridiculous."



□ LEKOTA

LETTERS

Cellular phones for minibus taxis

THE SA Black Taxi Association (Sabta) yesterday unveiled a project in which about 200 000 taxis throughout the country would be fitted with specially designed cellular mobile phone units.

Announcing the "biggest cellular phone deal in SA", which enjoyed the full endorsement of Public Works Minister Jeff Radebe, Sabta president James Ngcoya said at a news conference in Midrand the deal entered into with Panama Investment Corporation was part of Sabta's plan to provide optimal service to the black taxi industry.

Panama MD Seelan Moodley said Sabta would acquire a shareholding in Panama and a "substantial shareholding" in Panama's equity would be set aside for sale, on a private placement, to Sabta members.

A number of officials in provincial structures of Sabta would be directors of Panama and its subsidiaries. Moodley said his company had entered the SA cellular phone industry through its subsidiary, Panama Communications.

Major cellular phone manufacturer Motorola would supply all Taxifone equipment and car-fitment company Pro-fit would install the Taxifones.

Motorola's SA representative Neville Huxham said the company's total financial commitment was still

THEO RAWANA

being negotiated. MTN had been chosen as the official network operator and Sebcom, in the MTN stable, would be the service provider.

"During the day and in the early hours of the evening, these units will be used by taxi commuters to make calls," Sabta's Ngcoya said. "After hours, the taxi owner can remove the unit, put it in his house and neighbours can use it."

"The taxi owner will charge the user a premium for the use of the phone, thus allowing him to supplement his income."

Since the taxi owner received a detailed statement from the service provider at the end of the month, the driver would have difficulty misappropriating income from the Taxifone, Moodley said.

He said the cellular phone deal was only part of the partnership the two parties had entered into, which includes insurance schemes.

The Public Works Department said the project fell within the objectives of the reconstruction and development programme.

"The taxi industry is a cornerstone of our economy. As such, any successful development plans will have positive spin-offs for the entire macro-economic growth in the country."



SA Black Taxi Association president James Ngcoya announces a project to supply cellular phones for taxis. Picture: GARTH LUMLEY

Free State plots way

By Mpikeleni Duma

ABOUT 200 Free State business people gathered at Sasolburg yesterday to devise ways of developing the province

The conference was organised by the province's ministry of economic affairs

Economic affairs MEC Mr Ace Magashule said the aim of the conference was to plan for the development of black entrepreneurs

He said his department would open doors for black businessmen. He expected black businessmen to be actively

involved in the mainstream of the Free State economy

Provincial Affairs Deputy Minister Mr Vally Moosa told the conference that the provincial government had taken "a very commendable initiative"

Moosa said the conference would help develop economic policy for the province

Various business organisations yesterday submitted proposals on how black entrepreneurs could be involved meaningfully in the economy of Free State

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(265)

CP slams OFS govt

Saweban
THE Conservative Party yesterday accused the Free State legislature of "recklessness" in announcing that QwaQwa and Botshabelo residents owing less than R20 000 on their houses need not make further payments. 318/94

CP housing spokesman Mr SP Barnard said in a statement the announcement had been made by MEC Vax Mayekiso. He said it meant everyone with State-supported housing had been exempted from further payment.

"The CP has taken notice of the many statements by provincial ministers (MECs) with regard to housing," he said. "A big problem is that a uniform housing policy does not exist or has not yet been announced and it has become necessary for the Government to establish guidelines the ministers can go by."

Barnard said announcements that encouraged people not to comply with their responsibilities toward banks, building societies and the private sector should be guarded against. (265)

Botshabelo is near Bloemfontein and the former homeland QwaQwa is in the south-east of the province — Sapa

Lekota wins FW's praise

BLOEMFONTEIN —
Deputy President F W
de Klerk praised Free
State premier Mr Pat-
rick Lekota here yester-
day for the local govern-
ment progress in his
province (265)

Mr De Klerk said the
province had shown it-
self ready to implement
a transitional process

He added he knew that
premiers were being
hampered by red tape
with regard to the trans-
fer of powers to the prov-
inces ET 14/10/94

Mr Lekota, in turn,
praised Mr De Klerk's
important role in his-
tory — Sapa

Free State receives agricultural power

BLOEMFONTEIN — The transfer of agricultural powers to the Free State agricultural and environmental affairs department had been completed, and there had been good progress in transferring environmental powers, MEC Cas Human said yesterday.

8 Day
He said farmers and other interest groups had been approached to help draft an agricultural policy document.

The department was negotiating with the Land and Agricultural Bank to formulate an agreement for the acquisition of Land Bank farms for farmer settlement.

There were also negotiations with the Department of Land Affairs on a pilot land reform project and for the testing of at least five types of land transfer in selected areas.

8/11/94
Human said rural development focused on five projects. These were 108 small-farm settlers at Rodenbeck near Bloemfontein, the distribution of 20 000 garden plot seed packets, a Botshabelo farm settlement, environmental education and rural advice offices.

The department's Johan Eyssen yesterday also announced that the first registered "bewarea" (conservation area) in an underprivileged community in the Free State had been established at Soutpan.

The residential area and its surrounding commonage would be included in the conservation area, which would be managed by a committee under the chairmanship of Benned Kware.

(265)
Eyssen said that 40 members of the area would attend a course at the Willem Pretorius Game Reserve on the management and upgrading of their environment. This would be the first time members of such an area received such training. — Sapa

A victim of the

OVER the weekend Free State premier "Terror" Lekota was ousted as the province's ANC chairman **PATRICK LAURENCE** offers an interpretative perspective on the surprise development (26)

THE little white-haired dog jumped up and down with excitement in the diningroom of the elegant residence of former Free State administrators, its tail wagging frantically and its eyes alight with joy

Its master, Free State premier "Terror" Lekota, had returned home from a trip to Johannesburg. He smiled affectionately and scooped the dog up into his arms

The dog had been given to Lekota — who was elected premier of the Free State after the ANC's convincing victory in the provincial election in April — by a white farmer

Lekota addressed the dog by different names, depending on which language he was speaking. When he spoke Sesotho, it was Thabo. When he switched to Afrikaans, it was Botha.

The dog symbolised the drive for racial reconciliation which Mosiuoa Patrick Lekota, 46, has made a central feature of his administration in the Free State, a province which under the apartheid system was known as South Africa's "Deep South"

Indians were not allowed to live in the Free State in the heyday of apartheid. The discriminatory law gave birth to a racist simile moving as fast as an Indian travelling through the Free State. Black farm workers were among the poorest and most oppressed people in South Africa.

Lekota, a Robben Island prison graduate, was a key accused in two major trials, the Black Consciousness trial of the 1970s and the Treason Trial of the 1980s. Ever since his release from Robben Island in 1983 after the first trial, Lekota, a former national organiser for the pro-black consciousness South African Students' Organisation, has sought to win whites to the cause that he embraced in prison, that of Nelson Mandela's ANC.

As national publicity secretary of the pro-ANC United Democratic Front, Lekota spent hours trying to convince apprehensive whites that the ANC's commitment to nonracialism was genuine. With the same seemingly indefatigable energy, he sought to persuade angry blacks to support the ANC's quest for a nonracial South Africa.

The ANC's crushing victory in the Free State — where it won

more than 75 percent of the votes in the provincial election and 24 of the 30 seats in the provincial legislature — did not dilute Lekota's commitment to racial reconciliation.

His bedroom in his official residence contains two bibles, one in Sesotho and one in Afrikaans. Like his dog Thabo, alias Botha, the bibles are an outward sign of an inner conviction.

But, judging from his shock ousting as the ANC's provincial chairman in the Free State at the weekend, Lekota has not been able to carry the majority of his black constituents with him.

He has either moved too fast or he has not devoted enough time to explaining his pursuit to black rank-and-file members of the ANC.

Lekota was defeated by 263 to 190 votes by Pat Matosa, secretary of Northern Free State branch of the ANC until its amalgamation at the weekend with the Southern Free State branch.

Lekota was accused by radicals or "Africanists" within the ANC of neglecting the blacks who had voted him into power.

His defeat as the ANC's provincial leader gives added pertinency to an interview conducted by The Star with Lekota at his official residence last week.

Speaking about the challenges facing the ANC now that it has graduated from an opposition movement to the majority party in the central government and seven of the nine provinces, Lekota referred to "a lot of uncertainty" over the transition.

Contrasting the fears of losing support which beset the ANC during the struggle against apartheid with the anxieties faced by it today, Lekota said "It has more to do with the movement failing to fulfil its obligations and its election promises. Now we are not concerned with breaking down so much as with building up."

Whereas in the past the ANC was anxious about being outflanked by radicals in the struggle to destroy apartheid, it is apprehensive now that it will not be able to build fast enough to meet the expectations of its constituents or that its political enemies may sabotage its campaign to build a new and more

equitable society.

Lekota, however, has moved smartly to reduce, if not eliminate, the threat from right-wing radicals, using persuasion rather than coercion as his main weapon.

"The most exciting aspect for me has been to enunciate our policies of reconciliation, of a common South Africa for all."

Lekota paused as if to relish the next thought before continuing: "To actually see human beings who are white and who were to be convinced that the day we became the government would be doomsday for them, to see those ordinary human beings discover the truth and commit themselves to build a new society."

Lekota went on to recall that Eddy von Maltitz, leader of the "Far Right in the Free State", had been a guest in his home on the occasion of his birthday. It was a source of pride that Von Maltitz, a man who wears a pistol on his hip, wears camouflaged shirts with matching boots and who proclaims his allegiance to the "ultra right", had been tamed enough to accept an invitation to his birthday party.

Judging by remarks made by Von Maltitz to The Star in a later interview last week, Lekota was not wrong in his assessment.

Von Maltitz talked grandly of his right-wing convictions but his statements were refined and made innocuous by two qualifications.

□ His distrust of "communists" in the ANC was outweighed by his dislike of "traitors" from within — F W de Klerk and the National Party.

□ He was prepared to give Mandela and the ANC a chance to show that they could govern firmly and wisely.

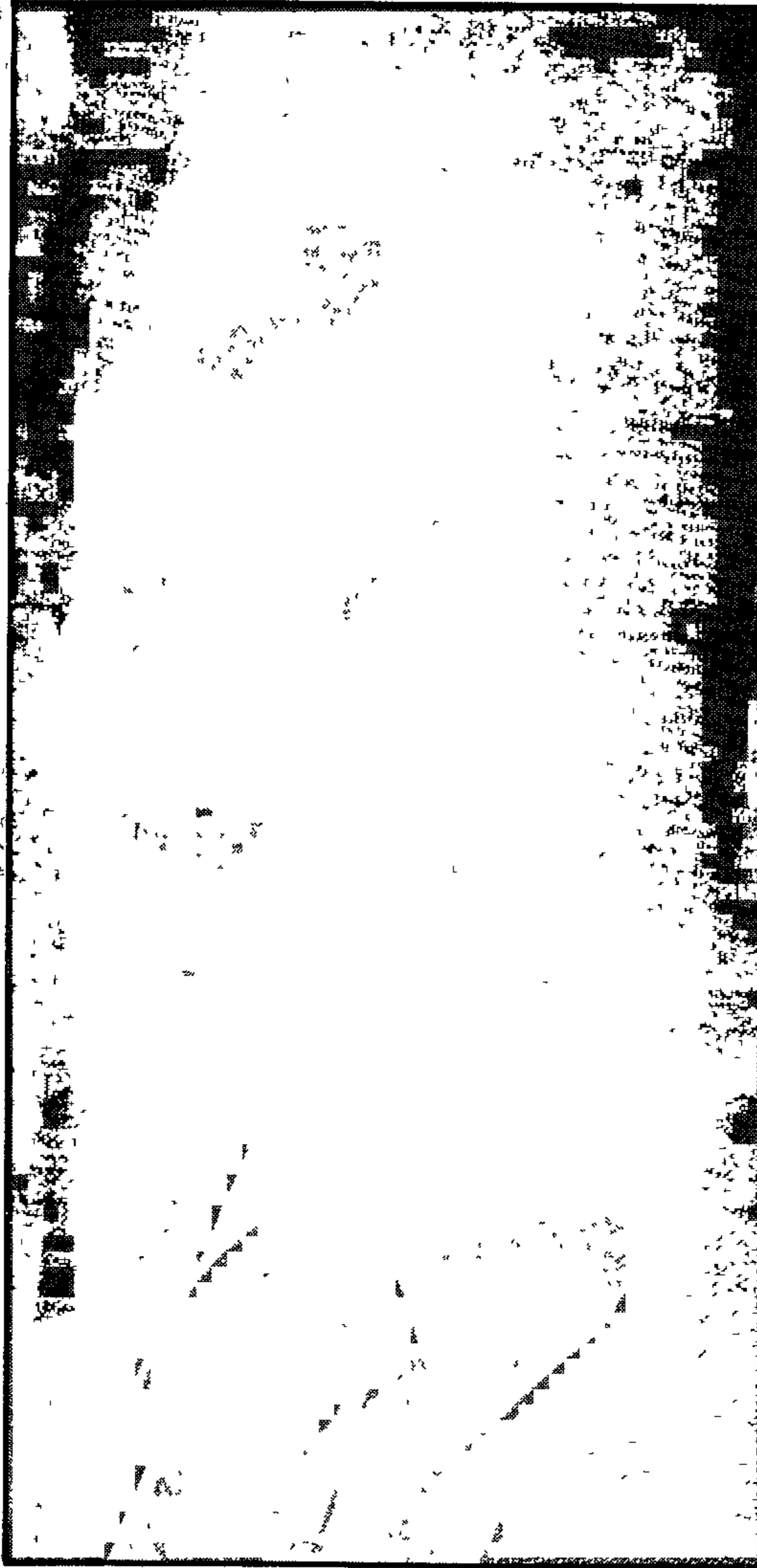
Lekota, who has unequivocally condemned the murderous attacks on Free State farmers, was adamant that the assailants were criminals, driven by an unemployment level of 45 percent.

"It is not an organised political programme," he said emphatically.

But in guarding his administration against assault from the right, he may have made himself vulnerable to populists, garnering discontent in the townships, on the farms and in the overcrowded former black "homeland" of Qwaqwa.

vultures

APR 29 11 94



Free State premier Patrick "Terror" Lekota. His efforts to reassure whites in one of South Africa's most deeply entrenched white conservative strongholds has brought some notable successes — but at the very considerable cost of support from blacks who feel he has betrayed those who voted him into power in the April elections. Now he is faced by having to walk a precarious tightrope as his black political opponents attempt to garner support at his expense among the poor and the unemployed in what remains one of the country's most economically deprived provinces.

Free State RSCs 'must be reduced to three'

BLOEMFONTEIN — The Free State should be demarcated under three regional services councils instead of the present four, the Free State Demarcation Board has unanimously recommended.

Board chairman Mr Henry Symington said they would sit in early January to determine the areas of jurisdiction of the province's towns and he hoped to have recommendations finalised by the end of that month.

Minister Ms Ouma Motsumi said there were serious shortcomings in the 1989 demarcation of RSCs, with areas such as QwaQwa, the former Bophuthatwana and Thaba Nchu not included in RSC regions

Kader attacks absenteeism critics

NEWSPAPER reports on absenteeism among MPs emanated from "mindless cynics" who did not want the new Parliament to succeed, Minister of Water Affairs and Forestry Prof Kader Asmal said yesterday.

They reminded him of dogs barking at the caravan as it moved on "there are enough cynics around who don't want

Parliament to work."

Prof Asmal was opening a computer training facility for MPs and administrative staff at Parliament.

"Making Parliament work is central and critical to making our democracy work," he said.

Some cynics had been "deeply affected" by the April 27 election "but we now have an openness and mosaic in Par-

liament that is real."

Seeing the public galleries filled during debates was "one of those moving experiences"

Parliament, however, had to be a centre of efficiency, industriousness and thoroughness.

There were some MPs who had only a Std 6 education and there were 30 who had no water supply to their homes. Such MPs needed help and the com-

puter training facility was "the beginning of a period of service to our members."

Thanking Portnet and its business associates for providing the facility, ANC MP Mrs Grace Pandor said "Parliament is in the dark ages as far as information and technology is concerned."

— Sapa.

● Absenteeism by MPs — Page 8

CP protesters anger Lekota

Sowetan 30/11/94

2105

A FURIOUS Free State premier Mr Patrick Lekota yesterday berated a group of Conservative Party supporters who confronted him at his office to demand the restoration of the statue of the late former prime minister Dr Hendrik Verwoerd. The protesters sat in their chairs as Lekota, pointing his finger at them and his face set, tongue-lashed them in a dramatic scene cap-

tured by South African Broadcasting Corporation television news and broadcast to the nation. He told the protesters that some of them had entered the building with guns. "A man whose laws, pass laws, I saw take my own father into jail for nothing but that he had forgotten a piece of paper (passbook) somewhere in the house. "And you come and tell me that he is your hero. If that is your hero,

that is the future you want, our ideas are different," Lekota fumed. "We have no education, we have no training, we have no homes. We have nothing. That's what Verwoerd did." The removal of the statue from Bloemfontein by the new Free State government several months ago prompted President Nelson Mandela to urge political leaders to act with sensitivity on such issues. —Sapa

Lekota lashes Verwoerd supporters

BLOEMFONTEIN — Angry Free State Premier Mr Terror Lekota yesterday berated a group of Conservative Party supporters who confronted him at his office to demand the restoration of the statue of Dr Hendrik Verwoerd, the ex-prime minister attributed with being apartheid's architect

The protesters sat in chairs

as the premier, pointing his finger at them, tongue-lashed them in a dramatic scene captured by SATV news and broadcast to the nation

Accusing some of the protesters of entering the building with guns, he said Dr Verwoerd was "a man whose pass laws I saw take my own father into jail for nothing but that he had forgotten a piece of paper and

you come and tell me he is your hero If that is your hero, that is the future you want, our ideas are different," Mr Lekota fumed

"We have no education, we have no training, we have no homes We have nothing That's what Verwoerd did"

The removal of the statue from Bloemfontein by the Free State legislature several

months ago prompted President Nelson Mandela to urge political leaders to act with sensitivity on such issues

CT 30/11/94
Mr Lekota lost a battle for the chairmanship of the African National Congress in the province at the weekend, apparently because of his reconciliatory approach towards whites
— Sapa (265)

In the provinces: Why are some administrations getting on with the job and others not?

It's green for go in the Free State while

WM 23/12/94 - 5/1/95

(265)

welded by farmers.

THEY always wait for the green man in Bloemfontein. Even if there isn't a car in sight, pedestrians won't step off the pavement while the signal is still red.

Justin Pearce: Bloemfontein

To do so would be to disrupt the relentless orderliness of a city dominated by government buildings and sandstone monuments from the 19th century boer republic, and the sky-punching monoliths of apartheid planning. These days fruit and vegetable vendors may crowd the rectangular streets — but they meticulously sweep the pavements when they shut up shop in the evening.

This, after all, was once the capital of a state which school history books dubbed the "model republic." Now, almost a century after the Free State lost its independence, all the signs are that the model republic is making a comeback in a new, non-racial form, confounding the prejudices of outsiders who see the Vrystaat as a backwater full of *vertrappte* whites and hopelessly downtrodden blacks.

In fact, while the rest of South Africa has been bogged down in tax conflicts and bickering over local gov-

ernment plans, the Free State has quietly got on with things: it was the first province to have transitional local government structures in place, and in the provincial parliament members from the ANC through to the Freedom Front approach the task of implementing the RDP in the province with a remarkable degree of consensus.

"It is the conservatism of the Free State that has helped make the transition easier," says Thabo Liphoko of Project Vote, a voter education project now preparing for the local government ballot. He means conservatism with a small 'c' — and his opinion is widely shared.

The OFS's African population is overwhelmingly ANC-supporting, but until the late 1980s they largely kept quiet about their loyalties, and confrontations with the state were rare. And it was the deep-seated loyalty of Free State whites to the National Party that made it easier for them to accept the move to democracy, says provincial NP leader Inus Aucamp.

Patrick Terror Lekota
to either the ANC or the NP, the commitment to negotiations expressed by those two parties translated into action by their members.

A Free State negotiating forum was planning the nitty gritty of the province's future even before the Kempton Park negotiators had finished hammering out the country's constitution. "April 27 was a gradua-



tion — the process had already unfolded," says Housing MEC Vax Mayekiso. The process was made possible by the fact that the province retained its original boundaries, apart from absorbing the backyard-sized Gwa-Gwa, and Thaba Nchu (a remote outpost of Boputhatswana).

Similarly, when it came to organising transitional local government structures, the process was facilitated by the existence of the well-established OFS Municipal Association, a network of white local authorities which negotiated with the South African National Civic Association at provincial level to establish transition guidelines for all the towns in the province.

The manageable size of the Free State's cities and towns, and its relatively low crime rate also helped the transition to proceed smoothly.

"We have been able to get the white population sympathetic to our cause," says Agriculture MEC Cas Human, the Harrismith farmer who was ostracised by the white community when he first joined the ANC, but who has since regained their confidence. Winning the whites was a crucial task for the provincial government given the economic clout

The militant rightwing in the Free State is confined to small isolated cells, and even the Freedom Front is less of a force here than in the Northern and Eastern Transvaal. The two FF members in the provincial parliament are happy to make their contribution to the ANC-dominated provincial government. "We will give our support to the RDP, because South Africa must become economically stable and without that we cannot have a stable, peaceful Volksstaat," says Kobie Gouws, provincial deputy chair of the FF.

She admits that her party, and the Volksstaat ideal, may lose support as more whites see that racial co-existence can work — though she is confident they will come back as soon as they realise that "they'll lose their language, their way of life and their culture."

In fact, the provincial government has been noticeably cautious about taking any action which might be construed as a threat to Afrikaner culture: the removal of the Verwoerd statue which prompted a rightwing demonstration seems to have been a

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P.T.O.

NEWS Alex residents march on police station ●



Alex residents march against increasing numbers of aliens

Bloem is Free State capital

Sowetan 13/1/95

By Mpikeleni Duma

BLOEMFONTEIN will remain the Free State's capital, premier Mr Patrick Lekota announced yesterday.

The announcement follows an all-day meeting involving all political parties — including the ANC, Freedom

Front and National Party — and the business community.

Lekota said the provincial leadership had resolved the city would become the permanent seat of the Free State legislature.

He said the leadership was convinced the decision was in the best interest of the province

Before the decision was taken, there was a lot of uncertainty among Free Staters

Another city contesting was Welkom.

"We make a special appeal to all the people of the Free State to accept this decision and unite behind the provincial leadership," said Lekota.

(265)

'Orange' to fall from Free State

BLOEMFONTEIN — The Orange Free State legislature has unanimously approved a motion that the central government be asked to amend the constitution to refer to the province as the "Free State"

CT 16/2/95
At its first sitting of 1995 here yesterday, Premier Mr Patrick Lekota said that historically the "Orange" in the province's name referred to the old House of Orange in the Netherlands. At this stage there was no longer any link (265)

Mr Lekota said there were those who would argue that the name should change completely, but in a process of reconciliation only what was absolutely necessary should be changed. By effecting this change, something new was introduced while something of the old was retained.

Former OFS administrator Dr Louis van der Watt (National Party) said that, in a spirit of reconciliation, the NP would support the change.

The legislature approved a motion of confidence in Mr Lekota as premier — Sapa

Free State's in a poor state (265) CP19/2/95

By KHANGALE MAKHADO

THE Free State's economy is in dire straits – it's the only province that experienced a negative real output growth rate for the period between 1970 and 1993, with over 80 000 jobs lost in the formal sectors in the past 14 years

According to Dr Eugene Mokeyane, director of trade services in the Department of Economic Affairs and Tourism, the province will remain in the red unless it receives financial aid from other countries

Mokeyane says the performance and structure of the economy in the Free State is cause for concern because the province depends on central government transfers to finance about 88 percent of its expenditure.

This is despite the fact that the Free State is reasonably endowed with natural resources, has an abundant supply of labour and relatively well-developed infrastructure

The dominant mining sector has been adversely affected by a major leakage of profits and investments to other areas of the country and offers little scope for generating substantial economic growth.

The department took advantage of last week's visit to Bloemfontein by



CRY FOR HELP ... Patrick Lekota and Linda Chalker.

British Minister for Overseas Development Baroness Linda Chalker, whom they presented with a budget of about R200-million aimed at alleviating the problem

Mokeyane said they had identified several strategies in the form of projects aimed at addressing the poor economic situation. These included the establishment

of Small Business Development and the Free State Development Corporation, trade and investment promotions, export processing and technical aid projects

By creating the Small Business Development, the province hoped to end the constraints previously faced by black entrepreneurs because of historical biases

The SBD will also look at the lack of access to credit facilities, constraints of working capital requirements and address the problem of inadequate technical knowledge, managerial competence and product marketing strategies.

Mokeyane says the Free State affirms the broad economic policy goal of building an economy that is integrated, based and driven by the people in order to meet their basic needs and create an environment of peace and security.

The province's main task therefore will be to broaden its industrial and manufacturing base, develop the small, medium, micro and informal sectors of business through capacity building and engage in rural industrial development.

Speaker a voice for equality of women

(265)

CP 19/2/95

By KHANGALE MAKHADO

FOR the Reverend Motlalepula Chabaku, being Speaker of the Free State provincial parliament did not spell an end to her age-old fight against sexism and other forms of injustice

The assurance was given to City Press this week by the fiery non-nonsense priest from Rockville in Soweto

Chabaku, who boasts being the first "African woman Speaker" on the continent, says that apart from spending her time guiding parliamentary proceedings in the heart of the former conservative province, she makes it her second task to go "out there and do non-partisan PR in order to bring the government to the people".

She however concedes that while she is non-partisan and meets with people of all colours and from various political persuasions, she has a strong ANC background dating back as early as 1949 when she joined the Youth League.

"Our beloved Premier Patrick Lekota oversees the whole of the province but once he enters parliament he is under my direction and that is why I regard my job as a sensitive high-profile position of great responsibility," she says

What is it that brought her into the priesthood, a calling traditionally meant for males?

"Many of our people, like others all over the world, have very strong and deep rooted spiritual yearnings - and I am no exception

"However oppressors have misused our spirituality to give us a false belief that religion has to make one soft, meek, mild and not be able to say no to oppression, injustice, exploitation or corruption,"



FIERY . . . The Reverend Motlalepula Chabaku, Speaker in the Free State.

■ Pic: TLADI KHUELE

Chabaku observes.

According to her understanding, true religions are rooted in a love for peace, justice, fairness and equality as well as the protection of the weak, young, aged and the

physically challenged

"For a long time our strong sense of justice and protest was softened by godless ideas which expected our people to live and be led like sheep to the slaughter.

"When I joined the priesthood therefore I wanted to liberate people from racism and false religions that made them unconcerned with the present world," she says

She accused the government of double standards saying that while it preached non-sexism, it did not practise it on a daily basis

Citing the recent appointment of a male-only police commissioner and four deputies, Chabaku said it was difficult to believe that there were no women in the police force who could have been suitable.

"Why could we not have women as deputies while giving them in-service training?"

What prompted her to choose the Free State over her home town of Johannesburg?

Chabaku says when she returned in 1991 from 15 years of exile in the US with a string of degrees (three Masters degrees in Divinity, Adult Education and Guidance and Counselling), she was without a job or income for all of 1992

The situation remained the same until she was called to serve God in the Free State where, although a complete stranger, she was received with open arms.

"With all my academic degrees and experience I was called to start churches from scratch with God's people who were evicted from farms, workless and homeless."

Chabaku says as a woman she remains part of that global band of people who are discriminated against, yet form more than half the world's population.

Free State sets

budget of R4,9bn

(265) BD26/4/95

SELLO MOTLHABAKWE

THE Free State provincial government's R4,9bn budget announced yesterday for 1995/96 pledged to reverse the fall in the region's gross domestic product and to increase employment.

Free State finance and expenditure minister Tate Makgoe said the budget marked the beginning of a process whereby its compilation would be altered to make it inclusive and pertinent to the requirements of the province.

The Free State had received the third smallest allocation from central government — 7% of the R66bn for provinces — prompting calls for the review of allocation procedures.

Despite the province producing 26% of the country's gold last year and 22% of uranium, its share of national income had decreased.

Employment had grown 2,4% between 1980 and 1991, which put unemployment levels at 24% compared to 32,6% for the rest of SA. The province had tried to present a balanced budget matching revenue from the exchequer of R4,721bn with own revenue of R270m, but the region had contingent liabilities of about R170m.

Education had received R1,9bn, health R1,05bn, welfare R828m, roads R340m, public works R265m, and agriculture and environment R128m.

Makgoe said measures to stimulate the region's economy included a R200m fund accumulated since April last year.

Lekota removes Free State MEC

Star 19/5/95

265

Bloemfontein — Free State MEC for Housing Vax Mayekiso has been removed "for using his position to enrich himself or any other person", Premier Patrick Lekota told a press briefing in Bloemfontein yesterday.

He said section 149(9) of the constitution stipulated that no member of a provincial cabinet should use his position to enrich himself or anyone else.

Lekota suspended Mayekiso on April 26 after a complaint by the Thabong branch of the SA National Civic Organisation (Sanco) that he was using his position as MEC to advance the interests of another party or those of himself and his family.

The Sanco letter expressed concern about Mayekiso's involvement in a dispute between the taxi body Abtoca and a Mr Nkomo, franchise holder of a BP service station in Thabong near Welkom.

Sanco claimed Mayekiso was taking sides in the matter and had a vested interest, and that a bank guarantee of R50 000, offered to BP by Abtoca, was in the name of Mayekiso's wife.

He will no longer serve in the provincial cabinet, but it was unclear yesterday whether

er he would retain his position as a member of the provincial legislature.

Lekota tabled two letters from Welkom attorneys Andrews Podbielski and Grimsell to Nkomo, dated October 31, inviting him to negotiate the sale of his business to Abtoca.

Lekota tabled a letter on an executive council letterhead from Mayekiso to Nkomo, inviting him to a meeting at the Welkom Inn on February 13.

Lekota said Nkomo had felt obliged to attend because Mayekiso was a high government official.

Nkomo claimed that in the course of the meeting he had been placed under pressure to sell his business and as a result of alleged threats agreed to sell his business to Abtoca.

Nkomo claimed Mayekiso had posed as a neutral arbitrator at the meeting but did nothing to protect him when the threats were made.

On February 23 Nedbank's Welkom branch issued a guarantee for R50 000 as surety and co-principal debtor for Nondumiso Beatrice Mayekiso, trading as Thabong Motors.

Lekota said this document showed Mayekiso's personal interest in the matter, said Lekota. — Sapa

Provincial housing minister fired

ET 19/5/95 ~~21/5~~ (265)

BLOEMFONTEIN Free State housing minister Mr Vax Mayekiso had been removed from the executive council for abusing his position, premier Mr Patrick Lekota said here yesterday

Mr Lekota suspended Mr Mayekiso on April 26 after a complaint by the South African National Civics Organisation (Sanco) that he was using his position to advance the interests of

another party or those of himself and his family

The letter expressed concern about Mr Mayekiso's involvement in a dispute between the taxi body Abtocsa and a Mr Nkomo, franchise holder of a BP service station

Mr Lekota said Mr Mayekiso had invited Mr Nkomo to a meeting with Abtocsa in Welkom last year, at which he was placed under pressure to sell his business

Threats were made that people could lose their lives

Mr Nkomo claimed Mr Mayekiso did nothing to protect him when the threats were made.

On February 23 Nedbank issued a guarantee for R50 000 for Mrs Nondumiso Beatrice Mayekiso, trading as Thabong Motors

Mr Lekota said this document showed Mr Mayekiso's personal interest in the matter — Sapa

Mayekiso affair sparks divisions

By Mpikeleni Duma

■ FRACTIONAL FURY Now premier

Lekota claims he has conclusive evidence:

BATTLE LINES HAVE BEEN DRAWN within the African National Congress in the Free State following the expulsion of housing minister Mr Max Mayekiso.

The divisions that became evident at the ANC's provincial conference last year have taken on a new dimension as the faction opposed to premier Terror Lekota — led by provincial chairman Mr Pat Matosa — comes out clearly

against Lekota's decision to sack Mayekiso

Mayekiso was dismissed for allegedly abusing his position to enrich himself

Sources say Lekota's decision was supported by a faction that is behind him in cabinet, with MEC for safety and security Mr Papie Kganare apparently

Lekota's most powerful ally.

Mayekiso's expulsion

Sowetan yesterday learnt from sources that it was Kganare who proposed Mayekiso's expulsion but this could not be confirmed as Kganare was unavailable for comment
Mayekiso on the other hand is de-

pending on the support of the north block which plotted Lekota's humiliating defeat last year for the provincial chairmanship

This block has come out openly in opposition to Lekota's decision. This week the ANC provincial leadership decided in a meeting that Mayekiso should be presumed innocent until the organisation's commission of enquiry proves otherwise

Lekota has meanwhile said this was not necessary as the evidence before him was conclusive
So far as Mayekiso, Matosa and the

faction of the north are concerned there is some bitterness arising from Lekota's decision to reject Welkom as the Free State provincial capital

Mayekiso and Matosa were proponents of this position
Mayekiso's expulsion from cabinet, coming very soon after the Welkom capital lobby, has added insult to injury

The seriousness with which the developments are viewed by the ANC is evident from the hasty dispatch of general secretary Mr Cyril Ramaphosa to the province last week to mediate

Sowetan 26/5/95 2165

Sanco denies receiving bribes

CP 2018/95 (265)

By SERUTHU SERUTHU

THE SA National Civic Organisation in the Free State has asked a contractor for money – but insists it is not a bribe

A spokesman for Sanco, Torch Mahlakazela, responding to accusations from various political organisations and companies, said the latest “request” for R150 from Sanco to Stocks and Stocks was part of about R150 000 the organisation need-

ed for its provincial conference in Bloemfontein later this year.

Mahlakazela, who is also Sanco’s Free State secretary, said the money his organisation got from organisations was “voluntary donations”

There was nothing sinister in Sanco receiving the “donations”, because the organisation did not receive funding from the Government of National Unity, he said

“A lot of organisations have in the past received donations from private companies. This is so with all political parties operating in SA. It is no secret that Sanco is seeking such funding for its activities,” Mahlakazela said.

“We have requested R52 000 from the contractors that are working in the Free State water and sanitation project as their voluntary contribution. The re-

quest is still being processed.

Asked if companies could lose contracts if they did not donate to Sanco over the years, Mahlakazela said his organisation did not issue tenders, adding that the tender board members did not represent any organisation

He said the Free State’s MEC for Finance, Tate Makgwe, was responsible for issuing tenders and Sanco had no influence on his decisions

Free State strikers in consumer boycott call

(25) (152) (265) Sowetan 21/8/95

By Mpikeleni Duma

A WAGE strike by about 4 000 municipal workers in various parts of the Free State enters its second week today without any significant agreement between the employees' union and management

In Bloemfontein services collapsed last week after workers took to the streets in demand of a R1 500 a month minimum wage and an across-the-board three percent increase

Chaos reigned in the city when marching workers deliberately dumped litter and garbage in the streets

At the Batho Clinic near tragedy was averted when eight-year-old Pinkie Makubane of Thabo Mbeki Square in Bochabela Location was transferred to the Pelonomi Hospital after suffering an epileptic fit as a group of workers demanded the clinic's immediate closure

Some of the staff, including nurses and a doctor were barred from entering the clinic

The impasse comes in the wake of the dumping of garbage in the city centre and the clinic closed

The South African Municipal Workers' Union and Free State local

authorities deadlocked on Friday when they could not reach a settlement

The local authorities are offering a R125 a month across-the-board increase

Samwu spokesman Mr Potso Jantjes said yesterday that should their meeting with the local authorities fail to produce results today, solidarity action would be sought from the community. The people would be asked to support the strike which could lead to a blanket consumer boycott

However, in an earlier statement management said a settlement with the union was in sight

Sancoo cash riddle

By Themba Molefe and Mpkelani Duma

THE South African National Civics Organisation (Sanco) in the Free State is getting thousands of rands from construction companies competing for multi-million rand housing and property contracts in the province.

At least two construction companies which recently tendered for a R60 million shopping complex in Bloemfontein have donated about R210 000 to Sanco, whose two officials sit on the Tender Board which processes applications for tenders for housing and property contracts.

The two construction companies are Stocks and Stocks and Ninham Shand Consultants, which have donated money to Sanco.

Sowetan learned that the Sanco representatives on the Tender Board, Mr Jan Jures and Mr Tony van Heerden, were recently suspended and later expelled as executive committee members.

Sources within Sanco told Sowetan that Jures and Van Heerden were kicked out because they were "blocking" Stocks tenders.

Sanco has denied this claim, saying the two were dismissed for bring-

ing the organisation into disrepute by leaking minutes of Sanco meetings to the public.

Jures is currently involved in a row with Stocks and Stocks in which he is claiming R4,8 million for subcontracting work he did for the company.

Free State MEC for economic affairs and tourism Mr Ace Magashule is to mediate in the dispute between Stocks and Stocks and Jures.

Sowetan has in its possession the minutes of a Sanco provincial working committee meeting held on June 13 in Bloemfontein, where it was disclosed that Stocks donated R10 500 towards Sanco expenses.

According to documents, Mr Koos Pretorius of Ninham Shand Consultants had promised to coordinate building contractors to donate R52 000 which would be used to pay Sanco's loan guarantees and adminis-



Mr Ace Magashule - will mediate in the dispute.

Sowetan 24/8/95

"Development of Hoffman's Square, a proposed multi-million rand complex, has been hampered by a bad impression created at the Tender Board as Stocks has been treated very badly. This hindrance could have a zero response on the R150 000 funding towards Sanco's conference," the minutes say.

The document further states the R150 000 donation should be "above board".

Hoffman's Square is a R60 million shopping complex scheduled to be built in Bloemfontein.

The contract was recently granted to Stocks and Stocks, according to Bloemfontein Transitional Local Council spokesman Mr Philip Nel.

In its response Sanco has admitted in Bloemfontein that a memorandum of agreement has been signed by its national office by Stocks and Stocks, but has denied the donations were a



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prerequisite for companies to receive preferential treatment when vying for tenders.

It said this was to ensure "mutual cooperation in the field of community development between Sanco and Stocks and Stocks.

"So, it is not a secret that there has been financial assistance from Stocks to Sanco.

"We are still in the process of negotiating with Stocks our request to donate R150 000 for our conference and the funding would be above board and unconditional," a Sanco statement said.

Sanco provincial secretary Mr John Makelelane said the organisation had a record of understanding with outside companies on funding.

According to that record Sanco could receive funds from any company whether in the form of vehicles, office administration and money, Makelelane said. He could not explain claims that this funding put Stocks in a better position than other companies tendering in the province.

Stocks and Stocks Free State managing director Mr Andre van Zyl confirmed that the company had given Sanco R210 000 and other assistance.

See Page 3.

Probe on bribery allegations

Sowetan
28/8/95
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By Mpikheleli Duma and
Claire Keeton

FREE State MEC for safety and security Mr Papi Kganare has instructed the police commercial unit to investigate corruption and bribery claims against the South African National Civics Organisation and two construction companies

Kganare said the investigation, which would include two members of the provincial legislature, was prompted by the seriousness of the allegations

The two are Mr Joe Mafereka and Mr Benny Kotsoane, who used to serve in the Sanco provincial executive committee before last year's general elections

Kganare said all documents implicating the parties had been handed over to the investigating team

However, ANC MP and former president of Sanco Mr Moses Mayekiso defended the organisation's right to accept funds from companies towards development

A *Sowetan* investigation recently revealed Stocks and Stocks and Ninham Chand Consultants donated about R210 000 to Sanco in the Free State

"It is important to note that all the people and companies concerned are being investigated, including Mr Jan Juries and Tony van Heerden who complained," Kganare said in a media statement

Process applications

Both Juries and Van Heerden sit on the Provincial Township and Tender Board which processes applications for housing and property tenders

The two were later expelled from Sanco apparently on suspicion of blocking Stocks and Stocks tenders

Juries is currently involved in a row with Stocks from whom he is claiming R4,8 million for subcontracting work he did for the company

Free State MEC for economic affairs and tourism Mr Ace Magashule is to mediate in the dispute between Stocks and Juries

Mayekiso said "Sanco, Bloemfontein has been criticised for taking money but it is acceptable to take cash for rebuilding communities

"Sanco accepts cash to upgrade communities and to assist in building administrative structures"

He said Sanco entered many joint ventures and records of understanding with corporations

Sanco asks for donations from contractors

Robyn Chalmers

THE SA National Civics Organisation has asked for donations of R52 000 from contractors on southern Free State water and sanitation projects, despite officials saying at the weekend that Sanco had been appointed as a consultant on the projects.

Sanco Free State secretary Tosh Mahlakazela said Sanco had been appointed by the Bloemfontein regional services council to act as a consultant to Free State water and sanitation projects

"There is a consultancy fee that is payable to Sanco as a result of Sanco's involvement and role in the successful implementation of the projects and dispute resolution," he said. Requests had been put out to contractors for their voluntary contributions to Sanco, but he did not believe there was a conflict of interest.

Sanco relied on donations from foreign and local organisations and "was not involved in shady deals with any organisations or individuals"

Mahlakazela was responding at a news

conference to newspaper allegations that construction groups Stocks & Stocks and Ninham Shand had donated more than R200 000 to Sanco's Free State branch, whose two officials, Jan Juries and Tony van Heerden, sit on the tender board.

The board assesses applications for tenders put forward for housing and property contracts. Both Stocks & Stocks and Ninham Shand were tendering for a R60m shopping centre in Bloemfontein.

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Continued from Page 1

Sanco national secretary Penrose Ntlonti said the organisation had signed a record of understanding with several companies, including the CSIR and Spescom. It had also agreed on principles of engagement with Stocks & Stocks.

He said the records of understanding between Sanco and private companies

were above board and one of the means by which the organisation raised funds. "We are therefore disturbed by media reports that the organisation is compromising due tender processes by favouring those companies from which it gets funds. There are procedures and criteria set up by provincial government to approve tenders and maintain the independence and transparency of the boards. Sanco cannot, therefore, manipulate the process on its own."

Sanco promises action on corruption

Robyn Chalmers

265 (2) 90 4/9/95

PUNITIVE action would be taken against Sanco officials guilty of corruption and patronage related to funding arrangements between the organisation and outside institutions, ANC MP Moses Mayekiso said at the weekend.

Sanco has drawn up draft guidelines on how dealings with other organisations should be conducted.

This follows allegations that construction group Stocks & Stocks and engineering consultant Ninham Shand had donated more than R200 000 to Sanco's Free State branch, which has two officials sitting on the Free State tender board which assesses applications put forward for housing and property contracts. Stocks & Stocks and Ninham Shand were tendering for a R60m shopping centre in Bloemfontein.

Mayekiso, a former president of Sanco,

said relationships between Sanco and outside institutions should not be seen as an attempt to discourage competition.

"It should instead be viewed as a sincere effort to encourage outside institutions to play an active role in community investment and development under conditions of community consultation, participation and control," he said.

Sanco Free State provincial secretary Tosh Mahlakazela said that Sanco did not receive funding from government and had to look to donations. "This is so with all political parties in SA. But surprisingly enough, it becomes a national issue when Sanco requests such funding."

Mayekiso said Sanco was striving to meet five objectives in forming joint ventures. These were empowerment, capacity building, skills upgrading, project delivery and active community participation in design and delivery.

'Jobs for pals' MEC faces axe

(265) CP 10/9/95
By ELIAS MALULEKE

A NEW corruption scandal involving an MEC has erupted in the Free State — this time in the education department.

This follows a damning 84-page commission of inquiry report tabled by premier Terror Lekota on Thursday concerning alleged job appointment irregularities involving the province's MEC for education and culture, TS Belot.

Lekota is to make an announcement on Thursday on Belot's future in his cabinet after meeting all "interested parties" opposed to the appointments — including Sadtu, Cosas, academics, unions and political and civic organisations.

It is expected that he will fire Belot.

■ And as problems in the Free State deepen, the ANC provincial chairman — and Lekota's arch-rival — Pat Matosa, was this week dismissed as the provincial RDP facilitator.

His dismissal is not related to the scandal.

■ The commission, headed by the highly respected academic Professor Es'kia Mphahlele, found Belot had recommended the employment of "underqualified" candidates — who had not been recommended by a selection panel of which he was a member.

Because of many irregularities in the appointments of candidates, the commission has recommended that all appointments be ruled "null and void" and the 12 directoral posts be re-

advertised

■ The posts are that of the director general, deputy director general, chief director of education, and the chief directors of auxiliary services, college of education and vocational training, sport and recreation, special needs, human resources, specialised support services, life-long learning, information services and financial management.

Lekota appointed the commission on May 11 after many allegations of nepotism and "jobs for pals" were made to him and in the media by disgruntled Free State residents and government officials early this year.

Most complainants claimed people qualified for the jobs had been overlooked in favour of less qualified and "inexperienced" appointees because they were not relatives or friends of the MEC.

The commission's report blamed most of the irregularities on Belot.

■ The latest scandal comes hot on the heels of the dismissal of the Free State MEC for housing and local government, Vaks Mayekiso — who was accused of having a personal interest in the purchase of a billing station in Welkom.

The firing of Mayekiso — which was opposed by Matosa and the anti-Lekota group in the province — created a scandal which forced the ANC's National Executive Committee to step in with its own commission of inquiry — whose findings are still to be made public.

Lekota faces music today

(265) Sowetan 14/9/95

By Mpikeleni Duma

FREE STATE premier Mr Patrick Lekota today faces critical test over the appointment of 13 officers in the management of the provincial department of education and culture.

Lekota, as the head of the province, has to respond to the controversial appointments by his education MEC Mr Sakhwo Belot. These appointments have now been challenged by a commission appointed by the Free State government.

On the other hand, he has to look over his shoulder and also pay allegiance to his organisation, the ANC, from whose ranks these appointments were made.

The predicament is that he has to portray the image of a clean administration, free of irregularities and corruption as well as nepotism.

On May 11 Lekota instituted a commission of inquiry to look into the appointments.

This followed an uproar from the National Party, white officials and disgruntled black school inspectors who claimed that the appointees were under-qualified and the procedures followed had been irregular.

Last week, the commission, headed by retired academic Professor Eskia Mphahlele, published its report and virtually echoed the sentiments of the disgruntled officials.

The commission found that the entire process had been irregular and recommended that all the relevant appointments be declared null and void.

It also called for all probationary



Free State education and culture MEC Sakhwo Belot.

appointments to be cancelled and that all the posts be readvertised. It said provision had to be made for public service as well as educators' posts.

The commission said the advertising and the subsequent processing of the posts should be conducted in accordance with the applicable laws and directives, and with the assistance of the Public Service Commission, where necessary.

According to the findings, the process of short-listing does not seem to have gone according to the PSC's stipulations and norms.

A number of candidates who qualified were not short-listed, even though they qualified.

Some candidates were interviewed once for more than one post, while others were interviewed more than once for different posts.

In the case of Mr TB Seroto, who has a Master's degree in education

plus experience as a teacher, principal and most recently circuit inspector in Ficksburg, he was never called for an interview although he applied simultaneously for four positions, all at directorship level.

According to the commission's report, a number of people testified that it was known – even before the publication of the advertisement – that certain people were going to be appointed.

The nomination and appointment of Professor Ben Khoali as deputy director-general was also seen as a foregone conclusion, as the professor had been a member of Belot's task team.

However, the interviewing panel had recommended Mr TP Mashileho, but this was overturned by Belot, the commission found.

It said Sadtu and the SACP had told the commission the appointments were in order and that "reactionaries who had failed to secure the posts for themselves" were disgruntled.

They also warned the commission of a public outcry should the appointments be tampered with. The ANC also came out in support of the appointments.

When Lekota released the commission's report last week, he said he would pronounce the provincial government's position today.

Although the commission found Belot responsible for the appointments and the NP proposed that he be dismissed, this appears unlikely at this stage as this could split the ANC in the province right down the middle.

Free State cabinet in unpopular decision

(265) Sowetan 15/9/95

By Mpikeleni Duma

THE Free State provincial cabinet yesterday decided to retain 12 of the 13 directors appointed recently by the provincial department of education and culture – despite the findings of a commission of inquiry that all their appointments should be nullified

“It is the view of the cabinet that in spite of irregularities, the rest of the appointees had the necessary qualifications and capabilities,” premier Mr Patrick Lekota told a Press conference in Bloemfontein

The 13 appointments, made by

MEC for education and culture Mr Sakhwo Bilot, were challenged by the Free State government-appointed commission of inquiry

Lekota said one of the appointees did not have the required qualifications, but he could not disclose the name of the appointee “Steps are being taken to remedy the situation,” he said Last week the commission, headed by retired academic Professor Es’kia Mphahlele, found that the entire process was irregular and recommended that all 13 appointments be declared null and void

The commission followed an

uproar from the National Party, white officials and disgruntled black school inspectors, who claimed that the appointees were underqualified and that the procedures followed was irregular

Lekota said yesterday “In the circumstances, it is cabinet’s view that the magnitude of the irregularities did not warrant readvertising the positions as recommended by the commission”

The aggrieved parties told *Sowetan* they noted with displeasure the provincial cabinet’s decision, and indicated that they may challenge it through “legal means”.

Free State a mirror for poll problems

(265) Star 4/10/95

Patrick Lekota's reign in the Free State appears to be a happy one. Even in his absence - he is on a working trip in the United States - he is revered and the very mention of his name is usually followed by a sort of sigh of approval.

No gushing, no foot-stomping, back-slapping praise of his abilities, no loud appreciation of his charm. Just quiet acceptance that whatever happens, his position as the province's *numero uno* is justified.

And this quiet, let's-just-get-on-with-it atmosphere is pervasive in the dry, flat province. In fact, the police - although they are making the necessary preparations for the local government elections - are almost sure the elections will come and go with not so much as a hint of a ripple on the calm sea that is the Free State.

The national election certainly did.

Despite the wide open spaces of nothingness that separate towns from one another, the Local Government Elections Task Group has kept a tight rein on preparations.

Every regulation concerning the election and every development at national level which affects the elections is communicated to eight regional representatives who relay the information to their local transitional councils. Translations, interpretations and the execution of instructions are dealt with as they arise.

Not a single hitch of monumental importance has until now obstructed the laborious process and the feeling that "everything will be all right" is almost tangible.

In fact, it is more tangible than the feeling of expectation in other provinces as November 1 looms.

So far, so good.

But then the Free State does have advantages people in Gauteng don't have. Population density is minimal, the society is as close to homogeneous as one could expect from any area in South Africa and the crime rate is relatively low.

But with its almost pristine palette, cracks in the veneer will show quickly and one should look

AS South Africa's founding democratic local government elections approach, Karin Schimke of The Star's Political Staff reports on her visit to the Free State



Patrick Lekota

ple with little or no experience of management and administration.

The problem is not unique, but because the Free State survives on the work of its farmers and miners, there is little chance of government officials being absorbed into the private sector.

In Bloemfontein, these officials - who feel they are getting a raw deal all around - are on the verge of striking.

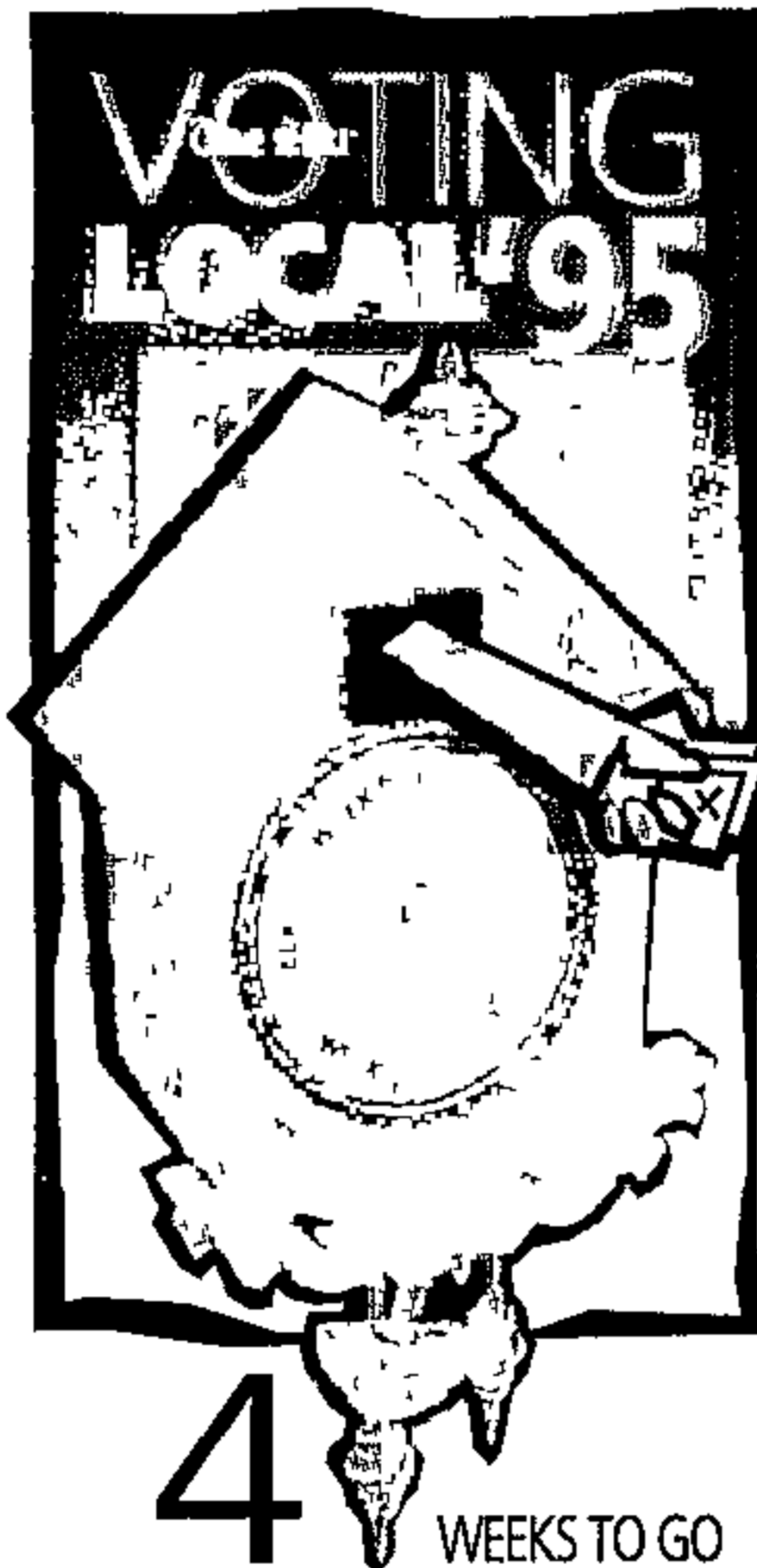
The stuffy correctness of the old National Party-types has been all but flung out the proverbial window as officials debate the viability of strikes that "would cripple provincial and local structures".

A spokesman for a civil servants and allied workers union was recently quoted as saying "existing officials" had to be absorbed into the new structures and the remaining posts could be used to install affirmative action candidates.

His disenchantment is not necessarily invalid - the question of the fairness of affirmative action is a sensitive one which will be debated well into the next century - but have he and his colleagues forgotten the dictum that what goes around comes around?

How the dispute will be ironed out will make for interesting observation.

And while the Free State quietly gets on with business and relishes its position as an island of calm in the cacophony that is the lead-up to local elections, one might want to peek around its corners and watch out for (possibly violent) eruptions from white out-of-joint noses after the elections.



to the Free State for problems which may rear their heads soon after election.

Because if it's a problem in that province, it is almost inevitable that it will become a problem elsewhere.

The fly in the ointment is present government officials' dissatisfaction with the way in which government structures are operating in the wake of affirmative action and rationalisation at local and provincial level.

Officials are edgy about their jobs and their positions, and their concern is exacerbated by the fact that they are often replaced by peo-

Farmers threaten to boycott

(265) Star 12/10/95

■ BY PATRICK BULGER
POLITICAL CORRESPONDENT

Cape Town - Local government elections are facing a new threat, this time from farmers who warned Parliament on Monday they would boycott if their demands for special seats on rural councils were not met.

The South African Agricultural Union (SAAU), which represents about 103 000 farmers, made its demands before Parliament's Portfolio Committee on Provincial and Constitutional Affairs.

The farmers are demanding 40% of the seats on rural councils while the Local Government Transition Act Second Amendment Bill provides only 10%

SAAU executive director Jack Raath told the committee the model for rural representation "has proven to be totally unacceptable to both farmers and traditional leaders"

If certain major changes are not made, organised agriculture in most provinces would be recommending non-participation in the elections," Raath said

The SAAU is arguing that farmers pay the bulk of rural levies and should therefore be entitled to much greater representation

ANC members argued that the SAAU proposal was undemocratic as only 20% of those on rural councils would actually be elected

Deputy Minister of

Constitutional Affairs and Provincial Development, Mohammed Valli Moosa, said the demands would entrench white farmers on the councils

And Cosatu parliamentary officer Neil Coleman argued that the proposal was "blatantly undemocratic and against the spirit of the constitution".

Coleman said that the Act at present "takes into account the legitimate concerns" of the farmers.

Farmers wanted to "delay democracy" by boycotting the elections and threatening to withhold payments

Constitutional Development Minister Roelf Meyer was mandated by the committee to try and find a solution.

Farmers may protest

Wyndham Hartley

THE controversial extension of the nomination period for the local government elections in the Free State could face a court challenge from organised agriculture in the province

Free State Agricultural Union president Piet Gous said yesterday legal opinions had been obtained and they were in the process of making a decision

The new wrangle between organised agriculture and the ANC follows the sitting of Parliament last week when the union's proposals for increased representation for farmers and other levy payers in local government structures were rejected by the constitutional affairs committee

A decision on the boycott of the elections by agriculture would be discussed at this week's agriculture union conference in Vanderbijlpark.

Local government elections task group national co-ordinator Vic Milne said that the provinces had the power in terms of local government legislation to extend deadlines

IFP's trade unions form new alliance

Farouk Chothia

DURBAN — IFP-supporting trade unions have decided to unify themselves into a confederation in a bid to strengthen their influence and secure representation in Nedlac

Two existing federations, the United Independent Trade Union of Southern Africa and the United Independent and Economic Trade Union of SA, would form part of the new body

United Independent Trade Union of Southern Africa general secretary Mhlaba Gumede said five independent unions — including the National Police Service Union (which draws its membership mainly from the KwaZulu Police), the United Security Workers' Union and the United Farm Workers' Union of SA — would also be part of the new confederation.

Representatives of a sixth union, the Natal Teachers' Union, had agreed in principle to throw their weight behind the initiative, but wanted to consult further with constituents

The unions met in Winkelspruit on the south coast for a two-day weekend workshop where agreement was reached on the need for such a confederation.

Gumede said the unions were denied representation in Nedlac. It was hoped their combined strength would open the way for them to participate in the body

The confederation would strive for a

membership of at least 500 000

IFP labour portfolio committee chairman Velaphi Ndlovu, who chaired the workshop, said the new grouping would bring together unions committed to free market principles, and those that were "federal-thinking"

The IFP would not interfere in the confederation and would leave it to operate independently.

Gumede said the fate of the United Workers' Union of SA, which was "close to collapse", had taught the unions a confederation would not survive if dictated to by politicians

The leaders of the United Workers' Union of SA had been invited to the workshop, but had failed to pitch up

Ndlovu said the IFP was in the process of drafting a labour position paper. Academics Hugh High and Themba Sono, from Cape Town and Wits Universities respectively, were assisting in this regard. It was hoped that the paper would be ready by end-November for submission to the IFP national council for approval

He said the workshop had also decided that illegal foreign workers should be arrested, prosecuted and deported.

The number of foreign skilled workers should be reduced at a rate of 25% per annum. Training should be granted to SA job seekers.

Ndlovu said the labour position paper would spell out in detail the IFP's position on such matters.

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ANC blocks rebel candidates in court

(265)
Wyndham Hartley

20/11/95
BLOEMFONTEIN — In an 11th-hour election move the ANC last night took legal action to prevent some of its members contesting the local government elections in Kroonstad under the name of a local civic association.

The Free State ANC applied to the Bloemfontein Supreme Court to have the Maokeng Civic Association barred from taking part in the election. ANC Free State elections co-ordinator Paul Mahlatsi said last night the court had barred the association from the election and had struck nine of its 10 candidates from the election.

The trouble began in September when the returning officer in Kroonstad was presented with two ANC lists, each with the same emblem but with different candidates. A maverick faction within the ANC there, unsuccessful in the nominations process, had decided to stand anyway.

Mahlatsi said the "unofficial" ANC was turned away and told to find another name. They chose the SA National Civic Association. However, when this name also did not work the rebels had to try something else. They opted for the Maokeng Civic Association which was accepted by the returning officer. However, it was accepted after the deadline and regulations did not provide for that, Mahlatsi said.

Boycott call and protests overcome

Wyndham Hartley

BLOEMFONTEIN — The election in Maokeng near Kroonstad was rescued yesterday afternoon after a tense morning of stone-throwing and protests at the disqualification from the poll on Tuesday night of the Maokeng Civic Association.

The Bloemfontein Supreme Court upheld an ANC application to have the association — consisting of maverick ANC members — disqualified. This caused unhappiness when polling began in the township in the morning.

The association encouraged voters to boycott the poll.

Their angry supporters toy-toyed in the streets, and at one stage the police deployed razor wire to halt a march into neighbouring Kroonstad.

There were reports of stone-throwing and further police intervention.

In the early afternoon a brokered compromise rescued the election from being completely disrupted and declared null and void. The Maokeng Civic Association was allowed to present a petition and memorandum to the chief electoral officer in the area, and voting then got under way.

In Botshabelo, voters traded the traditional dust of the Free State for mud but demonstrated the patience of last year as they stood for hours in long queues to cast their ballots.

Botshabelo was one of the few places in the Free State that experienced early morning problems. Voting failed to start on time in about four of the sprawling dormitory town's voting stations, because of administrative problems. Either the ballot papers had not arrived or the election officials did

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not arrive on time.

There were delays in some of Bloemfontein's suburban voting stations and some voters complained about the three hours they had to queue.

Political parties were optimistic in the early evening, with about four hours to go before the polls closed, that the turnout would be about 60% in most areas.

There were no disruptions in Bloemfontein, nor intimidation.

Freedom Front provincial leader Abrie Oosthuizen, after a tour of rural and urban voting stations, agreed that the percentage poll could be between 50% and 60%.

NP provincial secretary Johan Swanepoel said the election was difficult to call because presiding officers were not supplying the parties with the number of completed votes, as was done in the past. The spirit between the parties at voting stations was good.

In Botshabelo, patient voters predicted a massive ANC victory in the battle with the PAC and Dikwankwella in the township. They cheerfully warned that then the pressure would be on because schools, clinics, roads and houses were desperately needed.

Mangaung township near Bloemfontein must be ANC territory — many of its suburbs are named after ANC heroes. Oliver Tambo, Thabo Mbeki, Peter Mokaba, Ahmed Kathrada, Joe Slovo, Chris Hani, Terror Lekota and Albert Luthuli are used to designate parts of the township.

Voting, say Free State elections task force officials, was without problems in the township. It promises fascinating results, with the ANC and the NP competing for black votes.

Free State casts votes for delivery

(265) Sowetan 2/11/95

By Betsy Spratt
and Mpkeleni Duma

Rumoured SABC radio reports were the cause for confusion in Maokeng

THOUSANDS OF PEOPLE queued to vote in the local community elections in the Free State yesterday.

In Botshabelo, hundreds of people sat in rows upon rows of orange chairs provided by the election organisers at Ntemoseng School, where many voters said they hoped the elections would bring about the speedy delivery of services and improve crime prevention.

They expressed eagerness to cast their ballots despite having to sit for hours in the hot sun.

Mrs Mosele Mokhele, a resident of Section G, said she arrived at the polling station at 7am. However, she hoped the elections would lead to the

bringing of water, sewerage and clinics — which part of Section G had.

However, many residents still had to walk 500m to get water and 2 to 3km to reach the nearest clinic.

Although the elections went off without incident, a few organisational problems did occur.

Voters whose names did not appear on the supplementary list of the voters were not allowed to vote until their registration could be confirmed.

Ms Angelina Matsoso, the presiding officer at the polling station, said election organisers had been dispatched to retrieve the preliminary list-

ing of voters on which the names of all registered voters would appear.

Meanwhile, voting in the Free State proceeded smoothly by early yesterday afternoon after initial reports of stone throwing at Moakeng, Kroonstad.

Voting was disrupted after rumoured SABC radio reports claimed the polling station had been closed.

Police retracted a report saying about 1 000 angry supporters of disqualified Moakeng Civic Association candidates stoned the community centre in the township. They were demonstrating against a court decision to disqualify 19 of the 20 MCA candidates.

19 candidates barred from polls

(265) sawetana 2/11/95
ALMOST all Maokeng Civic Association candidates in Kroonstad, Free State, were scratched from the candidates list on Tuesday night after an urgent Supreme Court hearing.

The action, brought by the ANC, means that 19 of the association's 20 candidates have been barred.

Mr Acting Justice F Jordaan said in his judgment the nominations of the 19 candidates showed several irregularities. Among these were various signatures by the same people. The electoral

officer had been aware of the irregularities but allowed the nominations.

The judge also ruled that their names be struck from the proportional list and that the MCA be removed as a contesting party as its constitution had not been lodged with electoral officers in time.

The group had planned to participate under the ANC banner but were not nominated by the ANC and later changed their name to the Maokeng Civic Association - Sapa

Early lead in the east

Tim Cohen

NELSPRUIT — Early results in Mpumalanga showed the ANC taking a substantial lead over the NP, with independent candidates making a strong showing.

Results of only 21 of the 77 local councils were available by the late afternoon

With results declared in 18 of the 77 elections, the ANC gained 140 seats against the NP's 32 and the Freedom Front's 16. Other parties performed poorly, with the CP, PAC and IFP winning only one seat each.

In the proportional representation election, the ANC was streaking ahead late yesterday with 61% of the total number of votes declared against the NP's 15% and the Front's 7%.

But independent candidates made a solid showing, as demonstrated in the ward elections where independent candidates gained almost twice as many votes as the NP.

The independent candidates were also clearly affecting the ANC, as the party's 61% share of the vote in the proportional representation election was slashed in the ward election to 48%.

But the independents could not stem the ANC, which will control 13 of 21 areas declared, even though the format of the election was weighted against the party.

Narrow ANC win in Bloemfontein

BD 3/11/95

(265)

Wyndham Hartley

BLOEMFONTEIN — The election in Bloemfontein — widely seen as the litmus test for the political parties in the Free State — has been won by the ANC by the narrowest of margins.

There was only one seat in it for the ANC, with the combined opposition of NP, FF, CP and Bloemfontein Ratepayers' Association winning 24 of the 50 council seats. The ANC added one seat in Bloemfontein to the 15 from Mangaung, and with 10 proportional representation seats it ended up with 26.

The ANC had won 41 of the Free State local authorities by early yesterday evening. Results from 24 centres were still outstanding. The ANC's performance in the rural councils was poor, with just two ANC-controlled councils out of 10 announced by 7pm

The capital city was considered a genuine electoral test between the parties because it has roughly equal numbers of people in Mangaung and traditionally white areas. This means the weighting given elsewhere to white areas by dividing the seats equally between township and town regardless of population was absent

In many smaller towns this weighting was apparent. Either the NP, a local residents' or ratepayers' association, or a collection of independents, won all the "white" seats, while the ANC mostly took all the "black areas" in the ward elections. When the proportional representation tallies were added at the end the ANC outscored its opponents by about three to one.

Temptations to read national signif-

icance into the election in the Free State are dangerous. The large number of independents elected in various areas shows that in an election mainly run on national political issues, local people and politics still played a role.

The number of independents, particularly in townships, demonstrated ANC difficulties with civic associations and maverick members who stood against former colleagues. In many smaller towns independents have as many candidates in the wards as the main political players gained in the

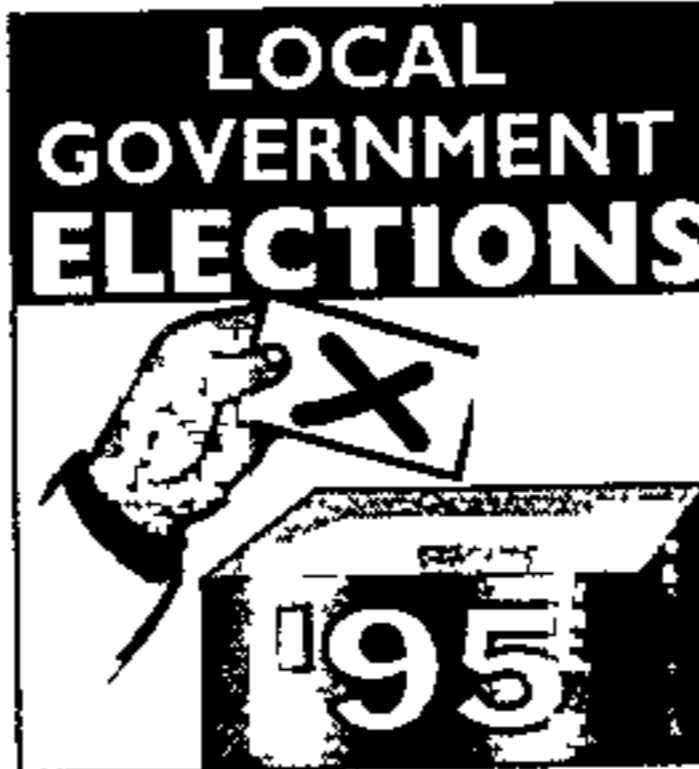
proportional representation election. The politics of these towns the next few days is likely to be characterised by wheeling and dealing to form alliances or coalitions for the election of mayors and senior officials.

Voter turnout was generally high for a local government election, but the ANC will be concerned at percentage polls in some of

its strongholds. These low turnouts robbed it of more proportional representation seats and contributed to the two-seat majority in Bloemfontein.

Low turnouts have been ascribed to apathy and anger at RDP non-delivery. There were losses from the ANC to the NP and the PAC, but these were minimal. The NP, after a massive effort in black areas, must be disappointed.

The CP as a political force in the Free State appears to be at an end. The FF has taken over as the legitimate face of right-wing politics. However, the NP consistently polled two to three times more votes than the FF in traditional white areas. As the NP campaigned on a nonracial platform, this must be a setback to the FF Volkstaat aspirations and the CP.



Mixed fortunes for smaller parties

BD 3/11/95

Ingrid Salgado

SMALLER national political parties expressed mixed views on their performances in Wednesday's elections.

The DP declared itself back in business yesterday after winning a solid portion of wards in greater Johannesburg and what it described as a surprising number in the former NP-dominated Western Cape.

In Johannesburg's eastern metropolitan substructure, DP candidates won 11 out of 31 wards where counting was complete, while early results showed it had gained four seats in the northern MSS, DP spokesman Jack Bloom said.

Sapa reports DP leader Tony Leon saying results showed voters saw the DP not only as "effective opposition, but also the party with

the policies for effective management of local government." DP candidates in rural Western Cape had "suffered although it had won seats in fragmented areas in the province." The IFP was reluctant to speculate on the outcome of elections but spokesman Anthony Grinker said the party hoped to win seats on the East Rand and parts of Soweto in Gauteng.

Bloom said the party had won back all old support bases lost to the NP in national elections last year. It had also made extensive gains in non-traditional areas.

In the predominantly right-wing town of Germiston, DP votes trebled compared to the general elections. "This is a real breakthrough. We have displaced the Freedom Front as the second major party there."

Meanwhile, the African Christian Democratic Party said it was

disturbed by the number of drunk and disorderly voters who pitched at the polls. "There were people who couldn't stand on their own two feet, who could not think with a clear mind and had to be helped to booths," a spokesman claimed.

Early results indicated ACDP ward candidates had done poorly, although the party said it received 5,6% of the vote in Pietersburg and Tzaneen in Northern Province and 18,4% in Seaview, just outside Port Elizabeth.

Residents and Ratepayers Association spokesman Bernard Lapidus said the association was pleased with preliminary results in greater Johannesburg.

Candidates contesting two seats in the eastern MSS, three in the northern MSS and seven in the southern MSS failed to win wards but scored more than 10 000 votes.

1995

Senator and 41 'independents' suspended by Free State ANC

Forty-two Free State ANC members, including Senator Dennis Bloem, were suspended from the party yesterday for standing as independents in November's local government elections.

SABC radio reported that the Kroonstad senator and the others might lose their government positions, pending an appeal.

ANC Free State acting deputy secretary Casca Mokhitlane said the members had been suspended for contravening the ANC's constitution - Sapa

(265) Star 9/12/95

PUBLIC SECTOR - LOCAL AUTHORITIES - KWAZULU NATAL

1995

JANUARY - OCTOBER

Outcast in realm of chiefs

CHIEF Everson Xolo is like a voice in the wilderness in Kwazulu Natal's politics of traditional leadership.

When chiefs met in Ulundi three weeks ago to reaffirm Chief Mangosuthu Buthelezi's position as traditional premier of the kingdom of Kwazulu, Chief Xolo was not there.

The hereditary chief — a former Kwazulu government minister — was not even invited.

And if the march to King Goodwill Zwelithini's Nongoma palace had not, as reported, been prevented by President Nelson Mandela's intervention, Chief Xolo would have been among a handful of chiefs in the province missing from the procession.

But he has not always been an outcast.

When Zulu traditional authorities met 24 years ago to lay the foundation for the former Kwazulu government, Chief Xolo was a key player.

Together with Chief Buthelezi and four others, he was one of the first executive councillors of the Zulu Territorial



~~SECRET~~
264
NO LONGER WELCOME hereditary chief and Contralesa regional secretary Everson Xolo is a marked man. He is in hiding after surviving an assassination attempt and an attack on his home.
Picture: M S ROY

fellow chiefs who are mostly IFP-aligned.

Nowadays, he says, he no longer receives invitations to Ulundi to join other traditional leaders to discuss matters close to his heart — such as the establishment of a house of traditional leaders or the souring in relations between King Goodwill and Chief Buthelezi.

"I am a Christian and I refused to co-operate with people who wanted me to give them government guns to kill their political opponents," is how he

for us to be aligned politically," he said.

He knows he is swimming against the tide. Out of approximately 300

chiefs in Kwazulu Natal, only about 30 are members of Contralesa. Of those, only three — including Chief Xolo — publicly proclaim their allegiance to the organisation.

"Many more do not want to be manipulated by politicians, but chiefs fear their stipend can be withdrawn or reduced, as the Kwazulu government did to King Goodwill Zwelithini some years ago when he failed to toe the line," Chief Xolo said.

He supports a resolution taken by the ANC's national conference in Bloemfontein two weeks ago that chiefs be paid by the national government to free them from Inkatha control.

'I am a Christian and I refused to co-operate with people who wanted me to give them government guns to kill their political opponents'

Authority. Chief Xolo later served as Minister of Roads and Works until 1978.

Today he is a marked man and is in hiding. He no longer lives among his 75 000 subjects.

Four would-be assassins pumped eight bullets into him on December 30 1993 as he drove home from a tribal meeting.

Seven months later his house was razed to the ground and two months ago a marauding band of armed men left 14 people dead in Gcihma, one of Chief Xolo's tribal wards.

As regional secretary of the Congress of Traditional Leaders of Southern Africa (Contralesa), Chief Xolo is on a collision course with

describes the source of his troubles.

Like most chiefs in the province, Chief Xolo received several G3 rifles from the former Kwazulu government and was asked to recruit people to undergo weapons training in Ulundi.

"I was given those guns to protect government property — not to issue them to people who wanted to kill," he said.

"I have no security at the moment and that is why we are asking the State President to provide us with security and to pay our stipend."

"If we are all treated uniformly across the country there will be no need

ST 11/95

Uneasy Rests the Zulu Crown

264 ST 11195

1995 presents tougher challenges to the king

Reports by CYRIL MADLALA

TWENTY-THREE years after ascending the Zulu throne, King Goodwill Zwelithini now faces one of his toughest challenges as leader of eight million subjects.

In his New Year message, he described 1994 as a year of "unprecedented indignity and harassment" for the royal house, despite "lasting independence for the very first time in the past 24 years".

"My palace was unjustifiably invaded and my property damaged. King Shaka Day celebrations were held against the will of the royal house — and this negated the prime purpose of culturally ending racial and political divisions.

"The royal house was unfairly attacked and insulted at political rallies and in the media. Narrow and selfish political interests were used in vilifying my office.

"In seeking and practising reconciliation, I wish there will be no recurrence of this in the future by my people," he said.

That may well be the monarch's wish for 1995, but this year looks set to provide him with even

sterner challenges as he sets out to unite his divided nation.

Foremost is the resolution of the rift between his erstwhile "traditional prime minister," Chief Mangosuthu Buthelezi and himself. Within IFP ranks, patience is wearing thin with the king, and some answers are being demanded of him.

King Goodwill is under pressure from friend and foe alike to take the plunge and clarify once and for all Chief Buthelezi's position in royal matters — specifically whether the king regards the home affairs minister as traditional prime minister.

While the monarch refuses steadfastly to confront the issue in public, his subjects remain bewildered by all the mudslinging going on between members of the newly established King's Council and Chief Buthelezi's followers.

Those close to King Goodwill have no doubt that he has severed ties with Chief Buthelezi, but the king apparently lacks the courage to confront him and tell him as much. It is a mammoth task, and even Chief Buthelezi's worst enemies in the royal house concede that their

tough opponent. He has the resources, a strong support base and invaluable experience to deal with entrenched leadership.

A well-orchestrated campaign engineered from IFP offices in Gauteng and KwaZulu Natal is already driving the newly established Royal Council to the wall.

Royal spokesman Prince Sifiso Zulu has his hands full warding off a multi-pronged offensive

Those close to King Goodwill have no doubt that he has severed ties with Chief Mangosuthu Buthelezi, but the king lacks the courage to confront him and tell him as much

recognise the king's new council, nor Prince Sifiso as the monarch's new spokesman.

They have reaffirmed Chief Buthelezi's position as traditional prime minister, and are seeking an audience with King Goodwill to discuss the growing rift between him and the IFP leader.

Conveniently, the king is finding excuses to avoid the inevitable public declaration of his stand.

When Chief Buthelezi and provincial premier Dr Frank Mdlalose led a delegation to see him three

from indunas, hostel dwellers, the IFP's propaganda machinery and some members of the royal house who have stuck with Chief Buthelezi.

A new addition to the equation is Iso Lesizwe, a society for members of the former KwaZulu Legislative Assembly, which was formed to promote the interests of the Zulu nation. Together with the majority of chiefs in the province, they have indicated that they

weeks ago, the monarch would not receive them, as he had been advised by his doctors to rest.

But a showdown with Chief Buthelezi cannot be postponed indefinitely, particularly because of the involvement of the ANC in the matter. It is seen by the IFP as a calculated move to undermine its authority in the province.

The rift between Chief Buthelezi and King Goodwill is likely to remain silent last year. He is unlikely to succeed this year.

BEFORE THE FALL... King Goodwill Zwelithini jokes with Chief Mangosuthu Buthelezi at a rally against the elections in March last year

A statesman he may be, but Mr Mandela has been given an invidious task. Granting too many concessions to King Goodwill will invite an avalanche of similar requests from other provinces.

King Goodwill not only wants to be paid by Pretoria, but he also wants the remuneration of his chiefs to be centralised, and for his office to control this function.

If Mr Mandela agrees to this request, Zulu chiefs, who are presently overwhelmed by Chief Buthelezi, might in future think again about sending delegations to their monarch.

King Goodwill managed to remain silent last year. He is unlikely to succeed this year.

Kwa-Natal coalition under threat

WM 13-19/1/95

(264)

The KwaZulu/Natal government is under severe strain, with tensions between IFP and ANC leaders reflected on the ground in the rising death toll. **Farouk Chothia reports**

THE climbing death toll in KwaZulu/Natal comes against the backdrop of severe tensions in the provincial government between the Inkatha Freedom Party and ANC leaderships.

The Human Rights Committee (HRC) said this week that its preliminary figures showed 71 politically-motivated deaths last month. Among disturbing reports the HRC has noted in the past two months are:

- the murder of IFP-aligned leaders spearheading peace initiatives with the ANC,
- the first "direct evidence" that tension between King Goodwill Zwelthini and IFP leader Mangosuthu Butheleza has spilled into violence, and
- a shift in violence from urban areas to rural areas: about 60 percent of last month's deaths were recorded in rural areas while November's figure was higher at 80-odd percent.

The ANC confirmed this week that it had filed an application in the Pieter-

maritzburg Supreme Court late last month in a bid to halt the formation of the House of Traditional Leaders on the grounds that there had been insufficient consultation before the relevant Bill was passed. KwaZulu/Natal premier Frank Mdlalose has to file replying affidavits by February 14.

The ANC is also challenging two key clauses of the Act which are intended to erode central government's authority in the province, but strengthen IFP control over chiefs.

The ANC's decision to embark on court action indicates the province's coalition government is under severe strain and is failing to find common ground through negotiations.

The IFP showed contempt for the court action earlier this week by going ahead to constitute a 77-member House with Buthelezi as chairman and Chief Boy Mzimela — alleged to be implicated in the murder of about six of his brothers in a much earlier fight for the chieftaincy of his tribe — as deputy chairman.

At grassroots level, there are also signs of rising tensions — and the IFP Paulpietersburg branch last month called for an IFP pull-out from the government of national unity (GNU) and for arms to be supplied to them.

The current flashpoint of violence is the Dalton men's hostel — a kilometre from Durban's city centre — where fighting has raged between supporters of the Royal House and the IFP.

A rise in political activity formed the backdrop to the violence: the IFP launched a branch there with the aim of recruiting support in the ANC's urban strongholds, while other hostel residents helped found the KwaZulu/Natal Hostel Residents' Association (Khorol), the vehicle behind Zwelthini's peace initiative among hostel-dwellers.

While the first attack was recorded on December 10 — when a hand-grenade was thrown into the hostel — violence continued into this week, bringing the death toll to 13.

HRC violence monitor Linda McLean said violence has remained at a steady level since the April poll, averaging about 80 deaths a month. Obviously, McLean pointed out, that several IFP-aligned community

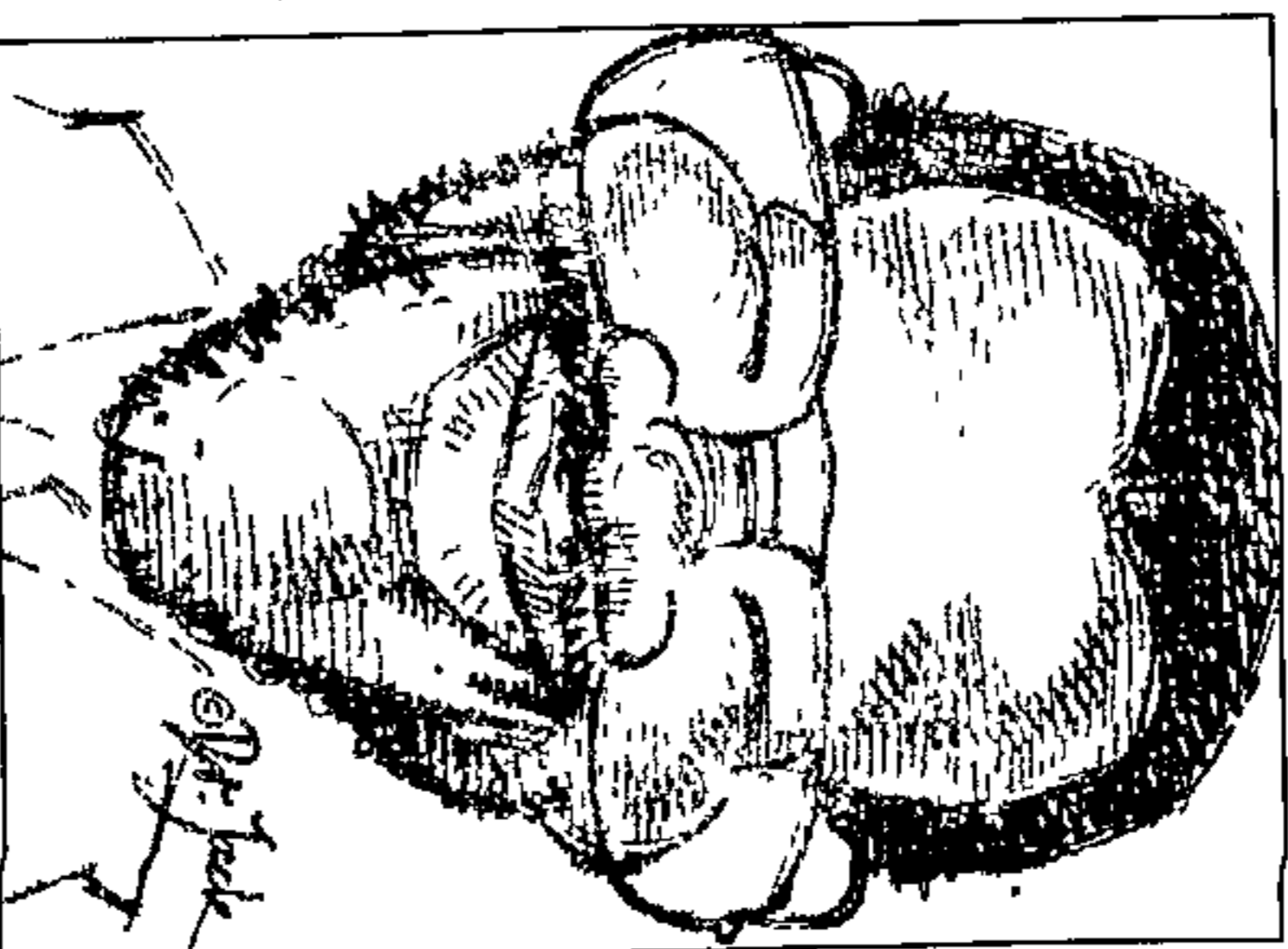
leaders — in the forefront of peace calls — had been killed in recent months. The latest victim was an IFP councillor in the Empangeni area who was gunned down earlier this week.

McLean said the councillor, known as Dlodlo, was shot dead as he spoke at a meeting on the need to allow ANC refugees to return to their homes.

ANC KwaZulu/Natal spokesman Dumsani Makhaye blamed continuing violence on the direction the IFP plans to take in the months ahead. "The IFP hasn't abandoned the idea of secession," said Makhaye, adding that these elements — including white extremists in the IFP's provincial caucus — are brewing trouble by pushing for a pull-out from the GNU.

But IFP secretary general Ziba Jiyane accused the ANC of fomenting violence, saying its "radicals" were bent on "eliminating" the IFP as it was the only black party in a position to make a serious bid for power in future elections.

Jiyane said ANC "radicals" were using state power to "weaken" the IFP. He cited Safety and Security Minister Sydney Mufamadi's decision to launch an investigation into alleged kwaZulu Police hit squads and his



Buthelezi: Appointed chairman of the House of Traditional Leaders

decision to block the enrolment of several hundred men into the police force, pending an investigation into their alleged criminal activity.

But Makhaye believes the government needs to act swiftly to clamp down on violence. He said it was "absolutely important" to disarm IFP-aligned chiefs armed with G-3 rifles — and for an overhaul of the upper echelons of the KZP and South African Police Services to take place.

Zulu king set to challenge Act

(264)
star 12/1/95

Durban — Zulu King Goodwill Zwelithini's royal council was consulting its lawyers yesterday about a planned bid to contest in court the validity of the House of Traditional Leaders Act passed by the KwaZulu/Natal legislature

The ANC has already begun a separate fight against the legislation in the KwaZulu/Natal Supreme Court.

The Act on Monday enabled the election of Inkatha Freedom Party leader Mangosuthu Buthelezi as chairman of the 77-member House of Traditional Leaders and marked his official return to provincial politics.

The legislation, its opponents claim, reduces the status of the king, enables the king to be voted from his position and gives Buthelezi unprecedented authority over him

Royal council spokesman Prince Sifiso Zulu said legal advisers would yesterday also address the issue of international

mediation on the future of the Zulu kingdom and discuss how to facilitate the payment of regional chiefs by the central Government

Buthelezi has argued that the payment of the nearly 300 Zulu chiefs by the central Government would make them vulnerable to manipulation by the ANC

Central Government payment of chiefs would correct apartheid injustices, Sifiso maintained

Control of chiefs has become increasingly important in the province in the run-up to local government elections, with IFP-aligned amakhosi threatening to boycott the poll unless a framework is established to preserve the kingdom.

■ Traditional Zulu celebrations headed by Zwelithini will in future be non-politicised, Sifiso said yesterday

"Politically contaminated cultural events are potentially divisive," he added — Sapa and Reuter

A century-old land dispute between Natal and the Cape has erupted again. The parties in dispute are the same two provinces, but this time the ANC is divided on the issue. CYRIL MADLALA reports from Matatiele

THE LITTLE BORDER WAR

(C364) ST 15 1195

AS DUSK fell on Thursday, a small town in the foothills of the Drakensberg prepared to cut its throat for the sake of its survival.

Matatiele, on the border of KwaZulu Natal and the Eastern Cape but officially part of KwaZulu Natal, was ready to play its part in the century-old wrangle over boundaries between the two provinces.

On one side are land-hungry squatters from the Eastern Cape who have moved onto land in the town. On the other side are the town's residents, who sought a court order to stop the invasion. The squatters retaliated with a selective boycott of the town's shops. The residents retaliated with a blockade.

The escalating conflict this week has also divided the ANC on provincial lines as both sides are loath to surrender any claim to land and thousands of potential votes.

This week fires were lit as the town's white and Indian businessmen braced themselves for a night out in the cold. They threatened to turn Matatiele into a ghost town if the selective consumer boycott against them did not end soon.

Amid shouts of "Viva road-block!" they blockaded roads leading to Matuli and Mount Fletcher in the Eastern Cape.

Like the revolutionaries of the black townships in the 80s, they were bent on making the squatters' consumer boycott "unworkable", and Matatiele "ungovernable" to squatters who sought to impose their desire to incorporate the small town into the Eastern Cape.

This area of East Griqualand has been contested between Natal and the Cape since Adam Kok's Griquas were authorised by governor Sir George Grey to settle there in 1860.

Then Griqua expansionism was investigated by a commission appointed by Sir Henry Barkly, and it recommended that East Griqualand be incorporated into Natal. In 1874, the Cape Colony annexed East Griqualand to stop the development of a "Greater Natal". The area was, however, incorporated into Natal in 1978 after an investigation by Mr Justice



VIVA ROADBLOCK! Matatiele businessmen obstruct the road to Mount Fletcher in protest against a consumer boycott. Picture: RICHARD SHOREY

vaders after the council obtained a Supreme Court order to evict them. The squatters' answer was a selective consumer boycott.

After losing R10-million, the traders set up a blockade. They turned back traders who had bought goods at the one Matatiele wholesaler and supermarket exempted from the boycott.

When squatters re-occupied their targeted land on Sunday in defiance of the court order, Matatiele mayor Libby Spourour insisted they be removed and 91 were arrested and later released.

THIS week, about 2km

chaired by Provincial Affairs and Constitutional Development Deputy Minister Valli Moosa, an attempt was made to resolve the dispute over which ANC branch should represent Matatiele. Unable to get consensus, the meeting decided that a panel of experts would look into the issue.

But the squatters are not interested in boundaries between the town of Matatiele and the old district of Matatiele, part of which is in the Eastern Cape.

"Anyone who was born in the Matatiele district is entitled to land in this town, white

ther it is in the Eastern Cape or KwaZulu Natal," said one speaker at the meeting. Responded Mr Spourour: "That is the problem. Most of

the IFP and the ANC in the KwaZulu Natal parliament have, for once, put their petty squabbles aside, and they agree that East Griqualand

'We want that land and we are going to get it. We are not interested whether it is in the Eastern Cape or KwaZulu Natal'

these people will be hused back to the Eastern Cape after a meeting "Only about 20 live in this town" While the ANC is divided,

belongs to their province. When delegations from the two provinces met Mr Mbeki in Pretoria last month to discuss the boundary dispute,

ground information submitted to Mr Mbeki, argued that the area was never Xhosa or Pondo territory during the 19th century, nor was it ever settled by indigenous Africans prior to the Griqua settlement. But while the politicians carry on talking, some Matatiele businessmen were this week considering investing elsewhere while others prepare to dig in their heels. The squatters are determined to have the land they want at whatever cost.

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The conflict flared up again in late 1994 when Eastern Cape Premier Raymond Mhlaba told a snap meeting of residents that the area, including nearby Kokstad, would become part of the Eastern Cape.

His foray was followed by a counter-meeting — jointly addressed by Kwazulu Natal Premier Frank Mdlalose and the ANC's national chairman and regional leader Mr Jacob Zuma in which they told residents they would remain in their province.

Deputy President Thabo Mbeki was then called in to mediate, but has yet to make headway with the stubborn premiers, who he plans to meet again this month.

However he was too slow for the land-hungry residents of the Eastern Cape. On New Year's Eve thousands of people belonging to the Matatiele Squatters' Association pegged out plots on town council land leased out to farmers for grazing.

The police removed the in-



VIVA ROADBLOCK! Matatiele businessmen obstruct the road to Mount Fletcher in protest against a co

vaders after the council obtained a Supreme Court order to evict them. The squatters' answer was a selective consumer boycott.

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When squatters re-occupied their targeted land on Sunday in defiance of the court order, Matatiele mayor Libby Sorour insisted they be removed and 91 were arrested and later released.

THIS week, about 2km from the blockade, Mr Sorour again met the squatters, and tried to convince them that the land they wanted was not available as it had been leased to farmers for grazing.

"We want that land and we are going to get it. We are not interested whether it is in the Eastern Cape or Kwazulu Natal," said a spokesman for the squatters, Dillo Mashale.

"This is a political problem, and the ANC has glossed over it," Mr Sorour said after the meeting.

But both the boycott and the blockade were lifted on Friday following another meeting between representatives of the local chamber of commerce, businessmen, the transitional local council and the squatters' association.

Agreement was reached to form a joint committee to investigate development of the land in dispute.

They achieved what Mr Zuma and his Eastern Cape counterpart, Dumisani Mafu, were unable to earlier in the week. At this meeting,

chaired by Provincial Affairs and Constitutional Development Deputy Minister Valli Moosa, an attempt was made to resolve the dispute over which ANC branch should represent Matatiele. Unable to get consensus, the meeting decided that a panel of experts would look into the issue.

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ther it is in the Eastern Cape or Kwazulu Natal," said one speaker at the meeting.

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'We want that land to get it. We are whether it is in the Kwazulu

these people will be bused back to the Eastern Cape after a meeting. Only about 20 live in this town. While the ANC is divided,

Kingdom within a republic

CAPE TOWN — KwaZulu/Natal was heading for more political trouble yesterday with the announcement that the drafting of a provincial constitution to establish the "kingdom of KwaZulu/Natal" would begin in two weeks' time.

The Inkatha-controlled provincial legislature had until end-1995 to write a constitution, legislators decided late last year.

KwaZulu/Natal is the first province to exercise its right under the interim constitution to draft its own constitution.

ANC fears of increased tensions between national and provincial levels of governments — as witnessed last year over the allocation of powers — resulted in a decision at the party's conference last month that ANC-controlled provinces would "not proceed" with drafting constitutions.

It instructed the ANC in KwaZulu/Natal and the NP-controlled Western Cape to

DAVID GREYBE

devise "suitable strategies" if the two provinces went ahead with the process.

Inkatha MP Arthur Konigkramer, who is the likely chairman of a multiparty constitutional committee which will oversee the process, said he was awaiting the go-ahead from the KwaZulu/Natal cabinet before convening the committee before the end of the month. **BD 18/1/95**

He described as "nonsense" claims that Inkatha wanted to secede from SA. "We want a kingdom within a republic."

A resolution adopted by the provincial legislature in November instructed the committee to table a report on the constitution-making process "indicating substantial progress" by May 31. Senior provincial ANC sources conceded the party

(264)

□ To Page 2

Kingdom **(264)** **BD 18/1/95**

□ From Page 1

had no option but to participate because it lacked the necessary "one-third plus one" tally of MPs in the legislature to block it.

However, one source said the ANC was confident Inkatha, with its demands for a federal SA based on the US model and "a sufficient degree of autonomy for the kingdom of KwaZulu/Natal", was bound to fall foul of the interim constitution which stipulated that the Constitutional Court had to certify that a provincial constitution was "not inconsistent" with the national one before it could be implemented.

But Inkatha said it had foreseen the potential pitfall and therefore decided on a two-phase provincial constitution. Phase one would adhere strictly to the provisions

of the interim constitution, while phase two — dubbed the "sunrise clause" by Inkatha negotiators — dealt with the party's demands for so-called residual powers not provided for in the interim constitution.

One Inkatha negotiator said: "The sunrise clause will kick into operation in tandem with the passing of a more federal constitution at national level."

An ANC MP, who described the Inkatha plan as "shrewd", said the ANC would demand that the KwaZulu/Natal process mirrored the national one. It had to involve the public and be transparent, it could not be drafted by "experts", it had to reflect the national reconciliation drive and strive for consensus.

Confrontation looms as KwaZulu/Natal threatens election boycott

A CONFRONTATION is looming between central government and KwaZulu/Natal traditional affairs minister Nyanga Ngunane, who insists that about 2.5-million people in the province will not take part in local government elections, scheduled for October, unless certain demands are met.

KwaZulu/Natal local government minister Peter Miller said yesterday a voter registration campaign intended to reach people in areas not under the control of chiefs would be launched today.

The process of registering voters would begin next week after the promulgation of regulations governing local government elections. Miller said the regulations could not be promulgated before today — the official day on which the process should kick off countrywide — because they had to be translated into Zulu.

People living in the province were aware of the regulations as they had been published in December.

Ngunane said chiefs would not take part in local government processes, including voter registration, unless demands presented last year to Constitutional Development and Provincial Affairs Minister

WILSON ZWANE

Roelf Meyer were met.

These included establishing a local government structure which would not dilute the authority of the chiefs and convening international mediation on outstanding constitutional issues — agreed to by the ANC, Inkatha Freedom Party and the NP before last year's general elections.

The chiefs, Ngunane said, had proposed that traditional councils be set up in areas under their control. These structures would, along with the transitional local

councils and district councils (municipal structures for areas not under chiefs' jurisdiction), fall under a regional council, which would operate along the lines of a transitional metropolitan council.

To draft the chiefs into the local councils would dilute their authority, he said.

Sources have said the chiefs would fall foul of the interim constitution if they boycotted the elections. The constitution stipulates that elections should be held country-wide on the same day.

Ngunane said recently the chiefs would rather go to prison than accept arrange-

ments foisted on them by central government. But he was confident a compromise would be reached at a meeting in Durban on Tuesday between himself, Miller, Meyer and his deputy, Valli Moosa.

Should a compromise be reached, he would begin voter education and registration in areas under his jurisdiction. "If no compromise is reached, we will not take part in local government elections." He said there were about 2.5-million people living in areas under control of the chiefs. Moosa expressed confidence that the issue would be resolved soon.

SAW 30/1/95

Zwelithini rejects proposed 'new covenant'

Durban — IFP president Mangosuthu Buthelezi's proposal for a reconciliation between tribal chiefs and Zulu King Goodwill Zwelithini has been rejected by the monarch's office

Buthelezi's proposal for a "new covenant" between the chiefs and the king was endorsed by a meeting of more than 200 traditional leaders and IFP members in Ulundi on Friday. The meeting also backed

his call for a "political mobilisation" of every household in the province in the campaign to restore the "kingdom of KwaZulu" and resolved to call an "imbizo" (meeting of the nation) to launch the "new covenant"

In terms of the deal offered to the king, the chiefs would renew their allegiance to him and he would remain a constitutional monarch with no political power and subject to the laws of the

province

"The new covenant shall open the party to safely return His Majesty to his father's people from which he has been spiritually exiled," according to a statement released after the meeting.

However, the king's spokesman, Prince Sifiso Zulu, said yesterday there was no need for such a covenant because the chiefs had never been alienated

from their king

Meanwhile, the ANC described the proposal of a "new covenant" as "an insult to every loyal subject of the king"

"The ANC sees the call by Buthelezi as that the spiritually exiled king must return to his people as an IFP attempt to re-enslave the king," ANC spokesman Dumisani Makhaye said —
Own Correspondent

● Police graduation controversy

Provincial ⁽²⁶⁴⁾ borders: No final plan ^{Sowetan 1/2/95}

■ **AD HOC** KwaZulu-Natal will

govern Kokstad and Matatiele:

THE KwaZulu-Natal and Eastern Cape governments are to observe the current constitutional position of East Griqualand before the future of the area is finally decided, KwaZulu-Natal local government and housing MEC Mr Peter Miller said yesterday

This was one of the decisions of a meeting in Pretoria chaired by Deputy President Thabo Mbeki and attended by Minister Roelf Meyer, Deputy Minister Valli Moosa and delegations headed by the premiers of KwaZulu-Natal and Eastern Cape

Although the Eastern Cape government had published a map which included Mount Currie (Kokstad), Harding, Port Shepstone, and Izingolweni districts in their province,

Kokstad and Matatiele would in the interim be governed by KwaZulu-Natal Umzimkulu will fall under the Eastern Cape

Eastern Cape local government MEC Mr Maxwell Mamase had earlier issued a Press statement saying all these districts were included in their province's Wild Coast region for local government elections

Both provinces agreed to work to cool the political temperature and avoid public criticism of each other. A steering committee of four members from each side would be formed to set up a judicial commission of inquiry to investigate and settle once and for all the provincial future of the area, and determine whether the findings of the commission should be followed by a referendum to test the will of the people

Border dispute is a rehash of the past

ARG 21/12/95 (264) (E)

ARG 21/1/95

IN the north of KwaZulu/Natal, there is a wrangle that has been running 20 years and more.

The dramatis personae are exactly the same — King Zwelthini, Chief Buthelezi and Prince Israel Zulu. It is only the central government hissing from the wings that has altered in character as the king and Prince Israel arm-wrestle Chief Buthelezi for influence.

Down in the south, in East Griqualand (EG), the border dispute has broken out again. That has been running since 1872 when Nomansland — as it was then known — was annexed to the Cape almost by accident, just as Natal was about to annex it.

For many years EG was a strange little sliver of mainly white (some Griqua) farms, cut off from the rest of the Cape by the territory of Transkei. Socially and economically it was part of Natal. The central government departments serving it were regionally located in Maritzburg. The provincial departments serving it were in Cape Town — and, many said, might as well have been on the moon.

Natal administrator Theo Gerdener tried to have EG incorporated into his province, but was firmly slapped down as a latter-day imperialist. But when the Transkei was granted "independence", some kind of decision had to be made.

Kaizer Matanzima demanded EG for the Transkei. The Nats gave it to Natal. Matanzima then broke diplomatic relations with Pretoria, an early shuddering the programme of grand apartheid.

When boundaries were drawn for the new political dispensation, EG remained in KwaZulu/Natal, with some grumbling from the Eastern Cape. The grumbling has since progressed to growling and snapping. Eastern Cape premier Raymond Mhlaba (motivated by exactly the same considerations as Matanzima) tried simple *anschluss* — announcing that his government would establish an office in Kokstad — but backed down to allow mediation. Since then there has been the squatter invasion of Matatiele, which few believe is unconnected to the border dispute.

Yes, we feel we've seen it all before.

What kind of place is this bone of contention? Scemically superb, it is hard, rugged country, often snowbound in winter. Its farmers will tell you it costs so much more per acre to farm than KwaZulu/Natal, for a yield of so much less. Wool is its main product, polo its main preoccupation. The wool cheque pays for the polo

It's **deja vu** in double doses. In KwaZulu-Natal there is a strange sense of the past being re-enacted on two fronts.



GRAHAM LINSCOTT

EG — Nomansland — was settled by the Griquas in 1861, a Dutch-speaking people of mixed race who trekked from Griqualand West under their captain, Adam Kok. They had wagons and gunpowder.

In return for British protection in EG, they had to practise democracy, which they duly did. A parliament was built but it did not pass a single law because sessions lasted the time it took to roast an ox. Proceedings would be adjourned by the cook walking into the debating chamber with the words, "Boys, die kos is gaar."

Democracy also required a government gazette to publish the laws and proclamations of the government in Cape Town, which is why the local newspaper is still called the Kokstad Advertiser and East Griqualand Gazette.

It is believed to have been started by a colourful character named Yankee Wood, a black American sailor — also trained as a printer — who met up with Adam Kok after jumping ship in Port Elizabeth. (Kok was on his way back from negotiating annexation with the governor of the Cape.)

Wood built the Royal Hotel (which still stands in Kokstad), then moved to the Witwatersrand where he ran another hotel which served the likes of Rhodes and Barnato. He also became a racehorse owner. He travelled to Kimberley, lost his money and then — according to legend — returned to Kokstad to become the doorman at the hotel he'd owned.

Yes, EG has a colourful background. Its original Griqua inhabitants have all but disappeared with the influx of whites and Africans, but a frontier spirit still prevails. The territory is wedged between the Eastern Cape and Lesotho, and for generations there has been stock rustling through the mountain passes, East Griqualanders often taking posses into Lesotho to retrieve their sheep and cattle at gunpoint.

The Wild West rules OK. It would be a marvellous place to make movies — but we trust not of a border war.

since there was a basis for such a model in the interim constitution and in the Local Government Transition Act, there would be no need for legislation changes.

Meyer conceded there was no way voter registration would take place in chiefs' areas until the problem had been resolved. However, the importance of preparing for the elections had been emphasised.

He said the final model for chiefs' accommodation in the poll was being worked out by Miller and Ngubane with the assistance of legal experts

A model to incorporate chiefs, which is under discussion, envisages "wall-to-wall" elections in the province but allows chiefs to nominate one local authority member for every elected member.

An estimated 2,5-million people live in areas under chiefs' jurisdiction.

WILSON ZWANE reports that the ANC accused Inkatha-aligned chiefs of "political blackmail".

ANC spokesman Brian Hoga said the committee looking into international mediation would report to President Nelson Mandela, Deputy President and NP leader

FW de Klerk and Home Affairs Minister and Inkatha leader Mangosuthu Buthelezi "within days"

Inkatha took part in last year's general elections only after Buthelezi, De Klerk and Mandela agreed to international mediation on the kingdom of KwaZulu and other "outstanding constitutional issues"

A source said movement on mediation was being held up because its terms of reference had not been established.

Earlier yesterday, Zulu King Goodwill Zwelithini's royal council warned central government to resist Inkatha attempts to "flout" the constitution by trying to give chiefs executive powers. Spokesman Prince Sifiso Zulu said Buthelezi was employing the same tactics as those used before last year's general election — creating a tense climate not conducive to free and fair elections and calling for secession.

Meyer said talks would also be held to try to iron out difficulties in proclaiming Durban's metropolitan council Ngubane said chiefs in this area were being taken under the jurisdiction of Durban's transitional authority against their will.

Inkatha resolute on boycott

DURBAN — The Inkatha Freedom Party, after talks with Provincial Affairs and Constitutional Development Minister Roelf Meyer yesterday, remained adamant that KwaZulu/Natal chiefs would boycott local government elections unless there was international mediation on the kingdom of KwaZulu. BD 1/2/95

Sapa reports Inkatha also said registration for elections would not begin by tomorrow's deadline in areas under tribal jurisdiction. But Meyer, who met premier Frank Mdlalose, traditional affairs minister Nyanga Ngubane and local government minister Peter Miller, seemed confident there would be a solution

Inkatha representatives, who met Mey-

er to discuss chiefs' accommodation in the poll through possible constitutional revision, said this was inextricably linked to international mediation. A committee appointed to look into the issue — made up of Meyer, his deputy Mahommed Valli Moosa and Correctional Services Minister Siphon Mzimela — would meet tomorrow.

However, Meyer said "In our minds it's not the key issue... It's whether we can come up with a model to accommodate chiefs" He said the constitution recognised the status of traditional leaders, and a balance had to be reached between their demands and what the law specified.

Meyer's spokesman, Izak Retief, said

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KwaZulu/Natal system largely thrashed out

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SAN 11/2/95

Special local govt deal

■ OWN CORRESPONDENT

Durban — The central Government yesterday approved a special deal to accommodate KwaZulu/Natal's tribal chiefs in October's local government elections — but the threat of a boycott of the poll in rural areas remains.

The compromise — reached at a meeting between members of the provincial cabinet and national Provincial Affairs and Constitutional Development Minister Roelf Meyer in Durban yesterday — comes days before voter registration begins in KwaZulu/Natal on Friday.

Meyer said after the meeting that Pretoria had given the nod to a proposal tabled by IFP MECs which would give the province a unique local government system

BID to convince province's chiefs to allow local government elections

Although he declined to elaborate on the proposal, he confirmed the proposal was roughly the same as the model speculated upon extensively in political circles last month.

It involves a two-tier system providing for possibly eight regional councils. Each such council would be made up of a number of urban councils, district councils in ordinary rural areas, and traditional authority councils.

For every candidate elected to the traditional councils, the chief of each area would be

entitled to nominate a representative.

Meyer said the new plan complied with the constitution and local government legislation by allowing "wall-to-wall" elections.

"I believe there is positive progress we have found a model we can proceed upon. It is a kind of model which will find a balance with the provisions of the constitution and also protect and recognise the chiefs," he said.

KwaZulu/Natal Local Government MEC Peter Miller and Traditional Affairs MEC Chief Nyanga Ngubane would have to fine-tune the plan with the advice of legal experts.

Meyer said he believed that sufficient progress had been made for Ngubane to urge the province's more than 250

chiefs to allow voter registration to take place.

He acknowledged that the chiefs still had reservations about the elections going ahead when the IFP's demand for international mediation had not yet been met.

However, the special three-man committee, of which he was a member, had started looking at the issue and hoped to report back to the leaders of the IFP, ANC and NP as soon as possible.

But Ngubane said traditional leaders would not consider endorsing the elections until the mediation issue had been resolved.

"Unless that (mediation) is sorted out there is nothing we are going to do. We won't even encourage the chiefs to allow registration," Ngubane said.

Zulu chiefs stand firm on election deal

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ST 5/2/95

By CYRIL MADLALA

AN AGREEMENT that secured the Inkatha Freedom Party's participation in the elections is threatening to wreck local government plans in Kwazulu Natal.

Chiefs are adamant that unless the agreement is honoured soon, more than two million people in their tribal areas will not vote in October.

The accord, signed on April 19 last year by the ANC, President F W de Klerk and Chief Mangosuthu Buthelezi, agreed that international mediators should resolve the dispute over the establishment of the kingdom of

Kwazulu.

But Zulu King Goodwill Zwelithini has since lost enthusiasm for the plan and the ANC has been dragging its feet putting the matter on the Constitutional Assembly's agenda.

Now the chiefs are saying it is international mediation or nothing.

Constitutional Development Minister Roelf Meyer and his deputy, Mohammed Valli Moosa, met Kwazulu Natal's Traditional Affairs Minister, Chief Nyanga Ngubane, and premier Dr Frank Mdlalose in Durban this week in an effort to resolve the impasse. But their ef-

forts failed. Chief Ngubane said after the meeting: "Nobody will force us to do what we don't want to do. Chiefs will not participate in local government transitional structures or allow registration to take place."

The chiefs reconfirmed their "unconditional commitment" to establishing the kingdom of Kwazulu at a conference in Ulundi last weekend.

They also insisted that local government structures could not be set up until the mediators had settled the national constitutional parameters guaranteeing self-determination.

An important player in the process is the House of Traditional Leaders under the chairmanship of Chief Buthelezi.

But the ANC is challenging the organisation's legality in the Maritzburg Supreme Court.

It is arguing that the House fell foul of the interim constitution by failing to consult tribal authorities, community councils, regional authorities and the king, and by assigning itself powers it has no right to enjoy.

King Goodwill's royal council is particularly worried that the House has declared itself the final judge of the laws on the role, powers and functions of the chiefs and the king.

Royal spokesman Prince Sifiso Zulu said this was tantamount to giving chiefs executive powers.

Chief Buthelezi is unrepentant: "There is a new cry that the chiefs must be above politics and that they should not align themselves with any political party. This is a ridiculous suggestion to make to chiefs whose forebears were never above politics and who often took up arms ..." he said.

Addressing an election victory rally in Eshowe yesterday, he backed the chiefs' demands on mediation and accused the ANC of ignoring Inkatha's suggestions. He said the Constitutional Assembly might not be able to produce a constitution that satisfied the needs of all.

Zulu kingdom rift widens

CT 6/2/95
Own Correspondent

DURBAN. - The rift between Zulu King Goodwill Zwelethini and IFP president Mangosuthu Buthelezi widened at the weekend when the Zulu monarch rejected calls for international mediation on the future of the Zulu kingdom

International mediation has been a cornerstone of Chief Buthelezi's attitude towards negotiations and was a condition to the IFP's participation in last year's election.

Addressing a gathering at his Eyo-keni palace in Nongoma, King Good-

(418) (264)
will said he saw no need for more talks of the kind which were held before the election in April.

Chiefs in kwaZulu-Natal who are loyal to Chief Buthelezi have urged him to seek fresh mediation ahead of the local elections, scheduled for October.

Chief Buthelezi said at Eshowe on Saturday the chiefs had made it clear the kingdom should be organised as a constitutional monarchy in which the king reigned but did not govern. All executive power would remain with the democratically-elected legislature and cabinet of the kingdom

Durban cost hiatus over municipal gravy train

Own Correspondent

DURBAN - Local municipal officials are panicking about where the money will come from to pay the city's 450 incoming metropolitan councillors with the lowest allowance likely to be R3 000

"Local government is being treated as the third carriage in the government gravy train and they're all planning to hop aboard," one official said yesterday

Altogether 150 councillors will serve on the metro council and 300 on the four area councils

"It's been the most contentious issue in all the negotiations," ANC local government spokesman Dr Mike Sutcliffe said

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The issue is so sensitive no other politician or official was prepared to be quoted

A source said until recently most ANC and IFP councillors-in-waiting were demanding between R5 000 and R6 000 a month, not the paltry "garden boy" sum of R1 900 which "ordinary" Durban city councillors currently earn

Dr Sutcliffe said ordinary councillors would probably only have to attend four to six meetings a month

At a meeting on Monday the ANC "camp" decreased this sum and suggested ordinary councillors should earn R2 725 a month

But the IFP stuck to R5 000 and the NP to R4 000. However, they later agreed to R3 000

CT 9/2/95

King threatens to act against Mdlalose

~~115~~ (264) CT 9/2/95

DURBAN — Zulu King Goodwill has threatened legal action against kwaZulu/Natal Premier Frank Mdlalose unless he withdraws an invitation to chiefs and members of the Zulu royal family to attend a meeting in Ulundi tomorrow.

In a letter to Dr Mdlalose yesterday, King Goodwill's legal adviser accused Dr Mdlalose of transgressing the constitution as well as Zulu traditional law.

IFP officials allegedly approached members of the royal family and told them that the king had invited them

to attend the gathering.

Dr Mdlalose also announced on a radio programme yesterday that he had called a meeting of chiefs and Zulu royals to discuss matters affecting the Zulu kingdom.

The king was reportedly "disturbed" that Dr Mdlalose had called the meeting in his name without his authority. He said this was a transgression of traditional Zulu law.

He said yesterday that if the meeting was not cancelled by 10am today, he would consider taking legal action against the premier. — Sapa

KWAZULU-NATAL (264)

Rolling registration

FM 10/2/95

Schools in KwaZulu-Natal seem to have negotiated their first hurdle — pupil registration — relatively smoothly. However, there remain several obstacles which could upset what is essentially a delicately balanced equilibrium.

Though registration figures have yet to be completed, the expected flood of a potential 2.5m pupils at the start of the school year seems not to have materialised. Nor did threats by activists to invade Model C schools demanding free education.

But problems which the region's education authorities must still contend with include severe historical financial constraints, over and above those resulting from the apartheid legacy, accommodating the "lost generation" of older pupils who have never been to school; marrying the distribution of teachers with areas where they are most needed; and ensuring that the

most suitable people are selected for teacher training in spite of other pressures.

There are also apparently orchestrated campaigns to invade and vandalise schools, colleges and technikons — and ill-qualified students are demanding free admission to teacher training colleges, regardless of admission criteria or future teacher requirements.

The director of the Association of Professional Educators in KwaZulu-Natal, Dave Ryman, describes the last two problems as sheer gangsterism, which must be strongly condemned and eradicated.

"We must, with our limited resources, only admit the numbers needed in the future and the best must be chosen to maintain quality education standards."

He feels another sharply escalating problem relates to older children who have never been to school and who sought admission at the start of term. They cannot be accommodated in Class One (Grade One, Sub A) with younger children and a strategy needs to be worked out to deal with the problem. They will have to be grouped together in special facilities, either in dedicated classes or even schools.

The problem is that schools which have just opened are filled to capacity with children of the correct age in need of schooling. They simply cannot consider older students or even establishing special classes. "That means the structures must be developed and the money found to staff them."

One school which has encountered precisely this problem is Newlands East, near KwaMashu township on Durban's northern fringe. Headmaster Derrick Andrews, who describes these youngsters as the lost generation, says "Our proximity means that we have had township children coming to the school for several years, though this year there have been far greater numbers and my school is filled to capacity with 960 children. Registration has been very smooth. The only problem is that I have had 25- and 27-year-olds coming to register and we have had to pass them on to try to have them placed. However, I am unaware that any institution has been created in the province to address the problem."

In contrast, Joffie Kruger of Dirkie Uys Hoerskool in Durban says registration at the Afrikaans schools went quietly because most blacks and coloureds in the province are English-speaking. "We tried to open our doors by offering a parallel medium in Standard Six, but there were few enrolments. We did have a few Standard Eight and Nine pupils from Umlazi whom we could not accommodate because we did not have the staff available at that level to teach just a few pupils in English."

Ian Corbishley, principal of Northwood School in Durban North, says numbers have grown steadily at his school for the past three years. "This year, we enrolled 300 Standard Sixes. There won't be classroom space to take in the same number next year,

CURRENT AFFAIRS

we are just 35 pupils off capacity. To date we have had no pressure to do anything we could not cope with, but the community would resist doing anything not in the interests of the existing pupils at the school."

He says he's a great optimist. "We have been through change, Northwood has been through mergers, Model B, Model C, and the new SA Good schools are dynamic in their ability to adjust to change and regain an equilibrium. We will go through change again and unless a new government destroys education quality we will maintain standards."

Educationists in KwaZulu-Natal seem generally pleased with the way the first stage of the new education deal has gone — probably as a direct result of the enormous planning and establishment of structures by both the provincial education authorities and their partners — in spite of thinly stretched resources. But it is only the first step and total commitment and dedication will be needed for some time to come if these challenges are to be met. ■

Plotters want me dead, claims Zulu king

BD 10/2/95

DURBAN — Zulu King Goodwill Zwelithini claimed yesterday that a plot either to assassinate or dethrone him had reached "an advanced stage". (264) (RB)

Zwelithini said the plotters, who he did not identify, wanted to replace him with one of his sons. He would not flee the country and would die with his people.

His comments came after he had failed to persuade KwaZulu/Natal premier Frank Mdlalose to cancel a meeting of chiefs and royal family members in Ulundi today to discuss the rift between himself and Inkatha Freedom Party leader Man-

Business Day Reporter

gosuthu Buthelezi. Zwelithini threatened legal action against Mdlalose if he went ahead with the meeting as he said only the king was entitled to call such a gathering.

A royal house source said the king's opponents seemed to be working closely with Zwelithini's first wife, Sibongile, in a bid to have her eldest son, Lethukuthula, made heir to the throne. Zwelithini had refused to endorse him as his heir.

The source said Buthelezi and Sibongile had forged strong ties over the years.

Buthelezi claimed last year he once persuaded Sibongile to "abandon" divorce proceedings against Zwelithini.

Zulu newspaper UmaAfrika said last year there was a plot to replace Zwelithini with Lethukuthula but this was denied by Inkatha. The Inkatha-controlled KwaZulu/Natal cabinet requested that the editor, Mbongeni Khuzwayo, appear before it to explain the article. He refused.

Buthelezi said recently that since Zwelithini had been "relegated" into "spiritual exile" a few months ago, "the kingdom has existed as if we have no king".

Zulu chiefs' ultimatum

By SIPHO KHUMALO

No local elections unless our demands are met - Amakhosi

POLITICAL tensions in KwaZulu-Natal are set to rise to a boiling point ahead of the October local government elections unless demands by Inkatha-aligned chiefs are met

The chiefs this week declared that people under their jurisdiction will not participate in the elections unless international mediation has taken place and the KwaZulu Kingdom is restored

This is likely to trigger violence between the militant youths in the rural areas who will be keen to participate in the elections and the traditionalists who are threatened by the setting up of local government structures in their areas

More than 200 chiefs decided at a meeting of the House of Traditional Leaders in Ulundi on Friday that their people will have nothing to do with the October local elections until such time that the international mediation has been initiated

And in a response to the chiefs' ultimatum, as well as to an ominous threat made by Inkatha leader Mangosuthu Buthelezi that if the medi-

ation issue was not solved "God help us all", chairman of the constituent assembly Cyril Ramaphosa, speaking to Wally Mbele from Cape Town yesterday, told City Press that the process of the drafting of the new constitution should not be stopped by whims and wishes of one political party

"We will not allow the Constituent Assembly to be derailed by any political party. This process must continue to reach conclusion. It has captured the imagination of our people throughout the land," he said

However the chiefs' call for international mediation runs against King Zwelithini's stand last week that there was no need for international mediation as it was up to South Africans to resolve their problems.

"We demand that international mediation be resumed immediately and in any case before the relevant issue of provincial autonomy is discussed by

the Constituent Assembly", declared the chiefs.

Violence monitor and Natal University academic Marry de Haas said the chiefs' decision was completely contrary to the constitution of the country which gives everyone a right to vote

Tensions

"This has a potential to escalate the violence and increase the tensions. There is already a lot of anger against the chiefs because people say chiefs take decisions without consulting them," said De Haas

She said already there was a lot of tension in areas in the North of Tugela River where people were living in fear of warlords

"I have been informed that the fear in the people in these areas is worse than at the time of Shaka. Things could get far worse and I advise the government to send in the army," said de Haas

The chiefs have also launched an attack on

Provincial Affairs and Constitutional Development Minister Roelf Meyer and his deputy Vuli Moosa for scuppering the mediation

'Dishonest'

In a press briefing Inkatha president Mangosuthu Buthelezi singled out Meyer for attack saying that he was "dishonest" and had a record of sabotaging similar efforts in the past

"If they are hoping that they are going to drag us by our hair until the time of local government elections without international mediation, than God help this country, I am very sad to say that," said Buthelezi

The meeting took place in defiance of King Zwelithini who had ordered it be cancelled because chiefs had no right to call such a meeting

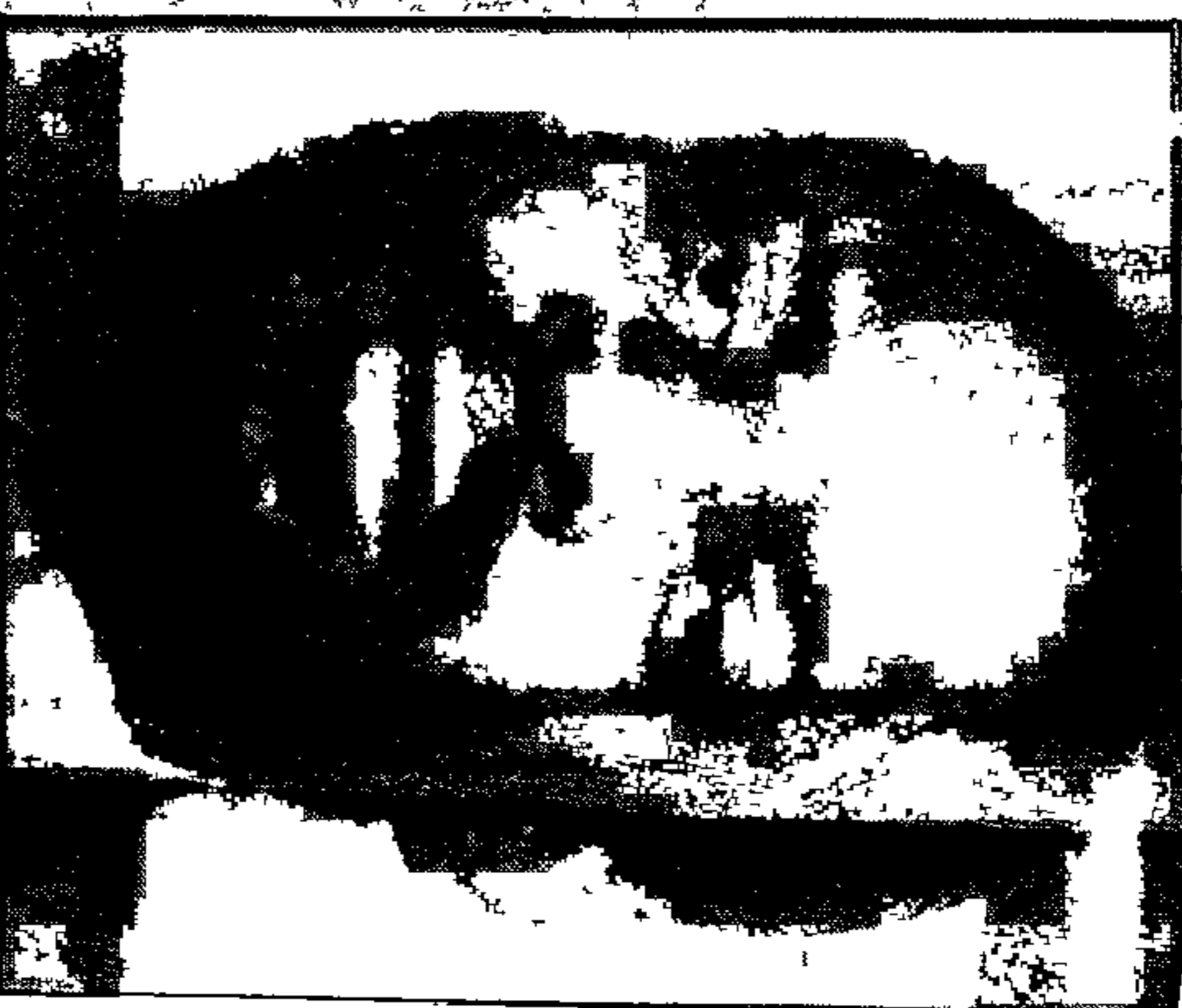
In a radio interview Zwelithini said the meeting was plotting to remove him as king

However, Buthelezi said the meeting on Friday had no hidden agendas and wasn't directed against "my king".

The chiefs plan to meet again at an Imbiziso (Zulu convention) on March 11 in Durban.



KING'S MAN... Chief Mangosuthu Buthelezi has "no hidden agenda".



UNEASY... King Goodwill Zwelithini says there are 'movers afoot to usurp him'.

(264)

CP 12/2/95

Chiefs vow to halt poll in their areas

(264) (MB)

STAN 13/2/95

OWN CORRESPONDENT

Durban — The impasse over local government elections in KwaZulu/Natal appears set to continue after Inkatha-aligned chiefs reaffirmed threats at the weekend that the poll would not take place in areas under their control.

The chiefs repeated their demand for international mediation on the "restoration of the Zulu kingdom".

With the backing of some members of the Zulu royal house and former members of the now defunct KwaZulu legislature, the chiefs warned that nobody under their jurisdiction would be allowed to vote

until this demand was fulfilled.

The renewed threats emerged at a controversial meeting in Ulundi called by KwaZulu/Natal Premier and IFP national chairman Frank Mdlalose in defiance of Zulu King Goodwill Zwelithini.

Zwelithini's advisers have signalled they will not allow to go unchallenged further interferences by the provincial government and the chiefs in matters traditionally handled by the king.

The monarch is understood to be disturbed by plans by chiefs under the IFP banner to host an imbizo — mass gathering of the Zulu nation — in Durban next month.

King rejects 'IFP views'

CT 14/2/95 (HS) (264)

JOHANNESBURG — King Goodwill had broken from manipulation by the IFP and would continue seeking a position as a constitutional monarch, the king's council spokesman Prince Sifiso Zulu said here yesterday.

He also rejected the legitimacy of Friday's Zulu royal house meeting

The meeting, called by kwa-Zulu/Natal premier Dr Frank Mdlalose, was unconstitutional because only the king could call such a gathering. Resolutions taken at the meeting were the view of the Inkatha Freedom Party and not of the royal family," he said — Sapa

Bloodshed and apathy threaten local elections

Star 15/2/95

(264)

Apathy, bloodshed and boycotts are threatening South Africa's final step to democracy — the coming local government elections.

More than 20 million people, many voting for the first time, took part in April's historic all-race elections, but so far only a handful has registered to vote in October's polls.

While the general elections ended white power at national and provincial level, many town councils are still in the hands of local politicians elected during the apartheid era.

Political scientist Robert Schrire said South Africa was still suffering from a political hangover from last year's poll.

He said: "Local elections are not going to inspire a great deal of interest. For 98 percent of South Africans they are a big yawn."

Gauteng Premier Tokyo Sexwale warns that the poor response to voter registration could force the postponement of the polls.

"There is a very serious danger of local government elections not being held," he said, calling the polls the last leg in a triangle, including national and provincial government, on which SA society would stand.

In KwaZulu/Natal, the polls are threatened by two factors: violence and a call by tribal chiefs to people not to register unless foreign mediators are called in to settle outstanding constitutional problems.

Provincial Affairs and Constitutional Development Minister Roelf Meyer said: "The idea of international mediation is distinct from local government elections and particularly from the registration of voters."

Government sources suggest another reason. Fear among tribal chiefs loyal to the Inkatha Freedom Party that increased democratisation through improved local government may reduce their traditional powers.

Political killings in KwaZulu/Natal — 109 in January —

POOR response to the voter-registration campaign and fears of rising violence in KwaZulu/Natal are creating apprehension over the scheduled October polls

have surged to their highest level since the general elections.

"KwaZulu/Natal's increasing political violence is an ominous echo of the surge in killings in the runup to the April 1994 elections and places registration for local government elections at serious risk," said the watchdog Human Rights Committee.

But apathy and lack of knowledge about what local elections mean pose the main problems.

Central government is spending R13 million on a voter education campaign and has recruited advertising agencies.

Schrire said a low turnout could favour smaller parties at the expense of the ANC, which faced an uphill task in getting rural supporters, who turned out in droves for the general elections, to vote in polls they perceive as being of little personal benefit, or to their detriment.

"There is a great deal of cynicism about the Government," he said.

"We are going through a period of coming down to earth, of reduced expectations and it would be surprising if there was anything other than a high degree of apathy."

Another problem, he said, was the fear among many would-be voters that if they registered for the local government polls, they would be subject to local taxes and rates.

"There's a feeling that if they register they will have to pay for services they may or not be getting... the only effect on their lives of registering will be that they will be poorer" — Reuter.

IFP quits Parliament

CR22/2/95 (264) (IFP)

Fears of new Natal violence

By ANTHONY JOHNSON
Political Correspondent

INKATHA's dramatic walkout from Parliament last night rocked the fledgling government of national 'unity' and sparked fears of a fresh wave of instability in South Africa.

The boycott — which includes a suspension of participation by the IFP's 48 MPs and senators in the process of writing the final constitution — immediately fuelled concerns about an increase in violence in kwaZulu/Natal.

Senior members of the government also expressed anxiety that the IFP protest could undermine the local government election process, scare off international investors and disrupt the work of the Constitutional Assembly.

Efforts were underway late last night to set up a crisis summit involving President Nelson Mandela, Deputy President F W de Klerk and IFP leader Chief Mangosuthu Buthelezi in a bid to defuse what the IFP called "a total impasse" over the thorny issue of international mediation.

However, the IFP leadership made it clear at a press conference last night that there was no prospect of an end to the boycott before the IFP held a special conference on March 5-6 to consider

the road ahead following the party's "betrayal" by the ANC and the National Party.

Should the IFP conference decide to continue the boycott, the party would effectively end its participation in Parliament because MPs and senators can lose their seats if they are absent from work without good reason for 16 continuous days.

Mr Mandela voiced his "strong disapproval" of the Inkatha protest last night, saying it "cannot be justified" whatever differences existed on the issue of international mediation.

VISA LAWS CRACKDOWN ON ALIENS

— Page 2

Both the ANC and the National Party said last night that they viewed the Inkatha action and the effect it could have on the country in a serious light. They both expressed a willingness to meet the IFP "at any time" to resolve the crisis.

But some well-placed government sources said they regarded the Inkatha boycott as "a well-timed stunt" designed to generate publicity for Chief Buthelezi and disrupt the democratic process.

Earlier, Chief Buthelezi led members of his caucus from the debating chamber after telling Parliament the IFP had reached the end of the road following the ANC and the NP's "delays, gimmicks and deceptions" over their pre election agreement on the need for international mediation.

Chief Buthelezi's walkout was greeted by cheers, whistles, applause and ululations from ANC MPs and senators.



WINNERS ALL ... Winners at last night's Cape Times' theatre awards ceremony were (back) Yvonne Copley and Pam Ross, who tied for best actress, and Celia Musikanth, best director. In front are Tony Stiglingh (best actor), June Wells, who shared the award for director of the best musical, and Boomer the dog. ● See Page 8 Photo ANNE LAING

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King rejects mediation

264 (41) (2011) STW 24/2/95
BY MONDLI MAKHANYA
POLITICAL REPORTER

The Zulu King's Council yesterday rejected international mediation on the status and powers of the king

Addressing a Johannesburg news conference, council spokesman Prince Sifiso Zulu said attempts should rather be made to resolve the issue domestically

He said the king had never appointed any one party or person to represent him on the question and none of the parties to the pre-election agreement on mediation could represent the king without consulting him

Sifiso called for the removal of the constitutional clause that prohibits parliamentarians from crossing the floor and said some IFP MPs, angry at the party's abuse of the king, wanted to leave the party.

Meanwhile, as the IFP dug in its heels over international mediation, party sources indicated the action would be shortlived

The IFP's withdrawal from the national Parliament would not be repeated in Gauteng or in KwaZulu/Natal

According to sources, the IFP believes the pullout will send a strong message to the ANC and the NP IFP leaders are con-

vinced the ANC and NP will offer some concessions on the question of international mediation sometime next week

The ANC in KwaZulu/Natal has ruled out any possibility of taking similar action in the province, saying the IFP pullout was not motivated by the mediation issue but rather by possible revelations of complicity in hit squad activities

Daluxolo Luthuli, an ex-IFP employee, and Brigadier Roy Daring, former commissioner of the KwaZulu Police, have recently made allegations about the existence of IFP hit squads

KwaZulu/Natal to defy central govt

THE KwaZulu/Natal government is set to defy central government over a R30m public works project in the province with which it plans to go ahead despite the fact that government has put it on ice.

Provincial finance minister Senzele Mhlungu said the programme would go ahead unless there was an order to the contrary from Public Works Minister Jeff Radebe.

However, Radebe said the project would not be fi-

MDUDUZI KA HARVEY

nanced unless it met criteria for public spending.

The R30m for the project, which aims to improve infrastructure in the province, has been allocated by central government from its R250m public works budget. *BD 24/2/95*

Although Mhlungu claimed that the Public Works Department was aware of the project, a spokesman for Radebe's office said the department

only became aware of the project through the media.

Mhlungu claimed he met Radebe's adviser Siphoshezi last week to discuss the project launch, where he provided Shezi with a management plan and guidelines of the project.

However, Radebe's spokesman Wiseman Khuzwayo said Mhlungu was told he had not satisfied the conditions for the money to be released.

He added Mhlungu had not consulted stakeholders which included the regional economic forum consisting of labour, community members and business.

"The programme is on ice until Mhlungu satisfies the required conditions," said Khuzwayo.

Fortifying the

'Inkatha walkout a ploy to get stronger grip on KwaNatal'

By **THEMBA KHUMALO**
Political Correspondent

THERE are strong fears within the government of national unity (GNU) that Inkatha's walkout from parliament last week was a ploy by the party to retreat into a laager in KwaZulu/Natal to consolidate its power in the province.

The fears were aggravated by King Goodwill Zwelithini's claim that Inkatha was gearing itself for secession of the province

A plot

The king also said he had uncovered a plot to kill him and replace him with his son

Inkatha is the ruling party in the KwaZulu/Natal government after winning the provincial election last year.

The party staged a dramatic walk out of parliament in Cape Town last week because of its unhappiness with the way the issue of international mediation over KwaZulu/Natal was handled by the ANC and NP.

The three parties had signed an agreement pledging to continue with international mediation after last year's elections

The walkout prompted a tripartite meeting between President Nelson Mandela, Deputy President FW De Klerk and Inkatha leader and Home

Affairs Minister Mangosuthu Buthelezi on Friday. After the meeting Mandela described it as "fruitful" and said they had agreed to meet again after taking the matter to their constituencies

But well-placed sources within the ANC thought the walkout was a well-calculated step by Inkatha to return to its stronghold and consolidate its powers

The Zulu monarch's claims were not without substance and it was high time the GNU took them seriously and saved the situation before it was too late, the sources said.

Others believe that Buthelezi and his party were merely registering their long-held grievance over the mediation issue and that they would return to parliament after the party's special conference on March 5 and 6.

Despite his frustration with the GNU, Buthelezi was "too smart" to quit the central government to return to parochial politics, the sources said.

If he quits he would be alienating himself completely from his remaining few international political friends who do not question Mandela as the country's accepted leader.

Besides, it was believed Inkatha was not entirely united over the question of international mediation and some of its leaders had secretly expressed their dissatisfac-

tion to the Zulu monarch, said the sources

The Citizen newspaper reports that minutes before the meeting of the three leaders in Cape Town, Buthelezi "crossed verbal swords" with Mandela, who had earlier described the MPs who walked out as "cowards".

Buthelezi said his party considered it "provocative in the extreme" to suggest that responsible members of parliament were cowards

CP 26/2/95
Fears

After the tripartite meeting Buthelezi told a press conference that fears of increased violence in KwaZulu/Natal because of the walkout were unfounded.

"The fact of the matter is that the IFP is entitled to register a strong protest at the failure of political parties to honour an agreement signed by them before the whole world. To allow this sort of behaviour by statesmen to go unchallenged would undermine the whole basis of law and order in our country," Buthelezi said.

He said he found it ironic that Mandela had appealed to delegates at Inkatha's special conference to recommend their party's return, as Inkatha was comprised of people who were astonished at those who did not fulfil their obligations



POWER PLOY? ... Mangosuthu Buthelezi week.

ANC threatens court action on boundary

FAROUK CHOTHIA (264)

DURBAN — The ANC yesterday threatened to institute court action against KwaZulu/Natal local government and housing minister Peter Miller to force the formation of a Durban metropolitan area.

ANC local government negotiator Rob Haswell said his party had rejected a proclamation by Miller that would have seen the area formed without 14 tribal authority areas. The proclamation, put before the provincial local government committee yesterday, was rejected by Haswell and SA National Civic Organisation (Sanco) representative Jabu Sithole, leaving the committee of four deadlocked. Haswell said the ANC and Sanco gave Miller until Friday to ensure his proclamation included the tribal areas. **BD 8/3/95**

Miller's spokesman, Warwick Dorning, said the minister would propose "minor amendments" to the cabinet today.

Haswell said the ANC's position was clear. It wanted all 14 tribal areas included and would reject any offer providing for anything less. The dispute would be referred to the special electoral court formed in terms of the Local Government Transitional Act for a ruling on the metropolitan boundaries.

The ANC and the Inkatha Freedom Party agreed in November that tribal areas would be incorporated.

Miller said tribal authorities did not

To Page 2

Boundary

(264)

BD 8/3/95

From Page 1

have local government boundaries and chiefs had not indicated to him that they wished to be part of the metropolitan area.

ANC KwaZulu/Natal local government head Mike Sutcliffe said: "We would have had a metro in November, but Miller interfered. Now we are going to court and we will win." About 10 000 people had attended a rally in the KwaXimba tribal area near Durban at the weekend to express support for inclusion in the metropolitan area, he said.

Inkatha local government co-ordinator Anthony Grinker criticised the ANC's court threat, saying it would impede development. The ANC should have accepted the proclamation and continued to negotiate for the inclusion of tribal areas.

Sutcliffe acknowledged that the mayor of the metropolitan area could be Inkatha leader Siphon Ngwenya. Inkatha was believed to have the support of NP and independent councillors in the city council to ensure Ngwenya was mayor until local government elections took place.

IMBIZO ALERT!

By SIPHO KHUMALO

CP 12/3/95

TENSION is high in Umlazi where Inkatha-aligned chiefs today are forging ahead with their imbizo - defying a call by several bodies, including Zulu King Goodwill Zwelithini, that it should be cancelled.

As preparations for the imbizo at the King Zwelithini Stadium were being finalised yesterday, Umlazi residents and the local ANC branch said they feared violence.

"This is a declaration of war on the township. We do not know why the imbizo had to be held in Umlazi because there is not even a single chief who reigns here," said ANC local chairman George Sithole.

Umlazi residents were highly concerned at the potential for violence when Inkatha today buses in its supporters to the rally, he said.

"Lives have been lost in the past when similar meetings were held in this township," said Sithole.

There were unconfirmed reports that many residents living near Umlazi's main road, Mangosuthu Highway, had left the township for the weekend as they feared violence might erupt. Sithole alleged that last weekend Umlazi residents

had been attacked by Inkatha supporters returning from their special conference in Ujundi. Inkatha, however, said their buses had been attacked.

■ KwaZulu-Natal Committee of Safety and Security convener Bheki Cele said contingency plans had been made with the police to protect residents.

"But violence has happened in the past with such events - we cannot be 100 percent sure that people will be protected," said Cele.

■ Today's controversial imbizo in Umlazi is Inkatha's second act in defiance of King Zwelithini's orders.

Last September Inkatha went ahead with a King Shaka Day celebration even though Zwelithini had said the celebrations should all be cancelled.

Church leaders from 19 denominations this week also called for the imbizo's cancellation to gain time to resolve the impasse between Zwelithini and the chiefs - but Inkatha has also ignored this call by Church Leaders Forum head Stanley Mogoeba.

The objective of the imbizo has been clouded with controversy - with the King Zwelithini Royal Council alleging that it is an attempt to dethrone the king.

But Inkatha members say they only want their king "to return from spiritual exile" and meet his people.



RETURN... King Zwelithini is in "spiritual exile".

By SIPHO KHUMALO

TAXPAYERS are to foot a further R10 million bill for the allowances of more than 360 KwaZulu-Natal traditional leaders, mainly chiefs aligned to Inkatha.

This emerged from a notice published in the KwaZulu-Natal gazette by the KwaZulu-Natal Minister of Traditional Affairs, Nyanga Ngubane, this week.

The notice published this week puts the annual salary of chiefs at between R18 000 and R37 000. This also depends upon the academic qualifications of the chiefs.

Inkatha has defended the increase by saying that it was important to pay chiefs properly to avoid the temptation of fraud.

Improvement

"This compensation is an improvement on the stipend the chiefs were paid by the apartheid government. South Africa is a democracy and the chiefs should be looked after," said Inkatha MP Velaphi Ndlovu.

Ndlovu pointed out that this was Africa where the administration of indigenous and traditional law had to be carried out.

The Democratic Party said it was inappropriate to pay chiefs for an office they hold without being elected. The DP's Wessel Nel says his party

R10-m more for Natal's chiefs

264

CP 12/3/95
disagrees with the blanket payment of allowances to chiefs.

"It is our view that there are many chiefs who fulfil a valuable service and they should be properly paid for that," he said.

Nel suggested that it might be appropriate for the Department of Justice to establish a contractual basis on which to pay chiefs for their duties.

Ngubane has argued that it was significant to base the payments of chiefs on education as it was a motivation for chiefs to improve their education.

The published gazette stipulates that chiefs should be paid as follows per year: Those below standard 10 (R18 000), those with standard 10 (R22 800) and those with diplomas and degrees take home R37 170 a year.

There is, however, in some cases money levied by chiefs from people when they allocate them sites and there are fines paid by tribesmen when found guilty in traditional courts.

What's to be done about Winnie?

CP 12/2/95

CP 12/2/95

Zwelithini warned to 'safely return to his father's people'

Challenge to Zulu kings

Star 13/3/85

264

Durban — Inkatha Freedom Party president Mangosuthu Buthelezi has urged his estranged nephew, King Goodwill Zwelithini, to call an imbizo — Zulu national gathering — within two months to plot the way to a "restoration" of his kingdom.

Buthelezi issued a veiled threat to the monarch in his key address to an imbizo he had called against the wishes of the king who traditionally has exclusive powers to convene an imbizo.

Speaking in his capacity as head of the provincial House of Traditional Leaders, he was cheered on by thousands of IFP supporters who had flocked to the stadium named after the absent king in Umlazi, south of Durban.

Buthelezi said Zwelithini was loved by his subjects and ought to lead the fight for the restoration of his kingdom. He demanded there were plans to dethrone the king, but said, "Our greatest desire is to ensure that His Majesty may safely return to his father's people."

He added that "nothing could be more far removed from our soul and our spirit than a vile plan to dethrone our king."

But, the IFP leader went on to say if the monarch failed to call the imbizo, it would be held anyway.

Buthelezi said central Government attempts to interfere in the affairs of the Zulu nation had succeeded in isolating the king from his subjects.

The restoration of the kingdom, he said, meant the province should be empowered with sufficient autonomy to ensure Zulu self-determination.

Buthelezi reiterated allegations that the ANC-led Government had attempted to undermine the rights of the "democratically elected" IFP-led re-

GOVERNMENT interference has isolated monarch from his subjects — Buthelezi

gional government to deal with the most sensitive aspects of Zulu life

Central Government dealing direct with the king, and the king's reluctance to meet the provincial government were examples of "the sort of interference which attempted to divide the nation."

Buthelezi lashed out at suggestions that central Government pay the salaries of the chiefs and the king's expenses through Umlazi was jam-packed with buses ferrying supporters to the rally.

"Thousands more, many carrying traditional weapons, massed at the stadium.

The king did not attend because of his rift with the provincial government. He distanced himself from the event.

The ANC in KwaZulu-Natal had also objected to the staging of the rally in "our precious Umlazi."

"Umlazi does not have a chief and there is no logic for their coming to Umlazi," a spokesman said. "The people of Umlazi are going to defy Buthelezi in favour of our king."

But Inkatha MP Albert Mincwango defended the decision to meet in Umlazi.

"Plenty of the king's subjects live in the Greater Durban area and would otherwise not have time to attend an imbizo elsewhere," he said.

More than 600 policemen and soldiers were deployed to prevent violence — Sapa.



Party faithful an armed Inkatha Freedom Party supporter, along with thousands of others, makes his way to the controversial imbizo held against the king's wishes at a stadium named after him in Umlazi. It was called by IFP president Mangosuthu Buthelezi. During the rally a man was shot dead and a policeman wounded by random gunfire PICTURE AP

Gunfire causes chaos at rally

Durban — Chaos erupted as an Induna addressed the crowded King Goodwill Stadium. Flares and teargas canisters rained down while security forces tried in vain to keep order.

The Amakhozi hit the ground like one man and bodyguards surrounded Home Affairs Minister Buthelezi, who

consolated his frightened granddaughter.

One man could be seen lying face down on the steps surrounding the field. He had been shot dead.

Many of the crowd had arrived at the rally heavily armed with AK-47s, rifles and pistols, all of which they brandished openly.

A policeman, identified as Warrant-Officer Keith Lenz, was shot in the chest at the height of the shooting and taken to hospital for treatment.

Peace monitors also reported seeing several people injured.

After the shooting ended and the crowd had settled down, the speeches continued. But none of the speakers made reference to what had just taken place.

On the sidelines, an irate IFP member blamed elements within the ANC for the shoot-

ing. However, others said it was the police who had fired the teargas.

Maurice Mankenzi, an IFP member of the KwaZulu-Natal legislature, said the firing of guns could be attributed to "exuberance". The police had unnecessarily fired teargas, he said.

"Now the mood has changed. They will go home looking for a fight," he predicted.

BY CHRISTINE STUCKY

A Bill passing through the KwaZulu-Natal legislature is set to exacerbate the region's troubles. It puts powers in the hands of politicians normally reserved for the revered institutions, write Rafora Rangongo and .

Sowing rotten seed in

The drive along the winding roads of Van Reenen with its majestic sights — rolling hills, valleys and the lush vegetation — evokes strong feelings of joy. Moving further down to the south-east, the beauty is even more breathtaking. The east coast prides itself in some of the finest beaches in South Africa. This is KwaZulu-Natal, one of South Africa's nine provinces under the new dispensation.

As you move further inland to the south, the midlands and the north, the scenery changes and so does the mood. It is a gloomy picture of death, destruction and decay. And the harsh realities which confront the daily lives of the citizens become more visible.

Casualties

The political violence which has ravaged the province since the mid-1980s has left tens of thousands of people dead and 500 000 displaced.

Countless peace initiatives involving the warring factions, mainly the ANC and IFP, have failed. It becomes imperative, therefore, to scrutinise any peace initiative if it is to have any hope of success. This brings into sharp focus the implementation of Peace Act, a Bill being piloted through the KwaZulu-Natal legislature.

The Bill provides for the establishment of a provincial peace committee and a "competent person" to make provision for the combating of public violence and intimidation.

It stipulates that only members of the standing committee (Safety and Security) in the provincial legislature are eligible for membership of the peace committee. In essence, this means only members of political parties, in effect members of a party occupying the majority of seats in the legislature.

Given the history of the violence in the province it does not make sense to entrust the achievement of peace to a political party.

Peace committees have among their powers, the following:

- The power to assist in the establishment of community police forums. This means that member of the standing committee



Troubled region .. the political violence that has ravaged KwaZulu-Natal since the mid-1980s has left tens of

tee will establish community policing forums, not the communities themselves as envisaged by the pending national police Act.

The Bill takes away the right of the community to decide how policing should take place in their areas and gives this right to a body of politicians. This is in contravention of section 217(4)(b) of the Constitution.

- The power to establish region-

al and local committees. Any regional or local structure that purports to cater for the interests of the communities should involve these communities in its operations. Again, it is members of the standing committee who are entrusted with the task of establishing these bodies.

- The power to identify the occurrence of public violence, the circumstances and steps that

should be taken to prevent such incidents. These are purely matters that fall under the jurisdiction of the police and/or the courts. It is not the duty of politicians to identify crime, its perpetrators and, at the same time, recommend what should happen to the perpetrators.

- The power to dismiss members of regional and local committees. Surely communities

should have a say in this matter.

Section 17 makes provision for the appointment of a "competent person", appointed by the premier in consultation with members of the executive council, to investigate incidents of public violence and intimidation, to issue orders prohibiting people from engaging in these acts, to issue orders without any notice or hearing, to enter any premises

rough the KwaZulu-Natal legislature looks
 e region's troubles. It puts powers into the
 ns normally reserved for the State's most
 s, write Rafora Rangongo and Sello Ramasala

Peace seed in KwaZulu

(264) STAR 15/3/95



KwaZulu-Natal since the mid-1980s has left tens of thousands dead and some 500 000 people displaced.

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 orders without any notice or
 hearing, to enter any premises

without a warrant; and to order
 anyone to appear before him for
 the purposes of his investigation,
 and also to pass a verdict which
 could result in either a fine or
 imprisonment
 Anyone who does not co-oper-
 ate with the "competent person"
 or disregards his/her orders or
 insults him/her is liable to either
 imprisonment or a fine
 The powers that the Bill be-

stows on the "competent per-
 son" are immense. Such powers
 should not be thrust upon any
 individual in a democracy. Even
 the police and the courts do not
 have all these powers conferred
 on them.
 Powers conferred on this per-
 son should be executed separa-
 tely by state institutions, not an
 individual. It is the task of the
 police to investigate crime, much

as it is the task of the courts to
 try perpetrators of crime

The fact that proceedings
 need not be recorded suggests
 that what is being envisaged are
 informal hearings where the
audi alteram partem rule is not
 necessarily applied. This smacks
 of the kind of kangaroo courts
 that were so prevalent in the not
 too distant past.

At a time when we are at-
 tempting to introduce the princi-
 ples of transparency, due pro-
 cess and justice into all facets of
 our lives, such actions can only
 be retrogressive

Apart from the position of ex-
 ecutive director, there is no pro-
 vision for the participation of
 civil society on the standing
 committee. The participation of
 civil society would bring into the
 committee impartiality, an ingre-
 dient so necessary in a region
 plagued by political tensions

The involvement of politicians
 in the envisaged peace struc-
 tures raises another serious
 question which seems to have
 been overlooked by the drafters
 of the Bill. Will they have the
 time to discharge their duties in
 the peace structures? Shouldn't
 they be concerned with gover-
 nance? Enormous responsibil-
 ities lie ahead in the reconstruc-
 tion of all the regions that make
 South Africa.

Shifting power

It is not clear what role the
 police will have in the areas that
 fall under the jurisdiction of
 local and regional peace commit-
 tees as envisaged in the Bill.

The question arises whether
 this Bill is an attempt on the
 part of the provincial legislature
 to take away from the South
 African Police Service certain
 important functions and locate
 them regionally

Judging from the serious
 shortcomings contained in the
 Bill, and the opposition mounted
 by civil society, it may advance
 the cause of peace if the Kwa
 Zulu-Natal legislators withdrew
 the Bill and took a fresh look at
 the issue

■ Rafora Rangongo is asst-
 tant to the media director and
 Sello Ramasala is a researcher
 in the law reform department
 at Lawyers for Human Rights

M... ..

Ulundi, Maritzburg (264)

sittings recommended

CT 24/3/95

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Launch of Durban council under way

BD 3/4/95
DURBAN — The go-ahead for the formation of the Durban metropolitan council was given on Friday, paving the way for a kickstart to new development projects in the city. *(264)*

ANC KwaZulu/Natal local government head Mike Sutcliffe said yesterday he expected the council to hold its first meeting in about two weeks, after it had been formally proclaimed and gazetted.

Sutcliffe said one of the metro's first tasks would be to "relook" at the city's 1995/96 budget, which was between R3bn and R4bn, with the aim of ensuring that it benefited "the broader Durban community and not just white areas".

He expected a clash in this regard with NP representatives on the council.

Durban is a debt-free city.

Inkatha Freedom Party local government co-ordinator Anthony Grinker said one of Inkatha's top priorities would be to improve living conditions in hostels and to assist victims of recent rainstorms.

The green light for the metropolitan council was given after the ANC compromised on its demand that 14 tribal areas be included in the metro's boundaries.

Local government and housing minister Peter Miller agreed to include only five areas — Ximba, Fredville, Ilanga, Dassehoek and the Adams Mission Reserve.

"We are not happy but we compromised in the interest of progress," said Sutcliffe.

Grinker said the ANC's refusal to compromise earlier had affected efforts to get development off the ground as the former city council was "scared" to involve itself in projects as it lacked legitimacy.

Umgababa on the South Coast, where the ANC believed it had considerable support, was excluded.

FAROUK CHOTHIA

Sutcliffe said about 800 people attended a community meeting on Saturday to demand inclusion. Angry community members had threatened to blockade a road, but the ANC leadership dissuaded them from doing so, Sutcliffe said.

Sutcliffe said that in terms of the deal struck with Miller, meetings would be held in all the excluded areas by May 3 to establish whether they wanted to be part of the metro.

These would be convened by the demarcation board which would hear evidence from both community structures and traditional structures.

The demarcation board would also have to reach its "own considered opinion", he said. Areas would be included if two of the three structures felt this should happen.

Grinker said the metro council would deal with bulk services while there would be four subcouncils to deal with day-to-day services such as refuse collection.

Inkatha's candidate for mayor of the metro council was KwaZulu government former official Siphon Ngwenya, for the west subcouncil it was Mpumalanga peacemaker Siphon Mlaba, for the south it was hospital nurse Jerome Mshengu, for the north it was housewife Joyce Abraham, and for the central subcouncil it was businessman Johannes Mile.

Sutcliffe said the ANC was willing to negotiate the sharing of positions with Inkatha to avert an election showdown, but would not take the "crumbs" of a deal struck between Inkatha and the NP.

The ANC would rather be a "loyal opposition" It would finalise its list of candidates this week.

Inkatha likely to reshuffle MPs in national, regional parliaments

JRBAN — The Inkatha Freedom Party is expected to shake up its representatives in Parliament and the provincial legislatures at a specially convened national meeting on April 21, Inkathas said yesterday.

There was a possibility that some of Inkatha's senior leaders would move from parliament to the KwaZulu/Natal legislature to kick off the local government election campaign and give impetus to the task of drafting the provincial constitution. Inkatha secretary-general Ziba Jiyane said the party would review the positions

of all its MPs in the National Assembly, Senate and provincial legislatures to ensure an even spread of leadership.

The party needed to review the situation as it had drafted its candidate lists in a "rush" after entering the April election at the eleventh hour. Attempts to make changes were foiled by constitutional constraints. These fall away on April 27 when parties may change up to 25% of their lists.

Jiyane said he personally wanted to move from the National Assembly to the provincial legislature.

An Inkatha source said some senior par-

ticipants in the Constitutional Assembly could also move in the wake of Inkatha's decision to suspend its participation in the drafting of a national constitution.

Buthelezi said last month it might be necessary for Inkatha's "provincial army" to lead the march towards federalism in the wake of the mediation deadlock.

The drafting of a constitution for the province had yet to start but Inkatha hoped to complete it by the end of June.

Inkatha leaders able to galvanise popu-

FAROUK CHOTHIA

lar support could also be transferred as there was concern about the distance between them and their constituencies in the run up to the November 1 poll.

It was believed that the national council would also discuss whether Buthelezi should relinquish his post in President Nelson Mandela's Cabinet to take the premiership of KwaZulu/Natal from Inkatha national chairman Frank Mdlalose.

Some leaders argued that the provincial government was battling to get off the ground under Mdlalose

Buthelezi would also force King Good-

will Zwelithini to deal with him because the king had pledged to work with the premier, no matter who he was.

Other leaders disagreed, saying Zwelithini's desertion had not affected support for Inkatha in KwaZulu/Natal. Buthelezi should remain in central government to build a profile for the party and champion the federalist cause, they said.

The pendulum could swing in favour of Buthelezi's return in the wake of Inkatha's decision to suspend participation in the Constitutional Assembly.

● Comment: Page 8

Anger over Mandela's threat to cut funding

Political Staff

THREATS by President Mandela to curtail funding to KwaZulu-Natal and intensified pre-election rivalry have sparked fears of heightened tensions in the province.

This follows the shooting of six people and the burning of houses near the King Goodwill Zwelethini stadium at Umlazi during a Workers' Day rally yesterday

Distant sporadic gunfire heard throughout the rally intensified soon after Mr Mandela told African National Congress supporters that the central government could cut funding to the province if Inkatha Freedom Party leaders continued to incite resistance to his government.

Police said no shots were directed at Mr Mandela and presidential spokesman Parks Mankahlana said the president had not felt he was any danger

But journalists covering the rally saw three victims of the shooting falling down an embankment behind the stage, about 40 metres from where the president sat.

ANC spokesmen said the party would continue to hold rallies in the region.

"We have not been holding many rallies here because we did not want to raise tensions," said S'bu Ndebele. "Now we are being shot at and we are going to react. We are going to hold rallies when and where we choose."

National Party spokesman Jacko Maree said Mr Mandela's threat to withhold funding was "ominous"

"It can only exacerbate the already tense situation in this province. KwaZulu-Natal is sliding deeper into a quagmire of violence," he said.

Democratic Party leader in the province Roger Burrows said parts of Mr Mandela's speech were "grossly provocative", but he condemned the rally violence.

"The threat that KwaZulu-Natal will be punished for the behaviour of certain elements in the majority party of this province is so dangerous that immediate warnings need to be issued concerning it

"Political tolerance is what this country, and this province in particular, needs and we are not getting it," said Mr Burrows

KwaZulu-Natal Premier Frank Mdlalose today called for calm and restraint.

He said Mr Mandela's statements were not wise and "would merely inflame passions"

Provincial commissioner of police Chris Serfontein said he had appointed a team of top detectives to investigate the shootings.

He pledged to mobilise the security forces to prevent disruption of rallies and announced that police were offering a reward of R250 000 for information leading to the arrest of the perpetrators.

Conference rules out plans to govern KwaZulu-Natal independently

SAW 3/4/95

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ANC snubs IFP demand

BY PATRICK BULGER
and MONDLI MAKHANYA

Three days before the expiry of an IFP threat to walk out of constitutional talks, the ANC has again ignored the Inkatha deadline and instead endorsed policies that could widen the rift between parties in the Government of National Unity.

The IFP is demanding international mediation on a new constitution, but the ANC has approved a new system for relations between central and provincial governments which will, in effect, block IFP attempts to govern KwaZulu-Natal independently.

The ANC leaders who attended the party's three-day constitutional conference at Kempton Park, which ended yesterday, did not offer any compromises.

In a clear reference to the IFP, the ANC said it would not countenance a provincial system that encouraged "feudalisms and Balkanisation". The IFP, in turn, has already condemned the proposed new system, saying it had "finally shown the autocratic, centralistic and in-

herently undemocratic political philosophy of the ANC".

The IFP is threatening to walk out of the Constitutional Assembly (CA) if there is no international mediation on the status of Zulu King Goodwill Zwelithini.

Although the IFP believes the ANC and NP agreed to international mediation at talks last year, Deputy President Thabo Mbeki told the constitutional conference that voters had not given the ANC a mandate to bring international mediators into the dispute.

ANC secretary-general Cyril Ramaphosa said the IFP "would not be serving the interests of the people of this country if it goes ahead with its threat to leave the CA. I hope good sense will prevail".

It was of "national importance" that the IFP be involved in drafting the constitution.

In an apparent move to buy time in the hope that the flurry of behind-the-scenes activity provides a compromise solution, IFP leaders said the party's planned walkout could be delayed beyond Wednesday. The national council first had to meet before deciding.

'Emergency laws could be used to cut funds'

(264)

CAPE TOWN — Central government could use state of emergency laws to cut off funding to provinces which sought to subvert the constitution, an adviser to President Nelson Mandela warned yesterday.

The conference was called to amplify Mandela's threat, issued at a rally in Um-

ADRIAN HADLAND and FAROUK CHOTHIA

lazi on Sunday, to cut off funding to KwaZulu/Natal.

The rally was cut short by violence. In further signs of the rising political temperature in the province, a man was killed when violence erupted at an ANC rally on Sunday in Sundumbili, near Empangeni, while four Umlazi residents were shot dead last Thursday after an Inkatha protest march over international mediation.

Last week Inkatha Freedom Party leader Mangosuthu Buthelezi called on the KwaZulu/Natal government to "rise and

resist" the central government. In a statement read out at the conference, the President said that withholding central government funds from a province that was working within constitutional democratic structures would be contrary to the letter of the constitution as well as to his own deep belief in democratic ideals. While differences in political opinions between parties, and between regional and central governments was a vital ingredient to SA's political culture, "it is another thing altogether for a party to sustain or foment a divisive and bloody war"

Mandela said his warning on Monday

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Funds

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needed to be considered in the context of "provocative remarks" by leading Inkatha members, unacceptably high levels of violence in the province, veiled threats to disrupt the democratic process and unlawful armed violence against members of the public at rallies.

Provinces engaged in a revolt against central government would not be protected by the constitution, Mandela said. Haysom said Mandela's comments represented a "timely warning", in the face of accumulating indicators, that central government would not fund an insurrection.

The ANC and Cosatu threw their weight behind Mandela's threat. ANC KwaZulu/Natal spokesman Dumisani Makhaye said the constitution allowed Mandela to take away the powers of KwaZulu/Natal if the province became ungovernable. "You can't continue to fund people who are calling for an armed uprising. If there is enough evidence, he (Mandela) must simply withdraw funds."

However, the DP and NP joined Inkatha in arguing that such a move would be unconstitutional. DP KwaZulu/Natal leader Roger Burrows said "Funding of this province is not Mandela's to command, to switch off like a tap." The constitutional rights which guaranteed that every citizen would be treated fairly would be violated if Mandela penalised the people of the province.

Sapa reports that NP KwaZulu/Natal leader Danie Schutte warned in Parliament yesterday that if Mandela carried out his threat, it would make a "complete mockery" of provincial government and would spark a major constitutional crisis. Provinces' competencies and financial powers were enshrined in the constitution, and central government did not have the power to withhold financial resources because it disagreed with a party's policy.

Cosatu southern Natal chairman John Zikhali said any constitutional doubts on the issue could be overcome by ensuring the final constitution gave Mandela such powers. Stopping the flow of funds to the KwaZulu/Natal government would not mean the province would be denied its share of the budget. It would merely lead to central government, rather than the provincial government, administering KwaZulu/Natal's funds.

The province's residents would benefit from such a move, Zikhali said. "The provincial government uses money to call izimbizo (mass gatherings of the Zulu nation) instead of implementing the reconstruction and development programme."

Inkatha secretary-general Ziba Jiyeme said Mandela's threat vindicated Inkatha's long-standing view that the ANC would not brook democratic opposition.

KwaZulu/Natal premier Frank Mda-lose said Mandela's "bellicose" statements were unbecoming of a President and would inflame passions. "Now, more than ever, we need cool heads."

Presidential spokesman Parks Mankahlana said Mandela planned to discuss with Buthelezi and Correctional Services Minister Siphosiso Mzimela "unacceptable" statements attributed to them.

At issue is Buthelezi's call for the provincial government to resist the central state, while the ANC claims Mzimela made a racist jibe at Deputy Provincial Affairs Minister Valli Moosa after a meeting on international mediation late last month. Mzimela allegedly told Moosa he would know Inkatha had arrived when he had a one-way ticket to Bombay.

Mankahlana said Mandela would raise the issue with the two Ministers in the context of collective responsibility in the Cabinet and government.

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ANC says state funds cannot be used for rebellion

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2/5/95

Mandela's rally threats condemned

BY MONDLI MAKHANYA
POLITICAL REPORTER

As political temperatures soared in Kwa-Zulu-Natal, the ANC emerged as the only party to support President Mandela's threats to use force and financial sanctions to fight the rebellious IFP-led provincial government.

As political temperatures soared in Kwa-Zulu-Natal, the ANC emerged as the only party to support President Mandela's threats to use force and financial sanctions to fight the rebellious IFP-led provincial government. Parties from the Freedom Front to the Pan Africanist Congress condemned Mandela's angry outburst at a May Day rally in Durban.

They warned that Mandela's statements would further inflame emotions in the province which saw nearly 20 deaths at the weekend. DP leader Tony Leon said brinkmanship and threats did not build trust or lay the foundation for a lasting settlement of the dispute over inter-national mediation.

The IFP called Mandela's threats "dictatorial" and said they strengthened the party's insistence that there be international mediation on provincial powers. IFP Youth Brigade chairman Otto Kunene said the president was sending "a message that is not conducive to the fragile peace that we are building in this country".

Freedom Front leader General Constand Viljoen said the conflict between the ANC and IFP was a test case for the leaders of the two parties and for South Africa's political maturity. PAC secretary-general Maxwell Nemaqzibhambi said Mandela had exceeded "democratic norms" with his outburst on Monday. "Buthelezi has also been making inflammatory statements, but two wrongs don't make a right," he said.

KwaZulu-Natal NP leader Danie Schutte warned that if such a threat were implemented it would make a "complete mockery" of provincial government and cause a major constitutional crisis. The ANC said yesterday that the Government could no longer afford ministers using "resources of the State to organise a rebellion against itself".

Mandela was constitutionally entitled to withdraw funding from any province that misused funds, Gauteng Premier Tokyo Sexwale asserted yesterday. "We can't sit by and see one part of the country become a Biafra," he said.

NEWS Mdlalose calls for an end to all political violence

Mandela has no powers to cut Natal's funding

sowetan 3/5/95

By Themba Molefe
Political Correspondent

(264)

PRÉSIDENT Nelson Mandela has no constitutional powers to slash funding in Kwazulu-Natal or any other province, analysts said yesterday.

Mandela told a Workers Day rally in Umlazi that the Government would cut funding for Kwazulu-Natal if the IFP continued to incite its followers to resist his Government. *Sowetan* learned

Mandela's remarks were not part of his formal speech at a Workers Day rally in Umlazi. Professor Dennis Davis of the University of Cape Town's law department said all provinces were entitled to a share of the country's revenue.

"There is nothing in the constitution, even under the state of emergency regulations, that allows for the withholding of funds," Davis said. However, funds may be reduced if it was found a provincial administration was using them for reasons other than running the govern-

ment — for example, if the Kwazulu-Natal government was found to be using the revenue for Inkhatha Freedom Party activities. Standard Bank chief economist Mr Nico Czyponka said while he agreed with the sentiment that Mandela might have made the remarks only to send a warning to the province, he believed the Government would not easily consider such drastic measures if conflict were to be avoided.

Meanwhile sources said Mandela's office was inundated with frantic calls

from IFP MPs in Cape Town who were asking for his prepared speech ahead of the President's budget vote address yesterday. In a statement yesterday Kwazulu-Natal premier Dr Frank Mdlalose described Mandela's remarks as "bellicose and unbecoming statements for the incumbent of such high office and do nothing to promote peace and reconciliation".

Said Mdlalose: "The additional statements he made about withholding funds from our province ... are not wise and

will merely inflame passions."

On the Umlazi incident in which six people were shot dead and houses burnt Mdlalose said: "I condemn all forms of violence and call on all parties to desist from confrontation. The violence at Umlazi is unacceptable and I call on all citizens to abide by the law. Our political differences can only be solved through negotiations."

Police have offered a reward of R250 000 for information leading to the arrest of the perpetrators.

KwaZulu budget to woo business

DURBAN — KwaZulu/Natal is expected to unveil a R14bn balanced budget in Ulundi today which the province hopes will assure the business community of its investor friendliness

Sources close to the finance ministry said there would be "new and innovative ways" of funding provincial expenditure, which would prevent the province from running up a deficit.

The Inkatha Freedom Party is to help transport business people to Ulundi to attend the reading. KwaZulu/Natal finance minister Senzele Johnny Mhlungu is expected to tell them the province has its ideals rooted in the principles of free enterprise (264)

Mhlungu is also expected to tackle the proposed new international airport at La Lucia. Sources said it was "symbolically vital" to give assurances that feasibility studies would be undertaken and criticism be constructive.

There is strong support from business and from the provincial government for the international airport, to be named after the Zulu king Chaka. 304/5195

However, KwaZulu/Natal has struggled to

NICOLA JENVEY

convince the central government of its feasibility. Transport Minister Mac Maharaj has said the existing facilities at Lous Botha should be upgraded instead.

KwaZulu/Natal government sources said building the airport would reflect local consensus. It would be a catalyst for private sector investment in major development schemes.

A source said Mhlungu might attempt to prove to central government that the province, "the Cinderella state under the NP government", deserved greater financial allocations in the future.

Historically, provincial budget allocations were determined not on population size but at the discretion of central government. Investigations undertaken by Deloitte and Touche showed the province "fell far short" in its hand-outs from the NP. The Finance and Fiscal Commission, which will oversee the division of province funds, is not yet operational, but will have observer status at the budget reading.

POLITICS

Gloom on KwaZulu-Natal

TYRONE SEALE
Political Staff

CLOUDS of rhetoric continue to darken KwaZulu-Natal's political horizon as the African National Congress's chief opponents try to make sense of President Mandela's strongly-worded anger at the Inkatha Freedom Party

Although they had little to go on as far as the actual meaning of Mr Mandela's threats of the past few days were concerned, Inkatha Freedom Party leader Mangosuthu Buthelezi, National Party leader F W de Klerk and the Democratic Party's Tony Leon yesterday provided little hope, if any, for the people of KwaZulu-Natal

The party leaders took turns to explain their latest understanding of the president's warning to do everything in his might to contain what he has branded as IFP-sponsored violence

But, in stating their positions yesterday, the party leaders spent more time talking to journalists than negotiating with their political peers

Chief Buthelezi kicked off the day with a media briefing, intended mainly to outline the work his Home Affairs Department had done during

□ Leaders provide little hope

1994, at which he rejected "with contempt" Mr Mandela's suggestions that the IFP was the perpetrator of violence in KwaZulu-Natal

Chief Buthelezi said that when he had called on his supporters to resist the central government, this had implied peaceful resistance

He was distressed that the president could even consider changing the constitution, as this would lower his esteem internationally. Still, he said, he was due to meet Mr Mandela shortly after the briefing to discuss problems of voting in the Eastern Cape, but would not raise any unso- licited issues

Just 2½ hours later, a smiling, but silent, Chief Buthelezi was standing on the sun-drenched stoep at Tynhuhys, at the right hand of his relaxed, equally smiling boss in the Government of National Unity

Referring to the chief by the praise-filled Zulu name, Shenge, Mr Mandela described him as a friend, and recalled how Chief Buthelezi had arranged birthday celebrations elsewhere for him while he (Mr Mandela) was still in prison and how Chief Buthelezi had refused to negotiate

with former State President P W Botha, demanding that Mr Mandela first be released

It was against this backdrop that the problems that had arisen between the two leaders should be viewed, urged Mr Mandela. He added "We don't think there's a crisis and we'll look at problems at our own pace"

After a lunch with Mr Mandela, Mr Leon emerged with his oft-stated challenge to the ANC to honour its commitment to international mediation

In his briefing on the National Party caucus meeting, held two days ago, Mr De Klerk said it was regrettable that, after such a good first year following the election, South Africa should have to experience such a negative first week of the second year

He dissociated the NP from Mr Mandela's approach to the constitution

"It is not true that a choice has to be made between human lives on the one hand and the maintenance of the constitution on the other, as Presi-

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dent Mandela has suggested" On the contrary, the constitution was a main pillar in the process of preventing political violence and of ensuring peace and stability

He said the NP was strongly critical of the IFP's and ANC's latest actions on the questions of mediation, the honouring of agreements and the risk of political violence

Referring to the cordiality earlier between Mr Mandela and Chief Buthelezi, Mr De Klerk said he found it extremely disturbing the two could be so friendly while avoiding discussion on the "really burning issue of mediation and escalating violence"

Last on yesterday's media roster was Correctional Services Minister Sipho Mzimela, an IFP member who discussed the findings of the IFP caucus

He said the IFP would resist any security crackdown, as KwaZulu-Natal was no worse off than other provinces when it came to violence

The IFP had not been deluded by Mr Mandela's display at Tynhuhys of a special chemistry between himself and the IFP head

● More than 20 000 people have died violently in KwaZulu-Natal in the past decade

Mandela warns KwaZulu/Natal

No funds for province if ⁽²⁶⁴⁾ Inkatha rebels

BD-2/5/95

DURBAN — President Nelson Mandela warned yesterday he would stop funding the KwaZulu/Natal government if the Inkatha Freedom Party revolted against central government.

The warning came at an ANC rally in Durban's Umlazi township, where police reported six injured and one kidnapped after Inkatha supporters allegedly fired at people who were about to enter the stadium. Several shacks were also set alight.

A KwaZulu/Natal police spokesman said Mandela

● MANDELA

had to be "escorted out of the stadium" at the end of the rally as a result of the violence.

He was taken in an armoured police vehicle to a "position of safety".

However, Inkatha spokesman Ed Tillet said last night shots were fired from inside the stadium. Inkatha dissociated itself from the violence. He hoped a police investigation would dispel any suggestions of Inkatha involvement.

Mandela departed from his prepared speech saying "They (Inkatha) should know it is us (central government) who is giving them money and they are using the

FAROUK CHOTHIA

money against my government.

"Should they continue, I'm going to withdraw the money."

Inkatha leader Mangosuthu Buthelezi recently called on members of the province's government to "rise and resist" central government, saying it was not worth living if people were denied their right to self-determination.

Earlier, at a rally in Nqutu, northern KwaZulu/Natal, Mandela said Parliament would soon pass legislation which would give him the power to pay traditional leaders' salaries, a function currently performed by provincial governments. "Whether they like it or not, each chief will receive his pay directly from me."

The Umlazi rally was marked by sporadic shooting from what appeared to be Inkatha supporters in the area.

Sapa reports police sources said a top-level police investigation would be launched into the violence at the rally.

National police commissioner George Fivaz is to head a police delegation to Durban today to launch an investigation into the shootings.

Shortly before the end of the rally, Mandela sang liberation songs with the crowd. At that stage three wounded ANC members were carried into the stadium.

Gunshots rang out while the injured were being treated, forcing rescue workers to dive for cover on one occasion. A helicopter arrived to ferry an injured man to hospital, but paramedics ruled that his condition was too serious to make the

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KwaZulu/Natal ⁽²⁶⁴⁾ BD 2/5/95 □ From Page 1

flight.

Some ANC leaders drew and cocked their guns as the shooting continued, while police sealed off the highway leading to the stadium. Police barricaded the road with Casspirs and barbed wire, and searched homes for weapons.

Earlier at a voter registration rally at Embo, southwest of Durban, Mandela lashed out at "a certain leader in KwaZulu/Natal who said he would organise people to revolt against the government."

"I don't want to use my authority to crush this. I want to talk peacefully to end violence in Kwazulu/Natal."

"If some people don't know I am the

president in Kwazulu/Natal, I will teach them," he said.

Inkatha constitutional affairs spokesman Sipho Mzimela said last night Mandela's threat to stop funding the KwaZulu/Natal government was an idle threat.

"It would be unconstitutional. He will have to declare a one-party state to do that. The people of Kwazulu/Natal pay taxes."

Mandela would also be acting unconstitutionally if he paid chiefs directly as the interim constitution stipulated that traditional affairs fell under the control of provincial governments, said Mzimela.

Coercion will not work on Kwazulu/Natal, business tells

BUSINESS leaders have told President Nelson Mandela a "coercive" approach to Kwazulu/Natal will not suffice and government must seek a political solution to the dispute on international mediation.

The message was conveyed to the President at a meeting on Sunday night at Harry Oppenheimer's residence in Johannesburg, sources said.

Representing the ANC were national chairman Jacob Zuma and secretary-general Cyril Ramaphosa. Among the business delegates were Anglo American directors Bobby Godsell and Michael Spicer, Highveld Steel's Leslie Boyd and Anglovaal's Clive Menell.

ANC sources said Mandela, concerned about the fallout from last week's clash between ANC and Inkatha leaders and the impending security crackdown in Kwazulu/Natal, called the meeting as part of a series of consultations with prominent interest groups. He had met parliamentary parties at the weekend and Azapo and the PAC yesterday.

In the encounter with business, insiders said, corporate leaders had been unwilling to give their unqualified support to "government strong-arm plans for Kwazulu/Natal". Acknowledging the need to fight crime and violence, the businessmen warned Mandela that declaring a state of emergency in the province would evoke the days of NP rule. Amending the constitution would run counter to government's commitment to finding democratic solutions to political disputes.

There was a perception that the parties had agreed to foreign mediation of Inkatha's constitutional demands. Reneging on the deal would damage the ANC and SA A purely coercive government strategy would harm internal political relations and international business confidence.

The sources said the points had been "well taken" by Mandela. He had emphasised that he favoured international mediation but said terms of reference needed to be clarified to avert a repeat of last year's embarrassing mediation debacle involving Lord Carrington and Henry Kissinger.

On Kwazulu/Natal, he had explained that "the security crackdown was to en-

ERIC JANKOWITZ
and ADRIAN HADLAND

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sure further lives were not lost, to bolster free political activity, to lay the ground for peaceful elections in November and to protect the constitution" (264)

A follow-up meeting was planned STEPHANE BOTHA reports that at a media conference in Pretoria yesterday, Mandela reiterated his commitment to foreign mediation once terms of reference had been clearly defined.

He had initiated discussions with Inkatha on the issue. The Kwazulu/Natal government was also obliged in terms of To Page 2

Kwazulu/Natal

the mediation agreement to draft a constitution providing for the province's unique requirements and the Zulu monarchy's status. "Kwazulu/Natal is obliged to draw up a constitution and make provision for international mediation," he said. "It may even show mediation is not necessary."

There were further signs of a thawing of ANC attitudes on mediation. A senior government source conceded that the party had not taken the issue sufficiently seriously, saying "We are now reaping the harvest of that oversight".

Inkatha's Sipho Mzizama, Minister of Correctional Services, described ANC calls for a summit meeting on mediation as "a positive development". He stressed, however, that Inkatha would stay out of the Constitutional Assembly until there was progress on mediation.

From Page 1

Mandela

Ulundi legislature adjourned indefinitely

ULUNDI — The KwaZulu/Natal legislature was adjourned indefinitely yesterday after the ANC, NP and DP refused to remain in Ulundi and demanded that the sitting be moved immediately to Maritzburg, which they regard as a safer venue.

This followed the invasion of the legislature by more than 200 Inkatha Freedom Party self-defence unit members earlier this week. Kwazulu/Natal police commissioner Chris Serfontein has been asked to assist a multiparty committee conduct an inquiry into security arrangements at the parliamentary complex.

Describing Tuesday's storming of the legislature as "utterly reprehensible", pro-

(264)
Business Day Reporter

vincial premier Frank Mdlalose said the strictest disciplinary action would be taken against guards who "failed in their duty" and let the youths into the complex.

Mdlalose's proposal to postpone the provincial budget session was rejected by party caucuses despite his attempts to hold an emergency cabinet meeting to try to placate ANC and NP leadership.

Inkatha opposed moving the sitting because the security facilities in both centres — not just Ulundi's — were under scrutiny.

ANC chairman Jacob Zuma claimed there was no democratic activity or free-

dom of speech in Ulundi. "We feel this matter is very grave" Members were "psychologically unsettled".

ANC chief whip Ina Cronje said "The budget debate should go ahead for the sake of the people of the province."

The NP signalled it would not attend budget debate sittings in Ulundi, while DP leader Roger Burrows demanded it proceed in Maritzburg on Monday.

Despite their protests, speaker Gideon Mdlalose adjourned the session indefinitely. The ANC said the finance committee would go ahead with its preliminary budget hearings in Maritzburg today. Inkatha said it would boycott the meetings.

BD 11/5/95

Inkatha to probe invasion

CAPE TOWN — The Inkatha Freedom Party yesterday called for strong action — including possible criminal charges — against the 200 self-protection unit members who disrupted a meeting of the KwaZulu/Natal legislature earlier this week.

Inkatha defence spokesman Phillip Powell said the behaviour of the unit members, whose action had caused the legislature to adjourn indefinitely, had been ill-disciplined and illegal. (264)

"The actions of these members was reprehensible and brings the excellent reputation of discipline and constructive service of the units into question," he said after an Inkatha Parliamentary caucus meeting.

An emergency meeting of unit leaders would be held in Ulundi today to consider disciplinary measures against the people

ADRIAN HADLAND
and FAROUK CHOTHIA

involved. A disciplinary committee would be set up to investigate charges against individuals suspected of misconduct, Powell said. Those found guilty would be suspended from unit structures and barred from integrating into the SA National Defence Force. It was essential unit leadership took decisive action to remove individuals who did not respect the law or the sanctity of Parliament. BD 12/5/95

DP KwaZulu/Natal leader Roger Burrows said that when the provincial legislature reconvened, it should take a resolution to fine the invaders or call for their arrest. If no action was taken, it would be difficult

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Inkatha

(264) BD 12/5/95 □ From Page 1
to justify action when hospitals and schools were disrupted.

Burrows said KwaZulu/Natal Police Commissioner Chris Serfontein would visit Ulundi on Monday to investigate security arrangements at the legislature.

NP, DP and ANC members of the KwaZulu/Natal legislature have, because of the invasion, demanded the province's seat of government be shifted from Ulundi to Maritzburg.

DP, NP and ANC MPs gathered in Maritzburg yesterday for a meeting of the finance standing committee, but decided to

adjourn the session indefinitely because of Inkatha's absence.

The ANC's parliamentary caucus said Safety and Security Minister Sidney Mufamadi had been asked to investigate the Ulundi affair with a view to taking legal action against those involved.

Meanwhile, Inkatha's parliamentary caucus reacted strongly to comments by President Nelson Mandela, who told CNN television Inkatha was founded to extend the NP's influence and had no standing among the people of SA. His remarks were outrageous, the caucus said.

Zuma on mission to seek investors

NICOLA JENVE (264)

DURBAN — KwaZulu/Natal economic affairs and tourism minister Jacob Zuma is leading a high-profile business mission to Europe this week in a bid to attract investment interest to the region, the KwaZulu/Natal Marketing Initiative said at the weekend.

The mission forms part of a marketing strategy to attract inward investment by conducting seminars in association with relevant provincial role players.

Delegates will visit Birmingham, London and Brussels. Meetings will also be conducted with the Commonwealth, the British trade and industry department, the Belgium Federation of Enterprises and the European Community Investment Partners.

Zuma will attend meetings with the Belgian foreign affairs, development and foreign trade ministers, as well as the minister-president of Flanders.

The mission marks the start of closer co-operation between the initiative and the provincial government. In January the provincial government announced the initiative would be the region's official inward investment marketing body to facilitate a single front for investment.

The provincial government has also agreed in principle to become a paying member of the organisation and will finalise its membership when funds are available in two to three months.

Warning to strikers (264)

STRIKING Durban municipal workers faced dismissal if they ignored council calls to return to work, said council human resources director Dave Cloete

Hundreds of members of the SA Municipal Workers' Union and the United Municipal Workers' Union went on strike on Friday in support of a demand for a R900 across-the-board wage increase. The council has offered 4% (52)

80/16/15/195

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'RECORD SHOWS EVEN-HANDEDNESS'

Govt not punishing W Cape, KwaZulu, says Mandela

THE PRESIDENT dismissed suggestions of discrimination against non-ANC provinces, and gave examples of the government's "even-handedness". **BARRY STREEK** reports.

PRESIDENT Nelson Mandela said yesterday it was "incorrect" to say he was punishing the Western Cape and KwaZulu/Natal for not supporting the ANC in last year's election.

Perceptions that he was mistreating these provinces disturbed him greatly, he said at the start of the debate on the proposed Truth and Reconciliation Commission yesterday.

The government was not concerned with settling scores with those provinces where it lost. "That is incorrect. The record is there for us to note how even-

handed the government is," he added.

Mr Mandela said everyone knew that when the Transkei police rebelled against the government he had instructed the defence force to set up a task force and crush the rebellion.

"We did so and regrettably someone died. They forced us into the action."

"Now Umtata is my country village. It is the best place in South Africa. Most wonderful. That is why every one of my holidays is spent there. "But when that happened I was

not prepared to be influenced by parochial factors."

Mr Mandela said the same action had been taken in Port Elizabeth when prisoners held a warder hostage and the PAC, as well as Eastern Cape Premier Mr Raymond Mhlaba, had not persuaded them to release the warder.

In Tsolo in Transkei, 10 ANC members were arrested and were now behind bars for killing people, and on the East Rand members of the ANC self-defence units had been imprisoned for killing people.

"The ANC is even-handed in approaching these matters."

"If we feel concerned about the level of violence in any particular province it is not because we are carrying out a vendetta because we have lost support."

CT 18/5/95

(264)



FAIR: President Nelson Mandela is concerned about violence

"It is because it is in the interests of the entire country that we save lives," Mr Mandela said

ANC adopts mass action campaign to push for metropolitan

Farouk Chothia

DURBAN.—The ANC will start a rolling mass action campaign today to force the proclamation of a Durban transitional metropolitan council.

The party, which had also withdrawn its representatives from city council structures to back its demand, said yesterday it would hold a "mass demonstration" in Durban today to ensure the "illegitimate apartheid council" stopped functioning. Members had already kicked off the mass action campaign, occupying the wa-

ter and waste department's offices on Monday. The department had been targeted because the city council was still oriented to supplying services to "white areas" to the exclusion of residents, the ANC said.

It was totally dissatisfied with provincial local government and housing minister Peter Miller, and accused him of delaying the proclamation of the metro. "Dates promised by Miller for the signing of the proclamation have come and gone," it said. Miller was not available for comment

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Earlier this week he said June 1 was the target date.

Inkatha Freedom Party deputy election campaign manager Anthony Grinker slammed the ANC for being "irresponsible" and employing "spoiler tactics".

"Mass action in a volatile climate could be dangerous," he said, warning that the campaign could also hinder efforts to bring about reconciliation at local level. Cooperation was needed to achieve good governance in the city.

The ANC said it had withdrawn all its councillors, elected and nominated, from

council structures in the metropolitan area in protest against "the fact that we are being abused" so that existing councils could continue functioning.

It feared budgets for proposed local government structures were being prepared "without our involvement and we will be forced to live with this" after the November 1 poll. This would make it difficult for the party, when it took office, to deliver services to disadvantaged people.

Grinker said the ANC was to blame for the delay in proclaiming the metropolitan council. It was annoyed that Inkatha's Si-

pho Ngwenya had emerged as the "popular choice" for mayor, he said. Miller would have proclaimed the council in January, but the ANC's opposed proclamations he had tabled, Grinker said. Agreement was reached only on March 31, the deadline set in the Local Transitional Act for proclamations to be made. It was impossible for Miller to proclaim the council on the same day, and the onus lay on the ANC-dominated central government to amend the Act. Had Miller proclaimed the council before this was done, he would have acted illegally, Grinker said.

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Pr
Inkatha Freedom Party
Council

New R4m house for premier questioned

Nicola Jenvey 60 18/5/95

(264) could be identified

DURBAN — ANC representative Mike Sutchffe said yesterday a R6m deficit in nature conservation, environmental affairs and traditional authorities expenditure could be recovered if the KwaZulu/Natal premier would forgo a new residence

"We must invest in future generations and building a R4m residence for the premier when this budget has a deficit may not be justified," Sutchffe said

Environment affairs and traditional authorities minister Nyanda Ngunane pointed out that unless the R6m deficit was made up, the Natal Parks Board would have to withdraw from five areas and retrench 170 staff

The R4m extra house for the premier would be built at Ulundi, one of the seats of the KwaZulu/Natal parliament

Inkatha Freedom Party representative Gideon Mdlalose said the provincial parliament "would never be able to meet its demands" from the R26,3m allocated to parliament as two provincial capitals placed "unforeseen burdens" on the department. NP representative Brian Edwards questioned the cost of another house for the premier if only one capital

On Tuesday the KwaZulu/Natal standing committee on finance called on the KwaZulu Finance & Investment Corporation (KFC) to justify receipt of R71,8m or 77% of the province's R93,8m economic affairs and tourism budget

KFC finance executive James Mason said the amount represented only 26% of the organisation's capital expenditure budget. The balance of the R273m budget for 1995/96 would be funded in house (48%) via preference shares (10%) and employing current cash balances held over from projects not undertaken last year because of violence (15%).

Allocations included R90,9m for investments and job creation, and R89,3m for housing

Operational risk had increased since the KFC held houses repossessed not disposed of and commercial buildings valued at R54m

Legal actions by the KFC had risen during the first quarter of last year. However, investigations had shown that several clients were unable to meet repayments as violence had destroyed their businesses. The KFC was now more lenient in bringing action when this applied.

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Eastern Transvaal not in cash crisis

Sello Mothabakwe

BD 18/5/95

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THE Eastern Transvaal regional government would not face a financial crisis, despite a forecast R1bn shortfall in its 1995/96 budget, a spokesman for region's finance ministry said at the weekend.

The shortfall announced in the budget, tabled last week, would mostly affect the provision of educational services, where the allocation for this year's budget fell R500m short.

The province had pledged to make up a portion of the shortfall through cuts in expenditure for the education and finance departments.

The allocation for the equalisation of service conditions of public servants in the province was still awaited from central government.

The spokesman said the current budget would not be adequate to cover provincial needs. The budget had made provision for the payment of a R32m concessionary loan inherited from the old administrations.

The national exchequer had allocated R3,8bn or 94,8% of revenue while own revenue accounted for R179m or 4,4% of the R4bn budget.

The province's agricultural sector was expected to suffer losses as a result of severe drought conditions in the area. Reduced income was expected to have adverse implications for the province's rural development plans.

A task team was investigating the creation of a single development agency.

The regional government would address the as yet unspecified budget deficit by, among others reducing state liability by increasing public sector productivity and by selling off unproductive state assets through privatisation.

A task team was investigating the revenue base and alternative sources of income.

'Mass' protest attracts 30

Farouk Chothia

(264)

DURBAN — The ANC's much-vaunted rolling mass action campaign to force the proclamation of a Durban metropolitan council has got off to a bad start.

Only about 30 ANC-nominated councillors pitched up yesterday for what had been billed a "mass demonstration" to force the "illegitimate apartheid council" to stop functioning.

Waving placards saying "No to racist budget" and "Lipschutz out" — in reference to Durban mayor Mike Lipschutz — the demonstrators sang and danced their way from the city hall to Embassy Building, a block away, where the city council also has offices

Police, however, took no chances — and outnumbered the protesters. They patrolled West and Smith streets through the morn-

ing, stationed a Casspir outside the city hall and also brought along razor wire just in case roads needed to be cordoned off

Asked why there had been such a dismal turnout, protest spokesman Vusi Kunene said: "This is the beginning of bigger things to come. We have a very long programme."

Meanwhile, Inkatha has gone on the offensive, claiming that two of its nominated councillors were forced to flee ANC-dominated Lamontville township last week after death threats were made against them.

Voter registration in the metropolitan area stands at about 41%, and in an effort to boost the figure, Absa bank has decided to place registration tables, manned by its own staff, in its eight main branches in the Durban area.

ES OF FINANCIAL

Violence in Natal on eve of Mandela visit

Political Staff

POLITICAL violence erupted in KwaZulu-Natal today on the eve of a weekend visit by President Mandela, and only days before the African National Congress and the Inkatha Freedom Party are due to begin talks on international mediation.

Ten homes were burnt down in a political attack at Ohkovihi in the Mandini area yesterday, police reported today, and three men were killed and six policemen injured in a shootout near Umbumbulu.

Mr Mandela is due to attend the funerals tomorrow of 10 people who were gunned down in the Mandini area last week as they were travelling to work.

His office stressed that his KwaZulu-Natal trip was not for the purpose of political campaigning, but to show solidarity with victims of violence.

A police spokesman said today that the burning down of houses was clearly politically motivated.

"It is meant to inspire fear. It is at the very same place as the killing of the 10 people last week," he said.

Few details are known about the shootout near Umbumbulu, but police said they were investigating the possibility that there may be a political connection.

Officials said today that Mr Mandela's visit to KwaZulu-Natal would "proceed as planned" and that all possible

precautions would be taken to ensure his safety.

Meanwhile, the ANC and the IFP are to begin a high-level meeting next week to discuss international mediation and other "mutual concerns", ANC spokesman Ronnie Mamoepa has revealed.

Mr Mamoepa said the ANC had offered an "olive branch" to the IFP yesterday by proposing a high-level meeting between the two organisations.

Mr Mamoepa said late last night that ANC secretary-general Cyril Ramaphosa had made the overture in a letter to the IFP's Sipho Mzimela, the Minister of Correctional Services.

"In the communiqué, the secretary-general has proposed a two-a-side meeting of leaders

to finalise details of the agenda of a meeting between the two organisations."

This follows intensive behind-the-scenes negotiations between the two organisations which began shortly after Mr Mandela made the controversial threat to cut off funding to KwaZulu-Natal if the province's legislature continued undetermined his government.

ANC and IFP sources have refused to be drawn on details of the delicate discussions, saying they were at a sensitive stage.

The groundwork for the emerging agreement was laid by international mediator Professor Washington Okumu who may return to oversee the bush indaba.

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DEFIANT MANDELA ENTERS IFP STRONGHOLD

War declared on no-go areas

Buthelezi calls for resistance

DURBAN: President Mandela said he would not be kept from entering certain areas of kwazulu/Natal and suggested that Chief Buthelezi was behind some of the violence.

PRESIDENT Nelson Mandela, saying he was also leader of volatile kwazulu/Natal, ventured into Zulu heartland yesterday despite concerns for his safety after shots rang out at a funeral he attended the day before.

He toured two trouble-torn areas yesterday, telling his supporters he would not be threatened by political criminals and would visit every corner of the country.

"Those who say I should not go to some places in kwazulu/Natal are idiots. I will go all over kwazulu/Natal to show I am the president of the whole of South Africa," he told 4 000 villagers attending the reinstatement of a tribal chief at Gclima, 100km from Durban.

The original venue where Mr Mandela was scheduled to attend Chief Xolo's reinstatement was abandoned after neighbouring chiefs had said Mr Mandela was not welcome.

"Next time I come, I want this meeting at that venue. Nobody is going to tell my people that they cannot meet at a particular place."

While some ANC officials said Mr Mandela was not directly threatened by an incident on Saturday when his security officials fired into the air to disperse a crowd beating a man they accused of fomenting violence, others said they had been concerned for the safety of the 76-year-old President.

"It would be naive not to be concerned about the President's safety. We spent three days making security arrangements," said

provincial ANC MP Mr Bhaka Cele. It was Mr Mandela's first visit to the province since he was escorted away from a rally near Durban three weeks ago where six people were wounded by gunfire.

Police said over 600 soldiers and policemen were deployed in areas where Mr Mandela had visited yesterday.

"We searched every person who came here," said police spokesman Brigadier Dirk Schoeman. "We also have security forces deployed in forests surrounding the villages."

Sources said Mr Mandela was adamant he wanted to travel to kwazulu/Natal after he heard that two people had been killed in the area days before his visit.

Mr Mandela, speaking at Gclima and later at kwaMthetwa yesterday, launched a veiled attack on Chief Mangosuthu Buthelezi, accusing him of fomenting violence to back his demand for international mediation on the



GREETINGS: President Nelson Mandela waves to supporters from behind razor wire on Saturday as he arrives for the funeral of 11 massacre victims near Mandini in kwazulu/Natal. **PICTURE AP**

country's post-apartheid constitution.

"The ANC's commitment to international mediation remains firm. But it is essential that terms of reference are clarified and mutually agreed upon," he said.

About 200 people have died in violence in the Gclima area over the past few months.

In his speech at kwaMthetwa Mr Mandela repeated his declaration of war on no-go areas where ANC members were not welcome.

DURBAN. Inkatha Freedom Party leader Chief Mangosuthu Buthelezi yesterday renewed his call to party supporters to rise and resist the central government.

He told a rally at Taylor's Halt the time had come for the IFP to rise and resist the arrogance of the central government, but by using peaceful methods.

The IFP would never be intimidated by President Nelson Mandela, he said, reacting to his threat to cut funding to the province.

Chief Buthelezi said the IFP should resist those who tried to impose an autocratic centralist and authoritarian form of government on the country. "We shall rise and resist peacefully any strong-armed methods used to intimidate us."

"We will do so armed only with our courage and determination and with our strength and commitment to non-violence."

He suggested the IFP use passive resistance methods in the tradition of Mohandas Gandhi. — Sapa

Mdlalose suspends province from forum

Farouk Chothia

DURBAN — Kwazulu/Natal premier Frank Mdlalose said yesterday he had suspended his government's participation in the Inter-Governmental Forum in protest against central government's failure to devolve powers to the province.

Mdlalose said the forum, which is chaired by Constitutional Affairs Minister Roelf Meyer and includes the nine premiers and provincial ministers, had failed to assign to Kwazulu/Natal important powers in water affairs, land affairs, for-

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stry, education, trade and commerce, consumer protection, gambling, environment and gambling

Mdlalose said the powers Kwazulu/Natal had requested were within its constitutional competence but had not been granted despite the fact that many complaints had been lodged. There had been several disagreements in the forum on how the rationalisation of powers between central government and the provinces should be handled.

The forum had also refused to hand over the administration of the Ingonyama Trust

(118) (264)
Act — which made Zulu King Goodwill Zwelithini trustee of all tribal land — to Kwazulu/Natal.

Mdlalose said the Kwazulu/Natal government had also suspended its participation in all forum substructures.

The decision had to be seen in the context of repeated threats by President Nelson Mandela to stop funding the Kwazulu/Natal government.

He had invited Mandela to detail how the Kwazulu/Natal government was fo-

Continued on Page 2

Mdlalose

Continued from Page 1

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menting violence, failing which he should stop making "derogatory remarks".

He said the Kwazulu/Natal government was considering an extensive programme of legislation to foster good governance through federalism.

He warned that the province would consider taking central government to the Constitutional Court if it threatened the autonomy which Kwazulu/Natal was enti-

pled to in the interim constitution.

Despite its decision, all consultations and relations with central government and the other provinces would continue through "normal functional line and administrative exchanges". This would leave unaltered the channels of intergovernmental relations, Mdlalose said.

In reaction last night, Meyer said: "It is unfortunate that the premier has taken such a decision. It will not be in the interests of Kwazulu/Natal and its people."

Premiers likely to grill Mdlalose over boycott

Durban — KwaZulu-Natal Premier Dr Frank Mdlalose could be in for a grilling from four of his ANC counterparts today when the premiers' forum meets in Ulundi for the first time

Dr Mdlalose will be asked to justify his announcement this week to withdraw from the inter-governmental forum in protest against central government threats to withhold funds from KwaZulu-Natal

Eastern Cape Premier Raymond Mhlaba, speaking from Ulundi, said: "We want to hear more from him about what his reasons are for doing this I don't think we will support this"

The five premiers due to attend the meeting are Dr Mdlalose, Mhlaba, Eastern Transvaal's Matthews Posa, the Free State's Patrick Lekota, and

Northern Transvaal's Ngoako Ramathlodi.

Dr Mdlalose said in a statement that topics expected to be discussed at the meeting included the appointment of top-ranking civil servants and the assignment of provincial laws and functions.

The assignment of provincial powers and President Nelson Mandela's threats to withhold funding from a rebellious KwaZulu-Natal government prompted the IFP to order Dr Mdlalose's withdrawal from the inter-governmental forum.

Dr Mdlalose's boycott has prompted widespread criticism. The ANC said it was unfair because IFP concerns, and not those of KwaZulu-Natal residents, were behind the move — Own Correspondent

(264) (N/A) SPAR 26/5/95

Discord in committee

Mduduzi ka Harvey

GAUTENG Provincial Committee members postponed the demarcation of the region yesterday, when parties failed to agree on the proposals approved by the provincial cabinet.

The parties will meet in two weeks' time after additional motivation has been provided by local government minister Dan Mofokeng — on his plan to demarcate Greater Johannesburg into four metropolitan substructures. This plan was rejected by the NP and DP on Monday, saying it was a ploy by the ANC to win the local government elections.

Sources said parties were split on party lines.

The business community was critical of the move to incorporate the CBD into one of the metro substructures. Norman Axten, FNB general manager, said it was common knowledge that the CBD had its own problems. Plans were underway to address these. For the CBD to keep its position as the central focus of business life, he said, its quality and standards had to be maintained.

Stayaway threat over Natal violence

Farouk Chothia

DURBAN — Cosatu would call a stayaway in KwaZulu/Natal if violence levels failed to drop in the next two weeks, Cosatu southern Natal secretary Paulos Ngcobo said yesterday.

Forty deaths had been reported in the province since Safety and Security Minister Sydney Mufamadi announced a crackdown 12 days ago, according to Human Rights Commission violence monitor Linda McLean.

Ngcobo said there had been no "tangible evidence" of troop deployment, despite an announcement to this effect.

"They are good at talking. When it comes to action, we see nothing," he said, warning that workers would be forced to "withhold their power" if the situation did not change over the next two weeks.

SANDF Natal command spokesman Capt Kim van Niekerk said Mufamadi's announcement had not led to an additional troop deployment into KwaZulu/Natal, but those on duty had been sent to nine identified flashpoints.

There were six or seven SANDF companies in KwaZulu/Natal, consisting of about 120 members each, Van Niekerk said.

Ngcobo said Cosatu had identified 10 flashpoints which it wanted to be declared

"unrest areas". The areas included the Port Shepstone area and the Mandini/Sundumbili area, site of last week's massacre of 11 people.

Ngcobo said that once unrest areas were declared, the security forces would have powers to confiscate G-3 and AK-47 rifles. The security forces currently needed the permission of a magistrate to carry out weapons searches in homes.

National police commissioner George Fivaz said recently he wanted police to be given more legislative powers to crack down on illegal weapons.

Van Niekerk said it was impossible for the SANDF to be everywhere, and it could not be expected to forecast where gunmen would go on a killing spree.

Ngcobo said even though the security forces had committed themselves to community policing, they were not consulting communities on the issue of deployment.

The Mandini massacre could have been avoided if community advice was taken. Soldiers had been present, but they were nowhere near the areas of the massacre, he said.

Some violence monitors believed that the security forces, instead of stationing themselves most of the time in mobile police stations and casspirs, should travel in motor bikes, and also do foot and horse patrols, McLean said.

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Home of contention

By SIPHO KHUMALO

THE PREMIER of KwaZulu/Natal, Frank Mdlalose, will no longer be getting a R4-million roof over his head.

Following a public outcry over the huge sum set aside by the provincial government for the premier's proposed residence, provincial director-general Professor Ory Nxumalo this week said there was no urgency to have the house built immediately.

Instead, Nxumalo said, the premier was willing to let the money budgeted for his house be used to help provincial departments - who have complained that they don't have enough funds to continue until the end of the year.

Kwazulu/Natal shelves plans for premier's R4-m house

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partments saying that with the money budgeted for them they would be unable to function well.

Various departments said they would run out of money before the end of the year and might have to make applications to the central government.

Against this background, the news this week that R4 million had been set aside to build a house for Mdlalose in Ulundi came like a bombshell.

Critics from various parties said the money should be used where it was

most needed.

"The obvious solution is not to build an extra house for the premier. We should get our priorities straight," said the ANC's Mike Sutcliffe.

Two houses

Mdlalose already has a house available in Ulundi and one in Maritzburg, the Parkside, which has not been in use since last May.

In Ulundi there are ten fully-equipped ministerial houses. Each of these

houses boasts three television sets - including one in the bathroom.

Nxumalo this week said the idea of a premier's residence had been discussed in the cabinet of the "erstwhile" KwaZulu homeland government three years ago.

"At present the premier stays in a house which is similar to those occupied by other ministers. There is a need for a premier's house - but there is no urgency to have it built immediately," said Nxumalo.

The chairman of the KwaZulu/Natal select committee on finance, Dumsane Makhaye, said that there was no need to honour a decision taken by the now defunct KwaZulu homeland government three years ago.

"The situation has now radically changed. We cannot be building houses when there are shortages of schools and hospitals. These are things that affect people in general," said Makhaye.

Nxumalo said the sum of R4 million would have been used to cover the creation of the house, furnishing and garden outlay.

"Also included would be all other requisites that go with a house of this nature," he said.

But with the shortages experienced by several departments, this project seems set to be shelved indefinitely.



STAYING PUT... In the face of a public storm, Premier Frank Mdlalose has called off plans to build a R4-m house for him in Ulundi.

ANC threatens mass action in KwaZulu/Natal to foil Inkatha plans

David Greybe

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CAPE TOWN — Tension between the Inkatha Freedom Party and the ANC heightened at the weekend when the ANC threatened mass action in KwaZulu/Natal to stop any attempt by Inkatha to seize more power in the province.

The move follows disclosure of a secret Inkatha document which proposes ways for the party to strengthen its power.

The ANC called on government yesterday "to act firmly" on the matter, saying only mass action would stop Inkatha if it

went ahead with its plans.

Meanwhile, Inkatha leader and Home Affairs Minister Mangosuthu Buthelezi made another call to his supporters to "rise and resist" an "arrogant" central government. However, this should be done in a peaceful way, he said.

At the same time, President Nelson Mandela's office confirmed he would challenge Buthelezi over his public criticism of the sensitive issue of chiefs' pay.

There were indications that constitutional talks between the ANC and Inkatha, which resumed last week after a year's

break, would fail. Inkatha sources said the party was discussing Buthelezi's possible resignation from the Cabinet to become premier of KwaZulu/Natal, but such a step would be premature.

One said "The political temperature has not yet reached the red zone." The source accused the ANC of trying to force Buthelezi out of the Cabinet because of his opposition to government policy initiatives.

Buthelezi, at a rally in Empangeni in KwaZulu/Natal on Saturday, said "If there is a plan to strip me of my Cabinet post, I want it understood that for me it

will not be the end of the world."

Meanwhile, Inkatha chief negotiator and Correctional Services Minister Sipho Mzimela denied the party document calling for the Inkatha-controlled KwaZulu/Natal legislature to take steps by June 15 to increase its powers aimed at the eventual session of "the kingdom of KwaZulu/Natal" or that the proposals were unconstitutional. He said the proposed point strategy was lawful under the constitution.

The document, which had not yet reached Inkatha's national council, would

be discussed today by the party committee which dealt with constitutional issues.

The document calls for a regional security force, provincial control of trade, licensing and promotion, provincial control of education, the public service and media; legislation giving the province control of land, water and forestry affairs, and control over gambling and lotteries.

Mzimela predicted that "at least some" of the proposals would be implemented by the KwaZulu/Natal legislature, starting

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Inkatha

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with a recommendation that the name of the province be changed to the Kingdom of KwaZulu/Natal and the adoption of the former KwaZulu government's emblems and flag.

The first step in the proposed plan was Inkatha's withdrawal from the forum between central and provincial governments. Premier Frank Mdlalose announced last week he had quit the body.

Provincial legislation precluding traditional leaders from receiving compensation from central government was also proposed.

Presidential spokesman Joel Netshitenzhe said Mandela viewed with "serious

concern" Buthelezi's criticism of a Cabinet-approved plan for central government to take over payment of chiefs' salaries. Mandela was expected to raise the matter with Buthelezi this week.

ANC and Inkatha negotiators are scheduled to exchange constitutional proposals today.

However, an influential source in Inkatha's conservative wing said yesterday he doubted that the two sides would be able to resolve their constitutional differences without international mediation. He said, Mzimela's Inkatha delegation had "blundered" in agreeing to an ANC suggestion to study each other's proposals when both sides were fully conversant with each other's positions.

Kwazulu/Natal wants to scrap king's home

Farouk Chothe

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ULUNDI — The Kwazulu/Natal legislature's finance standing committee proposed that four capital works projects totalling about R12m — which included homes for Frank Mdialose and Zulu king Goodwill Zwelithini — be halted.

In a report submitted to the legislature yesterday, committee chairman Dumnani Makhaye said three projects that needed to be halted were the building of a R6,05m laundry at Newcastle's Madadeni hospital, a R4m home for premier Mdialose, and a R2m home for Zwelithini. Makhaye said most public works projects were inherited from previous administrations and may not have been properly reprioritised. This should be done.

After earlier protests by the ANC, Kwazulu/Natal director-general Oty Nxumalo said building a home for Mdialose was not a priority. Makhaye said the finance committee was concerned about the slow progress in implementing the reconstruction and development programme (RDP) in Kwazulu/Natal. "There appears to be a serious capacity limitation in administering the programme."

Meanwhile security was tight during the legislature's sitting yesterday. Armed policemen were at the entrance of the building and visitors were searched and issued entry permits.

This followed the invasion of the legislature during an earlier session by about 200 Inkatha-aligned self protection units. MPs unanimously resolved that the carrying of weapons inside the legislature would not be permitted.

The ANC failed to have the legislature secretary Robert Mzimela sacked for carrying a gun inside the building in March after the Inkatha Freedom Party and the DP argued that the rules had not prohibited this.

□ About 3 000 teachers aligned to the Natal Teachers' Organisation gathered peacefully outside the legislature building to demand an 18,4% salary increase, against 1,4% offered by the education department.

CP and PAC reject Volksstaat proposal

5030/5/95

PRETORIA — The CP yesterday rejected the Volksstaat Council's proposals for an Afrikaner state, saying such a state would have to be exclusive.

CP leader Ferdi Hartzenberg said a state in which "anyone" could become a citizen would end in Afrikaners being swamped by other groups. The recommendation that the proposed state be a 10th province meant Afrikaners would be ruled by "a foreign government".

Hartzenberg said the council's proposed state would take up 3,2% of the country's area and the CP objected to this because it was "in sharp contrast to the situation in 1910 when the boer nation ruled the whole country".

Hertigte Nasionale Party leader Jaap Marais said the council's interim report was "an exercise in ambiguity". It was trying to equate a cultural base to a state, which was nothing but "political trickery".

The "volksstaat" theory propagated by the Freedom Front was destined to disappear from SA politics, Marais said.

Nomavenda Mathlane reports PAC provincial MP Ikhosian X said the conciliatory actions of President Nelson Mandela towards the Freedom Front's proposal were surprising, considering his unsympathetic approach towards the Inkatha Freedom Party's federalist demands.

Unless the president was evenhanded in his approach, the anticipated Afrikaner deal might be a recipe for disaster, he said.

X said the Freedom Front proposals were against the constitution because the volksstaat would accommodate Afrikaners only, thereby violating the constitutional rights of non-Afrikaners in that proposed homeland.

"Attempts at creating Afrikaner homelands such as Morgenon in the eastern Transvaal and Orange in the northern Cape have proved to be

failures. We do not support proposals of experiments that have repeatedly failed."

PAC constitutional affairs spokesman Richard Sizani said the interim report demonstrated "the ridiculousness of the whole idea" with its proposals for "autonomous patches of statelets" all over the country. Even in areas where there were large settlements of Afrikaners, they were not in the majority.

Why the ANC should see an Afrikaner homeland as a priority while Africans, who constituted 75% of the population, remained landless was mind-boggling, he said.

"Afrikaners like everybody else will get their protection in the democratic political process in a Bill of Rights, an electoral process based on proportional representation and the whole notion of a constitution which is the supreme law of the country."

The Freedom Front said reactions of the ANC and NP to the report had amazed Afrikaners. "While President Nelson Mandela is prepared to assist Afrikaners in their aspirations, the NP is fighting such attempts," Freedom Front local government spokesman Dirk Smit said.

"The true reason for the NP's animosity towards fellow Afrikaners lies in the fact that the NP realises it is losing Afrikaner support."

Smit said the question remained whether NP MP and Constitutional Assembly deputy chairman Leon Wessels, who led the attack on the report at the weekend, was speaking on behalf of the NP.

"He called on Deputy President and NP leader FW de Klerk to spell out the NP's position with regard to the aspirations of fellow Afrikaners. 'Clarity is of utmost importance as far as the local government elections are concerned,'" he said.

reveals document

Plan

SHOCK IFP

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CP 28/5

CP REPORTERS

INKATHA has a secret plan to wrest power for KwaZulu/Natal from the central government through 20 points of action - the first of which they have already carried out by withdrawing from the intergovernmental forum.

The secret plan would make KwaZulu/Natal autonomous of the central government in all the important political spheres - including police and security, education, land affairs, forestry, water affairs, civil service, gambling, rural local government, trade and commerce

KwaZulu/Natal would also have its own RDP fund

■ Cyril Ramaphosa, secretary general of the ANC, yesterday expressed deep concern about the document, leaked to the SABC at the weekend - and said he saw this as the first step towards secession by KwaZulu/Natal

The National Party also condemned the plan as "extreme" and said it undermined political co-operation - but blamed the ANC for not honouring their promise to Inkatha of international mediation before the national election last year

■ Inkatha's first priority, according to the secret document, is to rename the province the Kingdom of KwaZulu/Natal - and to adopt the former KwaZulu homeland government's emblems and flags.

These symbols would be retained until final decisions were made in drafting a constitution for the province

■ Although the document is titled *A minimal institutional strategy to promote federalism and pluralism*, some political observers believe Inkatha is preparing for KwaZulu/Natal to secede from

the Republic of South Africa if Inkatha's demands are not met

All 20 points of the plan, the document maintains, must be completed by June 15 1995

The document claims that, from a constitutional point of view, many of the proposed actions are both justifiable and obtainable, but says that the report is merely meant to elicit a firm political decision on what should be done. It does not set out how to do it

The document advises that as many as possible of the plan's 20 points should be implemented at the same time

Some of these points of action - which appear to be already in process - are:

■ The establishment of a force of lawyers to draft, amend and enforce laws, those withheld from the province by the central government. The document says the task force should report back no later than May 31 1995.

Land use

■ The enactment of legislation to ensure that all matters related to land management and land use fall under the province. Legislation drafted by consultants, a Mr Joubert and a Dr Ambrosini, has been submitted to the KwaZulu/Natal premier and is reported to have the support of both the ANC and the NP, the document claims.

■ The enactment of provincial legislation to ensure that all matters relating to water management and water use be handled by the province.

■ The establishment of a provincial commission on land affairs with advisory powers which would express a mandatory recommendation to the central government's Commission on Land Affairs with respect to land distribution, restitution and allocation.

■ The province would enact comprehensive forestry laws - probably

to Page 2



Shock IFP plan

From Page 1

modelled on those previously used by the KwaZulu legislature - and would have full power over all agricultural pilot programmes in the province;

■ The province would regulate its own gambling laws to regulate and licence gambling in KwaZulu/Natal.

"This is of the most importance and urgency, for gambling and lotteries can provide the only source of unconditional revenues for KwaZulu/Natal.

"If the scheme proposed by the Board of Lotteries and gambling were to be followed, provinces would not have any revenues from this source until the middle of 1997," the document says;

■ The province must also legislate for lotteries in the same manner;

■ KwaZulu/Natal should also claim exclusive control of the civil service in its employ. Proposed legislation drafted by Joubert and Ambrosini had already been submitted to the premier and was reported to have the support of both the ANC and NP.

Regarding education, the province must adopt legislation to claim the right to establish autonomously all requirements related to the curricula, syllabi and professional training for teachers; and

■ The province should develop as soon as possible its own provincial security and protection forces.

Dr Ambrosini and IFP Senator Powell have already developed and delivered to the premier a draft piece of legislation which would take advantage of the provision in the interim constitution which allows provinces to establish their own armed forces, the document says.

It is essential that all Self Protection Unit members be given employment opportunities without being forced to integrate into the SA National Defence Force or the SA Police Service, the document says.

leadership exchange programme done will also bring joy to other abandoned

Police 'involved' in gang slaying

JEFF LESSING

A family claim top businessman who was killed by gang, but claims of involvement with defunct business members who used said held dur-

The police announced on Friday they were investigating the possible involvement of members of the SAPS in the gang violence that has claimed the lives of two businessmen in Sebokeng

Leutenant Thabang Letlala of the Sebokeng police told City Press he could not deny the involvement of police elements in the killing of Mbambo. He said "We have information that police were involved"

The suspicions have been fuelled because

police slaying of alleged manana

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Accor members murder pc at Mbar

BUTHELEZI 'HURT' BY MANDELA

ANC plans response to Inkatha secession

264
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475

CHIEF BUTHELEZI reacts with anger to the accusation by President Mandela that he is to blame for inciting violence, and the ANC plans its response to IFP 'secession plans'.

THE ANC's national working committee will meet tomorrow to study the IFP's 20-point plan which it claims is a blueprint for kwaZulu/Natal's secession, ANC secretary general Mr Cyril Ramaphosa said.

The committee will study the document to analyse its next step in negotiations with the IFP.

The war of words between President Nelson Mandela and IFP leader Chief Mangosuthu Buthelezi continued yesterday, with Mr Mandela saying from Tanzania that Chief Buthelezi was to blame for the conflict in kwaZulu/Natal

Speaking to journalists at a breakfast meeting on the second day of his Tanzanian visit Mr Mandela said: "The problem in kwaZulu/Natal does not lie with the IFP but with the leader of the party."

The President praised King Goodwill for his call for peace at a rally at the weekend.

Chief Buthelezi yesterday said he had been deeply hurt by President Mandela's statement.

The President's comments would not promote reconciliation. "I'm really quite deeply hurt and take strong exception to him travelling abroad, especially to African

states, and accusing me of that type of thing.

Meanwhile, kwaZulu/Natal's Police Minister Mr Celani Mtetwa told the provincial legislature that Mr Mandela and some national ministers were inciting violence by visiting tribal areas without first consulting chiefs, who felt their authority was being undermined.

Legitimate

Referring to Inkatha's 20-point discussion document on kwaZulu/Natal's provincial powers, Mr Mtetwa repeated that it was not a blueprint for secession, but merely about devolving legitimate powers — Special Correspondent, Sapa-Reuter

Proposals 'are constitutional'

Inkatha VOWS to implement KwaZulu plan

David Greybe

CAPE TOWN — A defiant Inkatha Freedom Party vowed yesterday to go ahead with controversial proposals to strengthen the powers of KwaZulu/Natal

Inkatha senior negotiator and Correctional Services Minister Sipho Mzimela said the 20-point strategy document at the centre of a political storm would be presented to the party's national council on June 10 for endorsement

Mzimela, speaking after Inkatha's constitutional "strategy committee" had looked at the document for the first time yesterday, said: "There is no reason why the proposals should not be accepted by Inkatha" Even a "simple reading" of the discussion document showed that none of the proposals were unconstitutional.

"In fact," Mzimela said, "it is a very good document. The 20 contemplated actions are all within the parameters of the interim constitution, and fall within the legislative powers of KwaZulu/Natal"

He said there was "absolutely no chance" of Inkatha ditching the document because of the political outcry, led by the ANC, that the proposals were secessionist. Inkatha has denied the charge

Once accepted, the national council would refer the document back to the "strategy committee" to work out details of its implementation in the Inkatha-controlled KwaZulu/Natal legislature.

Mzimela branded ANC criticism of the proposals as "an attempt to evade the real issue at stake here, which is international mediation". He accused the ANC of trying "to intimidate provinces into not using

even that little legislative autonomy to which they are entitled". He charged that the ANC's "deliberate distortion" of the facts was part of a campaign to smear Inkatha "and to legitimise some of the ANC's unconstitutional threats, such as cutting off funding to KwaZulu/Natal".

Presidential spokesman Joel Netshitenzhe yesterday played down the row over the Inkatha document, and said: "It should not raise unnecessary alarm" Some of the proposals were in fact constitutional, but "others stretch the point a bit, and others raise eyebrows". He said the Inkatha proposal to form "armed forces" was the most contentious

Netshitenzhe said President Nelson Mandela "might raise" the issue with Inkatha leader and Home Affairs Minister Mangosuthu Buthelezi when the President confronted him over his public criticism of the issue of chiefs' pay.

The ANC said the disclosure of Inkatha's document should not hamper renewed constitutional talks. ANC spokesman Ronnie Mamoepa said the ANC "remains committed to the agreement reached last week (with Inkatha) to study each other's constitutional proposals" before trying to resume fullblown negotiations. Both sides said they would present their constitutional proposals to each other today. However, Inkatha sources said, based on the most recent ANC proposals, they would reject them and revert to their original demand for international mediation.

FAROUK CHOTHIA reports that KwaZulu/Natal premier Frank Mdlalose yes-

Continued on Page 2

Inkatha (264) BD 30/5/95

Continued from Page 1

terday defended his decision to suspend the provincial government's participation in the intergovernmental forum, a proposal in the Inkatha document. He had submitted to central government a list of powers KwaZulu/Natal wanted within 14 days of taking office. A year had passed, but only some powers had been devolved.

Hinting that Inkatha would adopt other aspects of the document, Mdlalose said KwaZulu/Natal had powers related to ag-

riculture but not land, water and forestry. "I don't know what agriculture is without land, water and forestry."

In the provincial legislature, Inkatha chief whip Mike Tarr tabled a motion calling for chiefs' affairs to be administered by the provincial House of Traditional Leaders and provincial government.

ANC provincial chairman Jacob Zuma said Inkatha's plans could cause "destabilisation" and keep foreign investors away

● Comment: Page 12

Durban council proclaimed

Kevin O'Grady

(264)

A DURBAN transitional metropolitan council has finally been proclaimed after months of wrangling and delays caused by political differences and technical hitches.

KwaZulu/Natal local government minister Peter Miller signed the proclamation establishing the 150-member council and its four area subcouncils on Monday night.

It is expected to be published in the Government Gazette today.

The delay — since January — in proclaiming the council has wreaked havoc with registration for November's local government elections.

The metropolitan council and its central, north, west and south area subcouncils should be inaugurated within the next two weeks, according to an official in Miller's department.

BD 31/5/95
The Durban city council will meet today to wind up its affairs. It makes way for structures comprising members nominated from various political parties.

The proclamation of the new, nonracial council was delayed by a dispute between the ANC and Inkatha Freedom Party over the inclusion of tribal areas in the metropolitan area.

When the multiparty provincial committee on local government finally reached agreement on the issue, the March 31 deadline for proclamations had passed and Miller was unable to sign without amendment of the Local Government Transition Act. The parliamentary standing committee on constitutional affairs agreed to the amendment last week. It was authorised by President Nelson Mandela on Friday.

The new councils will be in power until the elections in November.

ANC appeals for talks on sharing council posts

BD 1/6/95 (264)

Farouk Chothia

ULUNDI — The ANC appealed to the Inkatha Freedom Party yesterday to negotiate the sharing of positions in the newly proclaimed Durban Transitional Metropolitan Council and its four subcouncils.

The appeal came against the backdrop of strong indications that Inkatha member Siphon Ngwenya would be elected mayor after winning the support of the NP, DP, PAC and conservative councillors on the existing city council.

ANC KwaZulu/Natal local government head Mike Sutcliffe said the ANC believed holding elections would lead to confrontation at a time when co-operation between the ANC and Inkatha was needed.

The metropolitan council was proclaimed this week after months of wrangling between the ANC and Inkatha over the inclusion of tribal areas. Five such areas were eventually included.

Consultations are taking place with structures in nine tribal areas on whether they want to be included.

Sutcliffe said the post of mayor and executive committee chairman should be shared between Inkatha and the ANC, which won the Durban metro area in the general election.

"If there is not an ANC member in one of the two posts, there will be a problem of legitimacy and credibility on the ground," Sutcliffe warned.

Inkatha election campaign deputy manager Anthony Grinker said Inkatha was willing to negotiate with the ANC, but believed any agreement should not exclude other parties.

Inkatha had already decided to contest the mayor's post in the council and the four subcouncils. It also believed the post of executive committee chairman should be filled by someone with the necessary expertise. Observers believe the NP is likely to secure the post.

The council will have two deputy mayors, and Grinker said Inkatha

would not put candidates forward. Sutcliffe said the ANC did not want a deputy mayorship — the "crumbs" of an Inkatha-NP deal.

Inkatha's list of mayoral candidates has been finalised, but the ANC has not completed its list.

Grinker predicted that the council would be inaugurated next week. A working group representative of all parties would meet today to hammer out details for the inauguration.

He said among Inkatha's priorities in the council would be to beef up the powers of the city police to combat crime. "They are glorified traffic officers. We want them to perform all the functions of a police force."

The old white-dominated city council had been "scared" to give impetus to development projects because it lacked legitimacy. The metropolitan council would have to accelerate the upgrading of the Point Road area into a tourist attraction. The Esplanade also had to be turned into a drawcard.

~~The... to be held before~~ Schools pay

Star 1/6/95

Special Cabinet meeting on KwaZulu (264)

BY PATRICK BULGER
POLITICAL CORRESPONDENT

Cape Town — The Cabinet will meet in a special session next week for an "in-depth discussion" on violence and tension in KwaZulu-Natal.

A three-man Cabinet committee has been set up to ask KwaZulu-Natal Premier Frank Mdlalose why he has withdrawn from the Intergovernmental Forum, a platform for liaison between the central Government and the premiers.

Deputy President F W de Klerk chaired yesterday's meeting, but next week's special session will be chaired by President Mandela, who was in Tanzania yesterday.

It has been called against a background of rising tensions in the province and between Mandela and IFP leader Mangosuthu Buthelezi.

Mdlalose missed last week's meeting of the Intergovernmental Forum, apparently in accordance with the IFP's 20-point plan to promote federalism. The ANC has accused the IFP of planning to secede, citing the 20-point plan as evidence of this intention.

■ Jovial Rantao reports from Dar es Salaam that President Mandela ended his state visit to Tanzania with a warning that his government would "sideline and even crush" dissidents to maintain peace and stability.

But, he told journalists at the airport, the Government would not use force.

"We have already sidelined the right wing. We are going to sideline and even crush all dissident forces in our country. Our method will not be force, or authority, or power. We will talk to everyone, even our enemies, and say we have such a beautiful country and we should not think in terms of force."

Strategy document seeks to entrench provincial powers

NO move to secede, IFP says

(264) Star 30/5/95

■ BY PATRICK BULGER
POLITICAL CORRESPONDENT

IFP MPs yesterday denied there was any move for KwaZulu-Natal to secede, but said a controversial IFP strategy document was the party's response to curb the province's autonomy.

MPs said the party would not stand back in the face of what they said was an onslaught from President Mandela, who recently threatened to rewrite the constitution to enforce central Government authority in the province.

IFP leader Mangosuthu Buthelezi has denied that the document, called "A Minimal Institutional Strategy to Promote Federalism and Pluralism from the KwaZulu-Natal Base", is official IFP policy. And IFP Correctional Services Minister Dr Siphon Mzimela said "nothing in the document is secretive or illegitimate

or immoral".

"The 20 points in the document are all within the parameters of the interim constitution. To read secession into the document is evidence of pathetic ignorance," Mzimela said in a statement released yesterday.

The latest round in the ongoing IFP-ANC feud comes just days after the parties met for the first time since last April's election in an attempt to initiate a process to resolve their constitutional differences.

The IFP, however, demanded international mediation in terms of the pre-election agreement it reached with the ANC and the former NP government.

Although the two parties agreed to set up a communications channel, the reversal to headline positions on mediation does not augur well for an early settlement between them.

In this context, the IFP docu-

ment seeks to consolidate the limited autonomy granted to KwaZulu-Natal in terms of the interim constitution by using the provisions of the constitution itself, in particular as they relate to provincial powers and functions.

The document calls for withdrawal from the Intergovernmental Forum which provides an opportunity for liaison between central Government and provincial governments.

The forum, says the document, is "legitimising the breach of the interim constitution and is setting the basis for institutionalised forms of intergovernmental co-ordination which we have opposed".

The document calls for the adoption of the emblems and flag of the former KwaZulu homeland, the establishment of a task force of lawyers to study the constitution and to analyse

which powers the central Government is holding back.

It also advocates the enactment of provincial legislation on land management and the amakhosi, a provincial take-over of "trade and commerce", the establishment of provincial "security and protection forces", provincial control of education and the establishment of a provincial RDP fund.

The implications of the ANC agreeing to international mediation would be devastating for the country, according to an article in the latest edition of the ANC's official journal, *Mayibuye*.

Headlined "Who's Afraid of Democracy?", the article says the IFP wants the final constitution to be written by international mediators and not by the Constitutional Assembly.

The article's appearance in *Mayibuye* throws light on the ANC's refusal thus far to honour

the April 19 1994 agreement on international mediation

By using the constitution-making process as the focus of its protest, "the IFP is touching on the central area of dispute in the mediation issue", it says.

"The IFP would have the nation believe that the Agreement for Reconciliation and Peace (the agreement on mediation) centred on issues to be included in the final constitution presently being written by the CA.

"The ANC maintains, by contrast, that the agreement refers only to outstanding issues in respect of the 1993 constitution. The ANC further maintains that it is not clear what these outstanding issues are.

"While only the 1993 constitution is mentioned, the IFP is seeking to have the terms of reference extended to the final constitution."

to change the board.

...nearly two-thirds of the poverty gap was carried by rural blacks, indicating that the

...households headed by a matriculant.

Public servants resist KwaZulu/Natal move

Farouk Chothia

ULUNDI — About 7 000 former KwaZulu public servants were resisting incorporation into structures of the new KwaZulu/Natal government and many were refusing to work, local government and housing MEC Peter Miller said yesterday.

Miller told the provincial legislature that there had been a "complete breakdown" of discipline in the past two days and a "crisis" had developed at certain offices.

Employees in the former KwaZulu public works department were demanding that their grievances be addressed before they were incorporated into the new local government department.

Miller said some were demanding promotions while others had unfounded fears of losing benefits incurred during the KwaZulu era. Some of them believed proper procedure for the incorporation had not been followed.

Miller said he was discussing

the crisis with public works MEC Senzele Mhlungu, and a solution would have to be found in the next few days.

During the KwaZulu homeland era, local government functions were performed by the public works department.

Miller said senior officials in the local government department were also applying for jobs in other provinces because the KwaZulu/Natal Service Commission was delaying making decisions on their appointments.

Miller said he had made final submissions to the commission late last year, but there appeared to be a lack of urgency on its part.

Meanwhile 51,23% or 2,4-million voters had registered in KwaZulu/Natal for the local government poll by the end of last month. In the Maritzburg region 78% registration had been achieved, in the Durban metropolitan 56,5%, in the urban transitional local council areas 58% and in rural areas 46%, Miller said.

Natty Mandela poses for Vogue

NEW YORK — President Nelson Mandela is in vogue this month, nattily attired in the June issue of the US high-fashion magazine Vogue.

"A historic moment," says the caption under the full-page picture of Mandela posing with Somali model Iman. The photograph kicks off a glossy 20-page fashion pictorial with local models and Iman in the Cape, and a page of Archbishop Desmond Tutu exercising in sporty togs.

The introduction says SA "opened its arms to the rest of the world — and Vogue accepted the invitation".

The resulting pictures, it continues, "celebrate the beauty and optimism of the new SA, a nation and a people embarking on an exciting future".

Captions focus mainly on Iman's garments, and no buyers' information is provided about the President's elegant three-piece suit, white shirt and patterned necktie.

Elsewhere in the issue is an article by novelist George Packer. Headlined "In apartheid's shadow", it is about an SA where "hope for democracy flourishes, but anger still smoulders just below the surface". — Sapa.

IBA warns of unfair competition

Ingrid Salgado

UNFAIR competition for revenue and audience share could result if a single broadcaster was forced to carry all SA's public interest obligations when other broadcasters were unregulated, the Independent Broadcasting Authority said in a background paper for its parallel hearings yesterday.

The hearings, which take place in all nine provincial capitals over the next two weeks, are looking into provincial broadcasting concerns.

Similarly, an environment in which the national public broadcaster diverted advertising at the expense of

private broadcasters would also lead to unfair competition, the IBA said.

It was the IBA's role to regulate broadcasting so that the "complex and sometimes contradictory" goals of democracy, development and nation-building were met.

It would do so by considering the public interest, including access to broadcasting, diversity, equality and independence.

The role of broadcasting was especially important in SA where high illiteracy levels existed. It could provide education, human rights and public health information, nurture a common sense of citizenship, reconciliation and tolerance and reflect

the rich cultural, linguistic, religious and regional diversity of SA.

It was important that broadcasting be developed into a competitive and sustainable industry, it said.

The public broadcaster's primary obligation was to guarantee access for all citizens to radio and television programming which addressed their needs, but without succumbing to market forces.

The IBA Act specified that a range of information programmes, including news, current affairs, political coverage, public affairs and documentary programming, be available to the public on a regular basis.

● See Page 14

'I WON'T FOLD MY ARMS IN FACE OF CHALLENGES'

Mandela rebukes Buthelezi

(264)

CT 2/6/95 276

PRESIDENT Mandela's patience seems to be running out. **ANTHONY JOHNSON** reports.

PRESIDENT Nelson Mandela warned Chief Mangosuthu Buthelezi yesterday that he would no longer accept challenges to the central government and to his authority as President of "every inch" of South Africa

In one of his sharpest rebukes yet of his cabinet colleague and the IFP, the President also said it was crucial that the central government took firm action "against any tendencies to subvert the constitution, foment violence or prevent free political activity"

The IFP leader has repeatedly urged his supporters to "rise and resist" the central government

Mr Mandela said he would continue to use persuasion and criticism as his main weapons

"But I am a realist. If that strategy does not bear fruit, if thousands of people keep on dying, if in spite of all my efforts there has been no progress, I am not going to fold my arms," he said

Mr Mandela's thinly veiled threats follow remarks during a state visit to Tanzania earlier this week in which he placed much of the blame for the conflict in kwaZulu/Natal on Chief Buthelezi.

His remarks fuelled a heated debate in the cabinet this week and more fireworks are expected

on Wednesday during a special cabinet meeting called to deal with the conflict in the province

Deputy President F W de Klerk warned MPs during the debate on his budget vote yesterday that government leaders were "relentlessly going for one another" while kwaZulu/Natal was bleeding.

"When the President of the country launches a vicious attack on the integrity of a leading member of his government on foreign soil, it is not only his image which suffers, but also our country's image," he said

Mr De Klerk also criticised the IFP's boycott tactics and called for the forging of a new political accord to stabilise kwaZulu/Natal

'Incitement'

In his response Mr Mandela said the NP should share the blame for violence in the province because it had for decades "incited" the IFP to break the law

"It is my duty as the President to save lives and if I cannot save lives under the present constitution, I will change it," he said to applause from ANC benches

Responding to NP calls during the Senate debate that he should meet Chief Buthelezi in a bid to defuse the crisis, he said he and the ANC had gone out of their way to initiate meetings since he had been released from prison

"Why should I repeat what I have been doing for the last five years?" he asked

'ANC PLOTTING VIOLENCE'

Buthelezi: Support autonomy peacefully

MANDINI: Chief Buthelezi denied yesterday that the IFP was plotting secession, saying it only sought autonomy.

INKATHA Freedom Party leader Chief Mangosuthu Buthelezi called yesterday on the people of kwaZulu/Natal to reject violence and to peacefully support the kingdom's autonomy.

He told a rally here the ANC claim that the IFP plan proposing increased powers for kwaZulu/Natal was "sabotage" and would stir violence in the region was untrue.

It was the ANC that was plotting violence in the region and trying to destabilise it with attacks and threats to cut funding.

Chief Buthelezi repeated that the 20-point plan was only a discussion document and didn't indicate secession or a threat of violence.

"I wonder why when white people talk about secession .. their ideas are considered with respect and reverence," he said.

"We have never spoken about secession and full independence,



NO VIOLENCE: Chief Mangosuthu Buthelezi accuses ANC of plotting.

but rather we have chosen to exercise our right to self-determination."

Chief Buthelezi was not specific about how IFP members were to support self-determination but said they should resist the central government and depend more on the provincial government.

"We seek no greater autonomy than the states enjoy in the United States, Canada, Australia or Ger-

many," he said.

"Had we wanted to break away we would have said so and we would have done so, and no measure of power, intimidation or threats could bend us into submission."

Chief Buthelezi described President Nelson Mandela's criticism of him as "tragic statements."

Mr Mandela said during a trip to Tanzania last week that Chief Buthelezi was responsible for the continuing conflict in kwaZulu/Natal.

"If President Mandela says I am the problem, then I wish to ask whether you are less of a problem for those who want to undermine freedom, federalism and pluralism than I am," he said.

One hundred and eighty ISD members and 160 SANDF troops had been deployed in the district around the rally in an effort to prevent violence, he said.

Three people were shot dead in Mandini before the rally.

One of the victims was Mr Bongani Mnyandu, 24, who had been accused by the ANC of fomenting violence in the area. He was shot dead by police. — Sapa-Reuter

(264) CT 5/16/95

Province underestimated Zwelithini's costs

R10-m to keep a king

(264) Star 1/6/95

■ POLITICAL STAFF

Ulundi — The KwaZulu-Natal government will spend up to R10-million this year on maintaining King Goodwill Zwelithini and his royal house — R8-million more than estimated

Although R1,8-million has been set aside in the provincial premier's budget, millions of rands in other costs he hidden in the budgets of other departments such as public works and agriculture.

The R1,8-million allocation in the premier's 1995/96 vote represents a substantial increase on the R591 000 set aside for the

king in the last financial year

Replying to a question in the provincial legislature yesterday, Premier Frank Mdlalose said the province's accountants were still pouring over department budgets trying to calculate the total cost of the monarchy.

"Calculations are made difficult by the situation in which support to the monarch comes from different departments by way of material as well as service contributions," he said.

So far, R8,7-million relating to the king, his household and staff has been found in the provincial budget

However the cost of maintain-

ing the king's vehicles, fuel and the salaries of his drivers had not yet been taken into account. These items could bring the total cost close to R10-million

Meanwhile, there was still no clarity over whether the central Government has moved to pay the king's costs directly.

It was reported earlier that Pretoria was paying the king a R24-million annual salary.

Mdlalose could not confirm this "For all we know he might be getting a double salary. Is he already getting paid from Pretoria or getting some sort of help? I don't know," the premier said

Cabinet group to act on kwaZulu/Natal

THE cabinet established a high-powered, multi-party group yesterday to help restore peace in kwaZulu/Natal after months of escalating ANC-IFP enmity and conflict. (264)

The working group includes President Nelson Mandela, Deputy Presidents Thabo Mbeki and F W de Klerk and Chief Mangosuthu Buthelezi.

Cabinet secretary Prof Jakes Gerwel said the group recognised that socio-economic factors were important contributing factors to the violence and needed to be dealt with urgently. CT 8/6/95

● See Page 5

IFP backing for Mdlalose

ST 11/6/95

(264) (48)

By CYRIL MADLALA

THE IFP's National Council meeting in Ulundi yesterday rallied behind Kwazulu Natal Premier Dr Frank Mdlalose and his decision to suspend the participation of his province in the Inter-Governmental Forum.

The organisation said it found it unacceptable that the central government had not yet given the provinces the powers granted to them by the interim constitution.

The council called on the people of South Africa to "rise and peacefully mobilise" in support of Dr Mdlalose and his government.

The IFP condemned what it termed President Nelson Mandela's attempt to put the matter of the Shell House massacre to rest.

It said South Africa was faced not only with the tragedy of the massacre, but also with a scandal of a massive cover-

up, which showed the fraudulent nature of the ANC's claims of transparency and commitment to finding the truth.

IFP secretary-general Dr Ziba Jiyane told the media that the IFP would continue to play a constructive role in the Government of National Unity, despite all the difficulties this entailed.

"We will opt out only if the ANC makes it impossible for us to continue."

The council was still discussing its future in the government late last night.

● The Inkatha Freedom Party Youth Brigade yesterday distanced itself from a murder call by an IFP official now being hunted by police.

"We pledge our support for Mr Richard Mothoseng to voice his anger but not to kill innocent people. The people he referred to are those who had a hand in the massacre of our people," said brigade publicity secretary Evans Sosibo.

Gauteng MEC for Safety and Security

Jesse Duarte ordered the arrest of Mr Mothoseng after he announced 1,000 people would be killed if President Mandela was not arrested following his admission that he ordered ANC guards to defend its headquarters at all costs on March 28 last year.

(Mr Mothoseng was earlier identified as Mr Mutusen in news reports.)

"With reference to Gauteng police's MEC order for Mr Mothoseng to be arrested... we say no one felt threatened by Mr Mothoseng's statement except those who had a hand in the massacre," Mr Sosibo said.

He said Mr Mothoseng was "just expressing his anger" at his brother being killed at Shell House on March 28 last year.

The brigade also revealed plans for a one-day stayaway to back IFP calls for Mr Mandela's arrest.

A date for the protest strike in Gauteng will be finalised by Friday, IFP Vaal Triangle secretary Sihpo Magubane said.

The brigade was planning to mobilise taxi, bus and rail services.

"We will use force if necessary." Sapa.

Inkatha demands regional autonomy

Farouk Chothia

BD 12/6/95

DURBAN — KwaZulu/Natal premier Frank Mdlalose must ensure that the province takes significant legislative powers from central government by the end of July, Inkatha's national council resolved at the weekend.

A resolution urged Mdlalose and the provincial legislature to take "many courageous legislative and political initiatives" to ensure that "substantial progress" was made in achieving provincial autonomy by the end of July.

This suggests that the council accepted the controversial strategy document, A Minimal Institutional Strategy for Federalism and Pluralism from a KwaZulu/Natal Base, which has been labelled by the ANC as secessionist.

Inkatha secretary-general Ziba Jiyane said council members felt that the concept of the document was acceptable, but its practical implementation needed to be discussed by Inkatha's strategy commission and provincial MPs.

The resolution complained about central government's failure to assign to provinces powers related to land affairs, water, forestry, certain aspects of trade and commerce, consumer protection, education, provincial public media, gambling, lotteries, provincial public service, regional planning and development.

The national council endorsed Mdlalose's decision to withdraw from the inter-governmental forum. However, it was un-

likely that ANC and NP ministers wishing to attend forum meetings would be stopped, Jiyane said.

Speaking after a meeting of Inkatha-aligned chiefs on Friday, Inkatha leader Mangosuthu Buthelezi said the dispute over the traditional leaders' payment might go to the Constitutional Court.

His comments were a clear indication that the meeting planned for tomorrow between President Nelson Mandela and Inkatha-aligned chiefs in Durban was unlikely to break the deadlock over the issue.

Buthelezi said the payment of traditional leaders was a provincial competence, but the ANC had long argued that there was an overriding clause in the constitution allowing central government to take over payment, for sake of uniformity.

The Inkatha-aligned chiefs resolved to send a delegation to meet Zulu king Goodwill Zwelethini to appeal to him to convene an imbizo (mass gathering of the Zulu nation). If he failed to do so, the chiefs would do so on their own.

Buthelezi said there had been no progress in efforts to break the deadlock over international mediation, and the exchange of constitutional documents with the ANC was a "farce" as Inkatha had made comprehensive submissions to the Constitutional Assembly which were available to ANC secretary-general Cyril Ramaphosa.

Jiyane said if there were to be future talks with the ANC on the issue, these would focus solely on the implementation of the mediation agreement.

Regional council model set for KwaZulu/Natal

Business Day Reporter

(264) ED 14/6/95

A RURAL local government model for KwaZulu/Natal was agreed on earlier this month, limiting the structure to a single tier of regional councils, the Regional Consultative Forum on Rural Development said yesterday.

This meant there would be no primary local government structure in rural areas comparable with the transitional local councils in urban areas.

Traditional leaders would be represented on the councils together with elected representatives from district or regional authority constituencies. There was also a proposal that landowners be assured representation, although many participants saw this as entrenching white farmer privilege.

Speaking after a workshop on rural local government, forum information co-ordinator S'duduzo Simelane said serious concern was expressed by participants about the apparent failure of local government structures to reach grassroots voters.

Rural communities would need to rely on the dissemination of information from non-government sources and would have to formulate positions to lobby for services urgently required in their areas.

A call was made on government to embark on an extensive training programme "to strengthen and develop existing local development structures".

kwaZulu chiefs 'consider pay
move a bid to control them'

CT 16/6/95 (264)

The article contains several paragraphs of text, which are mostly illegible due to the quality of the scan. The text appears to be a news report or a document discussing the political and economic situation of the Zulu chiefs and their potential bid to control their own affairs.

Zweliithini real Zulu leader - Mandela

By CRAIG DOONAN

Ezakheni — President Mandela, praising Zulu King Goodwill Zweliithini as the real leader of KwaZulu-Natal, yesterday urged tribal chiefs to unite behind the monarch's calls for peace and rural development.

"We appreciate very much the statements by King Zweliithini for the need for peace, rural development and investments," he told a Youth Day

rally at Ezakheni, a small township surrounded by vast rural areas in northern KwaZulu-Natal

"His Majesty is emerging in this province as the real leader who understands those things which are going to help our people," Mandela said to cheers from more than 10 000 ANC supporters

"We call on all traditional leaders in KwaZulu-Natal to join with us in these efforts. We appeal to them to take ac-

tive part in rural development projects"

Mandela also told supporters his Government was determined to improve the living conditions of traditional leaders "This may take some years to achieve. We want to make sure they lead a lifestyle which respectable leaders of their stature deserve"

He did not refer to Inkatha leader Mangosuthu Buthelezi, an uncle to the king and the head of KwaZulu-Natal's

(264) Star 17/6/95

House of Traditional Leaders, which was established earlier this year despite opposition by the ANC and the Zulu king's council

The ANC and National Party brushed Inkatha objections aside on Wednesday and resolved in the Cabinet that the State, and not the provinces, should pay traditional leaders — and Zweliithini

The Zulu monarch has been caught in a tug-of-war between Inkatha and the ANC

since he distanced himself from Buthelezi after the April 1994 poll. Since July last year, he has also repeatedly asked his chiefs to abandon political partisanship

Violence started dropping in KwaZulu-Natal soon after the general election, but monitors have attributed a recent rise in killings to tensions over Buthelezi's calls for international mediation ahead of local government elections on November 1. — Reuter

BAKERS
↑ JAGGER

KwaZulu/Natal laws planned

Inkatha set to seize more powers

(173)
(264)
BD 19/6/95

David Greybe

CAPE TOWN — The Inkatha Freedom Party's plans to seize more powers in KwaZulu/Natal would begin in earnest this week when lawyers started work on implementing its controversial 20-point strategy, officials said yesterday.

First in line for implementation in the Inkatha-controlled legislature would be legislation "which precludes any traditional leader from receiving compensation from central government".

The officials said putting the plan in motion was part of Inkatha's "open cold war", declared last week after Cabinet endorsed an ANC initiative empowering central government to pay chiefs.

More specifically, an Inkatha strategist explained, it was part of the party's "institutional conflict" programme to wrest more powers from central government in KwaZulu/Natal. Planned mass passive resistance would be the second front of Inkatha's "cold war" against the ANC.

The party was also considering challenging the chiefs' pay issue in the Constitutional Court.

The next move would be to change the name of the province to the Kingdom of KwaZulu, and adopt the former KwaZulu government's emblems and flag.

Defending the move — vigorously opposed by the ANC, among others — a senior Inkatha member said it also had to be seen in a cost-cutting light. "Official vehicles will not have to be resprayed, stationery will remain the same and we will not have to make new flags."

Officials were confident of "substantial

progress" in implementing the plan by the time the party held its annual general conference starting on July 21.

An official said it would largely be up to lawyers working in premier Frank Mdlalose's office to prepare draft legislation for adoption by simple majority in the Inkatha-controlled legislature.

Mdlalose's recent suspension of his participation in the voluntary intergovernmental forum between central and provincial governments was part of the party's "minimal institutional strategy to promote federalism and pluralism". Officials said he would return only when he had been assured KwaZulu/Natal would be assigned more powers.

A political observer who studied the Inkatha plan said at least 12 of the 20 points were constitutional. The rest were open to debate. Whether they were constitutional depended on how Inkatha planned to implement them. The most controversial points dealt with Inkatha plans to

- Establish provincial armed forces "for the protection of people and property",
- Introduce legislation to wrest control from central government on "all matters" related to land, water and forestry management and their use,
- Claim "exclusive control" over the province's public service,
- Take "firm control" over trade and commerce,
- Legislate to "licence and regulate provincial media", and
- Legislate to prevent chiefs being paid by central government.

Continued on Page 2

Inkatha (173) (264) BD 19/6/95

Continued from Page 1

However, according to one Inkatha official, the KwaZulu/Natal Act of the House of Traditional Leaders adopted in October was already "broad enough" to prevent chiefs receiving compensation from central government. Adoption of new legislation on the matter would merely strengthen the original Act, he said.

KwaZulu/Natal transport MEC and senior ANC official Sbu Ndebele said the ANC "will fight Inkatha's secessionist and one-

party plan every inch of the way". If the ANC was unable to stop Inkatha at provincial level, the party would resort to the Constitutional Court.

Inkatha was acting like "a desperate party" — a party which was fast losing control over the new police force in the province, had lost King Goodwill Zwelithini, would eventually lose the chiefs and had not delivered anything meaningful in terms of the reconstruction and development programme.

'140 shots at minibus'

Stephane Bothma

PRETORIA — Vlakplaas C10 unit members allegedly fired 140 bullets into a minibus carrying four would-be bank robbers during an ambush outside Nelspruit in 1992, the Transvaal Supreme Court was told last week.

About 224 spent cartridges found at the scene had been handed to him for testing, ballistics expert Brig Piet Gouws testified in the murder and fraud trial of former C10 commander Col Eugene de Kock.

Gouws said he had found 140 entry holes in the minibus, caused by R5 rifle, 9mm pistol and a 12-bore shotgun fire. The shotgun had been firing solid bullets and not the usual buckshot.

The State alleged De Kock, several of his C10 underlings and members of the Pretoria Murder and Robbery Unit had planned the ambush in March 1992. Outside Nelspruit they had fired at the vehicle before planting AK47 rifles and handgrenades in it and setting it on fire. Four "robbers" were killed in the ambush, while a fifth person, waiting at a petrol station for his friends, was later killed by C10 members, the State claimed.

The trial continues today.

Inkatha rejects Durban proposals

Farouk Chothia

DURBAN — The Inkatha Freedom Party yesterday rejected Durban metropolitan council boundary proposals on the grounds that they discriminated against Indians and created economically unviable sub-structures.

In a preliminary report released earlier this month, the Demarcation Board had proposed that Chesterville be the sole black township in a sub-structure that included the Indian areas of Chatsworth, Shallcross and Reservoir Hills and the white areas of Westville and Queensburgh.

Inkatha election campaign deputy manager Anthony Grinker argued that this would give Chesterville residents disproportionate influence in the sub-structure. The bulk of the Indian population had been placed in one sub-structure, reducing their clout in the council.

The Local Government Transition Act stipulated that black areas would receive 50% ward representation on the sub-structure, while the remaining 50% would go to Indian, white and coloured areas.

Grinker said Chatsworth, the largest Indian township in the council, should be placed in an adjacent sub-structure that included Durban central, Berea, Bluff, Lamontville, Mubeni, Jacobs, Clairwood, Hillary and Yellowwood Park.

Inkatha would make its submissions to the board today, the closing date for comment on the board's preliminary proposals.

Provincial Affairs Minister Roelf Meyer said last week a battle was looming over Durban metro's internal boundaries.

Observers pointed out that the battle had been expected to break out after the board had submitted its final report to provincial local government MEC Peter Miller.

Miller had the prerogative of amending the proposals before submitting them to the Provincial Local Government Committee for approval.

Inkatha also objected to the fact that Humberston was the sole black township in a sub-structure which included the Indian areas of Phoenix and Westmead and the white areas of Umhlanga and Kaituma.

Grinker said the influence of the Indian community was once more being restricted. Phoenix, the second largest Indian township in the council, should be placed in a sub-structure that comprised the black areas of Isanda, Newtown and Sitatunga.

Phoenix, which had a fairly large industrial area, would assist the sub-structure in attaining economic viability.

The board had proposed that Umhlanga form a sub-structure on its own. Grinker argued that Umhlanga be included in an adjacent sub-structure that had industrial areas such as Prospecton and Isipingo.

Meanwhile, Msimang's White Paper reports that the November 1995 local government elections might not take place if the ANC and opposition parties do not reach consensus on the demarcation of Johannesburg's boundaries.

The matter may be referred to the special electoral court for a ruling. Reconciliation is supposed to be finished by tomorrow and it seems unlikely that an agreement will be reached in time.

Pressure to review death penalty ban

Adrian Hadland

CAPE TOWN — Government is under growing pressure to reopen the debate on capital punishment following the rejection of the Constitutional Court's recent ruling by several political parties and calls for a national referendum.

The Inkatha Freedom Party joined the fray at the weekend, adding its voice to calls by both the National Party and the Freedom Front for the issue to be put to the public.

But justice minister Dullah Omar said he had no intention of supporting a referendum or renewed debate on

capital punishment, according to his spokesman Sae de Villiers.

The Constitutional Court's ruling, which banned the death penalty, had been based on the constitution, which was signed by all parties, Omar said.

The issue of the death penalty was being used as a "red herring" to divert attention from the need to tackle the crime problem in its aspects.

IFP justice spokesman Abraham Mzizi said the court was packed with ANC supporters and was empowered only to interpret the Constitution and not determine public policy.

"The judges are not elected and are not accountable to anyone. It is

another that the Constitutional Court should be allowed to determine such a fundamental issue."

The NP said that such the abolition of capital punishment would have a serious negative effect on crime. It called on government to hold a parliamentary debate followed by a national referendum on the issue.

Lawyers for Human Rights said, meanwhile, that the NP was rejecting the authority and independence of the court. It said the death penalty should not be put to a referendum.

"If public opinion were to be decisive there would be no need for constitutional adjudication," it argued.

Muti killer 'ought never to leave jail'

Deborah Fine

MUTI murderer, Gauteng radio repairman Moses Mokgeti, 39, was found guilty in the Rand Supreme Court yesterday of strangling to death six children aged between two and eight years as well as raping and attempting to murder a five-year-old girl.

Judge MJ Strydom said, "He ought not to come out of jail at all. All these previous convictions and this indecent assault matter with a seven-year-old girl. He seems very fond of young children."

Mokgeti said, in a statement to police, he had been paid to murder the children by a "very rich" Randfontein taxi owner, who had wanted certain body parts for muti to "make his taxi business strong".

He said he had abducted two boys and four girls from Mohlakeng township, Randfontein, between 1991 and 1993. He had murdered them in bushes near the Pelzvale Plots.

He had removed the boys' penises and the girls' hearts and livers, then delivered the organs to the taxi owner.

He had committed the murders because he had been unemployed, and the taxi owner had paid him R300 per organ. The taxi owner had promised him R3 000 and a

minibus in 1993, but he had received neither.

The taxi owner had given him a yellow powder to "change his eyes" and make him "strong and brave". The powder had not changed his eyes, but had helped him "not feel sorry" about what he had done.

He was arrested in August 1993 after one of his victims, a five-year-old girl, escaped and alerted her parents.

Evidence was led that Mokgeti had raped the girl, pulled out two of her teeth, and throttled her. Believing her to be dead, he had left her alone for a few minutes. She regained consciousness and fled.

State advocate K Geyer asked the judge to sentence Mokgeti to six terms of life imprisonment on each of the murder charges. He could not be rehabilitated as he already had several previous convictions including house breaking, assault, theft and indecently assaulting a seven-year-old girl.

Advocate T Masipa, representing Mokgeti, submitted her client was capable of rehabilitation

She said he appeared "quite gifted" and could prove a useful member of society if he received counselling in prison and was "given a chance" when he came out of jail. He will be sentenced tomorrow.

Inkatha wins Durban mayoral election

Farouk Chothia

264
BD 7/6/95

DURBAN — Inkatha Freedom Party member Sipho Ngwenya was elected mayor of the Durban transitional metropolitan council yesterday with a clear majority, defeating ANC candidate Obed Mlaba in an election marred by bitter acrimony.

The ANC, having lost the post, and with no guarantee from Inkatha that it would receive the chairmanship of the metro's executive committee, refused to contest the two deputy mayors' posts.

These went to former House of Delegates MP Kamal Panday, who captured the limelight in 1987 for stripping at a nightclub, and former Westville mayor Nicky Armstrong.

Both lean towards Inkatha.

Mlaba said the ANC refused to put forward candidates for the posts because "we do not want to be led by an alliance that was part of the apartheid system".

The ANC could not be sidelined as it had won the Durban region in the general election with a clear majority, said Mlaba, who is Eskom's KwaZulu/Natal business development manager. Ngwenya was elected mayor after winning the backing of the NP, PAC and conservative councillors of the former city council.

Voting was by a show of hands. Counting stopped after Ngwenya recorded 80 votes. He will be inaugurated today.

Signalling that it would be confrontational in the metro if it failed to secure the post, the ANC yesterday challenged a proposal that each executive committee member should receive a monthly allowance of R7 400. The ANC argued members should not receive more than R6 000, and the dispute remained unresolved. Each councillor would receive R3 000.

Police fail to find Mtuseni

Theo Rawana

POLICE failed to find self-protection unit leader Rich-

Search launched for key hit squad suspect

Farouk Chothia

board, a civilian body overseeing the investigations of

No vote for tribal areas?

CT 22/6/95

DE RBAN: Most people living under tribal rule in KwaZulu-Natal will not be able to vote in the first democratic local government elections.

After months of political wrangling between the ANC and IFP over the issue, it appears a deal has been struck leaving most tribal areas outside transitional local council boundaries in the province.

Political sources said this could only be changed if the ANC and IFP literally shared the areas, which was extremely unlikely. — Own Correspondent (264)

● See Page 6 (264)

ANC takes demarcation issue to court

Farouk Chothia

DURBAN — The ANC had launched an action in the Supreme Court to force the KwaZulu/Natal demarcation board to make recommendations on whether 14 tribal areas should be included in the Durban metropolitan area, ANC local government head Mike Sutcliffe said yesterday.

He also warned that the ANC would ask central government to take control of local elections in KwaZulu/Natal if the IFP "continued adopting spoiling tactics".

Board co-chairman Peter Mansfield

said the board had informed local government MEC Peter Miller that it could not make recommendations on the position of tribal areas. Serious political tensions made it extremely difficult to hold meetings in the disputed areas, he said.

Mansfield said when meetings were held in three localities, it had not been possible to have "quiet and reasoned" discussions.

In terms of a proclamation issued by Miller in May, the board was to have consulted community structures and tribal leaders in the disputed areas before recommending whether they should fall under

BO 27/6/95
the Durban metropolitan council. This had to be done by July 5.

Mansfield said a political settlement would now have to be reached.

But Sutcliffe said the ANC had filed papers in the Durban Supreme Court, citing the board and Miller, last Friday. The application would be heard today.

Sutcliffe said the court action aimed to force Inkatha-aligned chiefs to abide by a proclamation signed by their own MEC, and to allow the board to carry out its task.

Continued on Page 2

(264)

Demarcation

Continued from Page 1

without hindrance.

In the Umnini tribal area, the local chief refused the board permission to hold a meeting earlier this month. When the board called the meeting, the chief failed to attend. The chief had labelled pro-incorporation residents "enemies". In the Maphumulo tribal area, the local chief had been "very abusive" towards board officials, and residents favouring incorporation had been intimidated, Sutcliffe said.

Inkatha election campaign deputy manager Anthony Grinker slammed the court action as a strategy aimed at undermining

BO 27/6/95
the provincial government and projecting it as incompetent. The board had experienced difficulty in holding meetings in tribal areas because it had not followed the proper procedure of consulting chiefs.

Sutcliffe said the ANC was pushing for an urgent meeting with Inkatha in a bid to resolve boundary disputes. The ANC had decided to accept all proposals made to date by the board and Inkatha needed to show a similar commitment.

Mansfield said the board had proposed that 15 transitional local councils should incorporate adjacent tribal areas. Inkatha was "pretty much" opposed to this, Grinker said.

(264)

kwaZulu 'plans to seize own powers'

CT 27/6/95

(264)

OWN CORRESPONDENT

LONDON· Inkatha leader Chief Mangosuthu Buthelezi is planning to resist attempts to undermine his power base among traditional chiefs in kwaZulu/Natal, the journal Africa Confidential claimed yesterday

It revealed details of a plan

drawn up by Chief Buthelezi's adviser, Mr Mario Ambrossini, for kwaZulu/Natal to seize powers guaranteed in the interim constitution but which the central government has been slow to implement

According to Africa Confidential, Mr Ambrossini recommended the Inkatha-controlled legislature in kwaZulu/Natal introduce legis-

lation prohibiting chiefs from accepting payment from central government and giving the provincial government exclusive jurisdiction over the civil service, land and agriculture, and establish a "security and protection force"

Also, the province should be renamed the Kingdom of kwaZulu

The second stage was a passive

resistance campaign against the ANC's central diktat

The journal said, however, many Inkatha activists were sceptical of the plan, suspecting it was really a way for Chief Buthelezi to resign from the government, elbow out premier Dr Frank Mdlalose and oversee a new order in the province

Durban launches new RDP plans

Nicola Jenvey

~~247~~ (264)
DURBAN — Reconstruction and development projects provide local authorities with "golden opportunities" to encourage voter participation in the forthcoming municipal elections, Mount Edgecombe Town Clerk Archie Parkhouse said at the weekend.

Launching a plan aimed at kick-starting Durban's northern economy, Parkhouse said it was essential for local government to demonstrate its ability to create growth and development opportunities.

Mount Edgecombe, at 1 000 hectares, is one of the smallest local authorities incorporated into the new Durban metropolitan area. Most of the area is under sugar cane, but residential and industrial developments have been accelerating in recent months.

50 26/6/95
The Mount Edgecombe town board launched a job-creation campaign aimed at attracting commercial and industrial investment, while highlighting its residential opportunities.

The campaign would be geared towards industrialists and financiers.

Parkhouse said the plan, designed for maximum flexibility within town planning controls, recognised that employment was fundamental to social upliftment and empowerment.

Boundary row is still unresolved

Edward West

CAPE TOWN — The Cape Metropolitan joint management body (JMB) had been forced to tackle local election issues independent of substructure demarcation because of the Constitutional Court action taken by the Western Cape provincial government against central government, JMB chairman Ashiek Manie said yesterday.

The province has filed papers in the Constitutional Court in support of its view that government acted unconstitutionally in amending the Local Government Transition Act to declare null and void NP MEC Pieter Marais' boundary decisions.

A source said the Constitutional Court was unlikely to address the issue until after August. Resumed negotiations to try and break the impasse between the NP and ANC on the boundary row deadlocked again on Friday after 40 minutes.

Manie said options for juggling time frames for the preparation of the elections in the Cape had already been exhausted.

DD 28/6/95
Because boundaries had not been proclaimed, it was not possible to have electoral rolls for the substructures and official inspection of the rolls had been postponed. An unofficial roll had been made available for the 90% of the registered people in the metropolitan area.

The JMB planned to tackle election issues that were not dependent on demarcation, such as voter education and planning for amenities and resources required for polling, while awaiting the outcome of the court case.

Another hurdle was possible ward delimitation disputes. This could tarnish the credibility of the elections.

Manie said delaying the elections until next April would not make much difference, but would represent a psychological blow to the country.

The only other options were to stagger elections from November 1, to hold party-based proportional representation elections, or simply squeeze more time out of the election process, he said.

ANC accuses IFP of bid to create 'white islands'

Farouk Chothia

264
DURBAN — The ANC hit back at the IFP yesterday over proposals for the inner boundaries of the Durban transitional metropolitan council, accusing it of being bent on creating "islands of white privilege".

The IFP last week rejected preliminary proposals by the demarcation board, claiming Indians were being discriminated against.

ANC local government spokesman Mike Sutcliffe said the IFP proposals in fact devalued the vote of Indians and blacks. He said the IFP was "racist".

The IFP had objected to the board's proposal that Chesterville be the only black township in a substructure including the Indian townships of Chatsworth, Shallcross and Reservoir Hills.

The IFP said the decision to place the bulk of the Indian population in a single sub-structure would reduce their power in the council.

This was because the Local Government Transi-

tion Act stipulated that black areas would receive 50% ward representation in substructures, while the remaining 50% would go to Indian, white and coloured areas.

DD 28/6/95
Sutcliffe said the IFP's proposal would give Chatsworth and Shallcross only four wards while the board's proposal would give the two Indian areas seven wards.

The IFP's proposal would leave Reservoir Hills with one ward, while the board's would give it four wards.

Sutcliffe said while the Indian vote would be devalued 15-20% under such a system, the clout of whites would be bolstered.

Sutcliffe said the IFP was misleading the public by claiming to have the interests of Indians at heart.

Meanwhile, an ANC application to force the demarcation board to hold consultative meetings in 14 tribal areas whose inclusion is under dispute, was yesterday adjourned by the Durban Supreme Court until tomorrow.

'Fight child prostitution'

DD 28/6/95
GAUTENG safety and security MEC Jessie Duarte yesterday called for legislation to allow police to prosecute owners of buildings used for drug dealing and child prostitution.

"If a landlord allows child prostitution and drug selling from his premises he should also be prosecuted," she said.

Current laws did not give police enough power to investigate claims of child prostitution, she said.

Police needed to be empowered to enter buildings to remove children who were being abused.

"Why don't you let the little girls go home, man," she called up to men leaning over the balconies of a block of flats known to house child prostitutes.

A special urban police reaction unit was to be formed in Hillbrow to combat drug dealers.

Duarte said she favoured mass action and a "take back the night" campaign to make Hillbrow safe for its residents, with security committees established on each city block. — Sipa.

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Meyer tells MECs to sort out demarcation

CAPE TOWN — Inconsistencies in ward allocations prescribed by the Constitution and the Local Government Transition Act could force them to be amended before the November elections.

While Constitutional Development and Provincial Affairs Minister Roelf Meyer believes provincial MECs and the demarcation boards might be able to resolve the problem, parliamentarians believe the Constitution will have to be amended.

The Act prescribes that wards must be so demarcated that black communities get half the total for all local government authorities, with the other half split among white, Indian and coloured communities.

The system has already created distortions. In Plettenberg Bay, for example, there are 29 blacks and 10 475 white, coloured and Indian voters sharing 10 wards, which means 29 people have the same say as 10 475. Carletonville has a similar problem.

At a joint constitutional development parliamentary committee meeting yesterday, department of constitutional affairs adviser SS van der Merwe said the extent of the problem was unclear.

Local Government Elections Task Group co-chairman Van Zyl Slabbert had been unable to give him accurate figures because the demarcations were still taking

place. ^{29/6/95} Slabbert thought the problems should be addressed individually without restructuring the whole system, Van der Merwe said.

Meyer suggested a way to resolve the problem before resorting to a constitutional amendment: that all provincial MECs "apply their minds" to ward demarcation.

Demarcation boards would also need to be approached to provide information within 14 days.

The matter would be discussed at Monday's Minmac meeting, Meyer said.

Problems should be solved by the provinces, the demarcation boards and the local government task team.

Only if problems still remained after these attempts should legislation be amended.

The amendments would apply in exceptional cases only, and time scales would have to be adjusted before polling day on November 1 by provincial proclamations, he said.

Committee members agreed in principle to Meyer's plan, but postponed discussion on the substance of the amendments.

The parliamentary committee would be kept informed of developments during the recess and, if necessary, the committee would be recalled, co-chairman Pravin Gordhan said. — Sapa.

IFP accuses 'secretive' Asmal

²⁶⁴ Farouk Chothia
DURBAN — Water Affairs Minister Kader Asmal had held secret meetings in KwaZulu-Natal about the province's water problems, by-passing the legitimate provincial government, the IFP said yesterday.

Asmal's spokesman Themba Khumalo hit back

by calling on the IFP to "rid itself of the mentality that it had a monopoly" over rivers and dams in KwaZulu-Natal. The constitution stated that water affairs was a national competence, Khumalo said.

Sapa reports that the IFP accused Asmal of being "devious in the extreme" for by-passing the provincial government and then attempting to blame the IFP for being "obstructive to delivery".

Asmal said in his budget vote earlier this week that IFP "obstructionism" was the major obstacle to water delivery in KwaZulu-Natal.

The IFP said: "Asmal has on various occasions secretly visited KwaZulu-Natal and held meetings concerning the supply of water to the province without inviting IFP persons to these meetings, deliberately bypassing the legitimate government of KwaZulu-Natal."

^{29/6/95} Khumalo confirmed that Asmal had met non-governmental organisations and department officials in KwaZulu-Natal, but said it was not secretive.

Khumalo said the minister had met a KwaZulu-Natal government delegation lead by Premier Frank Mdlalose in March. This meeting was to discuss IFP demands for control over water affairs and forestry.

Asmal's repeated attempts to arrange follow-up meetings with the provincial government had been unsuccessful, and this was frustrating attempts to supply water to needy areas. There needed to be co-operation between the national and provincial governments to implement reconstruction and development projects, he said.

The IFP had threatened earlier to pass legislation in KwaZulu-Natal seizing powers related to water and forestry to bring government "closer to the people". It said yesterday it was doing everything in its power to facilitate the delivery of water.

Khumalo said rivers flowed from one province into the other. It was vital that water affairs remained with central government to "deregalise" the SA economy.

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Asmal accused of watery plot

CT 29/6/95

(2) 264

WATER AFFAIRS Minister Professor Kader Asmal had held secret meetings in kwaZulu/Natal about that province's water problems, by-passing the legitimate provincial government, the IFP claimed yesterday

"It is devious in the extreme for the minister to bypass the government of kwaZulu/Natal on water-related matters and then to attempt to blame the IFP government for being obstructive to delivery," the IFP said.

The party was responding to the minister's claim during his budget vote speech on Tuesday that IFP "obstructionism" was the major obstacle to water delivery

The IFP was doing everything in its power to facilitate the delivery of water. — Sapa

Focus on corruption

(264)

Durban — Interested parties will meet in Maritzburg on Monday to discuss a clampdown on corruption which costs the Kwa-Zulu-Natal transport department more than R13-million a month.

The estimated R13-million is spent each month to service 1 000 vehicles.

The provincial standing committee heard this week that the system of servicing was "rotten to the core". — Own Correspondent

SAW 29/6/95

Durban argues 50-50 rule

THE interpretation of legislation governing local government elections is at the heart of Durban's bitter demarcation dispute.

The Local Government Transition Act stipulates that African areas be given 50 percent of the wards in a substructure and that the rest be divided among white, Indian and coloured areas.

The ANC says that the IFP-proposed demarcations "devalue" Indian and African votes and create "islands of white privilege"

For instance, says ANC local government head Michael Sutcliffe, the greater Kloof area contains no former African area and "over-values white votes"

According to Dr Sutcliffe, the IFP has excluded neighbouring tribal areas which would have been entitled to 50 percent of

(264) the votes in the Kloof area

Mr Sutcliffe says that if the IFP's boundaries were accepted, the Indian areas of Chatsworth and Shallcross would get four wards. The ANC proposes that they get nine.

Dr Sutcliffe said the IFP proposals devalue African votes by 25 to 35 percent, and Indian votes by 15 to 20 percent, and double the value of white votes.

The ANC has made representations to the demarcation board, which will advise the MEC for Local Government on the final boundaries.

The board has made some preliminary proposals, but the IFP has expressed "severe reservations" about some of these.

The board proposes that the Indian areas of Chatsworth, Shallcross and Reservoir Hills and the white areas of Westville and Queensburgh form one substructure, along with the Afri-

(264) can area of Chesterville

This would mean that despite its small population, Chesterville would have more ward councillors than major Indian areas which would share 50 percent of the wards with white areas.

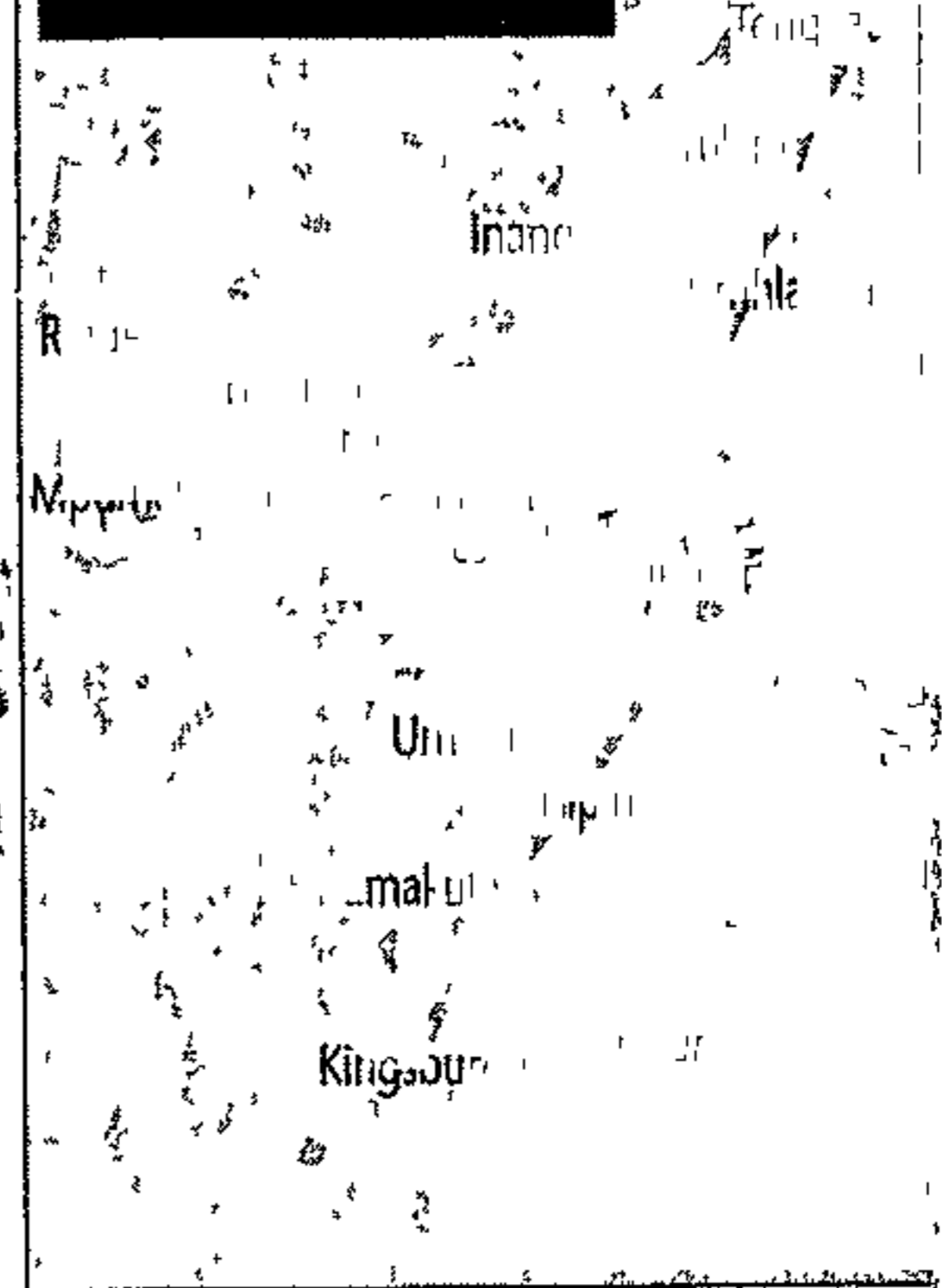
The IFP's local government deputy campaign manager, Anthony Grinker, said this would lead to under-representation of the Indian community.

"Indian communities have been oppressed and any new dispensation should not lead to their under-representation," Mr Grinker said.

The incorporation of tribal land into metropolitan areas is another contentious issue. Some IFP-supporting chiefs are concerned that this will undermine their authority.

The board will make its report this week.

GREATER DURBAN TRANSITIONAL METROPOLITAN SUB-STRUCTURES



Graphic FIONA KRISCH

ST 2/7/95

Board 'connived' on Durban boundaries

Farouk Chothia (264) 003/18/95

DURBAN — THE ANC had devised a strategy for creating blacks-only sub-structures on the Durban transitional metropolitan council and members of the demarcation board were conniving with them, IFP election campaign deputy manager Anthony Grinker said yesterday.

He said proof of this was a strategy document drafted by ANC-aligned councillor Peter Corbett three months ago, saying "If any sub-structure has only African areas (as under previous laws) all wards then are winnable by the ANC (vice versa, of course)."

Grinker said preliminary proposals made by the board indicated that such a view had been taken into account. The board had proposed that Umlazi township be a sub-structure on its own.

Board co-chairman Peter Mansfield said it was a "total fabrication" that any board member co-operated with the ANC. The board had striven to create "manageable" sub-structures. Umlazi had a population of about 550 000, and it was therefore proposed as a sub-structure on its own.

No matter how the boundaries were drawn, it would not be possible to create economically self-sufficient sub-structures. There would have to be cross-subsidisation, he said.

Corbett and ANC local government spokesman Mike Sutcliffe could not be reached for comment yesterday.

Grinker said the document indicated that the ANC was only interested in capturing power in local elections, and did not have the interests of the metro at heart.

The IFP was opposed to black areas comprising sub-structures on their own as they would be economically unviable.

"They would have a zero rates base and, until the Masakhane campaign gets off, a non-existent rates base. For development to take place, industrial areas and more affluent residential areas have to be included in sub-structures."

He said the ANC was motivated by power on the issue of ward demarcation. Corbett's document proposed the ANC push for boundaries which "maximise the number of ward seats the ANC can win".

The document said: "Where possible we must push for small wards in areas of ANC strength and larger wards where other parties are strong (eg hostels)."

The document said these strategies were essential to ensure the ANC's chances of winning the metro went from "marginal to good".

Grinker said the document indicated the ANC was "nervous" about lack of support from Indians and whites, and was determined to reduce their clout.

"This document clearly shows racism on the part of the ANC," Grinker said.

He said the document proposed that in non-winnable wards, the ANC put forward candidates "best able to pull out the minority ANC vote".

© SABC Page 6

'SA could lose its economic independence'

Sello Motlhabakwe (264) 003/7/95

SA MIGHT have to surrender its sovereignty to the International Monetary Fund if nothing was done to reduce the bloated public service and exercise fiscal discipline, policy and strategy analyst Eugene Nyathi said at a Northern Province economic conference at the weekend.

National and regional governments should act swiftly in cutting down the public service and pre-empt a widening of the budget deficit.

He said the retrenchment of thousands of public servants might be painful but would lead to a broadening of the economy as more money would be available for capital expenditure.

Kwazulu-Natal govt's cars cost R13m a month —

Farouk Chothia

DURBAN — The Kwazulu-Natal government was paying R13m a month in service and maintenance costs for about 9 000 of its vehicles — an average of about R1 444 a vehicle, transport MEC Sibusiso Ndebele said yesterday.

Ndebele, an ANC member, said the cost was "considered excessive" and, there were allegations of bribery and corruption in the servicing contracts of government vehicles.

standing committee chairman and IFP member Moosa Motlala said the "system was rotten to the core". He believed the corruption started "some time ago, but got deeper in the past 12 months".

A source said garages had to pay kick-backs to certain officials before being awarded jobs. First Auto issues repair orders and pays costs to garages. It then reclaims the money from the government.

Ndebele said he planned to call a meeting of First Auto, the Garage Owners' Association, government officials and the transport committee to get to the bottom

of the allegations and to stamp out the corruption. The meeting would pave the way also for garages from previously disadvantaged groups to receive a fair share of government work.

Meanwhile, ANC MP Mike Sutcliffe, accused IFP leader Mangosuthu Buthelezi of wasting Kwazulu-Natal government funds and urged premier Frank Mdlalose to clamp down on this.

Sutcliffe said Buthelezi had run up a bill of between R100 000 and R200 000 in the past 15 months by using the provincial government's Lear jet, bought for more than

R30m before last April's election.

On May 3, the jet flew empty from Umtata to Cape Town, brought Buthelezi and three other passengers to Umtata for a two-hour opening of the provincial legislature, flew them back to Cape Town and returned empty to Umtata.

Sutcliffe said provincial estimates carried out by Mdlalose's office indicated that the trip had cost R16 416. Other "jaunts" by Buthelezi between May and September last year had cost R85 612.

Sutcliffe said the provincial finance department apparently billed the home af-

fairs department last month, but the money had not been paid. The ANC believed Buthelezi used the jet mostly for IFP activities and to come to Kwazulu-Natal to wage his "rise and resist" campaign against central government.

Buthelezi, and not any government department, needed to pay the travelling costs if the jet was used for unofficial business, Sutcliffe said.

To give Buthelezi free access to the jet, it had been placed under Mdlalose's office rather than the transport department, which was headed by an ANC MEC.

Transport MEC

Natal rallies 'cost millions to police'

(264)

OWN CORRESPONDENT

DURBAN: The policing of politically-inspired rallies, funerals, sit-ins and strikes in kwaZulu/Natal is proving an intolerable burden for the SA Police Service and is costing taxpayers millions of rand a year, Divisional Commissioner Lieutenant-General Chris Serfontein said yesterday.

He was addressing a one-day conference on crime organised by the kwaZulu/Natal branch of the Security Association of South Africa

General Serfontein said that one weekend rally recently, attended by about 1 000 people, had cost R325 000 as police had used 900 policemen for a day-and-a-half. He said 520 such events had been held in a four-month period this year.

"The climate of violence and hostility is making the task of policing such rallies a much more

complex task than in any other region," he pointed out

At the same time, cuts in the Safety and Security budget had made it difficult to increase staff.

However, in spite of the setbacks and the low morale in the police force, Gen Serfontein said he remained positive and totally committed to meeting the challenges of the future

Approval

CT 5/7/95

He said provincial Safety and Security Minister Mr Celani Mthethwa had approved a Provincial Crime Plan, and told him the plan had the backing of Premier Dr Frank Mdlalose

The IFP said last night the plan had its full backing

It will be discussed today at a meeting of the provincial cabinet in Ulundi. Full details will be released after the cabinet has discussed the plan in depth

IFP in bid to take over king's payments

By CYRIL MADLALA

THE IFP is poised to amend provincial legislation to make it illegal for Zulu King Goodwill Zwelithini and other traditional leaders in Kwazulu Natal to accept payment from central government.

This is a direct challenge to President Nelson Mandela, who last month pushed through Parliament the Remuneration of Traditional Leaders Act, which enables central government to pay all traditional leaders in South Africa.

The monarch has indicated that he wants to receive his salary from Pretoria.

Nyanga Ngubane, the Kwazulu Natal minister for traditional affairs, is seeing through the legislation.

The Kwazulu Natal Amakhosi

(264) ST9/7/95
and Iziphakanyiswa Bill and the Kwazulu Natal Amendment Bill on Payment of Salaries, Allowances and other Privileges to the Ingonyama, are expected to be tabled before the next sitting of the legislature on August 15.

In his memorandum this week to the provincial cabinet, motivating the passing of the proposed Bills, Chief Ngubane said. "My department is of the opinion that it is empowered to legislate on matters relating to traditional leaders and, therefore, it has the corresponding right to legislate on the payment of salaries, allowances as well as other benefit(s) of His Majesty the King."

Chief Ngubane said the proposed legislation would apply notwithstanding anything to the contrary contained in other laws.

The legislation will give Chief

Ngubane powers to act on behalf of any traditional leader in the province about matters related to "any remuneration, allowance or compensation from any source under the republic destined to a traditional leader".

Money intended for traditional leaders will be vested in Chief Ngubane. He will act as a trustee for the king, members of the royal house and other traditional leaders.

Errant traditional leaders would be liable for fines of up to R500 which would be recovered from their remuneration.

Prince Sifiso Zulu, spokesman for King Goodwill, said the legislation amounted to the seizure of the king's emolument, and would violate the Bill of Rights.

"Chief Ngubane cannot be a trustee for the king without the

monarch's consent," he said.

In any case, the Remuneration of Traditional Leaders Act would prevail over this provincial legislation as it was inconsistent with the Act, he said.

The ANC opposes the proposed legislation.

Meanwhile, the parliamentary caucus of the IFP resolved in Ulundi this week to support the "peaceful" fight for the kingdom of Kwazulu Natal and to prepare legislation for the provincial parliament.

It said the entire IFP would participate in the drafting of a constitution for the kingdom "which shall establish the province as a constitutional monarchy exercising in autonomy all powers and functions which can be properly and adequately exercised at provincial level".

Commission to investigate whether province was taken

Farouk Choithia (264) MD 4/7/95

DURBAN — A commission of inquiry would be appointed to investigate large-scale corruption in the service and maintenance costs of Kwazulu-Natal government vehicles, provincial transport MEC Sibusiso Ndebele said yesterday.

He disclosed last week that the average monthly cost was R13m for about 9 000 vehicles, an average of R1 444 a vehicle.

Ndebele said at a news conference yesterday that the total cost for May had been R14,5m. Providing a breakdown of the fig-

ures, he said R10,7m had been spent on 3 000 vehicles of the former Kwazulu government, an average of R3 566 a vehicle. A total of 3 800 vehicles of the former Natal provincial administration had cost R3,8m — an average of R1 000 a vehicle.

Ndebele said that the corruption was taking place on a "very massive" scale, and would "bankrupt" the provincial government if left unchecked. He voiced concern that the government would run out of funds allocated for service and maintenance by October.

Ndebele said the probe would be set up

as soon as possible. It would consist of an accountant and a lawyer and would supplement departmental investigations.

Ndebele's department took over responsibility for vehicles from the provincial finance department in April.

He said money was being paid to garages for engine overhauls when no such work was being done, R11 000 was being charged for repair costs when the figure ought to be R900 and a job that ought to be completed in three days took six months.

Ndebele met yesterday with representatives of the agent responsible for allocat-

ing government work, First Auto, as well as the Garage Owners' Association to discuss the situation.

The commission of inquiry would be a long-term measure to resolve the problem, he said. As an immediate step, a member committee had been formed to set minimum standards of acceptability on the quality of workmanship, acceptable time limits for the completion of jobs and market-related charges for costs.

It would also investigate the First Auto's decision to suspend allocating jobs to certain garages.

The committee would consist of two representatives each of the Transport Department, the legislature's Transport standing committee, First Auto, the Garage Owners' Association and one representative from the Motor Industries' Federation.

Ndebele said that from later this year, only garages accredited by the federation would receive jobs.

Another problem to be addressed was the fact that certain officials had "commercialised" government vehicles by using them, for instance, to operate furniture removal businesses.

For a ride

POINTS OF DISPUTE

ZULU KING GOODWILL ZWELITHINI

HE has freed himself from the IFP by winning President Nelson Mandela's support and is at pains to portray himself as a neutral monarch above party politics. However, the royal house remains divided between the ANC-aligned Royal Council and some of Mangosuthu Buthelezi's long-standing powerful allies in the royal family such as Prince Gideon Zulu.

HOUSE OF TRADITIONAL LEADERS

THE ANC and the king have taken Frank Mdlalose, the premier of Kwazulu Natal, to court over the establishment of the house. They argue that no proper consultation took place before it was set up. Chief Buthelezi is its chairman and out of about 300 chiefs in the province, more than 250 have demonstrated their support for the IFP leader.

REMUNERATION OF TRADITIONAL LEADERS

THE IFP has been outsmarted by Mr Mandela on this key issue. With King Zwelithini's support, legislation has been passed in the National Assembly enabling Mr Mandela not only to pay these leaders, but also to determine how much they get. The IFP has vowed to take the matter to the Constitutional Court. It argues that traditional leadership is a provincial matter in terms of the interim constitution.

CAPITAL OF THE PROVINCE

THE tussle is between the seat of the former Kwazulu government, Ulundi, and the old Natal Provincial Administration's headquarters, Maritzburg. The ANC has boycotted some meetings in Ulundi, citing security reasons. The IFP also did not attend at least one meeting in Maritzburg because the ANC would not sit in Ulundi. A commission set up to recommend an interim capital proposed the use of both venues.

LOCAL GOVERNMENT ELECTIONS

IFP-ALIGNED chiefs, through the House of Traditional Leaders, say they will not encourage people in their areas to vote in November unless the ANC honours its international mediation agreement with the IFP. They are also unhappy with the demarcation of their rural areas into urban zones. The ANC has hinted that mass action might be necessary to ensure that rural people do vote even if their chiefs seek to discourage them.

INGONYAMA TRUST ACT

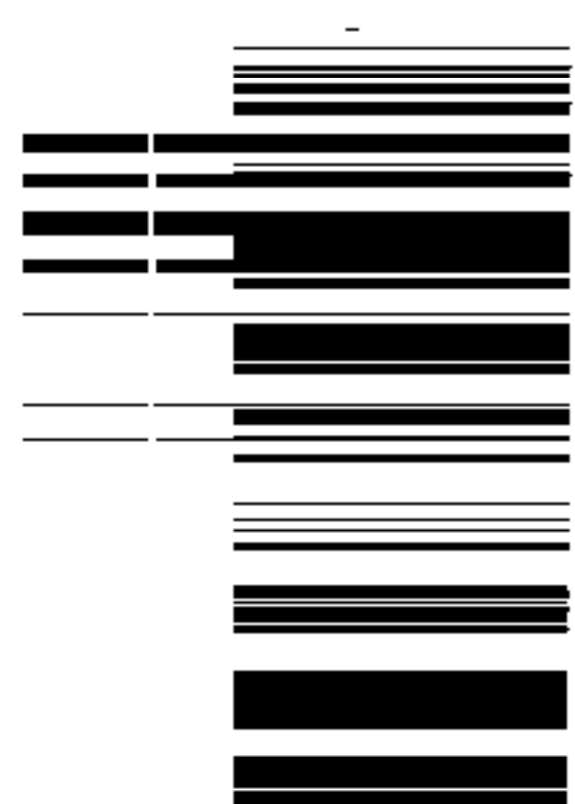
THE struggle is for the control of land traditionally under communal tenure. The Act was passed by the former Kwazulu government on the eve of its demise. It made King Goodwill and the chiefs the sole custodians of tribal land. Peter Miller, local government MEC, is preparing proposals to his cabinet to amend this legislation because it has crippled development in rural areas. Financial institutions refuse to grant loans for development in these areas as title deeds cannot be issued to borrowers.

IFP'S 20-POINT PLAN

DESCRIBED by the ANC as a secessionist plan and by the IFP as a discussion document, parts of the plan, such as Dr Mdlalose's withdrawal from the premiers' inter-governmental forum, have been implemented already. The IFP is still fighting for the province to be given all the powers it is entitled to in terms of the interim constitution. The ANC suspects other motives in the IFP's haste to be given these powers.

INTERNATIONAL MEDIATION

THE IFP agreed to participate in the elections last year after the ANC agreed to international mediation to resolve "outstanding issues". The ANC now claims that the Constitutional Assembly is the appropriate forum to address the IFP's concerns about the constitution, and that there is no need for foreign intervention before domestic avenues have been exhausted. The two parties have agreed to exchange constitutional proposals to see whether there is enough disagreement to warrant international intervention.



The province that bleeds as the politicians bluster . . .

(264)

ST 9/7/95

CYRIL MADLALA reports on the political battle that has turned Kwazulu Natal into the province of despair

KWAZULU NATAL is still a province at war with itself. Fifteen months into a democratic South Africa there are ominous signs that the marriage of convenience between the IFP and the ANC may not survive the five-year term of the Government of National Unity.

The marriage was a product of mistrust, cheating and political treachery that resulted from the Independent Electoral Commission's shambolic handling of the poll last year.

The ANC has still not accepted that it was defeated by the IFP in the Kwazulu Natal elections.

As Sbu Ndebele, ANC member of the executive committee, said last week: "Only a party that knows it is ruling people who did not vote it into office can behave as the IFP does. The ANC took a conscious political decision that it was going to co-operate to ensure there is good governance in the province despite all the rigging in the election."

IFP secretary-general Dr Ziba Jiyane said the problem

investigate. The IFP has rejected the probe as another attempt by the ANC to target IFP leaders and to blame the organisation for the mayhem.

Already, a former security policeman, a former military intelligence officer and a senior IFP official have been arrested in connection with several murders.

The IFP points out that nothing is being done about the murder of 400 of its leaders, or about the Shell House killings last year.

It is, however, the political logjam that has to be sorted out before normality returns to Kwazulu Natal.

Topping the list is the IFP's demand that the ANC should honour the agreement on international mediation which secured the IFP's participation in the elections.

The IFP maintains that the ANC, instead of pursuing talks, has been systematically undermining its power.

IFP leader Mangosuthu Buthelezi claims that the ANC, in its pursuit of a unitary state, is undermining Dr Mdlalose's provincial government.

was that the ANC pretended that the IFP's victory in the province counted for nothing.

The cordial relationship that is said to exist between the organisations' national chairmen, Jacob Zuma of the ANC and Dr. Frank Mdlalose of the IFP, has not been enough to defuse the tension.

Business confidence is low and hopes for peaceful local government elections in November are fading.

Political and criminal violence continues. Last weekend alone, at least 53 people were murdered in the province, and police resources are stretched to the limit.

Lieutenant-General Chris Serfontein, provincial police commissioner, put the cost of political rivalry into perspective at a security conference in Durban this week.

Three recent political rallies addressed by high-profile political leaders in Kwazulu Natal required about 1 000 policemen on duty for 24 hours, with 400 vehicles which clocked up 48 000km. This cost the taxpayer R228 000.

IN the six-month period ending in May, there were 502 political gatherings and demonstrations in the province, he said.

"The political climate in Kwazulu Natal is such that we cannot risk not taking strict security measures. Leaders are entitled to have these meetings and I am not criticising them, but it would be better if levels of political intolerance were not so high."

Attempts to get to the bottom of the causes of the violence that has claimed over 20 000 lives in the past decade have become obscured by controversy.

The ANC in central government has identified politically sponsored hit squads as one cause of violence and has appointed a task unit under Colonel Frank Dutton to

THE ANC hoped to achieve this, he argues, by emasculating the powers of the province as demonstrated by President Nelson Mandela's threat to cut off central government funding if it is used to foment violence.

Dr Jiyane said the ANC's strategy for political supremacy was failing because it was based on wrong assumptions about the IFP's support base.

One such erroneous assumption, he said, was that people who voted for the IFP in the province did so in support of the Zulu King.

"The ANC thought that by turning the king against his people, it would be able to claim that support. That failed, and now it is trying to bribe the chiefs through the Remuneration of Traditional Leaders Act. Again, the ANC will fail," Dr Jiyane said.

The legislation will be fought in the Constitutional Court as traditional authorities are a provincial matter in terms of the interim constitution, he said.

IFP-supporting chiefs in the province have already made it clear that although people in rural areas have been allowed to register for the November elections, they will not be encouraged to vote unless the mediation agreement is honoured.

The ANC and the IFP have also clashed over the controversial Ingonyama Trust Act, passed by the old Kwazulu government during its final days to preserve the land tenure system by making the Zulu king and the chiefs the sole custodians of tribal land.

Dr Jiyane said attempts by the central government to put tribal land under the control of Pretoria was in line with the ANC's efforts to erode the power of chiefs.

The ANC has been accused of stalling the mediation talks.

However, the ANC contends that constitutional negotiations with the Constitutional Assembly and that mediation calls cloak a more sinister agenda

The ANC says Chief Buthelezi's "rise and resist" calls, as well as his party's "secessionist tendencies", are raising political temperatures

It claims the IFP is using the chiefs to undermine democracy by stifling political activity and creating a climate in which it is impossible to hold free and fair elections

Recent IFP blockades on several roads around the Kwazulu Natal Midlands to demand Mr Mandela's arrest for his acknowledged part in the Shell House shootings have been interpreted by the ANC as part of a grand plot

"The bigger IFP strategy is to cause chaos in preparation

for secession," Mr Nde said.

The ANC also raised a storm of protest over the IFP's 20-point plan by seeking to portray it as a secessionist document although, for the most part, it seeks provincial powers to which Kwazulu Natal is legally entitled under the constitution

Chief Buthelezi has been accused by the ANC of meddling in the affairs of the province, and there have been suggestions, angrily rejected by the IFP, that Dr Mdlalose dances to his leader's tune

Hints that Chief Buthelezi might quit central government to consolidate his party's provincial gains, have been cautiously welcomed by the ANC "At least one would not be chasing his shadow all the time," an ANC leader said

Meanwhile, the violence continues in this province of despair



kwaZulu crisis: ANC moots poll

(264)
SPECIAL CORRESPONDENT

ET 10/7/95

DURBAN: As ANC and IFP supporters clashed north of here yesterday the two parties appeared to be squaring up for battle over kwaZulu/Natal with ANC chairman Mr Jacob Zuma hinting that the ANC may call for an early general election in the province

And at its national council meeting at the weekend the IFP mandated the kwaZulu/Natal government to challenge the Remuneration of Traditional Leaders' Act in court and to intensify its fight for greater provincial powers

In a letter to the ANC's provincial council Mr Zuma — who is overseas — called on the ANC to prepare for a crisis situation as "we may have reached a time when we have to deal with the Inkatha Freedom Party once and for all".

"It may not be very long before we come to a position where we say the IFP has failed to govern the province. The natural consequence of that would be another election to ensure that there is stable government"

A dozen IFP supporters were injured yesterday in clashes with ANC members at Clermont

The usually moderate Mr Zuma also launched a blistering personal attack on IFP leader Chief Mangosuthu Buthelezi blaming him for the province's deteriorating security situation

IFP national council member Mr Velaphi Ndlovu said the IFP would welcome the chance "to deal with the ANC once and for all at the polling booth"

Parties want KwaZulu-Natal poll postponed

Farouk Chothia
and David Greybe

(264)
BD 10/7/95

DURBAN — The ANC and IFP in KwaZulu-Natal are both pushing for a postponement of local government elections in the province

After a crucial meeting of its provincial general council on Saturday, the ANC KwaZulu-Natal region said conditions did not exist for free and fair elections and accused the IFP of creating a climate of "ungovernability" in the province.

Both the IFP and ANC have cited irregu-

larities in the voters roll as a reason for postponement

A senior government source yesterday ruled out a postponement for the whole province, but conceded it was highly unlikely the poll could be held on November 1 over the whole country.

It was almost certain to be postponed in rural parts of KwaZulu-Natal, and three main metropolitan areas in the country — Durban, Cape Town and Johannesburg.

ANC provincial executive committee member Sibusiso Ndebele said the ANC still wanted elections on November 1, but

obstacles needed to be cleared. The election would be a farce unless it was delayed "until we get it right".

A precondition for the poll was "rooting out warlordism" ANC candidates in areas such as Ulundi feared nomination

ANC KwaZulu-Natal local government spokesman Mike Sutcliffe said central government had to take control of the electoral process more directly as it was being "subverted by reactionary forces"

Supporting a postponement, IFP Kwa-

Continued on Page 2

Poll

Continued from Page 1

Zulu-Natal local government caucus leader John Aulsebrook said for practical purposes alone the election had to be postponed, possibly to March.

"They (central government) can force us to have an election but there will be so much mud-slinging that its legitimacy will be questioned," said Aulsebrook.

The government source conceded it was

now almost impossible to have a November 1 election in Durban and in rural parts of KwaZulu-Natal.

He said elections were likely to be held on a staggered basis.

In Cape Town elections were almost certain to be postponed as the NP and ANC "just do not have the political will to resolve their differences", the source said.

The chances of holding the election in Johannesburg on time were slightly better.

KwaZulu-Natal wants payment for water

Nicola Jenvey

30/11/95

DURBAN — KwaZulu-Natal should be paid compensation by Reef business interests for water transferred from the province via the Drakensberg water scheme, KwaZulu-Natal economic affairs portfolio chairman Alex Hamilton said.

KwaZulu-Natal was "sustaining and growing" the economy on the Reef to its own detriment, said Hamilton.

Future investments in SA should consider natural resource allocation and human potential. Gauteng could not insist

that water be pumped inland to sustain a rapidly growing economy, he said.

"Industry must come to the water, not vice versa. Each region has its own competitive advantage, but ours is being eroded without compensation."

KwaZulu-Natal had 27% of SA's population and 50% of the water, but contributed only 15% of national GDP. Exportation of water effectively removed potential jobs from the province.

A 58 000ha region on the banks of the Tugela River had been identified for agricultural development, particularly high-

~~(442)~~ (264) intensive farming. However, funding to develop the infrastructure was not available.

If Gauteng paid for the water pumped through the Drakensberg water scheme, the money could be used to develop this region and create nearly 2-million jobs in an economically depressed area.

"It is total arrogance for Gauteng to assume this situation can continue unabated. KwaZulu-Natal has been penalised by political decisions concerning our natural resources for too long and something

Continued on Page 2

Water

(264) ~~(442)~~ 30/11/95

Continued from Page 1

must be done about it."

KwaZulu-Natal economic affairs and tourism minister Jacob Zuma said his department was conducting an investigation into the province's overall economic position. This would analyse the assets available, their position and their best utilisation. Water was one issue being discussed.

"It is impossible to change SA's economic structure, but there has to be a rationalising of the situation and a balancing between rich and poor provinces," he said.

Although water is available in the province, a vast percentage of the population had no access to potable water and the infrastructure was not in place to rectify the situation quickly.

Zuma said, logically, water could be neither a national nor provincial function, but rather one shared by both. Dams were of national concern, but the provision of water to individual houses had to be a provincial one. "The political emotions surrounding this issue must stop and the situation analysed practically and objectively."

● See Page 5

BRIEFS

Minister to veto councillors' pay

(264) CT 12/7/95

DURBAN. kwaZulu/Natal's local government minister Mr Peter Miller has passed a proclamation giving him the power to cut city councillors' salaries if they are excessive

Spokesman Mr Des Baykirch said it had "come to the minister's attention what allowances councillors were being paid. He had also received complaints from the public and read reports in the press." He said an acceptable level of pay was still to be determined

IFP to force vote on boundaries (264)

Farouk Chothia

BD 17/7/95

DURBAN — The IFP would force a vote on the boundaries of the Durban metropolitan area at a sitting of the city's transitional metropolitan council today, IFP election campaign deputy manager Anthony Grinker said yesterday.

The vote would be on local government MEC Peter Miller's proposals for the city's inner boundaries, which were rejected by the ANC as "patent nonsense".

Grinker said the IFP was confident of winning the vote, expecting to muster support from the NP, PAC, Minority Front and some independent councillors.

He conceded that the vote would not be binding, but was intended to put pressure on the provincial local government committee — where the ANC holds an effective veto — to accept Miller's proposals.

A vote would also be held in the four sub-structures of the council.

ANC-aligned councillor Peter Corbett said the IFP wanted to "bash" Miller's proposal through the council without any serious debate on it. The IFP had disproportionate influence on the council which it controlled because of the alliance it struck with NP councillors. The views of the ANC were being ignored.

The ANC's dispute with Miller centres on his decision to create nine substructures, two of which would accommodate about 70% of the council's population, including most ANC strongholds.

Time for visionary leadership to make SA worth living in

WHILE members of the National Party waited until their leader was out of the country to fall into a political muddle again, a conference on security took place in Durban that should have shocked every responsible citizen and politician.

The provincial commissioner of police, Lt-Gen Chris Serfontein, provided statistics that make one wonder how many political leaders are left who can take a truly responsible decision about the priorities of the country and its people.

The commissioner said during the past few weeks three political gatherings took place in KwaZulu/Natal in which high-profile political leaders took part. The police, not the politicians and organisers, were primarily responsible for order at these gatherings.

The cost to the taxpayer was R228 000 — money that could have been used for fighting crime. Approximately 40 vehicles which had completed a total of 48 000 km had to be used and, of course, had to be taken away from other important services. Apart from this, it was necessary to deploy almost 100 policemen for 24 hours to protect the politicians and their followers.

If these mass meetings and the investment of such time, money and energy had contributed to peace in KwaZulu/Natal,

While politicians bicker and compete for power, the real priorities are pushed aside and ordinary people in KwaZulu/Natal drown in despair. No worthwhile institutions or values will remain unless the leaders assume their responsibilities, says Professor WILLIE ESTERHUYSE of the University of Stellenbosch's post-graduate School of Business in this week's *SA Weekly* business news magazine.

tal, it would have been worthwhile. But this has not been the case. In fact, they were an investment in the display of power and the hunger for power of political leaders.

Such statistics tell a sad tale of the overheating of political competition in KwaZulu/Natal and the dangerous proportions it has reached.

They also tell a story of political leaders who are unwilling or unable to do something about the situation. They have become so blinded by personal ambition that they can no longer see the real priorities of the province.

Granted, the problems of KwaZulu/Natal are much more complicated than may appear to outside observers. They have deep historical roots and are intertwined with political, socio-economical, traditional, personal and, last but not least, modernising forces.

For a long time, this has been exploited by unscrupulous agents of a state that wanted to maintain itself in power.

All these explanations are important, as is the lengthening list of disputes between the ANC and Inkatha, the mud-

slinging, the threats, the renegeing on undertakings and the attempts to undermine each other's power bases by political trickery.

What all this means is that the time for truly great and visionary leadership by the ANC and Inkatha is long overdue. In KwaZulu/Natal, the quality of the moral force of SA's new political elite will be tested.

It is a test they cannot afford to fail. KwaZulu/Natal is as close to disintegration or implosion as it can come.

While the political leaders are squabbling among themselves, administrative abilities wane by the day and the quality of needed services weakens. While the police have to ensure the safety of politicians and members at mass rallies, the crime syndicates and dope peddlers are taking over and securing their position.

While leaders are buckering over whether Ullandi or Pietermaritzburg should be the capital of KwaZulu/Natal, effective provincial government, even within the limits set by central auth-

ority, is not one of KwaZulu/Natal's strong points.

And while President Nelson Mandela and Mangosuthu Buthelezi are going each other like two enraged bulls, more than 50 people are killed in the course of a weekend, alienation and polarisation increase, social pathologies grow strong roots and ordinary people drown in pessimism, fatalism and despair.

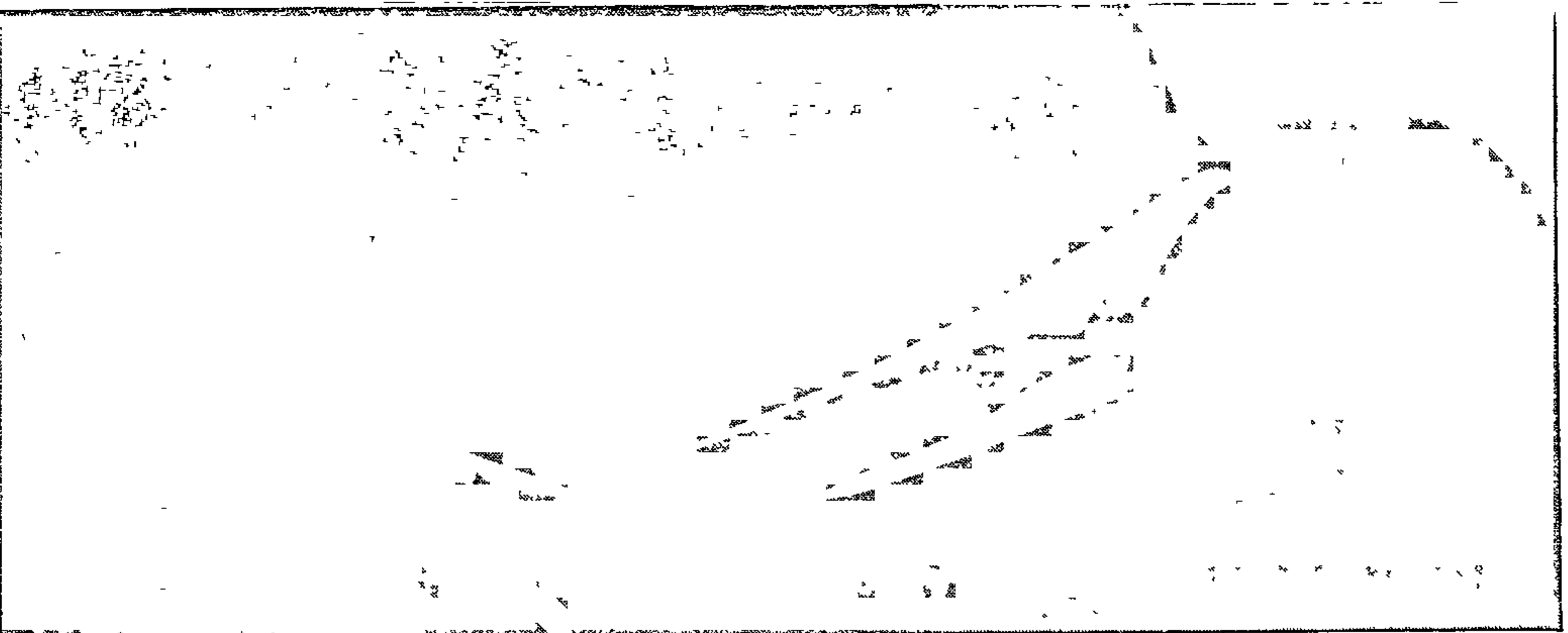
Were a disintegration or implosion to take place in KwaZulu/Natal, it could have a ripple effect in the Eastern Cape and Gauteng. Worst of all is that each institution in KwaZulu/Natal and each value system will be dragged down. Nothing will remain.

The police will not prevent the disintegration. Neither will the business community.

The future of the province lies in the hands of the political leaders.

The answer does not lie in international mediation — something to which Inkatha has a moral right. It lies in mediation between the relevant leaders. Mandela and Buthelezi can make a difference. And the time has come for them to do so.

This also goes for other parties and leaders in the country. Ordinary voters want to know what they are doing to transform SA into a country that is worth living in.



IMPROVED . . . Mangosuthu Buthelezi must work for KwaZulu/Natal.

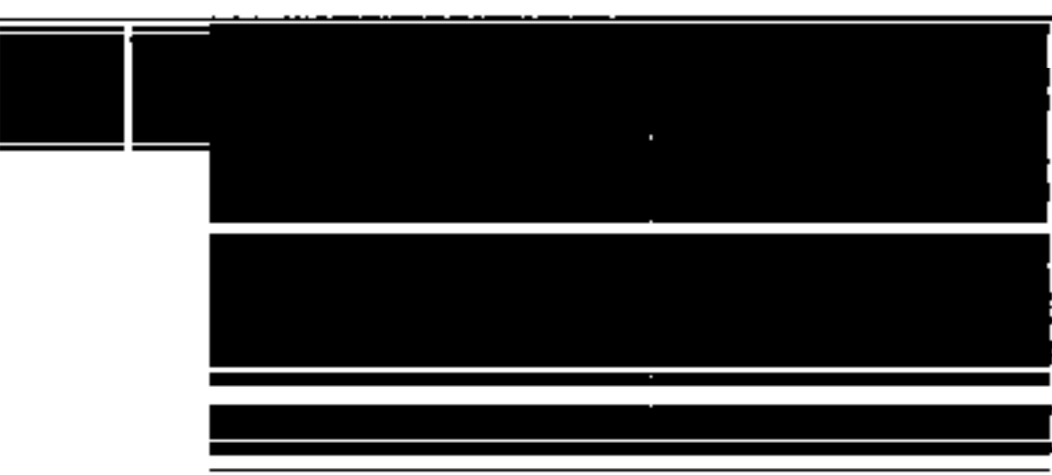


COOL DOWN . . . Nelson Mandela must pour oil on troubled waters.

Political ambition is killing off a province

(264)

(264) CD 16/7/95



IFP fails in bid to vote on Durban's demarcation

18/7/95

(264)

Farouk Chothia

DURBAN — The IFP failed yesterday in its bid to secure a vote in the Durban transitional metropolitan council on proposals for the city's inner boundaries after city lawyers argued this would be unprocedural.

The ANC also staged a walkout from a meeting of the council's executive committee, resulting in the IFP accusing it of employing "spoiling tactics".

The lawyers argued that the proposals had to be discussed by the joint demarcation committee, before being tabled to the council for debate.

Local government MEC Peter Miller last week rejected the demarcation board's boundary proposals and unveiled his own. These were, in turn, rejected by the ANC.

The IFP expected debate on Miller's proposals yesterday to culminate in a vote which it was confident of

winning with the support of the NP, PAC and independent councillors.

After the lawyers presented their case at the executive committee meeting, the IFP sought a firm commitment from the ANC that the council debate the proposals next Monday. The ANC refused to give the undertaking, and walked out. This left the meeting without a quorum, and no decision could be taken.

IFP election campaign deputy manager Anthony Grinker accused the ANC of displaying "political immaturity" and failing to accept that all decisions could not go its way.

ANC councillor Peter Corbett said a quorum could have been achieved without the ANC's presence, but the problem lay in the fact that two IFP-aligned councillors were absent.

Corbett said as Miller had unveiled "totally new proposals at the 11th hour", the ANC needed time to consult its structures and the public needed to be given an opportunity to

express its views.

Corbett said he saw the consultative process taking about 10 days, and the council could then debate the Miller proposals.

Grinker said it was clear that the ANC was bent on delaying elections in Durban, and creating conditions to justify central government intervention in resolving disputes.

The ANC proposed last week that a Cabinet committee — which would consist of ANC, IFP and NP representatives — be empowered to break boundary deadlocks in Durban, Cape Town and Johannesburg.

ANC KwaZulu-Natal local government head Mike Sutcliffe said with no solution in sight, the Durban dispute could be referred to the special electoral for a ruling.

"Rather than creating a "win-lose" situation, the Cabinet should intervene to ensure that a compromise acceptable to all parties emerged.

Sanco queries pay for chiefs

Theo Rawana

THE SA National Civic Organisation (Sanco) has called for an audit of traditional leaders to establish their credibility, so that "any form of payment must not undermine local democracy, and development resources must be the responsibility of elected structures".

After a two-day conference in Johannesburg, Sanco said it was concerned about the decision of central government to pay traditional leaders.

"Any payment of traditional leaders by whatever level of government should ensure or guarantee the enshrinement of accountability of such traditional leaders."

Sanco general secretary Penrose Ntonti, noting that R58m had been set aside for the payment of chiefs, said the country needed to know what the traditional leaders were being paid for.

Sanco said the government had sidelined the organisation in most of the programmes it engaged in.

The Housing Ministry and banks negotiated a record of understanding in which they excluded the civic organisation. "We will attempt to reopen the negotiations between Sanco and the Association of Mortgage Lenders, and continue with our efforts to put our perspective to the ministry. We will not stop short of the necessary action, including campaigns against unacceptable aspects of the agreement such as redlining of communities."

The organisation said the Masakhane Campaign was its concept in conjunction with government. "However, for the campaign to be successful, there is a need for critical involvement of Sanco and better co-ordination between Sanco and the ministries of constitutional affairs, housing and the ministry without portfolio."

IFP calls for 'fair arrests'

Farouk Chothia

DURBAN — THE IFP will hold follow up meetings with KwaZulu-Natal attorney-general Tim McNally to discuss 65 warrants of arrest issued against IFP-aligned individuals for alleged hit squad activities.

After a meeting with McNally, IFP safety and security spokesman Velaphi Ndlovu said the IFP was concerned that only its members were being targeted by the Investigation Task Unit, and it wanted arrests to be carried out on an even-handed basis.

He said the IFP would give McNally information

Bill curbs king's pay options

Farouk Chothia

(264)

DURBAN.— The KwaZulu-Natal traditional affairs department has drafted a Bill to prevent Zulu King Goodwill Zwelithini and his entire family from receiving any remuneration, allowance or compensation from any source without the provincial government's approval.

A second Bill imposes similar restrictions on other traditional leaders, and gives the provincial government the power to fine them for defying such legislation.

Central government passed legislation in Parliament recently taking control of payment of traditional leaders away from provincial governments.

The IFP opposed the legislation and has hit back by drafting its own legislation in KwaZulu-Natal which goes beyond merely preventing traditional leaders from accepting central government payment. The KwaZulu-Natal Amendment Bill on payment of salaries, allowances and other privileges to the king states that "the in-

gonyama shall not accept any remuneration, allowance or compensation from any source under the Republic other than what is provided for and determined in terms of this Act or other law of the province"

Any remuneration "destined to the ingonyama, or members of the royal house or his agents or instrumentalities" shall be "directed to and collected by the (provincial) government in the name and on behalf of the intended beneficiaries and deposited in the provincial revenue account".

The Bill says the traditional affairs MEC shall be the trustee of any in-kind compensation, allowance and other benefits received by the monarch, his family, agents and functionaries. The traditional affairs MEC "shall have the power" to act on their behalf, and whatever is collected would be used only for their benefit.

It is understood that traditional affairs MEC Nyanga Ngubane presented the Bill to the cabinet last week, but it was fiercely

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King's pay

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Continued from Page 1

opposed by the ANC. Premier Frank Mdlalose and transport MEC Sibusiso Ndebele later visited the monarch to present the Bills to him for comment.

Ngubane told the cabinet that he wanted the Bills to be passed during the next provincial legislature session, scheduled to meet next month.

The IFP argues that central government legislation is invalid as traditional affairs is a provincial competence, and has threatened to take the matter to the Constitutional Court.

A legal source said that as members of the royal house included the monarch's wives and children, as well as princes, they could be barred from receiving any benefit without it being channelled through Ngu-

bane. This restriction applied not only to benefits earmarked for them by central government, but also from anyone else. The Bill could be interpreted to mean non-monetary benefits and gifts as well.

The lawyer said the Bill violated the equality clause in the constitution, and placed restrictions on the monarch that went beyond those on ordinary citizens.

A second Bill, the KwaZulu-Natal Amakhosi and Iziphakanyiswa Bill, imposed a similar restriction on "traditional leaders". It stated that any chief violating the Act could have a fine not exceeding R500 imposed on him. The fine "may be recovered" from the chief's remuneration in installments determined by the provincial cabinet. As Zwelithini was legally defined as the chief of the Usuthu tribe, he could also face such a penalty.

Vote already taken on pay Bill

Farouk Chothia

(264) BD 20/7/95

DURBAN — Legislation preventing Zulu king Goodwill Zwelithini and his entire family from accepting remunerations from any source without the KwaZulu-Natal government's approval had been agreed to by the provincial Cabinet about two weeks ago.

This was confirmed yesterday by KwaZulu-Natal premier Frank Mdlalose's spokesman Thembinkosi Memela, who said, "There were divisions, but it was approved."

A government source said the cabinet took the unprecedented step of putting the proposed legislation to a vote in the IFP-dominated cabinet in the face of stiff opposition from ANC MECs

Congress of Traditional Leaders of SA (Contralesa) KwaZulu-Natal chairman and ANC provincial deputy chairman Zibuse

Mlaba said Contralesa would call a mass meeting where traditional leaders would distance themselves from the proposed legislation, as it was "undermining them"

The KwaZulu-Natal Amendment Bill on payment of salaries, allowances and privileges to the king states that the monarch "shall not accept any remuneration, allowance or compensation from any source under the Republic other than what is provided for and determined in terms of this Act". A second Bill, the KwaZulu-Natal Amakhosi and Iziphakanyiswa Bill, imposes similar restrictions on chiefs.

The KwaZulu-Natal traditional affairs department drafted the Bills in a bid to counter legislation passed recently by central government which empowers it to take over the payment of traditional leaders from provincial governments.

Continued on Page 2

Pay Bill

Continued from Page 1

(264)

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Traditional Affairs MEC Nyanga Ngunbane subsequently said the central government legislation was unconstitutional and consideration was being given to challenging it in the Constitutional Court.

Memela said the province's Bills would be presented to the provincial legislature next month.

Mlaba said because the Bills had not been presented to the legislature's traditional affairs standing committee, or published for comment, it was clear the IFP wanted to "ram" them through.

Mlaba said he understood that central government would take over payment only when the new financial year started as budget allocations for 1995/96 had already

been made, and central government still needed to standardise remunerations of traditional leaders countrywide.

Zwelithini's legal adviser, S'dumo Mathe, said the "unnecessary" Bills gave Zwelithini fewer rights than his subjects, and the provincial government wide-ranging powers over him and his family.

Mathe said the Bills were unconstitutional as they were in violation of the constitution's equality clause.

Adrian Hadland reports that President Nelson Mandela said the apparently contradictory legislation from national and KwaZulu-Natal parliaments would be a matter for the courts to decide.

"We have no problem that the action of the central government was perfectly legitimate," he said.

Durban's threat to IFP power

Wm 21-27/2/95 (264) (4#2)

Anne Eveleth

PIETERMARTZBURG Mayor Rob Haswell's call this week for the Durban-Maritzburg corridor to become South Africa's 10th province — divided by soft boundaries from the rest of conflict-ridden KwaZulu/Natal — has struck at the heart of the incessant demarcation wrangles stalling Durban's local government process

Won by the African National Congress in last year's contentious provincial election, the corridor's combined local government strength could pose a powerful bulwark to the Inkatha Freedom Party-controlled provincial government

While Haswell's ANC local government structure has since found common ground with the IFP in Greater Pietermaritzburg, such agreements have proven far more elusive for the provincial powerhouse of the Durban metropolis

Bickering over boundaries and inclusion of tribal areas, back-room alliances and accusations of gerry-

mandering have ground the local government transition here to a virtual halt

The tentative ANC-IFP "non-statutory" alliance which grew during Durban's early transitional negotiation stage has given way to shadier alliances and a bitter struggle for control of the Transitional Metropolitan Council (TMC) — now led by IFP Mayor Siphon Nkomo — as the strategic importance of metropolitan power grows clearer

With 55 percent of KwaZulu/Natal's total economic output and 45 percent of its people, ANC councillor and University of Natal economist Peter Corbett says the Durban metro could provide a powerful counterweight to the provincial government

Although the R2,5-billion to R3-billion combined municipal budgets of areas included in the metro are overshadowed by the R14-billion provincial budget, Corbett argues the metro will have far greater power in determining its financial priorities than the

province, whose money is predestined for education, health, housing and other things

"Local government will have a far freer hand in determining the amount spent on libraries, clinics, electricity, water, sewage, airports, refuse collection, etc. giving it much more clout in the eyes of the public," said Corbett

ANC KwaZulu/Natal local government spokesman Mike Sutcliffe added that "the metro has enormous delivery potential in terms of the RDP, job creation, and addressing crime and violence. In practical terms, the city has the potential to deliver the same number of housing sites as the whole of the provincial government"

The ANC believes this potential — and the prospect the ANC will control it — underlies IFP KwaZulu/Natal local government minister Peter Miller's recent rejection of the Demarcation Board's proposed municipal boundaries

Miller wants the metro divided into five larger municipalities, instead of the nine smaller ones proposed by the board. Sutcliffe says Miller is trying to "manipulate a victory by manipulating the boundaries"

The ANC contends Miller's proposal — which could see nearly 70 percent of Durban's population drawn into two municipalities — is aimed at ensuring IFP control by merging ANC strongholds, like the massive Umlazi township and KwaMashu, with white, Indian and coloured areas

In terms of the Local Government Transition Act, a pseudo-apartheid situation will prevail for the next five years, with white, Indian and coloured voters guaranteed 50 percent of ward seats. For areas like Umlazi and KwaMashu, the Kempton Park deal reduces their voting power to an equal footing with less populous, largely white areas in their municipality. This bolsters the chances that the IFP — which secured significant white support in the last election — could take control of the metro, even if it does poorly in black areas

While these disputes rage on, the fight for inclusion of tribal areas on the city's outskirts is just beginning.

ANC and DP set to oppose Bills (264)

BD 21/7/95

Farouk Chothia

DURBAN — THE ANC and DP are likely to oppose two controversial pieces of legislation, concerned with the remuneration of traditional leaders, in the KwaZulu-Natal provincial legislature next month.

ANC national executive committee member and KwaZulu-Natal transport MEC Sibusiso Ndebele said the constitution stated that if there was doubt on the constitutional validity of any legislation presented to a provincial legislature, one-third of the MPs could petition the speaker to have the Bills referred to the Constitutional Court.

Expressing a similar view, DP KwaZulu-Natal leader Roger Burrows said the speaker would be obliged to do so, and there would then be no debate or vote on the Bills.

Twenty-seven MPs were needed to support the petition. The ANC had 26, and the DP had two, giving the one-third required to block the Bills.

Ndebele said: "This whole thing (the Bills) is going to fall flat."

The ANC and DP were referring to section 98, sub-section 9, of the constitution which states that "the Constitutional Court shall exercise jurisdiction in any dispute (related to the constitutionality of any Bill) only at the request of the Speaker of the National Assembly, the Senate, or speaker of a provincial legislature who shall make such a request upon receipt of a petition by at least one-third of all the members of the National Assembly, the Senate, or such provincial legislature."

The KwaZulu-Natal Amakhosi and Iziphakanyiswa Amendment Bill was published in the provincial gazette yesterday.

This debars traditional leaders from receiving any remuneration, allowance or compensation other than that provided for and determined by the provincial government. The KwaZulu-Natal Amendment Bill on payment of salaries, allowances and other privileges to the king, which imposes similar restrictions on the Zulu monarch and his family, was not published yesterday. However, more Bills are to be published next week.

NP KwaZulu-Natal caucus chairman Tino Volker said he did not support the idea of a petition as legislation on traditional affairs was within the competence of the provincial government.

However, the NP was opposed to the Bills as they were "confrontational" and they sought "to confiscate monies paid to the king and traditional leaders".

Volker said the NP in KwaZulu-Natal believed that all 40 opposition MPs should vote against the Bills, and if there was absenteeism among IFP MPs the Bills could be defeated. The IFP had 41 MPs, including the speaker who has voting powers. The NP had nine, and the PAC, Minority Front and African Christian Democratic Party one each.

Burrows said the DP agreed that traditional matters fell under the competence of provinces, but it would be improper to introduce the Bills at this stage. The IFP had decided to take national legislation — which saw central government take responsibility for payment of traditional leaders — to the Constitutional Court. The outcome should be awaited.

Ndebele said the controversy over the Bills underlined the need for fresh provincial elections in KwaZulu-Natal.

● Comment: Page 10

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The rock predicted growth this making foreign investors wary

KwaZulu-Natal 'badly underfunded'

Nicola Janvey

(264) 80 181979

DURBAN — The KwaZulu-Natal government would facilitate opportunities for private investor involvement in capital projects which redressed historical underfunding and stagnation in the province, premier Frank Mdlalose said yesterday.

Addressing the capital funding conference, Mdlalose said the province held great promise as a tourism-led economy, with this sector providing "broad-based and meaningful community involvement".

Economic growth demanded a sound financial foundation.

Private sector contribution held major implications for the whole region, he said.

However, central government allocation remained disproportionate, considering the years of underfunding and backlogs in capital projects for KwaZulu-Natal.

This was despite receiving the largest budget allocation for 1995/96 of SA's nine provinces.

Ernst & Young consultant Rob Stretch said the province had to es-

tablish how much it needed for capital projects, and then devise ways in which to raise the funding.

Possibilities included new regional taxes such as a specialised fuel levy, provincial surcharge on motor vehicle licences, a broadening of the existing tax base, to accommodate the informal sector, and revenue raised from gaming and gambling.

The "user pays" principle would be primary, but adopted on an exponentially increasing scale to provide relief for the lower-income groups.

However, KwaZulu-Natal minister of finance Senzele Mhlungu said the department was already predicting a shortfall in the current expenditure account three months into the financial year.

Although the amount was unknown, it was likely the province would have to borrow from the capital account to cover the current account.

Mdlalose hoped yesterday's conference would encourage the private sector to consider solutions associated with underfunding.

Mhlungu said: "The budget alloca-

tion has placed the province in a holding position, unable to effect meaningful capital expenditure and drive economic growth by the implementation of much-needed capital projects. "We are woefully underfunded."

Mdlalose said the administrative delays which had prevented KwaZulu-Natal from distributing the R70m available for reconstruction and development programme (RDP)-based projects had been resolved.

He was confident departmental secretary-general appointments would be finalised by month-end and money would be distributed to upliftment projects "at the earliest possible opportunity".

However, he expressed concern about the manner in which the national RDP office disbursed funds, saying the system of dealing directly with the non-governmental organisations and community-based organisations was an inherited one.

"Instead of engaging the KwaZulu-Natal government's treasury department, the national RDP office has chosen to circumvent them and undertake its own agenda."

possible — Sapa

but we

IFP gamble for power

29 23/7/95

(264)

By SIPHO KHUMALO and Sapa

INKATHA leader Mangosuthu Buthelezi suggested yesterday that a new election be called in KwaZulu-Natal in a bid to bolster the IFP's majority in the provincial government.

Speaking at the 20th anniversary conference of the IFP in Ullundi on Saturday, Buthelezi complained that the IFP was at the "mercy of the minority parties" in KwaZulu-Natal because of its "thin majority".

The IFP holds a narrow one-seat majority in the legislature and dominates the provincial cabinet, but a vociferous ANC opposition has blocked IFP attempts to implement its policy in the region.

The pressure is on the IFP to secure its power base in the province before the ANC-dominated Constitutional Assembly in Cape Town completes a new national constitution that is likely to reflect ANC policies for a unitary South Africa.

"In less than 12 months our legislative powers may be taken away," Buthelezi warned. Buthelezi said that due to the

Call for election to bolster the IFP's majority

IFP's slender majority, no agreement could be reached on the drafting of a constitution for which a two-thirds majority is needed.

Buthelezi said the IFP wanted a provincial constitution that would give KwaZulu-Natal exclusive powers on policing, the civil service, and local government.

"It might be that we are left with no option but to go back to the people for a fresh mandate and to increase our majority in KwaZulu-Natal so that we can secure a constitution for this province - or else lose the entire stake in this gamble," Buthelezi said.

"This is the time for final and bold decisions. The die is cast. It is for us to get on with the

next segment of the drama."

Over 2 500 delegates attended the conference, and there were diplomats from 40 countries. Most major parties sent representatives to the congress and were given an opportunity to address the delegates. However, the ANC was not invited, according to senior IFP sources. PAC national organiser Maxwell Nemedzvhavane was a surprise guest at the conference, and he received a thunderous welcome.

Throwing his weight behind the IFP in its fight against the ANC for federalism, Nemedzvhavane told the crowd, "If there is a Goliath, we'll stand as a David and fight any autonomy from central government." In his address, Buthelezi also

took a swipe at the ANC KwaZulu-Natal chairman Jacob Zuma who suggested a few weeks ago that an election be called in KwaZulu-Natal as the IFP was failing to govern.

"The ANC leader in this province was throwing down the gauntlet to us. It is for you (IFP members) to tell me whether we should pick it up and when we should do so," Buthelezi said.

Buthelezi accused Zuma of being a "trained protegee" of the KGB who "managed to bluff a lot of people with his feigned affability".

The IFP conference is unlikely to sack the IFP treasurer-general Arthur Konigkramer and Indian MP Farouk Cassim.

Konigkramer has been accused of leaking confidential IFP documents to the press and of financial irregularities. Cassim publicly accused the IFP of racism, resulting in him earning the wrath of his leaders.

IFP sources said the two would be dealt with later. If the two were sacked this weekend, it would dominate media coverage, overshadowing the rest of the conference.



ELECTION FEVER . . . Buthelezi calls for a chance to prove the IFP's mandate.

Soweto Nats do the two-step

By WALLY MBHELE

THE DISPUTE over boundaries for the Metropolitan Sub-structures took a strange turn this week when four black National Party councillors serving in the Western (Soweto) MSS were nearly fired for opposing their party's regional position

The four councillors - including Soweto's deputy mayor, Vronda Banda - took everyone by surprise when they voted along with the ANC councillors for the four-member MSS. The NP demands a three-member MSS.

The NP councillor's vote for the ANC angered their regional negotiators who summoned them to a meeting on Thursday

where they were "reprimanded" and forced to reverse their "embarrassing" decision

The continuing demarcation dispute in Gauteng, the Western Cape and Kwa-Zulu/Natal may force local government elections to be postponed in these provinces if they are not resolved in time for the November 1 election

■ The Kwa-Zulu/Natal ANC staged a walkout this week from a Greater Durban Metropolitan council meeting because of the continuing impasse while the Western Cape premier, Hennis Kriel, said he was considering taking the dispute in his province to the Constitutional Court

The Gauteng cabinet has re-

ferred the logjam to the Special Electoral Court which will make a final decision on August 3

■ President Mandela has hinted at the possibility of postponing the election in the three affected provinces if demarcation disputes are not resolved

The NP's vote in Soweto this week has been seen as giving the ANC powerful ammunition against the NP negotiators in submissions to the Special Electoral Court in Bloemfontein

NP councillors who supported the ANC during the council vote told City Press they had supported the four-member MSS model because if Soweto was part of the central business district, the sprawling township would become economically viable.

"We thought the four-model system will spread the budget equally according to the needs and aspirations of the people of Soweto," said the councillors

At Thursday's meeting, City Press was told, the councillors were instructed to issue a statement reversing their decision as it had embarrassed the party

Subsequent to the meeting, councillor Thandi Msimanga issued a statement saying "The Soweto NP confirms their support for the National Party position of a three-member MSS"

The ANC said the vote by the Soweto NP councillors and their sudden "hauling into a meeting by their regional bosses shows the NP is not speaking on behalf of its Soweto constituency"

CP 23/7/95 (264)

IFP votes for early elections

ULUNDI: The IFP has voted to call elections early in kwaZulu/Natal if its draft provincial constitution is not adopted in August, setting the scene for a new elections battle to seize control of the province.

The IFP resolved yesterday that "If there is an impasse because people cannot resolve the issue of (the provincial constitution) through negotiations, then the only other alternative is to go for elections."

The ANC has accepted the challenge to a provincial poll before July next year, vowing to rid the province of the "secessionist" IFP.

At the IFP's 20th annual conference here yesterday, delegates gave the premier the go-ahead to call elections to secure the two-thirds majority in the kwaZulu/Natal legislature required to pass a new provincial constitution.

The party also confirmed that its absence from the Constitutional Assembly was permanent and that it would not recognise any document emerging from it, setting the scene for a stalemate between the provincial and national constitutions.

The ANC, whose chairman Mr Jacob Zuma first mooted the idea of an early provincial election, said it was not afraid to go to the people of the province at any time.

Minority

"Chief Mangosuthu Buthelezi must be warned that in the event of free and fair elections the IFP will emerge as a minority party. People have identified the IFP section of the provincial government as the major obstacle to peace, stability and development," ANC spokesman Mr Dumisani Makhaye said.

However, Chief Buthelezi said "My support is far above what was reflected in the April election."

He predicted the IFP would win over two-thirds of the vote and with it the power to adopt its own constitution — Own Correspondent, Sapa-Reuter

Constitution would be IFP's 'first prize'

Farouk Chothia

(264)

ULUNDI — The IFP threatened yesterday to call a fresh election in KwaZulu-Natal if it failed to secure a two-thirds majority to pass a provincial constitution in the legislature within the next few months.

At the end of the IFP's national conference, secretary-general Ziba Jiyane said. "Our first prize is to have a provincial constitution. If we get it, voters will be spared (an election)." However, 65 of the 112 members of the working group mandated to look into the viability of holding an election voted against it.

The IFP has 41 of the legislature's 81 seats. The ANC has 26, the NP nine, the DP two and the PAC, African Christian Democratic Party and Minority Front one each. Needing the support of 54 MPs to pass the constitution, Jiyane said the IFP was negotiating with minority parties to muster their backing on constitutional issues.

Jiyane said he was confident that the IFP could negotiate a constitution acceptable to other parties. "But if we do not get it, we will go for new elections."

At a news conference yesterday, IFP leader Mangosuthu Buthelezi said it was "inevitable" that premier Frank Mdlalose would dissolve the legislature if no agreement was reached on the constitution. "Then an Electoral Act will have to be passed by the legislature," he said.

Premier Frank Mdlalose said much progress had been made in drafting a constitution. It should be completed next month.

A resolution adopted by about 3 000 delegates mandated the KwaZulu-Natal government to prepare for an election "as soon as practically possible". However, many delegates argued against an election. Some said that, as the ANC had first suggested that an election be held, it could have "some trick up its sleeve". Others felt the threat of an election should be used to secure international mediation.

The advantages the ANC had, particularly the fact that it had "superior" financial resources and "controlled" the SABC, needed to be addressed.

KwaZulu-Natal Traditional Affairs MEC

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IFP

(264)

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Nyanga Ngubane told delegates that the November 1 local government election should be postponed as boundaries were still in dispute. However, Jiyane said no decision was taken on this.

Inkatha election campaign manager Senzo Mfayela said preparations should be

made for the poll. The IFP's campaign would revolve around job creation, service provision, a clean environment and effective policing.

Delegates also called for a constitutional court challenge to central government's failure to assign all the laws requested by the province's premier last May.

Durban budget 'might miss new deadline'

Nicola Jenvey

(264)

DURBAN — The city's metropolitan budget might not be tabled by August 31, the end of its second extension period, since too little information was available to allocate funding correctly, deputy mayor Mark Lowe said at the weekend.

Lowe said the problem of compiling Durban's first metropolitan budget was compounded by departments in the previous regime having had "carte

blanche" to spend without keeping records.

Information from departments in Ulundi and Maritzburg "had been slow in materialising" with officials not releasing any records that might have been kept from previous budgetary allocations.

The demarcation between the metropolitan budget and Durban central budget also had to be finalised before a document could be compiled and it was speculated a partial

budget may be tabled.

This implied the metropolitan council would have the right to spend a certain percentage of estimated expenditure during the interim period, but Lowe queried the legality of this undertaking.

Although areas such as Westville and Pinetown had previous records and knew their budgetary needs, the metropolitan region now covered areas without previous access to this funding.

Experts reject IFP proposals

Farouk Chothia

(264)

MD 25/7/95
with the interim constitution.

DURBAN — Constitutional experts appointed to draft the KwaZulu-Natal constitution argued yesterday that several constitutional principles proposed by the IFP were unconstitutional.

This came after an IFP threat to hold a provincial election if it failed to pass a constitution through the KwaZulu-Natal legislature within the next few months.

The experts — Prof Charles Dlamini, Prof Kathie Govender and Prof George Devenish — nominated by the IFP, ANC and DP respectively, submitted a report to the KwaZulu-Natal legislature's constitutional affairs standing committee. In the report they argued that IFP proposals for the province's boundaries were in conflict

The IFP had proposed that "the territory of the kingdom of KwaZulu-Natal will be indivisible and inalienable (and) the territorial boundaries of the province shall include its territorial waters". The experts said the interim constitution sufficiently protected the territorial integrity of KwaZulu-Natal, and the inclusion of the phrase "territorial waters" was "clearly in conflict" with the interim constitution.

IFP sources said a one-month deadline had been set for the drafting of the constitution, failing which a snap election would be called.

The IFP can pass a provincial constitution without the ANC, but it needs the

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IFP (264)

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support of the NP, DP, PAC, Minority Front and African Christian Democratic Party. Hinting that the NP KwaZulu-Natal region was willing to side with the IFP, spokesman Pieter van Pletzen said the NP had "no difference" with the IFP on "at least 70%" of the points it made in a recent strategy document.

The NP welcomed a new election in KwaZulu-Natal, but a provincial constitution should first be passed by the legislature with a two-thirds majority.

ANC KwaZulu-Natal MP John Jeffery said the ANC national leadership would be asked to hold talks with the NP national leadership to discuss the NP KwaZulu-Natal position. The ANC welcomed an election as it was confident of winning it and would block IFP efforts to pass a constitution the ANC disagreed with.

DP KwaZulu-Natal leader Roger Burrows said while the DP was not "scared" of an election, the reasons the IFP had given for it were "entirely unacceptable".

In their constitutional submissions, the IFP proposed that a provincial electoral commission should be established "to organise and supervise elections provided for in the constitution". The experts rejected this, arguing that the interim constitution said elections could be held only under

the Electoral Act. The Act provides for elections to be administered by a national independent electoral commission.

They also rejected IFP and DP proposals that the provincial constitution shall be "sovereign within the province of KwaZulu-Natal" and the "supreme law" of the province, saying the interim constitution was the "supreme law of the Republic".

The experts said the IFP's proposal for a provincial judiciary with its own appeal court and constitutional court was "clearly in conflict" with the interim constitution which saw the national Constitutional Court as the "highest court in the land".

The IFP also wanted the provincial constitution to guarantee KwaZulu-Natal the right to determine and approve its own budget. The experts said this would be acceptable, provided it was within the constraints of the interim constitution.

The IFP proposed that a "sunrise provision" be included in the provincial constitution which stipulated that "until and unless the governing parameters of the national constitution are changed, the provisions in the provincial constitution will not come into force to the extent that such provisions exceed or contravene the provisions set out in the interim constitution".

The experts said this proposal was an innovative one, and could be technically compatible with the interim constitution.

Showdown in KwaZulu

(264) SRW 24/7/95

BY JOVIAL RANTAO
POLITICAL REPORTER

The Inkatha Freedom Party and ANC in KwaZulu-Natal are heading for a new election in the province, with the IFP national congress making it clear it would stop at nothing to achieve provincial autonomy.

The ANC has accepted the challenge of an early election, simultaneously launching a strong attack on IFP leader Mangosuthu Buthelezi.

On the eve of crucial local government elections and amid the escalating violence in KwaZulu-Natal, the resolutions adopted by the IFP at its 20th annual conference in Umtata at the weekend are set to raise tensions in the volatile province and within the Government of National Unity.

The decision to call for an early election in KwaZulu-Natal is seen as a move to prise support away from the ANC to achieve a two-thirds majority, which would enable the IFP to adopt a provincial constitution and attempt to implement its controversial 20-point "secession plan."

The organisation was mandated by the conference to prepare a programme of action for the holding of an early election as soon as practically possible and to adopt a timetable for such a poll.

Senior IFP sources told our Political Staff in Durban it was unlikely this poll could be held until after the scheduled November local elections. The provincial poll would be run on the basis of voters rolls prepared for local elections.

In the meantime, the KwaZulu-Natal government would fight for those powers to which the province was already entitled in terms of schedule 6 of the interim constitution. ANC KwaZulu-Natal spokesman Dumsisane Makhaye said

TENSIONS set to rise as Inkatha vows to secure controversial 20-point secession plan

delegates had not addressed questions relating to achieving a better life for all.

In addition, he called on the white community and white business people, who he said had backed the IFP during last year's general election, to reassess this support and consider their long-term interests.

The IFP also confirmed that its absence from the Constitutional Assembly was permanent and that it would not recognise any document emerging from it, setting the scene for a conflict between the provincial government and the national government on constitutional principles.

The majority of resolutions adopted show that the party is bent on implementing the 20-point plan and is digging in its heels in its fight against the central government.

The conference also urged the "kingdom" (of KwaZulu) to develop a programme to re-enact all appropriate laws of the former KwaZulu government, specifically the Ingonyama Trust Act and other laws on land affairs, forestry and water affairs.

Another resolution called on the KwaZulu-Natal government to establish a provincial broadcasting authority and public broadcaster to counter the SABC, described as an ANC-controlled broadcaster. IFP leaders' pre-conference threats to dismiss white and Indian officials allegedly guilty of misconduct fizzled out.



Deep in prayer... Bishop Lesley Stradling at the St Mary's Cathedral in Johannesburg during a service yesterday celebrating his 50th year as an Anglican bishop. PICTURE: JODI BIEBER

BY TAMSENI DE BEER

One of the first things Bishop Lesley Stradling did after arriving in South Africa in 1961 was to ordain Desmond Tutu as an Anglican priest in Johannesburg's St Mary's Cathedral.

And the Anglican church, had still not recovered, Tutu, now archbishop, joked at a service held at St Mary's yesterday to commemorate the 50th anniversary of Stradling's consecration as a bishop. Much has changed in the

Bishop celebrates 50 years

Anglican church since he took over the mantle of bishop of Johannesburg in 1961, Stradling said before the service. Clapping in church was not allowed and "would not have happened" while he was bishop, Stradling said with peals of laughter from Tutu — who entered the office-bearers and the congregation.

At the service, Stradling (67) commended the changes that had taken place in South Africa during his 34 years as bishop of Johannesburg, saying the country had changed dramatically since his arrival in 1961 when "the apartheid regime was in full power."

"Like so many others, I disapproved and wanted to change it, but there was little one could do except encourage people to go on in whatever opposition was lawful and wait until better ideas prevailed."

Stradling commended the manner in which the ordination of women-type priesthood had been accepted in South Africa, comparing it to the United Kingdom where, he said, there had been a war as a bishop at Westminster Abbey in 1945, and served in Tanzania until moving to Johannesburg in 1961. He has been living in Cape Town since his retirement in 1974.

kwaZulu may be on verge of all-out war, monitors warn

ET 1/8/95

(264) (275)

DURBAN: A recent surge in violence in kwaZulu/Natal has raised fresh concern among peace monitors that the province may be on the verge of all-out war

After another bloody weekend in which at least 36 people were killed, peace monitors warned that the security situation was out of control

In an open letter yesterday to President Nelson Mandela, University of Natal violence monitor Ms Mary de Haas called for urgent government intervention in kwaZulu/Natal

She said there were not nearly enough security personnel. Houses were being burnt down daily, huge numbers of people were being displaced from their homes and an alarming number of women and children were being raped

"It is unrealistic to expect any progress whatsoever with the RDP as long as this

problem is not being adequately dealt with, which it is not," Ms De Haas said

The government needed to deploy additional soldiers, particularly around the lower South Coast and north of the Tugela, she said. Also the SANDF needed to be given additional powers in specific areas.

She warned against devolving powers to provinces in the present explosive conditions. In kwaZulu/Natal this was "almost certain to lead to the type of all-out war we are currently witnessing in the former Yugoslavia".

kwaZulu/Natal provincial peace structure chairman Mr Dennis Nkosi said both criminal and political violence appeared to be on the increase. It appeared armed gangs were using political pretexts for criminal activity, destabilising the province. Political parties should purge their ranks of criminal elements — Sapa

WHEN Inkatha Freedom Party president Mangosuthu Buthelezi threatened to call a fresh election in KwaZulu-Natal, he was issuing a warning to his own provincial caucus, rather than the opposition, to hasten the constitution-making process in the province.

An election would not be in the interest of the provincial caucus. Premier Frank Mdlalose's performance is being increasingly questioned, and he risks being removed from the post.

Equally, the position of MP Arthur Kongkramer, who chairs the legislature's constitutional affairs standing committee, is tenuous. He faced the wrath of Buthelezi for allegedly leaking a document to the Press, and was almost expelled from the party.

In this context, it is in the interest of both Mdlalose and Kongkramer — as well as other MECs and MPs who are either performing abysmally or who have earned the ire of Buthelezi — to ensure an election is averted by having a constitution completed within the next month.

Soon after this month's national IFP conference, Mdlalose moved to the centre stage of the process, leading a delegation into talks with the NP in a bid to muster support.

The pressure Buthelezi has placed on the party's MPs is steeped in irony: the IFP stands for federalism, but it is Cape Town — not the Ulundi caucus — that sets the agenda in the constitutional, legislative and executive decisions of the KwaZulu-Natal government.

The most significant decisions the IFP has taken in the provincial government recently followed a call by Cape Town-based Buthelezi for KwaZulu-Natal to "rise and resist" central government. This strategy was crystallised by Home Affairs Department special adviser Mario Oriani-Ambrosini in the document A Minimal Institutional Strategy for Federalism and Pluralism from a KwaZulu-Natal Base.

Clearly uncomfortable with the document, and lacking the fighter instinct of Buthelezi, Mdlalose has implemented the strategy clumsily.

Buthelezi has his provincial bosses dancing a deadly jig

FAROUK CHOTHIA in Durban

He withdrew the province from the inter-governmental forum and left his MECs to learn of it via a Press statement. He changed the name of the province to the Kingdom of KwaZulu-Natal and left his MECs to learn of it from the new letterheads his office began using.

When Mdlalose changed the province's name, he was in fact undetermining a committee of his own government, the constitutional affairs standing committee, which had been given the task of deciding on a name for KwaZulu-Natal and was still in the process of doing so.

But at last weekend's conference, Buthelezi brought into the open another battle he was waging with Mdlalose: the issue of a provincial constitution. Buthelezi complained about the slow progress being made in drafting it, but Mdlalose said "much progress" had been made.

In the end, Buthelezi set Mdlalose a deadline of end-August for the constitution to be adopted by the provincial legislature.

This again undermined Mdlalose, the IFP passed a motion in the legislature last year that the constitution would be ready by the end of this year. Mdlalose has now been forced to fall into line with Buthelezi's position.

Part of the problem lies with the ANC. One reason Deputy President Thabo Mbeki gave Buthelezi for refusing to agree to international mediation was the KwaZulu-Natal government's failure to adopt a provincial constitution. This has strengthened Buthelezi's resolve to have a provincial constitution which he would then use to revive his demand for international mediation.

There have been indications that the campaign would be waged at several levels: in the legislature, on the streets where the IFP would embark on a passive resistance campaign, and internationally through appeals to UN secretary-general Boutros-Ghali, and by hosting international conferences on federalism in Ulundi.

The IFP wants the provincial constitution to include a "sunrise provision" that would list the powers KwaZulu-Natal wants but is not entitled to in terms of the interim constitution. This provision would also encompass the outstanding issues on which the IFP wants international mediation. Thus Buthelezi would satisfy the two criteria the IFP has set for mediation. The "sunrise provision" would state that KwaZulu-Natal would have exclusive powers over all Schedule 6 functions listed in the interim constitution, including local government, policing, gambling, the provincial

public service and auditing functions with related transfer assets.

The move to act exclusively in relation to Schedule 6 functions has already started. For instance, finance MEC Senzele Mhlungu indicated last week that KwaZulu-Natal would have the "optimum" number of casinos, although the National Lotteries and Gambling Board had allocated it six. He has also withdrawn from the inter-governmental committee dealing with such matters, and so has local government MEC Peter Miller, who is expected to pilot rural local government legislation through the legislature in the coming months.

The provincial constitution would state that KwaZulu-Natal would exercise the powers in the "sunrise provision" only when the national constitution allowed.

The IFP's strategy, therefore, is to incorporate the sunrise clauses in the provincial constitution, and then apply pressure on the ANC to ensure the national constitution is compatible with the KwaZulu-Natal constitution. If it worked the other way round, with the national constitution being completed before the KwaZulu-Natal constitution, the IFP would be in deep trouble.

The interim constitution states that provincial constitutions have to be compatible with the constitutional principles and the interim constitution. After the final constitution is drafted, provincial constitutions must be resubmitted to the Constitutional Court to ensure they are in line with the national constitution.

In this context, Buthelezi could find his hopes of securing autonomy considerably diminished if a national constitution, which reduces the powers of provinces, emerges first. But the provincial caucus has failed to match Buthelezi's expectations.

The appointment of a chairman precipitated divisions. Two IFP MPs, Ibrahim Bawa and Kongkramer, presented themselves as candidates at the first meeting of the committee. Bawa won the nomination, but under his leadership the process moved at a slow pace. Later another power tussle emerged, with Kongkramer seizing control of the chairmanship. The process has since moved faster, but the provincial caucus has continued making blunders in the eyes of the national hardliners. They agreed to have three constitutional experts guide the constitution-making process, bogging down the process further.

First, the IFP found difficulty putting forward a candidate, finally nominating Zululand University academic Prof Charles Dlamini. Ironically, both the ANC and DP put forward candidates earlier. Natal University academics Prof Kathie Govender and Prof George Devenish respectively.

The experts have proved to be a hinderance for the IFP, rejecting most of its constitutional principles as being incompatible with the interim constitution. This left the IFP with the option of either tabling new principles or convincing the experts that its proposals were compatible.

IFP hardliners would have preferred the constitution to be drafted immediately, with the Constitutional Court acting as the sole arbiter.

If the constitution was rejected, Buthelezi would have had all the more reason to continue his battle against the "totalitarianism" of the ANC-led central government, and to fulfil his aspiration of securing autonomy for KwaZulu-Natal.

The question is: Can Mdlalose assist him — or is he on his way out?

IFP backs down on constitution

Farouk Chothia

(264) BD 1/8/95

DURBAN — The IFP appears to have backed down from plans to have a KwaZulu-Natal constitution completed by month-end, and is now pushing merely for the provincial legislature to adopt constitutional principles by then.

The IFP move came against a backdrop of warnings by opposition parties that it would fail to muster the required two-thirds majority if it went ahead with plans to complete the constitution by month-end.

IFP MP and KwaZulu-Natal constitutional affairs standing committee chairman Arthur Konigkramer said yesterday the IFP wanted constitutional principles to be adopted by the legislature at a session to be held in the latter part of this month. Bilateral talks in this regard had taken place with the NP and DP.

NP KwaZulu-Natal caucus chairman Tino Volker said: "It is a matter being discussed. It is a way of making progress." Konigkramer said the committee needed to submit a report to the legislature on the progress made in drafting a constitution. He hoped that a motion could be put forward at the session approving constitutional principles that would form the "core" of the constitution-writing process.

DP KwaZulu-Natal leader Roger Burrows said his party had still not formulated a response to the proposal.

Continued on Page 2

IFP

Continued from Page 1

Konigkramer said the IFP was confident of obtaining a two-thirds majority for such a motion, but wanted to avoid a showdown on the matter.

The IFP wanted the motion to be the result of consensus among all parties, and would seek the support of the ANC. The IFP can obtain a two-thirds majority without the ANC provided it has the support of the NP, DP, PAC, Minority Front and African Christian Democratic Party.

ANC constitutional affairs spokesman John Jeffery said the IFP had not put the proposal to the ANC, nor to the constitutional affairs committee. While the IFP

had the right to engage in bilateral talks, it should not undermine the committee.

Jeffery said it was too early to say whether agreement could be reached on constitutional principles in the next few weeks, and it would be problematic if decisions were "rammed" through in the event of a deadlock.

"(But) if progress can be made in the committee, well and good," said Jeffery.

The provincial legislature adopted a motion last year stating that a constitution would be completed by the end of this year. Konigkramer said that there was now a "sense of urgency to fulfill the dictates" of the resolution, and dates needed to be firmed up.

(264) BD 1/8/95

outside Grahamstown last month, attended his memorial service in Yeoville, Johannesburg, yesterday.

Picture NICKY DE BLOIS

Bill overrides payment of traditional leaders

208/8/95

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ULUNDI — Chiefs in KwaZulu-Natal's House of Traditional Leaders yesterday accepted in principle a Bill that compromises central government's move to take from provincial governments the responsibility of paying traditional leaders.

ince's Bill had been drafted so as not to preclude chiefs from obtaining remuneration due in terms of the Act

In terms of the provincial Bill, money paid by central government to chiefs would be distributed through KwaZulu-Natal's traditional affairs MEC

IFP leader Mangosuthu Buthelezi told the chiefs that the KwaZulu-Natal government also intended challenging the Traditional Leaders' Act in the Constitutional Court. The Act provides for payment of traditional leaders by the central government.

The legislation drafted by the province would prevail over the Traditional Leaders' Act, Buthelezi said

"With this legislation the kingdom of KwaZulu-Natal is drawing a line stating that we have allowed things to go thus far but no further, and that we are committed to ensuring that any further breach of our autonomy and inalienable rights will be met with a response which will ensure that whatever actions the central government chooses to take, will be frustrated and rendered ineffective and impotent," he said. — Sapa.

In his speech Buthelezi said that central government was "hell bent" on breaking essential ties between traditional leaders and their communities, thereby undermining the position of chiefs through legislation. KwaZulu-Natal premier Frank Mdlalose had been right in resisting the legislation

Buthelezi said the prov-

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Bid to solve wards row

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Sowetan 8/8/95

By Joe Mdhlela
Political Reporter

THE demarcation board in the KwaZulu-Natal region is working feverishly to resolve the boundary disputes, spokesman for the region's local government and housing Dr Warick Dorning said yesterday

The transitional local councils in the region, including the Greater Durban metropolitan area, have had disputes that have impeded the electoral progress in the province

Six weeks ago, the Inkatha Freedom Party rejected new boundaries as proposed by the multi-disciplinary demarcation board

However, Dorning is hopeful that the board, in consultation with all role players - including traditional authorities and political parties - will resolve the dispute in time for the November 1 elections

"The demarcation board is consulting traditional authorities affected with a view to resolving boundary disputes in the region," he said

In another development, the Gauteng cabinet last week won a major victory with the electoral court agreeing to the ANC-conceived four-model structure to be implemented in the Greater Johannesburg Metropolitan area

IFP backs down over vote

Farouk Chothia

DURBAN — The IFP tried to force its constitutional principles through the KwaZulu/Natal legislature's constitutional affairs standing committee yesterday, but backed down after strong protests from opposition parties.

The IFP tabled 12 principles at the committee meeting, and said a vote should be held on each clause if there was a lack of "general support".

Education and culture MEC Vincent Zulu said the IFP wanted the principles to be passed by the committee, and then presented to the legislature as a resolution for consideration.

This would indicate to the legislature that "substantial progress" had been made in drafting a constitution.

The legislature is scheduled to meet on August 29. Committee chairman Arthur Konigkramer (IFP) called for a vote on Zulu's proposal, but shelved the plan after opposition from the ANC, NP, DP, PAC and Minority Front, which warned that principles could not be

"imposed" on the committee

The committee then unanimously adopted a resolution to discuss the proposal, along with others, next Tuesday.

John Jeffery (ANC) said it was clear the IFP wanted to avoid a provincial election by having principles tabled in the legislature at the end of this month.

"They want to jump the constitution-drafting process. They are also backing down from an election by trying to convince the public that there has been significant progress," Jeffery said.

While vehemently denying Jeffery's claim, Zulu said "Our objective is to have a constitution by the end of this year."

He said the IFP wanted a constitution to be achieved through negotiations, and had no intention of putting the principles to the vote yesterday.

In its latest proposals the IFP has dropped contentious principles it submitted earlier.

This includes a clause that would establish a voluntary reserve force.

In an apparent attempt to appease minority parties, the IFP added a clause which stated that the premier could form "voluntary coalitions", subject to the approval of the majority of parliament.

But controversially, the IFP also proposed that the government "may be terminated by a majority vote of no confidence, without requiring parliament to be dissolved".

The IFP also called for the establishment of a department "to co-ordinate the administrative management of cultural diversity, minority rights and social and cultural pluralism".

(264)

BD 11/8/95

Pay deal ends municipal workers' strike

DURBAN. — A week-long labour dispute between the South African Municipal Workers' Union and local authorities in Pinetown, KwaZulu/Natal, has

ended with a pay agreement. Strikers who had gathered outside the civic centre dispersed at lunch-time yesterday after leaders told them a set-

tlement had been reached. Strikers were demanding a minimum monthly wage of R1 500 and rises of between 7,5 and 10 percent. — Sapa.

ARG 12/8/98 (264)

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KWAZULU-NATAL

Another bluff?

(264) FM 28/7/95

Inkatha's threat to hold a snap provincial election in KwaZulu-Natal seems to be a bluff. If it goes ahead and the gamble backfires, Inkatha stands to lose the most by forfeiting control to the ANC in the only province in which it holds sway.

But a big Inkatha win, of say 67%, would virtually hand Mangosuthu Buthelezi carte blanche to devise whatever provincial constitution he chooses — undoubtedly stretching his idea of regional autonomy to the limit.

Though Inkatha would still be severely constrained if it wanted its proposals passed by the Constitutional Court, they would undoubtedly be much more federalist than anything the ANC would countenance.

provincial government led by his party.

In the last instance the provincial assembly would be dissolved and a proclamation published in the *Provincial Gazette* announcing an election within 90 days. Inkatha's excuse for such a vote would be that the ANC, through unreasonable obstruction, makes effective government impossible.

Nothing in the constitution prevents holding provincial and local government elections at the same time.

But, if nobody really wants an election, what is the purpose of Inkatha's threat to go to the polls?

Buthelezi probably has a dual motive first, to soften up non-Inkatha members of

the legislature's constitutional committee to be more amenable to his party's submissions as they near the end of negotiations in the next few weeks, second, in view of the failure to win international mediation, to speed up the drafting process to ensure that KwaZulu-Natal's constitution is in place ahead of the Constitutional As-

sembly's draft national constitution in October.

proposals, especially some submitted by Inkatha, would not pass muster in the Constitutional Court. The experts — Inkatha's Charles Dlamini, the ANC's Kathie Govender and the DP's George Devenish — point out that the word federalism should be excluded from the general principles as the interim constitution excludes references to either unitary or federal status.

Among other Inkatha proposals they identify as unacceptable under the interim constitution are that the territory of the kingdom of KwaZulu-Natal be "indivisible and inalienable" and that its boundaries include its territorial waters, and that financial allocations from the national Budget must, without exception, be channelled through the province (this would ensure that the provincial government retained responsibility for paying traditional leaders).

UCT political commentator David Welsh says an election, though costly and traumatic, might not be a bad idea because of the controversy which surrounds last year's election results. "If a genuinely free and fair election could cure this festering sore, it would be worth the price. As soon as this is authoritatively settled, the sooner the problems of the province can be intelligently addressed." He believes that the election could well go ahead because Buthelezi is notorious for delivering on a bluff when opponents try to call it.



And while the smaller parties (DP and PAC) claim they would welcome an election, they must fear defections to Inkatha and the ANC in what will be seen as an essentially two-way struggle.

That a provincial election can be called in terms of the constitution is not in doubt. The initial election challenge came from ANC provincial leader Jacob Zuma — in a letter to the party's provincial general council on July 8 — on the grounds that fresh elections were needed to restore provincial democracy and stability.

Inkatha in effect accepted the challenge at its 20th annual general congress last weekend. Significantly, however, there were misgivings among delegates that they were being suckered by the ANC into losing at the polls.

Provincial Affairs Minister Roelf Meyer accepts that though the provincial legislature is elected for five years, premier Frank Mdlalose can either seek permission for an early poll from the Constitutional Assembly (which Inkatha is boycotting) or force one by passing a vote of no confidence in the

assembly's draft national constitution in October.

And that certainly seems possible without going to the polls. Says DP provincial leader Roger Burrows (a member of the constitutional affairs standing committee) "We are talking about a nonelection. In the first place, nobody really wants it because all the parties are stretched. Secondly, the reality is that Buthelezi and Inkatha must be aware that no single proposal has been rejected and that 90% of the provincial constitution can be written with consensus. Only about 10% of the issues would have to go to the vote and even there Inkatha would get what it wants on issues over which it feels strongly, such as provincial competencies, because a lot of others also feel that way."

Even if Inkatha gets compliance from provincial opponents, it will have to be relatively restrained if it is to get the proposals approved by the Constitutional Court. A three-man, interparty panel of advisers scrutinising guiding principles proposed by the province's constitutional affairs committee this week reported that many of the

Local legislature votes in favour of IFP proposal

Farouk Chothia

DURBAN — The KwaZulu-Natal legislature's constitutional affairs standing committee yesterday voted by nine votes to eight in favour of an IFP proposal that the committee votes on constitutional principles that would form the basis of drafting a provincial constitution.

But the IFP backed down from demanding an immediate vote on the principles after the ANC threatened to walk-out of the committee meeting. The ANC pushed for the vote to be held next Tuesday, but the IFP won support from other parties for this to happen on Friday.

Minority Front leader Amichand Rajbansi also threatened at one stage to walk-out of the meeting after a war-of words with IFP negotiator Mike Tarr.

Yesterday's decision takes the heat off IFP provincial MPs who were under pressure to report to the IFP national council on Saturday that significant progress was being made on drafting a constitution.

IFP-aligned chiefs have also scheduled a gathering for Sunday where a "Zulu covenant" binding the Zulu nation would be adopted. Aspects of the principles adopted on Friday would be included in the covenant, an IFP source said.

The IFP won the vote with the backing of only one opposition MP, the NP's Rudi Redinger. The ANC's five MPs, backed by Rajbansi, the DP's Roger Burrows and the PAC's Joe Mkhwanazi voted against the proposal.

The African Christian Democratic Party's Abraham Fakude was expected to side with them. He broke ranks at the last minute to abstain. Rajbansi, Mkhwanazi and Burrows were visibly upset with him.

Tarr hailed the outcome as a "major step forward" for the constitution-drafting process.

Tarr said there would be a vote on each principle. A two-thirds majority would have to be obtained.

The principles that were carried could then be fleshed out into clauses, while those that were not would be

referred to ad hoc committees where parties would seek agreement.

Tarr conceded that the IFP would face "opposition" on a number of clauses but the vote was necessary to identify areas of agreement and disagreement. This would end the "shadow-boxing" that was going on, and pave the way for negotiations to begin in earnest.

He said the IFP wanted the provincial constitution to be completed "as a matter of urgency", so it could be put before the national constitution. "(This) will force the Constitutional Court to apply its mind to our constitution and not to the national situation," Tarr said.

ANC constitutional affairs spokesman John Jeffery said the ANC was concerned the IFP was trying to "hijack" the process. A vote would serve no purpose at this stage. Positions of parties would alter as negotiations unfold, and there should be a vote only when the constitution was completed. The ANC caucus would discuss latest developments at a meeting tomorrow, he said.

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BD 16/8/95

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Deciding a king's fate

sowetan 15/8/95 (264)

By Mathatha Tsedu
Political Editor

ARE THE days of King Zwelithini's reign as monarch of the Zulu people about to come to an end this weekend? Or is the *imbizo* called by the KwaZulu-Natal government going to herald an era of heightened tensions and fighting among supporters of the king and those who align themselves more with the Inkatha Freedom Party?

These are some of the questions begging answers as the province prepares itself for another rally by the IFP-controlled provincial government, where the fate of the king will come under discussion.

The *imbizo*, officially called by the House of Traditional Leaders under IFP president Chief Mangosuthu Buthelezi and under the ministerial responsibility of Chief Nyanga Ngubane, will be held at Durban's King's Park Stadium on Sunday.

Its significance lies not only in what is on the agenda, but rather in what led to it. The cosy relationship of uncle and nephew that saw the two wage a war against the African National Congress has crumbled.

The *imbizo* follows a series of skirmishes between the King and the IFP after he started charting a more independent role for himself after the elections last year.

Climax reached

This reached a climax last September after the king had invited President Nelson Mandela to the Shaka Day rally. Buthelezi and the IFP forced a virtual withdrawal of the invitation, which saw the king boycotting the rally for the first time.

It was during this controversy that IFP youths stormed the king's palace at Enyokeni, damaging property. Buthelezi apologised but the damage had been done.

Later the country was to witness the live broadcast of Buthelezi storming into the SABC's studios in Durban, disrupting a debate involving the king's spokesman, Prince Sifiso Zulu.

In March this year an *imbizo* was called at Umlazi. The king was invited in order to create his "re-entry and reacceptance into his father's people".

The king did not attend, saying he was the only one who could call an *imbizo*. It was this *imbizo* that laid the foundation for this weekend's meeting.

The *imbizo* gave the king two months to call the Zulu people together, failing which premier Frank Mdlalose was to call such a meeting to, as Buthelezi spelt it out, "make final decisions to plot the way forward and to ensure that necessary actions are taken that will lead to the restoration of the Kingdom of KwaZulu-Natal, even if it hap-

The impending *imbizo* in KwaZulu-Natal will discuss a number of important political issues – but King Goodwill Zwelithini first wants an formal apology before he is prepared to attend.



King Zwelithini .. Is his reign about to come to an end?

pens that His Majesty still persists in allowing himself to be separated from us".

Addressing the multitudes at that rally, Buthelezi said he had been "shocked, hurt and aggrieved" by the king's conduct but had no desire to dethrone him as this would be a "vile plan far removed from our soul and spirit".

But immediately after Buthelezi's speech, one of the princes of the royal house, Prince Vanana Zulu, brought the stadium to its feet when he said if the king did not attend this Sunday's meeting, the institution of the monarchy would be separated from the king.

"We want our king to be among us. We sent the premier as our *mduna* to ask the king to come and meet with his people. We are crying for our

king. But if the king does not want us, we want the monarchy," Zulu said.

This weekend's *imbizo* will also discuss the Shaka Day celebrations next month, and the king is already saying he needs an apology from Mdlalose before he can attend. He also wants the site cleansed of last year's "desecration" when the celebrations went ahead despite his prohibition.

Ngubane said he could not speak for Mdlalose but did not see what the apology was all about. So the king is unlikely to attend, further fuelling the tension between him and the IFP.

He has also supported the move to have chiefs paid by the national Government, as opposed to the IFP position that the province should do so.

King invited

It is against this background that Sunday's *imbizo* should be seen as a gathering of people who want the king to continue to behave in the way he used to before the elections, and in accordance with IFP dictates.

The king has said he is independent, and does not want to be seen to be supporting any political party. He has been invited to the *imbizo*, but according to Ngubane who saw the king together with Mdlalose on August 4, "the king was not positive".

It is expected that he will not attend but his role and status will be discussed. Ngubane said "It is not possible that there can be an *imbizo* that does not talk about the king".

"But it is wrong to say he will be dethroned. The *imbizo* will talk about how the monarchy can be strengthened as part of the kingdom."

King Zwelithini has however not taken the threats of dethronement lying down. He has instituted legal proceedings against both Ngubane and Mdlalose, challenging the validity of the House of Traditional Leaders.

The king asserts that the House is being used to undermine his authority and that it has empowered members of the house to dethrone him. Act 17 of 1994 says the house has powers to "withdraw the duties, powers, authority and functions of the king".

It is this section of the law that can be evoked by the *imbizo* – which could mark a countdown to His Majesty's exit from grace.

- (3) whether such aid is being granted by means of a refundable loan, if not, what is the position in this regard, if so, what are the relevant details?

S318E

The MINISTER OF TRANSPORT (for the Minister without Portfolio)

- (1) Yes, an agreement was signed with Mr Gareth Evans, the Australian Foreign Minister to (a) strengthen democratic development and to foster social and economic equality in the RSA. This agreement is aiming to co-operate in a Programme of development co-operation to meet the following objectives

— assist the Government of the RSA (in areas identified by South Africa's Reconstruction and Development Programme) in its satisfaction of the basic needs of its people,

— assist in human resource development capacity building and institutional strengthening,

— contribute to the democratisation of the State and society, and

— develop long-term links between Australian and South African institutions

(b) Focus will be placed on the following kinds of development

— Public sector strengthening in, for example, health administration and management, telecommunications, statistical collection and analysis, education, housing policy, water management, mining and international finance management,

— the media

— constitutional reform and local government,

— economic policy and planning,

— primary health care,

— water and sanitation,

— basic education (including adult literacy),

— agriculture,

— micro-enterprise development,

- sports,
- low-cost housing, and
- the trade union movement
- (2) No, it is not a refundable loan but a grant
- (3) The funds are being granted mainly for technical support. The Australian Government will, subject to annual Parliamentary approval of appropriations, make available for the purposes of the Programme thirty million Australian dollars (A\$30 million) during the period 1 July to 30 June 1997.

Legislation/laws on land affairs iro Ingonyama Trust assigned to Province of KwaZulu-Natal

*2 Sen Dr R RABINOWITZ asked the Minister of Land Affairs

- (1) Whether (a) any land affairs legislation and/or (b) laws pertaining to the Ingonyama Trust have been assigned to the Province of KwaZulu-Natal, if not, why not, if so, what are the relevant details,
- (2) whether he will make a statement on the matter?

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S320E

The DEPUTY MINISTER OF LAND AFFAIRS

- (1) (a) The following laws of South Africa dealing with land affairs have been assigned to the Province of KwaZulu-Natal—

— Land Regulations, 1969 (Proclamation No R188 of 1969)

— Regulations concerning Land Tenure in Towns, 1988 (Proclamation No R29 of 1988)

— Regulations for the Disposal of State Land in Towns, 1988 (Government Notice No R402 of 1988)

— Land use and Planning Regulations, 1990 (Government Notice No R1888 of 1990)

— Commonage Act, (Natal), 1904 (Act No 35 of 1904)

— Regulations relating to Township Establishment and Land Use, 1986 (Government Notice No R1897 of 12 September 1986)

- (b) No The Ingonyama Trust Act, 1994 (Act No 3 of 1994) has not been assigned to the Province of KwaZulu-Natal. The Cabinet decision on 15 June 1994 regarding the Ingonyama Trust Act reads as follows

Cabinet resolved that the Act should be amended or substituted in order to assure that—

- (a) the Ingonyama will continue as the guardian of tribal occupied land. The Act should describe the functions and powers of the Trustee and among other matters address issues dealing with alienation of land and resolution of tribal border disputes,
- (b) the Act govern all tribal-owned land falling within the former territory of KwaZulu, subject to the existing rights of occupants of that land,
- (c) the Act provide for the land to be dealt with in accordance with a set of agreed principles, and
- (d) the legislation create a structure for managing the land which is sufficiently broadly-based to ensure that any unwarranted interference by any person or body, or manipulation of the land would not be possible. This should be done to allay any fears of possible illicit interference or manipulation

Cabinet also resolved that—

- (a) legislation to give effect to this decision should be the subject of consultation between the national government and the provincial government, and
- (b) all parties should agree and undertake not to take any action which might pre-empt the implementation of this decision

My Department has already done preparatory work in this regard. My intention is to have discussions with

- the Premier in the near future on how to give effect to the Cabinet decision
- (2) No, it should not be necessary to make a statement. A statement was made at the time of the Cabinet decision, and this reply should provide sufficient clarity on the matter

Premiers of provinces to formulate own budgets

*3 Sen Dr R RABINOWITZ asked the Minister of Finance

- (1) Whether the premiers of provinces may formulate their own budgets, if not, why not, if so,
- (2) whether they may distribute financial resources as they deem necessary, if not, why not, if so, what are the relevant details?

S321E

The MINISTER OF FINANCE

- (1) Yes
- (2) Yes. In terms of section 125 of the Constitution a provincial legislature has the power to make laws for the province which, *inter alia*, include appropriation Acts. It should also be noted that appropriation Acts are essential for provinces in order to be able to utilise revenue in provincial revenue funds (that is own revenue together with the transfer payments from the National Revenue Account). Provinces are therefore, within this legal framework, autonomous to distribute financial resources according to their specific priorities

Introduction of lead-free petrol in Republic

*4 Sen E K MOORCROFT asked the Minister of Mineral and Energy Affairs

- (1) Whether his Department intends introducing lead-free petrol in the Republic, if not, why not, if so, when,
- (2) whether such petrol will be sold at a premium price, if so, what are the relevant details, if not,
- (3) whether such petrol will be sold at a price competitive to that of standard grades of

Monarchy row rages

(264) Sowetan 23/8/95

Debate on the merits of a monarch subject to provincial government

THE FUTURE ROLE and powers of the Zulu monarchy in KwaZulu-Natal are likely to be strictly defined by the provincial constitution which may include a clause enabling provincial government to remove the monarch from power

This emerged at a KwaZulu-Natal constitutional committee meeting in Durban yesterday. The meeting focused on a range of controversial issues including a proposal to institute a constitutional monarch who would reign but not rule in the province.

Addressing the meeting, Democratic Party provincial leader Roger Burrows said the future provincial constitution would have to provide means of removing the constitutional monarch.

"If (the constitution) doesn't have that ability, then if the monarch does not conform to the constitution there won't be a mechanism to remove him."

Burrows said the DP would be hesitant to approve the institution of a constitutional monarchy that was not

clearly defined in terms of the provincial constitution. The government had to operate on the premise that the constitutional monarch reigned within a strictly prescribed constitutional framework. Burrows said the monarch should be subject to a selection process and should swear an oath of allegiance to the constitution.

African National Congress constitutional affairs spokesman John Jeffrey said the ANC would have to consider Burrows' proposal before making a policy decision on the issue. However, the ANC favoured a constitutional monarch who was subject to tight controls by the provincial government.

"One needs to have a situation where (the monarch) is above party politics," Jeffrey said.

Inkatha Freedom Party committee

member Maurice Mackenzie said the DP's proposal was an attempt to legislate controls over the constitutional monarch.

The IFP proposed a government representative as a link between the constitutional monarchy and the provincial government. The government would thereby maintain control over the monarch's budget. Instead of a constitutional provision to enable government to remove the monarch if required, the monarch could be effectively censured.

National Party spokesman Tino Volker said he feared a constitutional monarch would fall prey to political party influence. He said King Goodwill Zwelithini, appeared to have become "a political play ball between the ANC and the IFP" - Sapa

DURBAN CHAMBER

Strictly business

FM 25/8/95

Organised commerce and industry around Durban has come out strongly in favour of federalism for KwaZulu-Natal

Durban Chamber of Commerce & Industry spokesman Bruce Forsman, who was part of a five-man delegation quizzed by KwaZulu-Natal legislature's constitution drafting committee, says the chamber stressed that its submission was motivated strictly by business, not politics. "The devolution of power, as well as embracing democracy, can strengthen fiscal discipline since provinces will be responsible for their own expenditure."

The division of powers should not increase expenditure or the number of public servants provided that the duplications are

BUSINESS

avoided. While federalism may appear to duplicate functions in different provinces, those functions are much more likely to be in line with the specific regional needs.

On finance and tax, Forsman says that though provinces should have a reasonable degree of financial independence and security, central government should retain monetary and fiscal control because centralised tax collection is more cost-effective and coherent and allows government to manage the economy, ensure the rational allocation of resources and end tax avoidance.

But the provinces must be able to operate their own financial structures so that their income-generating activities contribute to their budgets. This enables provinces to influence economic development and set their own priorities.

In the context of broadening democracy, Forsman says organised business favours the concept of a corporate vote in local government elections. "Property owners who contribute to the local economy should have a say in how their taxes are spent. Individuals have that right and it should be extended to limited companies and other juristic entities through a vote."

Business would also not be averse to representation on advisory boards with no legislative powers provided they are statutory.

Asked about the conflict between private property ownership and traditional (tribal) land allocation systems, he stresses that traditional structures are a reality. In KwaZulu, for example, ownership is communal and allocated by the chiefs. Nevertheless, there must be some blending with modern concepts of ownership, though they will have to run together for some time.

Land reform, he adds, should be a national function as it would create chaos if each of the nine provinces emerged with different property ownership laws. ■

IFP calls for talks to end deadlock over Kwazulu-Natal constitution

Farouk Chothia

DURBAN — The IFP has proposed that a "fairly high-level" meeting of political parties be held to try break the deadlock over the Kwazulu-Natal constitution.

This development came as Kwazulu-Natal government-appointed constitutional advisers — as well as a German constitutional lawyer — warned that the IFP's constitutional proposals could be rejected by the Constitutional Court.

Provincial government-appointed constitutional advisers — as well as a German constitutional lawyer — warned that the IFP's constitutional proposals could be rejected by the Constitutional Court.

needed as provincial negotiators alone could not reach agreements.

ANC KwaZulu-Natal negotiator Mike Sutchiffe said if the ANC was expected to make a "fundamental shift" from its positions, ANC national leaders — including secretary-general Cyril Ramaphosa — could become involved in talks.

Provincial negotiators from the IFP, ANC, NP, DP, PAC, Minority Front and African Christian Democratic Party have scheduled a workshop in Wartburg in the Natal Midlands tomorrow and Wednesday. ANC chief provincial negotiator John

Jeffery said the workshop would help identify areas of agreement and disagreement.

IFP secretary-general Ziba Jiyane said he would now become directly involved in negotiations. An IFP source said Jiyane's presence would be crucial. He is regarded as a moderate and has the clout to strike deals, something Tarr and the other IFP provincial negotiator, Arthur Kongkramer, lacked.

Jiyane said all negotiators were bound by "decisions" made by the IFP national council, and worked within these parameters. There were no divisions. Other

sources said Tarr and Kongkramer had been "at the mercy" of headline Home Affairs Ministry special adviser Mario-Oriani Ambrosini, who often gave them "instructions".

A source said the IFP national leadership still insisted the IFP's 12 constitutional principles form the basis of drafting a provincial constitution.

German constitutional lawyer Prof Ulrich Karpen said the IFP was "going too far" in its bid to secure "autonomy".

Karpen, an MP in Germany, was invited to SA by the Konrad Adenauer Foundation, a long-standing German ally of the IFP. He addressed four workshops since last year's general election to discuss the provincial and national constitution-making process. In the case of Kwazulu-Natal, Ambrosini "overthrew all our good ideas".

Three local experts appointed by the constitutional committee — George Devenish, Karlhe Gouwerder and Charles Dlamini — accused Ambrosini on Friday of taking a "most extreme interpretation" of sections of the interim constitution in a bid to secure wide powers for Kwazulu-Natal.

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(264) 2878/195

IFP races against time to write constitution

Inkatha Freedom Party chairman Mangosuthu Buthelezi is desperately trying to beat the constitutional clock, reports **Ann Eveleth**

CHIEF Mangosuthu Buthelezi's threat at the IFP conference at the weekend, that he would call a snap election in the province if agreement could not be reached on a new constitution for KwaZulu/Natal, marked growing frustrations among IFP hardliners at the failure of its moderate provincial caucus to produce a constitution.

The two most senior IFP leaders — Buthelezi and KwaZulu/Natal premier Frank Mdlalose — are at the centre of the battle, with tensions visible at the national conference in Uthuli.

While Buthelezi lamented that the provincial constitution-writing process was moving slowly, pointing out that "substantial progress should have been achieved by now", Mdlalose painted an optimistic picture, stating that "much progress has been made". Reinforcing his position in a press statement on Tuesday, Mdlalose said the constitution would be put to the legislature for approval at a session opening on August 15.

This latest deadline clearly indicates the mounting pressure on Mdlalose — the IFP earlier passed a motion in the KwaZulu/Natal legislature that a constitution would be adopted by the end of this year, but this week Mdlalose — subtly upbraided over the province's failure to pass significant IFP policy legislation — brought the deadline forward without consulting any of the other parties.

It appears Mdlalose failed even to inform the IFP's constitutional negotiators of the new deadline. The same day Mdlalose issued his statement, IFP negotiator Mike Tarr said, "By the end of August, it will be very clear whether parties are close to each other (on constitutional positions). We don't want to set deadlines, but are confident of finalising (the constitution) pretty soon". Along with Mdlalose, the onus lies largely on Tarr and constitutional committee chairman Arthur Konigkramer to ensure that a constitution satisfactory to Buthelezi emerges soon.

A snap election — threatened by Buthelezi if he cannot get consensus on a new constitution — would not be in the interests of any of the three, who risk losing their provincial positions. Konigkramer narrowly escaped expulsion at the conference after being accused of leaking a confidential document to the press. Tarr is an extreme moderate, making him highly unpopular in the party's top echelons.

Their positions tenuous, the three will strive to secure opposition party support to ensure the constitution gets the requisite two-thirds majority. The ANC is, however, bent on delaying the process. Ultimately, the ANC wants to stall the IFP's federalist objectives until a final national constitution is in place. The IFP, by contrast, is clearly trying to beat



New threats IFP leader Mangosuthu Buthelezi wants to call a snap election in KwaZulu/Natal if the province cannot adopt a constitution speedily. PHOTOGRAPH: PETER ALF DER NEYDE

the clock.

Calling for elections "as soon as practically possible", Buthelezi warned the party had less than a year left to take advantage of the "small window of opportunity in which (the province) has some degree of legislative autonomy".

The first draft of the new national constitution is expected next May, after which the province could find it more difficult to adopt aspects of its "20-point strategy". The same could be true for the provincial constitution, when it faces the Constitutional Court for certification. If adopted now, it would face scrutiny against the Interim Constitution.

Later, it will have to stand up against the final document, which the IFP believes will be more overtly centrist. The prior adoption of a final national constitution may even make the IFP proposal of provincial "sunrise clauses" less tenable.

The proposal would see the inclusion of dormant clauses enshrining powers not yet available to the province in the provincial constitution, to be enacted if and when they become constitutional. If the IFP succeeds in beating the national timetable, it could also make a renewed bid for international mediation in advance of the final draft. The ANC has argued mediation cannot commence until a provincial constitution is in place.

Backed by substantial motivation, the IFP is increasing the stakes. An *imbizo* (gathering of the Zulu nation) is planned for August 20, undoubtedly to seek grassroots approval of the constitutional draft,

'If they bring a constitution to the August session without negotiation, it will not be passed'

and a "Ghandian passive resistance" campaign is on the horizon.

Two Constitutional Court challenges are also on the cards. The province intends taking central government to court over its failure to assign Schedule Six powers (provincial powers in the Interim Constitution) to KwaZulu/Natal, while a separate court showdown looms between conflicting national and provincial legislation on the payment of traditional leaders. Senior IFP sources said a Constitutional Court decision against the province would be used to show up the "political bias" of the court.

A number of proposed constitutional principles were recently ruled "unconstitutional" by the team of advisors appointed by the IFP, ANC and DP in the province. While the objectionable clauses came from all parties, key IFP "autonomy" princi-

ples were on the list.

The IFP is expected to present alternative analyses to the committee next week in a bid to keep the proposals intact. The party needs, however, to take two-thirds of the multi-party committee with it before the draft constitution can even see the light of day in the legislature. While the National Party's provincial caucus said this week it agrees with "70 percent" of the IFP proposals, the horse-trading is set to intensify as both sides seek alliances.

The ANC's 26 MPs are superfluous to the required two-thirds assembly vote of 54, but the IFP needs to add all nine NP votes, the two Democratic Party votes, and the one each from the Pan Africanist Congress, Minority Front and African Christian Democratic Party to its 40 votes to win. Contrary to Buthelezi's claims that the IFP's "thin majority" had seen it "at the mercy of minority parties", all but the ANC have historically voted with the IFP. But DP leader Roger Burrows, who was optimistic agreement could be reached in three or four months, warned, "If they bring a constitution to the August session without negotiation, it will not be passed".

NP leader Tino Volker also rejected a rushed process, pointing out that a draft constitution must be published for 14 days after cabinet approval, before a vote. Sources predict a flurry of bilateral negotiations will ensue, but the chances of a two-thirds majority at this stage appear slim. The ANC only needs to woo one minority vote.

PAC MP Joe Mkhwanazi has generally sided with the IFP, but sources say he is under pressure not to give up the ghost of the PAC's centrist policy. If all else fails, the ANC could dangle a carrot of inclusion on their list in a new election. Minority Front leader Amichand Rajbanshi would seem a prime candidate.

Sources say the IFP is determined to call elections if the vote fails, but indications are the move would be a major gamble. The provincial government's poor performance to date will work against it, as will recent scandals over white and Indian MPs.

The ANC says a recent survey gave it just over 60 percent support in urban and peri-urban areas of the province, while IFP support among whites had declined from 28 percent in April 1994 to about 15 percent six weeks ago.

While the IFP, like the ANC, claims it suffered from electoral fraud last year, it would be a major feat for any ruling party to raise its 50.3 percent vote to 66.6 percent in a second election.



"Cultural weapon" . . . a Zulu induna with a pistol tucked into his belt leads his impi into King's Park Stadium in Durban yesterday as tens of thousands of Zulus attended an IFP rally. PICTURE: AP

Buthelezi wants to restore 19th century kingdom

◀ From Page 1

he has the authority to call an *imbizo*

The seven-point covenant is aimed at restoring the 19th century Zulu kingdom through securing greater autonomy for the province and securing "all those powers and functions which in fact can adequately and properly be exercised by an autonomous kingdom"

He called on KwaZulu-Natal residents to back "this new Covenant which gives r... and direction to our... for freedom"

Buthelezi slammed central

Government for reducing KwaZulu-Natal to a mere "administrative centre" by emasculating it of political power.

He urged the province's citizens to unite against the central Government's "oppression" and "dictatorial" actions

"We swear to rise and resist with all democratic and peaceful means any dictatorial actions which encroach on our inalienable God-given freedoms and on our right to self-determination, dedicating our strengths, efforts and resources and committing our life to our just and noble struggle," said Buthelezi.

Referring to the year-old standoff between himself and Zwelithini, Buthelezi said he would try to seek reconciliation, but not at the expense of the Zulu nationalist cause.

In his address, Mdlalose attacked Zwelithini, saying "it has become very difficult to work with His Majesty".

The rally was guarded by 600 policemen and 120 soldiers.

The IFP yesterday also said in a statement that it would lobby for Ramaphosa's call for the ousting of Mdlalose as subject of a snap parliamentary debate.

Speaking at the funeral of slain ANC activist Joseph Ndulu on Saturday, Ramaphosa said there was "no governance" in KwaZulu-Natal and accused the IFP of destabilising the province

The IFP alleged the "declaration of war" by Ramaphosa had already resulted in the burning of homesteads in the KwaShange district on Saturday.

The party also accused Ramaphosa of wanting to subvert the constitution-writing process and said he was dashing chances of parties finding consensus on the final constitution

264 (IFP) (ANC) Star 21/8/95

MEC in 'last-ditch bid' to resolve dispute

Farouk Chothia

DURBAN — KwaZulu-Natal local government MEC Peter Miller said yesterday he would refer all boundary disputes in the province to the special electoral court for a ruling if attempts to find common ground with the demarcation board and the provincial local government committee failed.

Miller said he would make a "last-ditch" attempt to find agreement with the board at a meeting today. A new round of meetings with the committee would start tomorrow.

"If we cannot get concurrence, the whole lot will have to go to the court," Miller said.

There is still no agreement over the outer and inner boundaries of the Durban metropolis.

Outer boundaries of 12 transitional local councils have not been finalised either. Dispute is still raging over where tribal areas should be incorporated into local authorities. Affected towns include Port Shepstone and Empangeni.

Miller is pushing for a province-wide postponement of local government elections, but central govern-

ment has not acquiesced (264)

Constitutional affairs ministry spokesman Izak Retief said Miller's request was being considered, but central government's "underlying philosophy" was that local authorities should be left to make decisions that affected them.

Senior ANC councillors in the Durban transitional metropolitan council broke ranks with the ANC provincial and national leadership this week to agree with the IFP and PAC that provinces should be given the option of having a blanket postponement 00 31/8/95

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Spy row erupts on campus

Farouk Chothia

00 31/8/95

DURBAN — A spy row has erupted at Durban-Westville University with claims that National Intelligence Agency operatives were spotted on the campus, and the office of Combined Staff Association president Prof Dhiru Soni was bugged.

Agency spokesman Willem Theron yesterday refused to confirm or deny that agency operatives had investigated the continuing conflict at the campus.

The association claimed two "apartheid apparatchiks" were seen on campus, claiming "investigations" were being done for the education ministry.

Ministry spokesman Lincoln Mali said the ministry had not initiated any investigation into the university crisis. It was waiting to be briefed by rector Marcus Balintulo before taking action on the "sensitive matter".

After a resolution by the university council, management agreed to call in counter-intelligence experts to do a "sweep" of offices on campus.

This led to a "highly sophisticated monitoring device" found in Soni's office at the weekend.

The university has been racked by conflict since last year with the Students' Representative Council and certain academics at loggerheads with the staff association.

Levy slapped on bills of entry

Business Day Reporter

00 31/8/95

EVERY bill of entry for imports or exports has to now carry a R2 stamp as a training levy for the forwarding and clearing sector of the maritime industry.

The money will go into a trust established by proclamation in the Government Gazette by Labour Minister Tito Mboweni on August 11, to be known as the Maritime Industry Education, Training and Development Trust. Forwarding and Clearing Sector.

The levy became effective on Monday. The stamps are being sold by chambers of commerce in the major cities.

SA Association of Freight Forwarders executive director Alan Cowell said yesterday that the scheme had been widely publicised in the trade press.

Money would be used for all kinds of training in the sector. The plan was to establish courses at institutions such as technikons. If the institution could provide the training required, it would be accredited.

A Cape Town export agent estimated that between 500 and 2 000 bills of entry were used daily at Cape Town Airport alone.

BENGUELA

Abridged Aud for the year

CONSOLIDATED BALANCE SHEET

	Notes	31 May 1995	31 Mar 1995
R 000			
Capital employed			
Ordinary share capital	1	607	
Share premium account	1	74 313	
Non-distributable reserves		9 445	
Accumulated Loss		(5 794)	
Ordinary shareholders' interest		78 571	
Long-term liabilities		215	
		78 786	50 000
Employment of capital			
Fixed assets		5 803	
Investment in joint venture		44 828	
Current assets		30 562	
Stock		974	
Accounts receivable		699	
Cash resources		28 889	
Total assets		81 193	50 000
Less Current liabilities		(2 407)	(1 000)
		78 786	49 000
Net asset value per share - cents		129	100

NOTES:

- 1 On 25 November 1994 15.9 million shares were issued at 200 cents per share to the existing share option holders.
- 2 Sales value of production represents the selling value of all data.

IFP's scuppering of provincial pact 'a bid to force fresh elections'

Farouk Chothia

DURBAN — IFP national leaders yesterday scuppered an agreement reached by their provincial negotiators with other political parties on constitutional principles for KwaZulu-Natal, indicating that they were determined to force a fresh provincial election.

IFP provincial negotiators last week reached broad consensus with other parties, including the ANC, on constitutional principles that diluted the IFP's demands for autonomy in KwaZulu-Natal.

IFP national deputy chairman Sipo Mzimela issued a statement on Monday night rejecting the agreement, but did not tell the party's provincial negotiators, including Arthur Kongkrarmer and Mike Tarr. Mzimela insisted that the IFP's 12 original principles be put to the vote in the provincial legislature, scheduled to sit later this month. The compromise agreement needed to be "worked on extensively" and would not "receive the attention" of IFP policy-making structures until the original principles had been voted on.

IFP national deputy chairman Sipo Mzimela's statement only when it was shown to them by journalists at a provincial constitutional committee meeting of all parties yesterday. Asked by the ANC to explain Mzimela's statement, Kongkrarmer replied "It's got nothing to do with this committee. Statements made by political parties are not the business of this committee."

Tarr called on the committee to continue with its agenda and to leave the statement to be sorted out as an internal IFP matter. "We have been negotiating in good faith up to now and we will continue to do so."

The agreement the provincial negotiators struck reflected a spirit of compromise and laid the basis for the drafting of a constitution acceptable to all parties. Some compromises that probably irked IFP national leaders are:

- The national constitution, not the provincial constitution, would be supreme.
- KwaZulu-Natal would have autonomy to regulate its affairs in relation to local government but "within limits prescribed by or under law".
- There would be a provincial police ser-

vice falling under the control of a provincial minister. This in effect retains the status quo, and

- There was no reference to KwaZulu-Natal having its own militia, judicial system, constitutional court or territorial waters and there was no agreement that the province would be called the kingdom of KwaZulu-Natal.

Provincial negotiators also dropped the demand for "sunrise clauses" listing the powers KwaZulu-Natal wanted accorded, dated, through international mediation, in the final national constitution.

NIMBED by a decade of conflict which has claimed 11 000 lives and unleashed half a million refugees, most South Africans hardly notice the war in KwaZulu-Natal.

Yet it remains SA's most pressing political problem, destabilising the country's most populous province, fuelling a broader culture of violent lawlessness and shaping perceptions abroad. And the signs are that it is getting worse.

Comparing the 1994 and 1995 kill rates, police suggest political violence is coming to heel. In fact, last year's figure was distorted by the pre-election carnage, when more than 500 people died in four weeks. Since then, an average of 75 people have been killed each month.

Death statistics are not the best gauge of conflict other indices point to a marked intensification as the local election approaches, with Inkatha and ANC supporters aggressively consolidating strongholds. The election differs from last year's by posing a direct threat to the local sway of chiefs.

March saw a sudden jump in the number of homes destroyed by fire, particularly on the anarchic south coast. Between April and August, 500 homes were gutted and 4 450 refugees had to turn to the Red Cross for aid.

Ed Tillet of Inkatha, who blames central government moves to pay chiefs, detects a new pattern of attacks on traditional leaders.

The war has opened up on new fronts, or fronts which have been fairly silent some for years. Bulwer blows, with 18 deaths in six weeks. At Ngwelezane, near Empangeni, three murders disrupt the peace painstakingly forged by KwaZulu-Natal's only woman chief. Political fighting breaks out in once quiet hostels in and around Durban.

While ritually deploring the violence, the response of the warring parties has been largely ideological. Determined not to bow to what it sees as Inkatha blackmail and despite the lessons of its own liberation war, the ANC has opted for a unilateral law and order approach. It is a truism, accepted by every-

Party agendas rule as KwaZulu-Natal tragedy deepens

DREW FORREST

(264)
08/9/95

one except, apparently, the ANC, that a political settlement in KwaZulu-Natal is a precondition for peace. Having wailed on its mediation pledge, it cannot insist that Inkatha return to the Constitutional Assembly and is duty-bound to offer another bilateral forum.

At the same time, the Remuneration of Traditional Leaders Act flows from the misconception that Inkatha commands the support of KwaZulu-Natal's chiefs only because it holds the purse-strings — while the hard truth is that it represents their interests. The law can only raise tensions.

Inkatha, for its part, almost exclusively emphasises the political roots of the violence. Despite the virtue of overstretched provincial security forces, it has carped and sniped about central government's Operation Jumbo, under which 5 000 additional policemen and soldiers have been injected into the province to pacify trouble spots.

Inkatha is right to object that there should have been joint planning of Jumbo. But its underlying beef is an ideological one: central state interference in the province.

A lasting solution requires political initiatives, as the policeman in charge of the crackdown, Gen Andre Pruis, stressed last week. But it also

requires security action to restore normal policing. Jumbo seeks to do this. The collapse of the criminal justice system — what Safety and Security Minister Sydney Mufamadi calls a "culture of immunity" — is central to the continuing turmoil in KwaZulu-Natal.

It starts with safety and security MEC Celami Mletwa — accused of supplying arms by Goldstone witnesses, in the De Kock trial and in the Durban trial of three hit-squad members, concluded last week. What sort of role model does Mletwa offer, and why has he been so inert and ineffectual? Why, until his name is cleared, is he not suspended from office?

Also under fire, for his perceived unwillingness to prosecute provincial high-ups, is regional attorney-general Tim McNally. A minor but often-cited example is the failure to act against Home Affairs Minister Mangosuthu Buthelezi and his bodyguard for invading SABC studios last year.

McNally's political independence is crucial and ANC attacks on him are a source of discomfort, but concerns about his judgment have been voiced by the province's most high-powered investigative team, the in-vestigative task unit set up by

Mufamadi last year to probe hit squads. The judge in the Durban death squad trial threatened to approach Justice Minister Dullah Omar if evidence implicating senior Inkatha officials, including Mletwa, was not pursued.

The real problem starts much further down the law enforcement hierarchy, McNally depends on the quality of police investigation, but according to lawyer Richard Lyster, many cases founder on inadequate police work. Human Rights Committee researcher Linda McLean adds that killers well known to rural communities remain at large, often to kill again. "The same names crop up in case after case," she says.

Witnesses disappear or are afraid to come forward, and investigations are complicated by the vastness and inaccessibility of rural killing fields. But there is also strong evidence of collusion between the KwaZulu police, still an independent force, and rural notables involved in violence. Says Lyster: "The prime stumbling block is the close relation between the KwaZulu police and important figures in rural areas — the chiefs and indunas."

Lyster says some rural station commanders openly refuse to act on complaints. Violence monitor Mary de Haas refers to cases where police have ignored calls for help, arrived long after being called or confiscated

licensed arms from victims.

The KwaZulu-Natal homeland's issue under special permit of G3 rifles to chiefs, many before the general election, conveyed the message that they answered to no one but their political principals. Hundreds of heavy weapons are held by people who have not met the requirements of the Arms and Ammunition Act. Not surprisingly, the chiefs insist they will ignore planned legislation recalling their weapons.

Reinforcing the "culture of immunity" is the ease with which murder suspects are granted bail, sometimes because they are community leaders. Lyster cites one Sgozoza Xolo, from the Margate area, granted bail on grounds of his local prominence while facing 11 murder charges, De Haas a Mandim youngster arrested for rape while on bail in a murder case. "The standards here are pathetic," Lyster says. "People are freed in circumstances where it should never be allowed."

Inkatha needs to see that the disarray in the criminal justice system, like its failures in almost every sphere of regional government, undermines its demand for greater provincial powers. How can the ANC entertain its demands for exclusive powers over policing when it cannot exercise those it has?

The integration of the KwaZulu police and the SAPS is a practical necessity: problem policemen must be reassigned from flashpoints and feel their conduct is under scrutiny.

Perhaps the clearest sign that ideology, rather than humanitarian concern, dictates the responses of both parties is their stubborn unwillingness to admit responsibility and call their followers to order. The other side is always the perpetrator, one's own always the victim. Joint peacekeeping initiatives are rare indeed. Peace meetings, like last week's farcical affair, are a platform to demonise the "enemy".

For those who track KwaZulu-Natal's vast human tragedy, it is a source of the deepest frustration. Says McLean, "They have to work together. Central government can only do so much — in the end, a solution must be found here."

Proposals secessionist, says ANC

IFP plans for wide range of powers

(264) (11/9/95)
BD 11/9/95

David Greybe

CAPE TOWN — A hardline IFP draft constitution for KwaZulu-Natal appears to be at the centre of the bitter row between Inkatha's national leadership and moderate provincial constitution negotiators

The document provides for a provincial army, the right to declare provincial states of emergency, an unelected premier and cabinet and a European Union confederal-type relationship with central government

The document is believed to have been drafted by IFP constitutional adviser Mario Ambrosini, and is one of the latest in a series drafted since September last year, but which has not been made public.

ANC secretary-general Cyril Ramaphosa said yesterday the document was "final proof that the IFP is pursuing a secessionist agenda in KwaZulu-Natal".

The proposed constitution seems to go further than the IFP's controversial 20-point plan leaked to the media a few months ago. The ANC, at the time, branded the plan secessionist

The draft constitution states the premier and ministers need not be members of the provincial legislature. The Zulu king would, after consultation with the leaders of the major parties, nominate the premier, "preferably from the ranks of the majority party". The king "is the head of the kingdom". However, "all actions of the king shall be countersigned by the premier and, when appropriate, by the competent minister". If not, they would "lack validity".

The draft constitution is modelled on a "sunrise" approach, allowing for the more

overtly confederal provisions to become effective only when a proper "federal relation" is established between KwaZulu-Natal and SA. It proposes a "sovereign member state" relationship for the "government of the kingdom" with the rest of SA. The territory of KwaZulu-Natal "includes territorial waters"

The province would recognise its obligations to central government and the other provinces only "insofar as they do not infringe upon the rights, powers and liberties" guaranteed by the provincial constitution. Central government powers "inconsistent" with the provincial constitution would not apply in KwaZulu-Natal.

"The kingdom's parliament may legislate on any matter which is reasonably necessary for or incidental to effective government," it says.

"Exclusive competences" highlighted include provincial police, local government and the public service. Central government could levy taxes and impose duties only on the advice and with the consent of the province. The document demands that "all tangible and intangible properties and assets of the republic" in KwaZulu-Natal be transferred to the province.

Under "defence obligations", it specifies that "all citizens have the duty to defend the territory of the kingdom from any external enemy". Citizens of the province could participate in a national army, but "only on a voluntary basis".

At the same time, "armed forces of the republic" would be allowed into the province only "in consultation with the

Continued on Page 2

IFP (11/9/95) BD 11/9/95

Continued from Page 1

government of the kingdom"

The draft constitution calls for the formation of a provincial army to be known as "volunteer reserve forces". Supreme command would vest in a council headed by the premier. It allows for the proclamation of a provincial state of emergency "where the security of the kingdom is threatened by general insurrection or disorder or at a time of national disaster, and if the declaration is necessary to restore peace or order".

Ramaphosa said the document was separatist, unconstitutional, undemocratic and confederal, and internationalised the relationship between the province and central government. "The ANC will not allow the IFP to continue to hoodwink people

about their real intentions," he said.

The ANC planned to enlist the support of other parties in the provincial legislature "to stop the IFP in its tracks" by denying it the necessary two-thirds majority for the adoption of the draft constitution.

Ramaphosa singled out IFP leader and Home Affairs Minister Mangosuthu Buthelezi, Correctional Services Minister Sipo Mzimela and Ambrosini for criticism.

He accused them of trying to scupper efforts by moderate IFP provincial negotiators such as premier Frank Mdlalose, Arthur Konigkramer and Mike Tarr to negotiate a constitution with other parties.

□ Sources said senior IFP leaders met in Ulundi on Saturday to discuss the constitution-making process but Tarr and Konigkramer — the main negotiators — were not present.

New funding formula will give more to Gauteng, KwaZulu-Natal

Tim Cohen

CAPE TOWN — The Financial and Fiscal Commission has presented its provincial funding formula, increasing Gauteng's share from the national fiscus and giving all three Cape provinces proportionately less, while national government remains the major beneficiary.

After more than a year's work, commissioners have decided that provincial funding should be on a per capita basis, but that an extra weighting would be given to rural people and those requiring education and

medical care.

They said at the weekend that in 2000, Western Cape should get about 7,9% of the total provincial budget compared with its current 11,3% share. Eastern Cape would get 15,5% (17,6%); Northern Cape 1,6% (2,4%); KwaZulu-Natal 21,2% (20%); North-west 8,5% (8,3%); Gauteng 18,6% (14,9%), Mpumalanga 6,5% (5,8%), Northern Province 13% (12,6%) and Free State 7% (unchanged). Care was taken by the commission to ensure that no province's budget fell more than 4% in real terms in a year. The commissioners assumed that all in-

come growth over the five-year period would be granted to the provinces, but that national government would remain the dominant partner at the end of the period.

The current national-provincial split is R86,5bn to R66,7bn. By the end of the five-year phasing-in period the gap would be decreased. Assuming a 2,5% growth rate and making provision for a decrease in the budget deficit, the national government's portion would be static in real terms. Provincial government revenue would increase to R79,3bn. Presenting the recommendations, com-

mission chairman Murphy Morse said the division was based on the constitutional allocation of functions which stipulated that delivery of major services was the responsibility of lower-tier governments. The commission recognised that all tiers of government had commitments which had to be honoured in the short term.

The commission indicated that apart from the weighting in favour of pupils, rural residents and for health care needs, the formula would also take into account a "tax capacity equalisation grant" that encouraged provinces to raise their own tax-

Funding

Continued from Page 1

Government top-up

Despite the importance the commission attached to this element of the formula, it could not be introduced because it had to be done in conjunction with the granting of powers to provinces to levy their own taxes. The introduction of provincial taxes could affect the total tax burden, so this element of the formula would have to be introduced simultaneously with the granting of provincial taxation powers and recommendations on the level of provincial and national taxation.

Commission deputy chairman Antony Melek said he hoped this element of the formula would be included before the commission reviewed the figures in 1997.

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The commission excluded compensation for provinces with large infrastructural backlogs, saying the backlogs fell largely within the ambit of the reconstruction and development programme fund.

It said no province should be allowed to make "special pleas" to overcome regional difficulties as this would undermine the new revenue-sharing system's credibility. Morobe said the recommendations were being released in time for Budget discussions, which were to begin next month.

Western Cape finance minister Kobus Meuring said the proposals were impractical. A 3% decrease in the province's budget would require large-scale retrenchments and termination of certain services. The scaling down should take place over a decade, he said.

This would be done by supplementing the revenue of provinces that wished to raise their own revenue but could not because of limited tax bases.

The first function of the grant would be to fill the gap between what a province would have raised if it had national taxing capacity and what it actually raised. The second function would be to encourage provinces to raise their own revenues because if they did not do so they would forfeit the revenue raised and the national

PD 11/9/95

Continued on Page 2

Natal

IFP negotiator defies hard-liners

Farouk Chothia

~~(175)~~ (264) BD 13/9/95

DURBAN — IFP provincial negotiator Mike Tarr yesterday stepped up his defiance of national hard-liners by agreeing to a second workshop to hammer out differences with opposition parties on a constitution for KwaZulu-Natal.

This was despite IFP hard-liner Walter Felgate's attempt to scupper an earlier workshop, and IFP national deputy chairman Sipo Mzimela torpedoed the agreement reached there by saying it would not "receive the attention" of IFP policy making structures until the IFP's original 12 constitutional principles were voted on in the KwaZulu-Natal legislature.

Minority Front leader Amichand Rajbansi suggested at a constitution-

al affairs standing committee meeting that a second workshop be held as "excellent progress" had been made at the first.

Tarr said he supported the proposal and the IFP would continue negotiating in good faith.

ANC negotiator Mike Sutcliffe accused Mzimela and IFP constitutional advisor Mario Ambrosini of being bent on imposing a fascist dictatorship in KwaZulu-Natal.

DP KwaZulu-Natal leader Roger Burrows said IFP hard-liners could be stopped if opposition parties voted against any motion to dissolve the legislature when it sits next month. This would cause a tie, and the IFP speaker would have to side with the opposition as he is compelled to vote in favour of retaining the status quo.

Cape nurses demand 50% increase in salary

~~(175)~~ (152) BD 13/9/95

Kathryn Strachan

ABOUT 300 nurses from Western Cape hospitals marched on Parliament yesterday to demand a 50% salary increase and an apology from President Nelson Mandela for "insults" to nurses.

Sapa reports national health director-general Olive Shisana gave them a written response from Health Minister Nkosazana Zuma, who asked that they send "mandated representatives" to a meeting of the National Health Consultative Forum in Gauteng on September 18.

Sister Monica Siyolo from Khayelitsha, who read out the memorandum, was greeted with shouts of "viva" when she described the 5% increase offered to nurses as an insult. Their demands included a 50% increase and apologies from Mandela and Zuma for "insults directed at the nursing profession".

They also demanded public holiday and weekend overtime allowances and that there be no victimisation of nurses on strike in other provinces. Nurses rejected proposals from Western Cape Health MEC Ebrahim Rassool, who had referred them to the Central Bargaining Council.

"We are not fully represented by anybody, therefore the existing bodies cannot contend that they represent us," said nursing spokesman Raymond Jaftha. He said the demonstration was

not a strike, but a protest march, and that nurses would return to work when the memorandum was handed over.

The consultative forum was set up by the health ministry last week to seek solutions for nurses' low pay and bad working conditions.

Nurses at the GaRankuwa Hospital, north of Pretoria, were on a go-slow yesterday. They returned to work on Monday after a week-long strike which affected several Gauteng hospitals. The nurses and management had agreed to treat emergency cases only until Monday's meeting, when the problems would be discussed.

Meanwhile, the nurses' strike in the Free State spread from Pelonomi Hospital in Bloemfontein to Oranje Hospital yesterday.

Pelonomi spokesman Elke Grobler said Free State premier Patrick Lekota and MEC for Health Senorita Nhlabati addressed a huge congregation of nurses yesterday, appealing to them to return to work.

Hospital management and nurses representatives spent most of the afternoon in negotiations.

Nurses were given until 10am today to return to work, after which they would have to submit written reasons for their absence.

In KwaZulu-Natal striking nurses at the Benedictine Hospital are demanding a 33% salary increase.

Mdlalose poised to quit as Natal premier

OWN CORRESPONDENT

(264) (4/13)

CT 13/9/95

DURBAN: kwaZulu/Natal Premier Dr Frank Mdlalose is finding his situation untenable and recently offered his resignation as Inkatha national chairman. It is believed he may resign as premier.

According to sources, Dr Mdlalose had tabled his resignation at a joint provincial/national caucus meeting some weeks ago but was persuaded to remain on by Chief Mangosuthu Buthelezi.

Dr Mdlalose, a moderate, supports the provincial caucus view to negotiate the constitution with all political parties.

At a weekend meeting of the party's constitutional and legislative affairs committee, the committee voted against further negotiation.

Observers believe the crunch may come this weekend at the party's national council meeting. If the leadership fails to provide leeway to the province, Dr Mdlalose may resign as premier.

Ramaphosa takes on IFP

David Greybe

264 (1985)
BD 14/9/95
CAPE TOWN — ANC secretary-general, Cyril Ramaphosa, yesterday accepted an IFP challenge to back his claim that an unpublished IFP draft constitution for KwaZulu-Natal was secessionist.

Details of the document were published this week, prompting accusations by Ramaphosa that it was proof of the IFP's secessionist agenda in KwaZulu-Natal.

Ramaphosa said his party would soon release a detailed analysis of the document by senior ANC constitutional negotiators which proved the IFP's secessionist aims.

Ramaphosa also described the document as unconstitutional and undemocratic.

The IFP charged that Ramaphosa's claims were "either the product of ignorance or bad faith motivated by the desire to gain acceptance for the centralist and autocratic constitution being drafted by his Constitutional Assembly".

Kwazulu stands to lose R30-m funding

BY JOVIAL RANTAO
POLITICAL REPORTER

A head-on clash between the Department of Public Works and Kwazulu-Natal MEC for Public Works Sengele Mhlungu over non-delivery of community projects which can produce thousands of jobs, seems imminent

Confidential documents in the Star's possession reveal that DPW Director-General Sifiso Shezi wrote to Mhlungu on August 28 expressing un-

happiness about Kwazulu-Natal's tardiness in implementing the Community-based Public Works Programme (CBPWP)

In a tough-worded letter, Shezi informed Mhlungu that his lack of progress in appointing a task team to coordinate the implementation of the programme, would force him to review the decision to implement the CBPWP via the Public Works department in Kwazulu-Natal

Once implemented the pro-

gramme with its labour-intensive requirements, is expected to create thousands of jobs for Kwazulu-Natal communities.

Shezi has given Mhlungu until tomorrow before he takes action

The Star understands that one of the actions being considered is the withdrawal of R30-million in public works funding which was earmarked for Kwazulu-Natal

In his letter to Mhlungu, Shezi said he had communicated to the Kwazulu-Natal

MEC the importance of getting the programme off the ground

He also mentions his frustrations about trying to meet Mhlungu to discuss the visible lack of progress in the province.

He said that, as an accountable officer for the CBPWP, he needed to ensure that responsible and appropriate decisions were taken to implement the programme.

"The CBPWP is premised on short-term, fast-track delivery, and therefore it will be

totally irresponsible of me to allow the process of putting into place the necessary institutional mechanisms to be protracted beyond this point

"Equally, I also think that it will be unethical for me not to begin to consider other alternative methods of delivery, if the provincial DPW is presently struggling to pull itself together to implement this national initiative," Shezi said

The Star attempted to get Mhlungu's comments, but without success

Disclosed under the Access to Information Act

Mdlalose slams criticism of KwaZulu Natal's RDP record

CT 15/9/95

BY SIMON ZWANE

STAFF WRITER

The monotonous song of "nothing is happening in KwaZulu Natal" was out of tune, KwaZulu Natal Premier Frank Mdlalose said yesterday in launching the new Mahogany Ridge 2 industrial park in Pinetown.

The project, undertaken by Afroprop, represented an injection of about R750 million into the local economy and was expected to generate about 1 000 jobs

Less formal housing for 20 000 inhabitants was also being developed by the Western Council in the vicinity of the industrial park

The industrial park, the final extension to Westmead township, consists of 71ha of industrial sites ranging in size from 1 500m² to 68 000m²

Welcoming the project as a healthy injection into the economic development of the region, Mdlalose launched an attack against those who criticised the province for failing to deliver on the RDP

He said this criticism was made

by people who had nothing positive to say about KwaZulu Natal

"The major part of their contribution lies in talk and nothing but talk. Ideological waffle will not deliver the goods and services required for the development of this country"

He said the project was a living witness to the economic growth taking place in the province

Mdlalose called on commerce and industry to make themselves relevant to the ideal of affirmative action and black empowerment

"This must be a visible reality. Affirmative action does not mean bettering a few individuals, but unlocking the vast reserves of human potential at all levels"

Black empowerment seemed to have acquired a restricted practical application

"Only a few blacks occupy very high managerial positions — then there is a vacuum in the lower rungs

"It is time this void is filled by exploring the practicalities of employee-share ownership schemes, enabling black empowerment from the bottom," he said

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IFP constitution envisages a provincial army

(264) Wm 15-21/9/95

Marion Edmunds and Ann Eveleth

THE recently released hardline Inkatha Freedom Party constitution calls for a provincial army, exclusive provincial policing powers and the right to refuse intervention in the province by the South African National Defence Force. It also claims exclusive powers over all constitutional, legislative, judicial, and financial matters and paves the way for an unelected provincial government.

The IFP draft says neither the provincial premier nor other members of the provincial cabinet need come from the elected parliament. The Zulu King is mandated, in consultation with the leaders of majority parties, to choose the premier, who is then empowered to form a cabinet at his discretion. The provincial parliament is then mandated to cast a vote of confidence or no confidence in the cabinet within 10 days.

The African National Congress analysis argues this feature "produces an autocratic monarchist government which is not really responsible to the parliament and to the people".

The ANC has slammed the IFP constitution in an internal paper — prepared for the party leadership but leaked to the *Mail & Guardian* this week — which claims that the IFP proposal "is a document of secession written under the supposition of and in preparation for secession".

The ANC said of the IFP security provisions for a Volunteer Reserve Force and exclusive provincial policing powers: "There is no federation in the whole world which allows its inherent state to maintain its own army".

The release of the IFP constitution comes amid a growing rift between IFP provincial "moderates" and national hardliners over the multi-party constitutional negotiations in progress in the province.

Provincial negotiators this week defied moves by national negotiator and IFP deputy national chairman Sipo Mzimela, and constitutional advisor Mario Ambrosini, to quash the multi-party process and force a parliamentary vote on a set of hardline principles which would surely have set the province on course for fresh elections. Mzimela last week rejected a com-

promise document drafted by all parties, but provincial negotiators this week pushed ahead with multi-party talks in the constitutional committee.

But provincial negotiators claimed last week that Mzimela's hardline position had "nothing to do" with their efforts to secure a negotiated compromise with other parties including the ANC in the province.

Observers argue that the seismic rift in the IFP casts doubts on attempts to democratise party structures over the past year, while the heavy-handed interference of national leaders in the provincial process casts aspersions on the party's claims of federalism.

Ironically, a party whose claims to internal democracy are in dispute, is promoting a constitution that provides for the government of the "kingdom" to intervene in the internal affairs of political parties and trade unions whose structures are deemed undemocratic.

The constitution also says: "The kingdom of KwaZulu-Natal is a sovereign member state of the Republic of South Africa."

The ANC's rejoinder is that "the notion of a 'member state' is only used within an international context."

For example, the European states forming the European Union are called 'member states' in the Treaty of the European Community.

The ANC also criticises the IFP claim for "a priority of the provincial constitution over the (national) constitution", saying "the only similar rules are to be found in the separatist constitution of Tartarstan".

The ANC argues these clauses "could only be accepted after a secession of KwaZulu-Natal. No federal state (anywhere in the world) can — except in danger of its own dissolution — permit that the legitimacy of its national actions would finally be controlled by the constitutions of its provinces or revised by their constitutional courts. The intention clearly is in the direction of secession".

The IFP constitution also makes several declarations regarding the superiority of provincial laws over national laws. The ANC argues this claim for the "sovereignty of parliament implies that the Republic of South Africa should only be a composed entity (not a state) consisting of sovereign provinces with all the attributes of a national state".



Building the RDP: German chancellor Helmut Kohl visits the Funda Careers Centre, a recipient of German funding, in Soweto this week

PHOTOGRAPH HENNER FRANKENFELD

'Consider federal option' — Kohl

AS German chancellor I do not have any intention of interfering in the internal affairs of this country," said Helmut Kohl in Johannesburg this week.

On the first visit to South Africa by a German chancellor, Kohl was at pains to avoid political controversy, concentrating on trade and economic co-operation between the two countries.

But, during a 30-minute meeting with President Nelson Mandela, he urged him to consider a more federal constitution for South Africa. A long-standing friend of Chief Mangosuthu Buthezi, Kohl's advice to the president was seen as supportive of the IFP's demands for greater autonomy in KwaZulu-Natal.

President Mandela reacted diplomatically to the chancellor's advice, saying a high-level delegation would be sent to Germany to examine its

federal system of government. "They will give us a report and we will examine it," he said. "If further conferment of power to provinces will bring about peace and stability we are prepared to consider that."

At a subsequent press conference in Johannesburg, the *Mail & Guardian* asked Chancellor Kohl for details of German funding of the IFP through the Konrad Adenauer Foundation. He failed to answer the question.

Instead, he made his broad statement of non-interference. He also disclosed that, in a meeting with the IFP leader, he had told the chief "that this was not the time to stand apart, but that one should try to stand together and work together".

The chancellor added: "As regards the foundations — the Konrad Adenauer Foundation for one — I think they will also work together with all the forces in this country."

Pay row over IFP 'army'

264 (17) ST 17/9/95

By CYRIL MADLALA
THE IFP-led Kwazulu Natal government has secretly used taxpayers' money to pay salaries to members of the controversial self-protection units

More than R5m routed to militias

Millions of rands have been channelled through a bank in Ulundi to pay over 5 000 recruits R1 000 a month over a period of seven months — from September last year to March this year

Dr Frank Mdlalose, the Kwazulu Natal Premier, told the province's parliament in May that the money had come from "the people", but the matter is now in the hands of Auditor General Henri Kluever

A senior official in the province's Department of Finance said the donations to a self protection unit fund had run out. Recruits had then received salaries from the government, he said.

More than R5-million in government cheques was paid to Muzi Lombo, a driver in Dr Mdlalose's department, to pay the militiamen Mr Lombo, a former Umkhonto weSizwe member, has failed to account for more than R500 000, according to the official

Asked yesterday why he had said the self-defence

unit members were paid from donations, Dr Mdlalose said he needed to talk to his government officials before responding

The units were formed in 1993 following a call by IFP leader Chief Mangosuthu Buthelezi for Zulus to donate R5 each to establish a fund, Umfelandawonye, to help communities protect themselves

The former Kwazulu government's finance department administered a trust account for the fund, and continued to do so after the Kwazulu and the Natal Provincial Administration budgets were amalgamated

But sources in the department said less than R500 000 had been raised by contributions by the time angry self-protection unit recruits blockaded the government building in Ulundi last year, demanding to be appointed policemen and to be paid

One group was paid R90 000 on September 15, but as word of the payments spread, more recruits arrived, and the fund

was exhausted within three days

The provincial government then dipped into taxpayer's money, issuing 10 cheques totalling R5,517-million in the name of the Kwazulu Commissioner of Police.

Mr Lombo cashed amounts ranging from R207 000 to R1,496 million.

The last cheque, for R510 000, was issued in March

Unit members disrupted the provincial parliament in May to demand more money

ANC representative Nhlanhla Ngidi challenged Dr Mdlalose in parliament about the source of the funding

"We hear talk of several millions of rands (being) paid to the SPUs and we have no knowledge where this money came from," Mr Ngidi said

Mr Mdlalose replied that "these children or boys, or whoever, in the SPUs" had come from donations, and not "the budget that came from Pretoria"

But this week, the Sunday Times confronted the department of finance in Ulundi with cheque numbers, voucher numbers, cheque dates and the amounts authorised for payment to the units from taxpayers' money

Dr Mdlalose's spokesman, Thembinkosi Memela, said Mr Lombo had been given various clerical tasks in addition to his driving duties

Mr Lombo was a member of the IFP before joining the ANC in Botswana in 1986. The ANC alleged he was an agent of the SA intelligence service, and detained him in Zambia, Angola and Uganda before releasing him in July 1991

The IFP denies that self-protection units fall under its auspices.



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KwaZulu clash looms after chairman ousted

(264) Jan 18/9/95

KwaZulu-Natal political parties are set to clash at tomorrow's provincial constitutional committee meeting over the IFP's removal of IFP moderate Arthur Koningkramer as committee chairman.

He was stripped of the position at the IFP national council meeting at the weekend and replaced by IFP MPL Mike Tarr. Koningkramer has been under pressure from hardliners in IFP ranks and there has

been speculation that he was the target of IFP leader and Home Affairs Minister Mangosuthu Buthelezi's attacks on "white racists" in the party.

He is the first victim of a bitter battle between IFP hardliners and moderates over the drafting of the provincial constitution.

The ANC called the replacement an attack on the provincial constitutional committee - Political Reporter.

ANC accuses IFP of misusing state funds

By Mathatha Tsedu
Political Editor

~~(264)~~ (264) Sowetan
18/9/95
Money used secretly to fund a political army, claims spokesman

THE AFRICAN NATIONAL Congress in KwaZulu-Natal has called on the auditor-general to investigate the use of over R5,5 million in state funds to pay Self-defence Units of the Inkatha Freedom Party

ANC spokesman Mr Dumisani Makhaye said yesterday the revelation at the weekend that the money had been used to secretly fund a political army showed the bankruptcy of the IFP, "both financially and ideologically"

He said the money must be refunded by those who authorised its expenditure and said criminal charges should be laid against such people

Makhaye said the auditor-general should also investigate "whether there are other funds that are being misappropriated by the KZN government

The investigation must go back to the day of the KwaZulu bantustan," he said

Makhaye was responding to revelations that the R5,5 million had been paid to SPU members between September last year and March this year

Mdlalose embarrassed

The money was paid through a driver of premier Dr Frank Mdlalose, Mr Muzi Lombu, who has reportedly been unable to account for over R500 000

The disclosure has placed Mdlalose in a predicament as he had earlier this year said the SPUs were paid from donations by ordinary people

The *Sunday Times* said yesterday R300 000 had been raised this way

The rest was paid from state coffers

Mdlalose was unavailable for comment yesterday but he is reportedly consulting with his officials

Meanwhile, Makhaye yesterday lambasted an unnamed member of the Congress of Traditional Leaders based in the Eastern Cape, who is also an ANC Member of Parliament

He said the man attended a meeting of pro-IFP traditional leaders in Durban on Saturday, where, according to Makhaye, plans to destabilise the local government were hatched

The description fits Contralesa president Mr Patekile Holomisa, who has been complaining about the effects of local government elections on chiefs

IFP seeks talks on its 12 principles

Farouk Chothia

BD 18/9/95

(264)

DURBAN — The IFP would seek top-level negotiations with opposition parties in a bid to win support for its original 12 constitutional principles in the run-up to a sitting of the KwaZulu-Natal legislature on October 3, IFP hardliner Walter Felgate said yesterday

Felgate said the IFP national council, which met on Saturday, had formed a management team, of which he would be chairman, to do background work on constitutional issues.

IFP national chairman and KwaZulu-Natal premier Frank Mdlalose confirmed Press reports that the council decided to replace Arthur Kongkramer as chairman of the legislature's constitutional affairs committee with Mike Tarr.

Kongkramer took the most flak for striking a compromise with opposition parties, a source said. The council "censured" him for allegedly departing from the mandate given to negotiators.

Felgate said if the IFP deviated from original principles, "we'll never get the autonomy we are looking for"

Committee plans to transform Durban

Nicola Jenvey

DURBAN — Transforming Durban into SA's economic hub operating as a prime tourism destination in southern Africa was the main goal laid down by the metropolitan central council economic develop-

BD 18/9/95 (264) (268)

ment committee at the weekend

In a bid to develop a starting point from which to evaluate the worth of future projects, the committee elected that its work be dedicated to motivating "a good quality of life for all Durban citizens in a clean, safe and secure environment"

Meeting these goals would include ensuring full employment "at a living wage", promoting a cross-section of employment opportunities, improving the infrastructure between the city centre and outlying areas, and balancing development of large, medium, small and microenterprise businesses.

"The city's economic development committee needs a clear direction when selecting worthwhile projects to ensure an equitable distribution that promotes economic development throughout the region," councillor Gill Fourie said

Future projects would take into consideration primarily the effects on job creation, small, medium and microenterprise development and the infrastructural and service impact on rural areas.

Local authorities should promote labour-intensive projects that preferably linked employment creation to housing development

The national public works programme would also be used to create jobs

As part of promoting small, medium and microenterprise development, at least 50% of city tenders would be awarded to businesses owned by people "from disadvantaged areas"

Tenders should favour joint ventures between established and emerging businesses

The committee would concentrate on developing the infrastructure and services in outlying areas.

ANC calls for resignation of Mdlalose and Mhlungu

(264) (AB) ARG BD 18/9/95
Farouk Chothia

DURBAN — The ANC yesterday demanded the immediate resignation of KwaZulu-Natal premier Frank Mdlalose and finance MEC Senzele Mhlungu in the wake of reports that R5,517m of taxpayers' money was used to pay the salaries of IFP-aligned self-protection unit members.

The DP said the culprits would have to be made "accountable" if the reports were true.

ANC KwaZulu-Natal spokesman Dumisani Makhaye, chairman of the provincial legislature's finance standing committee, said "Heads must roll. Mhlungu is the political head of the finance department, and Mdlalose is the political head of the premier's department. The buck stops with them."

Reacting, Mdlalose said the ANC's call was "stupid" and "sentence" could not be passed before an investigation was conducted. He would meet top officials of his department today to look

into the matter "very, very closely".

The Sunday Times reported that the provincial government issued 10 cheques, in the name of the KwaZulu police commissioner, to pay R5,517m to disgruntled unit members.

The cheques were issued from September 1994 to March this year. A driver in Mdlalose's department, Muzi Lombo, cashed amounts ranging from R207 000 to R1,496m.

The report said millions of rands had been channelled through a bank in Ulundi to pay more than 5 000 recruits R1 000 a month over seven months.

In reply to questioning from the ANC in the legislature in May, Mdlalose said "These children or boys, or whoever in the units" were paid from donations and not the "budget that came from Pretoria".

Makhaye said Mdlalose had misled the legislature Ministers, "even during the apartheid years", had been

Continued on Page 2

ANC call

(264) (AB) ARG BD 18/9/95
Continued from Page 1

forced to resign over such behaviour.

The ANC provincial executive committee would consider whether to introduce a motion of no confidence against Mdlalose and Mhlungu at the October 3 legislature sitting.

Makhaye said the unauthorised expenditure was a criminal offence and legal action had to be instituted

against the alleged criminals. He said: "The auditor-general must immediately investigate the books."

Makhaye said the province's Public Accounts Committee, which would ensure funds were not misspent, had still not been established as the IFP does not have a "culture of accountability".

DP KwaZulu-Natal finance spokesman Wessel Nel said that he doubted that Mdlalose would have been aware of the alleged scam, but it would, however, have had to involve either MECs or senior IFP officials.

Mdlalose probes funds charge

CT 19/9/95
DURBAN: KwaZulu/Natal Premier Dr Frank Mdlalose yesterday launched an internal investigation into reports that R65 million of state funds was used to pay Inkatha-aligned members of the Self-Protection Unit, his spokesman said.
The results of the internal probe might be put to Dr Mdlalose as soon as today, the spokesman said.
The ANC slammed the

(#) (264)

investigation as a 'cover up' and called for the auditor-general to probe the provincial government's financial affairs 'including the former kwaZulu bantustan'.
The ANC said in a weekend statement that Dr Mdlalose had 'misled' parliament when he said members of the SPU were paid by 'donations' from communities. For this he should resign, it said. — Reuters

Taxpayers' money not used — premier

Farouk Chothia

(264) (FB)
BD 20/9/95

DURBAN — KwaZulu-Natal premier Frank Mdlalose yesterday denied that R5,517m of taxpayers' money was used to pay IFP-aligned self-protection units between September 1994 and March this year.

But he admitted unit members had been paid from a government suspense account after being recruited as special constables into the KwaZulu Police. Certain members had not been selected for incorporation into the SA Police Service and SA National Defence Force and had put pressure on the province, claiming discrimination.

Mdlalose said the public had donated R300 000 to a trust account, after former KwaZulu chief minister Mangosuthu Buthelezi had called for the formation of the units in 1993. The finance department had been instructed to make a one-off payment of R1 000 to unit members from the trust account.

Mdlalose said he was referring to this group when he told the KwaZulu-

Continued on Page 2

Mdlalose

Continued from Page 1

(264) (FB)
BD 20/9/95

Natal legislature in May that unit members were paid from community donations and not the government budget. "I want to reiterate that no taxpayers' money was used to pay" unit members, Mdlalose said.

The Sunday Times reported the KwaZulu-Natal government issued 10 provincial cheques, in the name of the KwaZulu Police commissioner, to pay R5,517m to unit members.

Mdlalose said the special constables not integrated into the SAPS or SANDF had demanded a maintenance allowance, and there was "so much pressure from this group which felt discriminated against that a decision was taken to open a suspense account to pay (them)". Mdlalose said Lt-Col Hilderbrand, believed to be SAPS re-

cruting officer Lt-Col Stan Hilderbrand, had informed the Pretoria head office of this matter on September 9 1994. It was normal for the provincial finance department to communicate with central government's treasury on issues where expenditure was unforeseen and unavoidable.

On ANC calls that the auditor-general conduct a probe, Mdlalose said the auditor-general had access to the provincial government's books and did not need orders from political parties.

ANC spokesman Dumsani Makhaye said Mdlalose still had to explain Lombo's role in the scandal and where he was now; which trust account Mdlalose was referring to and how many unit members were paid from it; who took the decision to open the suspense account and how much had been paid from it; and the identity of the "so-called" special constables who had not been integrated into the SAPS and SANDF.

Department 'doesn't have capacity to deliver'

Funding battle in KwaZulu

(264) Star 20/9/95

■ BY JOVIAL RANTAO
POLITICAL REPORTER

The Department of Public Works (DPW) is expected to ignite a political clash between the ANC and the Inkatha Freedom Party today by removing from the control of KwaZulu-Natal Public Works MEC Senzele Mhlungu R36,3-million in funding for community projects

As he spoke to The Star yesterday, DPW director-general Siphiso Shezi was writing an official letter to Mhlungu informing him of the decision, which has been endorsed by Public Works Minister Jeff Radebe

Shezi stressed that the funds would not be removed from KwaZulu-Natal but were being transferred to other groups within the

ANC and IFP set to tangle over decision to remove funds from MEC's control

province because Mhlungu's department could not deliver projects which could have yielded thousands of jobs and provided skills.

"We're taking the money because they do not have the capacity to deliver. We're currently looking for other alternative means to deliver the projects. We'll consider our regional office, tertiary institutions and non-governmental organisations who have shown interest in getting involved," Shezi said.

He said he had given Mhlungu

since September last year to institute mechanisms which would facilitate delivery.

The Star understands that the public works project is being deliberately stalled by the IFP-led provincial government because "it is seen as an ANC programme and its success will be the success of the ANC, not the IFP"

The sources said senior officials in the KwaZulu-Natal DPW who have been trying to get the Community-based Public Works Programme off the ground were gradually being sidelined and would be removed.

Shezi's move is likely to raise the ire of the IFP, which is expected to view it as interference.

The public works dispute dates back a year, when the DPW allocated KwaZulu-Natal the big-

gest slice of money for the Community-based Public Works Programme. Soon afterwards there were problems which led to the delay of funds to the province.

"We could not release the funds without a business plan from the province. When we discovered that they could not draw one up, we sent a team from our office to help.

"The plan was submitted and the funds released. Almost 12 months later there isn't a single project off the ground. This is not a satisfactory state of affairs," Shezi said.

Mhlungu's private secretary, Eric Ngubane, told The Star they had not received Shezi's letter. He said the developments would be discussed at a proposed meeting on Friday, requested by Mhlungu.

IFP were paid, says Mdlalose

~~(264)~~ (264)

KwaZulu-Natal Premier Dr Frank Mdlalose admitted yesterday that his government had paid members of the IFP-aligned self-protection units, but said they were police reservists awaiting integration into the police.

In his first response to allegations that the IFP-led provincial government had spent R5,5-million of taxpayers' money on the units, Mdlalose said the SAPS head office had been informed of the matter last September -

Political Reporter.

STW 20/9/95

Move to up councillors' (264) pay opposed

ARL 20/9/95
DURBAN. — More coaches could soon be shunted onto the Durban council gravy train

The Inkatha Freedom Party on the central council and its National Party allies have launched a campaign to have the monthly pay of senior office bearers upped by R2 430

Acting against the advice of IFP local government minister Peter Miller, local party members have prepared a letter to town clerk Eddie Morton in which they state that the IFP, NP and African National Congress support the pay rise because of a much-increased workload

"Executive committee members and mayors are facing a virtual full-time commitment," said the letter bearing the name of IFP councillor Chris Edmunds

"It is therefore a unanimous decision of all members of the executive committee, with the exception of Councillor Margaret Moore (Democratic Party) to apply for a R2 430 monthly increase across the board."

At the bottom of the letter are three lines with space for the signatures of ANC, IFP and NP representatives.

The campaign had a serious blow on Monday when the ANC caucus met and refused to sign the letter. ANC exco member Trevor Bonhomme said his caucus turned it down flat after only five minutes' debate

"There was no way we could go for this," said Mr Bonhomme. "While it's true that the workloads of some councillors are very heavy, others don't work nearly as hard. In any case, the law allows us only one pay increase a year"

The letter also went against the principle accepted by all parties that office bearers earned no more than twice what ordinary councillors earned. Non-office bearers earned R3 000 a month and exco members R5 000

Mr Miller said he had warned councillors that attempts to have their allowances increased was "one of the more foolish things they could do," with the upcoming municipal elections.

"But I don't want to prejudge the issue. I will consider the request on its merits if it comes before me"

IFP protection units in payments probe

(116) (264) ARG 20/9/95

The Argus Correspondent

DURBAN.— Staff in the office of KwaZulu-Natal Premier Frank Mdlalose are conducting an investigation into allegations that more than R5 million in provincial funds was paid to members of the IFP's special protection units.

Spokesman Thembinkosi Memela said Dr Mdlalose would not comment on the allegations until the probe was over

Officials yesterday continued inspecting the provincial government's financial records, he said, and there was no indication of when the task would be completed

Claims that taxpayers had funded the payment of SPU members were made in a report published in a Sunday newspaper. The paper said it had secured financial records to support the claim.

ANC, IFP may clash over R36m

ET 20/9/95 (264) (FFS)

SPECIAL CORRESPONDENT

JOHANNESBURG The Department of Public Works is expected to ignite a political clash between the ANC and IFP today by removing from the control of kwaZulu/Natal Public Works Minister Mr Senzélé Mhlungu

R36,3 million for community projects

The department's director-general, Mr Siphon Shezi, said yesterday the money was not being removed from the province, but transferred because Mr Mhlungu's department could not deliver projects which could have yielded thousands of jobs and developed skills

SPUs 'were paid out of police fund'

DURBAN: kwaZulu/Natal's Premier Dr Frank Mdlalose has denied his government used taxpayers' money to fund Inkatha Freedom Party self-protection units.

In a statement yesterday, he said taxpayers' money had been used only to pay special constables recruited from SPUs and the central government had been notified of these payments in June last year.

He said certain members of the SPUs were selected to supplement the kwaZulu Police. They were paid out of the kwaZulu Police budget.

~~(10)~~ (10) (264)
Pressure

CT 20/9/95
Later, special constables not chosen for integration into the amalgamated South African Police Service had demanded a maintenance allowance.

"There was so much pressure from this group, which felt discriminated against, that a decision was taken to open a suspense account to pay these special constables," Dr Mdlalose said.

The national treasury was notified, according to normal procedure when expenditure was unforeseen and unavoidable, he said.

"I want to reiterate that no taxpayers' money was used to pay SPUs" — Sapa

We didn't misuse taxpayers' funds - IFP

Sowetan 20/9/95

By Joe Mdhlela
Political Reporter

KWAZULU-NATAL premier Dr Frank Mdlalose has denied allegations by the African National Congress that his government had used taxpayers' money to pay Inkatha Freedom Party - aligned self protection units

The ANC in KwaZulu-Natal this week said it viewed the alleged "theft of public funds" by the IFP-led provincial government in the most serious light

"The spending of the R5,5 million to pay the SPUs was an unauthorised expenditure, which means that the money must be refunded by the individuals who authorised the expendi-

ture," ANC spokesperson Mr Dumisani Makhaye said

Makhaye said the ANC would press to have the Auditor-General institute an investigation into this malpractice by the KwaZulu-Natal government.

However, Mdlalose said yesterday that the Auditor-General was free to scrutinise his government's accounts

"The Auditor-General knows that the books of KwaZulu-Natal are always available for audit. He knows he has access to our books and does not have to be ordered by a political party to do the books of this province," Mdlalose said

He reiterated his claim that it was the ordinary people who contributed R300 000 towards the establishment of "these violence and crime curbing units"

Mdlalose said as crime and violence increased in the province, so did the need to supplement the KwaZulu-Natal police force with additional recruits

"The police department paid out of its budget for the maintenance of these recruits during their training," he said.

With the decision by the central Government to integrate the self-defence units (SDUs), Umkhonto we Sizwe and the Azanian People's Liberation Army into the normal police force, Mdlalose said they had also requested that a special constable unit be incorporated into the KwaZulu-Natal police

"I want to reiterate that no taxpayers' money was used to pay the SPUs," Mdlalose said.

KwaZulu launches court action against central govt

Farouk Chothia

BD 21/9/95 (264)

DURBAN — The KwaZulu-Natal cabinet decided yesterday to launch Constitutional Court action against central government within days to challenge six amendments to the constitution and the Local Government Transition Act

The amendments were passed by Parliament in the face of strong protests from opposition parties

The cabinet also decided that March 27 would be the date for local government elections in KwaZulu-Natal, subject to central government approval

Premier Frank Mdlalose said the cabinet "would challenge the 'illegal and unconstitutional actions'".

A cabinet insider said the decision was taken after a vote. The ANC voted against litigation, while NP MEC George Bartlett sided with the IFP despite the fact that Provincial Affairs Minister Roelf Meyer had piloted the amendments through Parliament

Mdlalose said the amendments KwaZulu-Natal would seek to overturn were those in relation to.

□ section 149 (10) of the constitution which removed the provincial legislature's power to determine the remuneration of the premier and his cabinet, and transferred it to President Nelson Mandela

□ section 182 of the constitution which aimed to remove the province's power in appointing traditional leaders, and placed it with the president. KwaZulu-Natal had the Amakhosi and Iziphakanyiswa Act, passed by the former KwaZulu government in 1990, to deal with such matters;

□ an amendment to section 124 which does not oblige central government to consult the Council of Traditional Leaders in order to pass legislation stripping provinces of their power to pay traditional leaders' salaries; and

□ section 245 which had the effect of

Continued on Page 2

KwaZulu (264)

Continued from Page 1

BD 21/9/95
curbing provincial powers in local government, but extended the minister's powers in this area

Mdlalose said two amendments to the Local Government Transition Act that would be challenged were

section 3 which sought to retain the veto powers of a committee over the local government MEC and extended the committee's lifespan, and section 9 of the Act which allowed the minister to take over MECs' powers if local government elections were not held by March 31 next year

Local government MEC Peter Miller said KwaZulu-Natal had

sound legal argument and court papers would be filed within days

The respondents would be Mandela, Meyer and central government

Mdlalose said the KwaZulu-Natal government would abide by the court's decision, but in the meantime the province would operate on the basis that the amendments were illegal

Miller said the court action would not affect local poll preparations and the cabinet had agreed March 27 should be the target date. He would discuss this with Meyer on Friday

Miller said the target date would be met provided the provincial local government committee concurred with decisions taken, and there were no drawn out battles in the Electoral Court. Certain boundary disputes would have to be referred to the court

'Justice system has collapsed'

(264) (252) Stan 2/19/78

KwaZulu-Natal Attorney-General Tim McNally was yesterday told by an ANC delegation that the justice system in the province had collapsed.

This was the first meeting between the two parties since the ANC accused McNally of incompetence and called for his resignation because of his alleged failure to prosecute senior Inkatha Freedom Party officials ac-

cused of hit squad activity.

The ANC told McNally that not enough prosecutions were being instituted against political criminals and said prosecutions of this nature should be pursued across the political spectrum.

McNally replied that cases would be investigated if sufficient evidence warranted it - Political Reporter

**'No taxpayers'
money used
to pay SPU's**

DURBAN — KwaZulu-Natal premier Frank Mdlalose says no taxpayers' money has been used to pay members of Inkatha-aligned Self Protection Units (SPUs)

He was responding in a statement to media reports that R5,5 million of state funds was used to pay SPU members from September 1994 to March this year

Mr. Mdlalose, who is Inkatha's national chairman, told SABC television news, however, that SPU members who had been recruited to become KwaZulu Police (KZP) assistant constables had been paid from a government suspense account — Reuter

kwaZulu justice has collapsed — ANC

SPECIAL CORRESPONDENT

(252) (264)

CT 21/9/95

MARTZBURG The system of justice in kwaZulu Natal had collapsed, an ANC delegation led by party chairman Mr Jacob Zuma told the attorney-general of kwaZulu Natal Mr Jim McNally, at a meeting yesterday.

The meeting was held at Mr McNally's invitation and came after weeks of speculation about the attorney-general's failure to call key witnesses in a high profile hit squad trial.

In a press statement, the ANC delegation also expressed concern that there were not enough prosecutions in crimes of a political nature.

The statement said Mr McNally confirmed his commitment to prosecute any matter in which sufficient evidence existed. Mr McNally supplied the ANC with a memorandum setting out his strategy and legal reasons why certain witnesses were not called in the state versus Romeo Mhambho hit squad case.

The ANC acknowledged that some movement had been made in hit squad cases and was happy that the attorney-general and the investigation task board were working closely together, the statement said.

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Schoeman says court action is unnecessary

Farouk Chothia

(264) 80 22/9/95

DURBAN — The KwaZulu-Natal government had misunderstood amendments to the constitution and Local Government Transition Act when it decided to lodge Constitutional Court action against central government, NP executive director Fanus Schoeman said yesterday.

The amendment to section 149 (10) of the constitution must be seen in the context of proposals to establish an independent commission — possibly chaired by a judge or a businessman — to determine the salaries of politicians countrywide.

KwaZulu-Natal was wrong in arguing that the amendment gave the President the right to determine the remuneration of the premier and his executive, Schoeman said.

On the NP KwaZulu-Natal region's decision to support the court action against Provincial Affairs Minister Roelf Meyer, Schoeman said this did not indicate policy differences between the two, but different interpretations of the constitution.

To overcome this problem, the final constitution should remove "grey areas" by being more specific on national and provincial competencies, he said.

Schoeman said the amendment which allowed central government to take control of the process if local authorities failed to have elections by March 31 showed the desire to democratise local government as soon as possible.

Police budget paid for 'IFP constables'

BD 22/9/95 (110) (264)

Farouk Chothia

DURBAN — KwaZulu-Natal finance department secretary Vusi Nxumalo admitted yesterday that R5,517m had been paid to about 5 000 self-protection unit members — whom he insisted were KwaZulu Police special constables — from an account that had been drawn from the police budget.

Nxumalo said the men were initially paid from the police budget, but when their integration into the South African Police Service (SAPS) and the South African National Defence Force did not materialise a suspense account had been established to pay them.

The idea was that once the integration process ended, the funds would be transferred back to the police budget.

"There were ongoing talks between provincial and national police officials for the integration process to be completed.

"Once integration had taken place, the other problem (that of recovering the R5,517m taken out of the police budget) would have been resolved," Nxumalo said.

He said payments were made from September last year to March this year, when the financial year ended.

He said Muzi Lombo — a driver in premier Frank Mdlalose's department who had allegedly cashed cheques of up to R1,496m — had been the paymaster.

Lombo is believed to have been a former ANC member in exile. The ANC accused him of being an agent, and he was detained at its camps. He was released in 1991, before returning to SA.

SAPS national commissioner George Fivaz's spokesman, Joseph Ngubeni, said Fivaz had ordered an investigation into the veracity of claims that self-protection unit members were paid with taxpayers' funds.

Premier Frank Mdlalose admitted

earlier this week that the services of the special constables had been "suspended" before the general election by the now-defunct transitional executive council.

Questioned later, Mdlalose said they were special constables at the time of being paid, but were no longer in the police.

Mdlalose's spokesman Thembinkosi Memela said last night he was still trying to obtain clarity as to why, if they were special constables at the time of payment, they had not received regular police salaries.

Mdlalose also admitted that the special constables had earlier been self-protection unit members, and that they had received training at the Mlaba camp in northern KwaZulu-Natal. They were later sent to their home districts to protect government property and members of the public.

"Special constables did commendable work to bring sanity to warlords and criminals who were in possession of AK47 rifles and who killed anybody who disagreed with them. Members of the public appreciated their work," Mdlalose said.

Observers pointed out that the transitional executive council had ordered a raid of the Mlaba camp in a bid to close it down before the election. Trainees pelted a police helicopter with stones, forcing police to retreat. The council slated the training as illegal as the Self-Governing Territories Act prohibited the KwaZulu government from conducting paramilitary training.

The training was done at a time when the IFP was boycotting the general election, and it was seen in non-IFP circles as an initiative aimed at destabilising SA.

Investigation task board member Howard Varney — who was part of the raid on the camp — said. "The council enquiry into hit squads concluded in its third report that the training conducted at Mlaba was not bona fide special constable training."

Ministers clash over KwaZulu land law

Drew Forrest

LAND Affairs Minister Derek Hanekom has clashed with cabinet colleague Mangosuthu Buthelezi over the planned revision of a controversial KwaZulu land law, accusing him of "a memory breakdown or deliberate distortion of the facts".

Hanekom was reacting to a recent speech by the Inkatha leader, in which he accused the ANC of wanting to amend the Ingonyama Trust Act "to undermine the power of the Zulu nation to control its own land".

The Act, rushed through the KwaZulu homeland legislature on the eve of last year's election, shifted 93% of land in KwaZulu — 2,9-million hectares, including state land — into a trust controlled by Zulu king Goodwill Zwelithini. The government considers it a major brake on development, and Hanekom plans to amend it next year. Last week he held talks on the issue with KwaZulu-Natal premier Frank Mdlalose and IFP provincial executive members.

Hanekom said that as home affairs minister Buthelezi had been party to last year's unanimous Cabinet decision to change the Act. Buthelezi had in fact suggested that the KwaZulu-Natal

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government be consulted.

Inkatha's Ben Ngubane, arts and culture minister, had been a member of the Cabinet subcommittee which had recommended changes.

Hanekom said the Cabinet had not specified whether the amendments should be enacted by the national parliament or KwaZulu-Natal. Mdlalose had asked for the province to take responsibility, and his appeal would be conveyed to the Cabinet.

Hanekom said the Act had serious flaws and that former president FW de Klerk should not have signed it. As a result of the legislation, no financial institution would offer loans for development in former KwaZulu, all state properties belonged to Zwelithini and all mineral rights were vested in him.

KwaZulu-Natal housing MEC Peter Miller is known to be critical of the law's effect on housing development.

Department sources said one consequence was all townships and township houses in the area now fell into the Ingonyama trust. Proposed amendments would have to excise all townships and state land from the trust.

The department also wanted to stipulate that national land reform measures applied to trust land — a move Inkatha is bound to contest.

The majority is still suffering

Nomavenda Mathiane

KAIROS theologians from southern Africa, Europe, Brazil and the US met in Johannesburg at the weekend to assess the situation in SA in the light of recent political changes.

Kairos, which means the moment for truth, came about in 1985 when a group of Christians met in Soweto to examine the crisis that had engulfed the country.

At the meeting this weekend they decided to engage government to ensure that it delivered on the promises it had made.

This time, the Kairos theologians asked the question: Is there a Kairos in 1995? "Our focus was on the economic injustices still suffered by the majority of our people, despite the political changes in the country," said Molefe

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Tsele, convener of the conference.

The theologians admitted the churches were still authoritarian and undemocratic and much too engaged in protecting denominational interests and promoting a cult of clericalism.

"When we call upon society to be transformed we dare not omit to issue the challenge to churches and Christians to be transformed."

On government, they said they realised that the government they voted into power did not ultimately hold the power they assumed it would. "How can a government change a situation when it holds no power over the gross concentration of capital, corporations and financial institutions?"

They wanted to become partners in the process of changing the socioeconomic status of SA to benefit the people who voted government into power.

PEACE-MAKING HARDER NOW FOR FW

Natal NP takes sides in inner-party clash

ei 26/9/95 (264)

IN AN OPEN LETTER to Mr Hernus Kriel, the Nationalist Party in kwaZulu/Natal has pledged support for his "struggle for federalism" **ANTHONY JOHNSON** reports.

THE National Party in kwaZulu/Natal last night rallied behind Western Cape Premier Mr Hernus Kriel in his battle with central government and Mr Roelf Meyer over provincial powers

In an open letter to Mr Kriel released on the eve of today's crunch meeting aimed at preventing open war in the NP, the chairman of the party caucus in kwaZulu/Natal, Mr Val Volker, said "Be assured that the NP in this province supports your struggle for federalism"

This follows the decision by the kwaZulu/Natal cabinet to take the government and Mr Meyer to the Constitutional Court for allegedly trying to subvert provincial powers

The decision by the NP in kwaZulu/Natal to throw in its lot with rebellious Western Cape Nationalists could make it more difficult for NP leader Mr F W de Klerk to steer clashing party factions towards an agreed procedure in dealing with the political fallout from the major Constitutional Court ruling on Friday

Mr De Klerk is expected to take a firm stand on NP members in the Western Cape who have been threatening to resign if they are "betrayed" by their colleagues in Parliament.

But party insiders say he is likely to try and defuse the row by suggesting a rapid round of negotiations within the party and

between the NP and the ANC
Last night members of the Roelf Meyer camp acknowledged that Mr Kriel and his supporters had their tails up after taking on the government and winning, if only on a technicality

Dissipated

But they predict that the surge of support the Constitutional Court ruling has generated for the Kriel grouping could be dissipated once the narrow scope of the victory became evident

However, Western Cape Minister for Local Government, Mr Peter Marais, yesterday warned that if the ANC tried to strip him of his power to constitute the provincial committee or demarcate boundaries, he would once again launch a court action

IFP hardliners refuse to budge on Green Paper

Farouk Chotlia

(264)

BD 27/9/95

DURBAN — The IFP would hold top level bilateral talks with opposition parties over the KwaZulu-Natal constitutional process in the run-up to a sitting of the provincial legislature next week, but has not indicated that it is willing to compromise.

IFP national deputy chairman Sipo Mzimela said the IFP did not want changes made to its Green Paper, which outlined the constitutional principles it wants adopted by the legislature.

The paper had been drafted after negotiation with opposition parties, and the agreement reached at the time had to be honoured, Mzimela said.

The Green Paper was responsible for the constitutional deadlock in KwaZulu-Natal. Opposition parties argued that some of its clauses were unconstitutional, and voted against it in the constitutional affairs standing committee.

Opposition parties and IFP provincial negotiators then reached a compromise, which was rejected by IFP national hardliners.

The constitutional affairs committee decided yesterday that the compromise agreement would be tabled before the legislature. But IFP hardliner Walter Felgate said the agreement had no official status and the IFP would insist that the Green Paper be put to the vote. If it was rejected, the IFP would call a fresh election, Felgate said.

Opposition MPs said they doubted there would be a breakthrough this week.

The IFP, ANC and NP are expected to involve national leaders in the talks, with Felgate and Mzimela likely to be included in the IFP delegation. The ANC is likely to call in Deputy Constitutional Affairs Minister Valli Moosa, while the NP would bring Deputy Education Minister Renier Schoeman and national MP Danie Schutte into the talks.

Felgate said arrangements were still being finalised but it was understood that talks with the NP and ANC would take place on Friday.

The Green Paper would allow KwaZulu-Natal to have its own militia and exclusive control over policing functions. It also provides for "sunrise clauses" giving KwaZulu-Natal control over the judiciary and it allows for a provincial constitutional court.

1995 (R000)	1994 (R000)
9 858	16 192
0	1 239
68	10 750
342	217
0 268	28 398
3 039	13 766
4 940	11 058
1 902	0
1 133	13 377
1 746	(9 803)
1 268	28 398

100 homes

IFP proposes code for security forces

Farouk Chothia

(264) 130 28/9/95

DURBAN — The IFP has unveiled a 10-point charter for the security force operation in KwaZulu-Natal, proposing a multiparty body to monitor the forces and a commission of inquiry to probe any crimes they commit.

The proposal came yesterday against the backdrop of the murder of four policemen in Impendle in the Natal Midlands on Sunday.

Three alleged IFP supporters — Elphas Ncube, Thami Ncube and Muziwenkosi Zondi — appeared yesterday in the Maritzburg Regional Court in connection with the murders.

They were remanded in custody until October 10.

In another development in Impendle, Inkatha leader Zwelkude Mshengu was killed on Tuesday when un-

Continued on Page 2

Strain on GNU

Continued from Page 1

known gunmen opened fire on his car.

At a news conference on the safety and security charter, Inkatha national organiser Senzo Mfayela said "quick fixes imposed from the centre" were increasing tensions at grassroots level. The charter was intended to avoid the repetition of tragedies such as those at Impendle. It aimed to improve relations between communities and the security forces at a time when there was anger on both sides.

Inkatha senator Philip Powell's party acknowledged that the troops deployed in KwaZulu-Natal would not be withdrawn, but warned that a state of emergency would place severe strain on Inkatha's participation in the government of national unity.

There is mounting speculation that a regional emergency will be declared. A central government source said Safety and Security Minister Sydney Mufamadi favoured this, but the Cabinet was being more cautious.

ANC KwaZulu-Natal chairman Jacob Zuma said the province was facing the "worst kind of thuggery and brutality ever". Central government needed to act quickly and if it meant taking harsher measures to impose peace and

stability in KwaZulu-Natal, "this is the time to do it".

Inkatha's charter proposes that:

- The local station commander be informed of all security force operations in his area and that a local police contingent be drawn in;
- Night raids should be carried out only in exceptional circumstances;
- Except where confidentiality is essential, Inkatha leaders should be allowed to accompany security forces on operations in Inkatha strongholds and local community leaders should be informed in advance;
- In areas under tribal jurisdiction, the security forces should introduce themselves to chiefs;
- All security force vehicles should be marked clearly and personnel obliged to identify themselves;
- A committee including the ANC, IFP and other interest groups be formed to monitor security force activities;
- An independent complaints mechanism be set up to act on complaints against security forces and penalties be imposed where necessary; and
- A commission of inquiry be appointed and given full powers to investigate the murder of 430 IFP leaders and thousands of its supporters.

ANC KwaZulu-Natal safety and security spokesman Bheki Cele said the IFP's "unilateral initiative" would not stop the carnage.

CURRENT AFFAIRS

KWAZULU-NATAL

Testing a loophole

(264)

FM 29/9/95

A new front has opened up in Inkatha's battle for autonomy in KwaZulu-Natal. This is the provincial cabinet's decision to contest, in the Constitutional Court, recent national legislation which restricts provincial powers to set remuneration levels.

In the second major test of government's right to interfere in provincial affairs, the KwaZulu-Natal cabinet last week decided to act against President Mandela, the government and Provincial Affairs & Constitutional Development Minister Roelf Meyer over amendments to the interim constitution and the Local Government Transition Act.

There are, however, fears that the Constitutional Court could, even if it finds in favour of KwaZulu-Natal, leave loopholes through which central government could carry the day, and vitiate the court's role of providing checks and balances to the parliamentary legislative process.

Recently, in the first test of central government's right to interfere in provincial affairs, the court appeared to take the National Party-led Western Cape government's view when it ruled that Section 16A of the Local Government Transition Act — which allows the President to make proclamations to prepare for local elections — was unconstitutional.

Rectifying inconsistencies

However, it suspended its ruling in the interests of justice and good government in order to allow parliament an opportunity to rectify inconsistencies.

"The Constitutional Court actually gave parliament time to rectify the constitution to deal with the Western Cape issue," says Unisa head of politics Murray Faure.

He is concerned that in the KwaZulu-Natal case the court could make a similar ruling in the "interests of good government."

KwaZulu-Natal premier Frank Mdlalose says the Constitutional Court is being asked to rescind four amendments to the interim constitution, removing provincial rights to determine the premier's and cabinet's remuneration and allowance levels, and the method of appointing traditional leaders and their payment. The amendment hands these functions to the President.

Also at issue are two amendments to the Local Government Transition Act. One retains the restrictive veto power of the provincial committee of local government after it is supposed to have completed its constitutional role.

The other empowers the national minister to assume control of areas which fail to hold local elections before March 31.

Mdlalose says it is his government's firm view, backed by senior counsel, that these

CURRENT AFFAIRS

amendments amount to unconstitutional interference in provincial government functions. And while the ANC has slammed the premier's stance, he has received NP support.

Faure's concern is that recent precedent shows that, even if the Constitutional Court rules in Mdlalose's favour, it is likely to allow latitude for the introduction of retroactive constitutional amendments, allowing government to do as it wishes anyway.

"This is worrying, in the sense that political considerations appear to overshadow what should be decisions based on law. This undermines both the sovereignty of the interim constitution and the Constitutional Court as its guardian."

This, Faure adds, is compounded by the ANC's huge parliamentary majority, which allows it to change the interim constitution virtually at will, unless all the opposition parties band together to prevent this. (The ANC's majority falls just short of the two-thirds needed to carry constitutional amendments.)

However, Faure believes the reaction of the opposition to government's recent education Bill suggests that it is beginning to get the message. ■

Salary demands challenged

Nicola Jenvey

BD 2/10/95

(264)

MARITZBURG — The KwaZulu-Natal provincial parliament department — which is responsible for MPs' salaries — has demanded R25,4m from provincial coffers in addition to the R26,3m paid in May, yet cannot accurately account for the number of people it employs.

Secretary to the treasury Robert Mzimela was sent back to Ulundi during Friday's finance portfolio committee meeting when he said the constitution "demanded he retain" former KwaZulu government employees. The legislature had a staff complement of "67 or 87 or 95", Mzimela said.

He told the committee R5,2m would be required to pay salaries for another 56 vacant posts. These posts would not be filled using employees assumed from the previous government structures.

"The department, simply demands that more money be provided to solve our problems,"

Mzimela said.

ANC provincial member Catharina Cronje said the internal arrangements committee — responsible for interdepartmental spending — had "repeatedly requested" full employee details from the provincial parliament department without success.

ANC provincial member Mike Sutcliffe called for a full account of the department's employee complement coupled with individual job descriptions and said the finance committee "would not provide additional funding without accurate accounting for money being spent".

"Any baggage within the department has to be used to fill the additional positions," he said.

Mzimela's demands included R1,9m for staff office transport, R1,2m for secretarial allowances, R100 000 for basic and supplementary allowances, R50 000 for leave gratuities, R50 000 for "unforeseen expenses" and R10 000 for flowers.

IFP orders tabling of electoral laws

(264)
Farouk Chothia

BD 2/10/95

DURBAN — The IFP national council has ordered KwaZulu-Natal premier Frank Mdlalose to table controversial electoral legislation in the provincial legislature this week in order to pave the way for the holding of a provincial election.

This sets the scene for a major showdown in the legislature, which starts a four-day session tomorrow, with the ANC and DP vowing to block the legislation by having it referred to the Constitutional Court for a ruling.

The IFP has also decided to table six other controversial Bills. The ANC and DP have also vowed to thwart these.

The national council decided at a 10-hour meeting that the provincial cabinet should make the necessary arrangements for tabling of a provincial Bill, which would fill a "vacuum" in the national Electoral Act of 1993.

An IFP source said the vacuum arose from the fact that the Act provided for an independent electoral

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IFP

(264) BD 2/10/95

Continued from Page 1

commission, which no longer existed, and for the election to be conducted without a voters' roll.

ANC national executive committee member Sibusiso Ndebele said IFP leader and Home Affairs Minister Mangosutho Buthelezi had to take responsibility for the delay in amending the Act as he chaired a Cabinet committee producing new legislation.

Ndebele said the moves to pass a provincial Electoral Act was an "extraordinary fantasy even by IFP standards".

The IFP national council resolution also called for "a Bill and/or other appropriation instruments" to ensure funds were available for an election.

IFP secretary-general Ziba Jiyane said it was possible a provincial election would be held in the first half of next year. "It could be held simultaneously with local government elections (scheduled for March 27), or immediately thereafter," Jiyane said.

Home Affairs director-general Piet Colyn said the Bill had already been drafted by his department and handed to the KwaZulu-Natal government.

Buthelezi had asked the department to provide "technical assistance" in drafting the Bill.

IFP national council member Walter Felgate said the IFP believed that as the constitution gave provinces the right to hold elections, provinces also had the right to pass legislation to make the election possible.

The national council also decided that its 12 constitutional principles, rejected by opposition parties, would be presented to the legislature through a private member's motion.

The IFP will also table Bills re-enacting the Ingonyama Trust Act, adopting a flag, a coat of arms and an emblem for the province. Bills aimed at preventing traditional leaders from receiving salaries from central government would also be tabled.

Restoration can no longer wait, Buthelezi tells Shaka rally

IFP drive for self-rule

(264) Star 2/10/95

■ BY PATRICK BULGER
POLITICAL CORRESPONDENT

IFP leader Mangosuthu Buthelezi yesterday edged a troubled KwaZulu-Natal towards "self-rule" as the IFP began arrangements for a threatened snap election in the province

"Restoration of our autonomous Kingdom of KwaZulu-Natal can no longer wait because within our autonomy and our power to rule ourselves as a nation is our only possibility of securing peace, welfare and prosperity of all our people," Buthelezi told a Shaka commemorative rally at Mandeni

Buthelezi's stance has put him on a collision course with President Mandela, the ANC and the central Government

The IFP's hard line will put pressure on the Government of National Unity in which it serves, already showing strains as evidenced by the weekend clash between the other two partners' leaders, Mandela and Deputy President F W de Klerk.

His stance echoed that of the IFP national council which met in Ulundi at the weekend. It decided on moves that will add to suspicions, especially within the ANC, that Buthelezi has embarked on a long-term strategy to lead KwaZulu-Natal to autonomy and even secession

The national council called on the IFP in the provincial legislature to prepare draft legislation to allow an election on the basis of a voters roll, a provision not contained in national electoral legislation

The council also mandated the party to propose Bills to make funds available for a poll, to adopt a new flag, name and coat of arms for the province, and to re-enact the Ingonyama Trust Act in terms of which the former government turned over

NEW flag and coat of arms, and Bills on election called for by national council in KwaZulu-Natal

huge tracts of tribal land to the provincial authorities

The council said it was giving other parties in the legislature until December 31 to back the IFP's constitutional principles or face a poll "when the IFP judges it wise and prudent to call for such an election"

The constitution allows for a provincial legislature to call for early elections before 1999 in the event of a vote of no confidence in the executive or after the adoption of a provincial constitution. The Electoral Act does not provide for elections using a voters roll

Buthelezi told the rally that KwaZulu-Natal should "develop its own internal structures in autonomy, to administer ourselves on the basis of self-rule and self-determination. We believe that through our self-rule, our kingdom will be able to

provide a very important contribution to freedom and democracy in the whole of South Africa"

Buthelezi claimed that "central Government is so bound to destroy our kingdom, which is based on the strength and ability of our amakhosi, that it is willing to destroy traditional leaders all over South Africa"

"The central Government is bent upon transforming traditional leaders into mere ceremonial figures," he said "I am deeply aware of the fact that between where we are now and the time of our final liberation and victory there is a very difficult road ahead, filled with misery and personal sacrifices"

The national council, which had called for all parties to accept a set of hardline IFP constitutional proposals to avoid an early provincial election, said the proposals were being withdrawn. Instead, a private members' motion would be tabled that requires a simple majority instead of the two-thirds needed for the constitutional proposals. Observers believe the council's choice of the simple majority route could signify the rise of an emerging hardline tendency within the party

Meeting may ease GNU tension

■ BY PATRICK BULGER

Deputy President F W de Klerk hopes to meet President Nelson Mandela this week to discuss "serious tensions within the Government of National Unity"

De Klerk and Mandela clashed at the weekend after Mandela told a black tie dinner hosted by mining house Gencor that the former NP government was to blame for the current high levels of crime

It was not clear at the weekend whether Mandela would agree to meet De Klerk who has warned that "it is in the best interests of everybody in South Africa that we should not have a repetition of what happened in January 1995" (when De Klerk threatened to leave the GNU after a Cabinet row)

Mandela's spokesman Joel Netshutenzhe has warned that the president would not respond to "blackmail"

KwaZulu's power bid

Sowetan 3/10/95 (264) (214)

A WEEKEND MEETING of evicted labour tenants in Vryheid, KwaZulu-Natal, has highlighted the lengths to which the province will go to fight its case for more powers

The meeting, to highlight the tenants' predicament, came after 12 families were evicted from a farm near Louwsberg last week. The families' huts were demolished and two of them had been forced to squat at the roadside because they had nowhere to go.

One of the organisers of the meeting, the Vryheid Farm Evictions Committee, said they knew of at least 350 people (35 families) who had been evicted from Louwsberg and Vryheid since the publication of the Land Reform (Labour Tenants) Bill on June 2.

Land Affairs Minister Derek Hanekom and KwaZulu-Natal Premier Frank Mdlalose were invited to the meeting to hear for themselves the problems of eviction of black farm dwellers in the district. About 500 people packed the Vryheid Sports Centre to air their grievances.

But instead of devoting itself to addressing the crisis in the area, described by one speaker as "putting Vryheid on the verge of civil war", there were early indications that it would degenerate into a point-scoring exercise.

Hanekom's appeal to "set aside our political differences to find a solution to the real problems", and his warning that those "people who use this (crisis) to turn it into a political event are doing the community a disservice", appeared to fall on deaf ears.

Following Hanekom, Mdlalose said it was unfortunate that land affairs was a central government issue and not an issue for the provincial or local government.

"I don't believe land should be a central government function," he said, "but I'm happy that when he (Hanekom) comes (to KwaZulu-Natal), I can also be there. When he gives his views from his celestial position, I can also hear on behalf of the province."

Mdlalose further indicated that he hoped the meeting would open the way for further talks between the provincial and national government where land affairs were located.

He also alluded to the province's demand that the controversial Ingonyama Trust be assigned to the province as a matter which still had to be settled.

The Ingonyama Trust involved the transfer of almost three million hectares of state land to the trusteeship of Zulu king Goodwill Zwelithini by former president FW de Klerk on the eve of the April 1994 election.

A comment by Hanekom which equated the former KwaZulu self-governing territory with bantustans such as Bophuthatswana and Venda

Derek Hanekom goes to the lion's den and faces the wrath of political rival and KwaZulu premier Frank Mdlalose. **Estelle Randall** explains why...



Land Affairs Minister Derek Hanekom ... came under fire at a land meeting in Vryheid.



KwaZulu-Natal Premier Frank Mdlalose ... unfortunate that land affairs fall under central Government.

also drew fire from Mdlalose and the audience. "KwaZulu will continue forever," retorted Mdlalose. He appealed to the crowd not to blame Hanekom for the unfortunate comment "because, after all, he doesn't live among us. He's from central government, up above."

In terms of the current Constitution, policy formulation of land affairs is the prerogative of the national government, but implementation of the new land reform programme has been devolved to the provinces.

Examples include the new land reform pilot programme, which consists of one pilot district in each province and which is being managed and by provincial steering committees.

In KwaZulu-Natal, land is one of the key areas of reconstruction. It is the most populous province and more than half its people live in rural areas.

The recently established Commission on Restitution of Land Rights has already received almost half of all its land claims from KwaZulu-Natal - an indication of the importance ordinary people are placing on land access.

While the Ministry of Land Affairs has implemented several measures to give flesh to the new land reform programme - including the Restitution of Land Rights Act - labour tenants remain a vulnerable group.

The Land Reform (Labour Tenants) Bill gazetted on June 2 proposed far-reaching changes to the insecure tenure of labour tenants.

However, it will only come before Parliament in February 1996.

The Bill subjects farmers who want to evict tenants to specific procedures and rulings from the Land Claims Court. It also entitles labour tenants to acquire land they have historically used and occupied, if the owner is compensated. By enshrining the rights of labour tenants in law, the Bill also aims to encourage parties to seek local solutions.

If Parliament passes the Bill, its protective tenancy aspect will be retrospective to June 2. This means that labour tenants who are evicted may now institute legal proceedings to have the evictions overturned.

A labour tenant means a person, including his or her descendants and immediate family, who on June 2

- was living on or has had the right to live on a farm, and

- had or has had the right to live on such a farm and to use arable or grazing land on the basis that he or she will provide or has provided labour to the owner or lessee of the farm.

The Bill specifically excludes farmworkers or people who are simply living in housing provided by farmers or lessees of farms. Farmworkers are defined as people employed on a farm in terms of a renewable contract of employment which provides for labour to be paid for mainly in cash and not mainly through the right to occupy and use land.

IFFP forces constitutional principles through as opposition walks out

Farouk Chothia

IFFP last night steamrollered its hardline constitutional principles through the KwaZulu-Natal legislature despite the fact that the ANC and the other five opposition parties walked out.

DP KwaZulu-Natal leader Roger Burrows also tabled a motion of no-confidence against premier Frank Mdlalose and his cabinet, accusing them of failing to govern effectively. IFFP chief whip Mike Tarr said the

IFFP would oppose the motion, which is tabled for debate later this week.

The IFFP forced a vote on its constitutional principles although all the parties had earlier pleaded with Mdlalose to postpone the vote. Introduced by IFFP MP Maurice Mackenzie, whom Burrows accused of "chirping like a Std 7 backward schoolboy", the motion "instructed" the constitutional committee to draft a constitutional text on the basis of the IFFP's principles. The IFFP rejected opposition calls that the vote be postponed until today

to allow eight NP MPs who were attending an NP federal council meeting in Cape Town to participate. But the IFFP refused, aware that a full NP caucus would have caused a tie.

The IFFP has 40 MPs and the six opposition parties also have a total of 40. In the case of a tie, Speaker Gideon Mdlalose would have the casting vote. Saying he had walked out with "a heavy heart", the only NP MP present, Brian Edwards, said the IFFP had been "deceitful and despicable". It had "broken a gentleman's agreement" reached

last week that the vote would not be held without the full NP caucus.

Burrows said the DP had much common ground with the IFFP, but it was tragic that the ruling party had chosen to emphasise differences. "Symbolically the IFFP is finally isolating itself."

ANC transport MEC Sibusiso Ndebele accused the IFFP of subverting democracy "People want food in their stomachs and a constitution is not their priority". Burrows said the DP would not negotiate with a "gun placed at its head"

and IFFP hardliners had sabotaged the close relationship that had developed between the DP and IFFP moderates.

"The IFFP will not get a two-thirds majority for a constitution that provides for a militia, just understand that."

The IFFP could press ahead with an election, but it might then find it needed the ANC's support to secure a two-thirds majority. Burrows said The IFFP could pass a constitution without the ANC, provided it had the backing of the DP, NP, PAC, Minority Front and African Christian Democratic Party.

BD 4/10/95
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IFP moves to grab committee majority

BD 5/10/95 (264)

Farouk Chothia

MARITZBURG — The IFP signalled yesterday that it intended to bolster its representation on the KwaZulu-Natal legislature's constitutional affairs standing committee and strip two minority parties of voting powers on the committee.

This was followed by opposition parties launching a vicious attack on premier Frank Mdlalose, describing him as a puppet, and repeating threats to introduce a motion of no-confidence against him.

IFP chief whip Mike Tarr tabled a motion calling for the IFP's representation on the 20-member committee to increase from nine to 10 and for the ANC's from five to six. The NP representation should remain at two.

Tarr said that while one MP each from the DP, PAC, Minority Front and African Christian Democratic Party should be allowed to continue serving on the committee, none of them should any longer have voting powers. Two votes should be allocated to the four parties and they would have to decide

who exercised these votes.

If the motion is passed by the legislature, it would pave the way for an IFP majority on the committee.

The committee was instructed earlier this week by the legislature to draft a constitution based on the IFP's 12 constitutional principles.

Minority Front leader Amichand Rajbansi said "some people in the IFP have taken leave of their senses" and that it was illogical to expect four parties to share two votes on constitutional issues.

Rajbansi said the 50% committee majority the IFP sought would be meaningless, as a two-thirds majority was needed for the final constitution voted on in the legislature. The IFP would then find it needed the four minority parties.

Leading a blistering attack on Mdlalose, NP MP Con Botha said the premier was being treated as a puppet by IFP hardliners. He had to break out of this "vice grip" to take his place as premier of all the people of the province.

ANC provincial chairman Jacob Zuma warned of a no-confidence motion.

Nurses back, but face sacking

BD 5/10/95 (252)

Kathryn Strachan

STRIKING nurses were returning to work yesterday in most provinces, but according to health authorities, nurses who had defied ultimatums to return to work earlier still faced dismissal.

Eastern Cape head of health Dr Mvuyo Tom said yesterday that the nurses on strike in the former Transkei were trickling back. However, even if they returned yesterday they had still missed the deadline to return to their posts. Once the 10 000 striking nurses had been given a chance to give reasons as to why they were not at work, the dismissals process would begin.

National health system chief director Ray Mabope went to Umtata yesterday to try to resolve the strike.

The health department said strik-

ing nurses were returning to work yesterday in six provinces affected by stoppages over pay and other grievances. Aside from the former Transkei, only some nurses at three hospitals in Mpumalanga and at two hospitals in the Free State were still on strike.

Health director-general Olive Shisana told Sapa that striking nurses in the former Transkei, Free State and Mpumalanga had automatically dismissed themselves by ignoring the 24-hour ultimatum to return to work.

Meanwhile, Nicola Jenvey reports that nursing representatives yesterday demanded that government confirm its proposed salary regrading scheme for the 1996/97 financial year before October 27, and appealed for a temporary appeasement to the strikers until then.

KwaZulu land grab feared as IFP seeks control of Act

(264) BD 5/10/95
Farouk Chothia

MARITZBURG — IFP hardliners have drafted legislation intended to seize control of the Ingonyama Trust Act from central government, opening the way for the KwaZulu-Natal government to grab all state-controlled land in the province.

The four-paragraph Bill seeks "to re-enact the Ingonyama Trust Act of 1994 as an Act of the province of KwaZulu Natal" and to extend its application to the province.

Land Affairs Minister Derek Hanekom yesterday slammed the Bill as unconstitutional, while Legal Resources Centre attorney Peter Rutsch warned it would impede efforts to amend the original Act, seen as an obstacle to development in the province.

The Bill is believed to have been drafted by hardline home affairs ministry special adviser Mario Oriani-Ambrosini after IFP leader Mangosuthu Buthelezi called on KwaZulu-Natal

last month to "seize once and for all the exclusive competence of our kingdom on matters which relate to land".

At the weekend, the IFP national council resolved to table a Bill re-enacting the legislation during the current sitting of the legislature.

KwaZulu-Natal traditional affairs MEC Nyanga Ngubane said he had not attended the national council meeting and was unaware of the Bill. He said the Bill could not be passed during the current session, as it had not been approved by the provincial cabinet, published for comment or referred to the traditional affairs portfolio committee.

Hanekom said the Bill repeated and aggravated problems created by the original Act, and that central government would not idly stand by and watch it passed. While there was no dispute about the need to protect tribal land, the motive for the legislation appeared overtly political.

Continued on Page 2

Land Act

(264)
Continued from Page 1

BD 5/10/95
The original Act, rushed through the homeland legislature on the eve of last year's general election, shifted 93% of land in KwaZulu — 2,9-million hectares, including state land — into a trust controlled by the Zulu monarch.

Hanekom plans to amend it next year with the aim of excising all townships and state land from the trust.

Rutsch said the Bill might be an attempt to prevent Hanekom from pressing ahead with amendments. "They want to adopt a new law creating a new

trust, and say the Act is the province's."

Both the ANC and the DP said they would refer the Bill to the Constitutional Court, as land was a national competency. Rutsch said Hanekom would probably have to await the court ruling before proceeding with amendments.

The extension of the Act to the whole province could open the way for further legislation placing additional tribal and state land in the trust.

Complaining last month that the provincial government had taken no action to gain control of the Act, he said central government controlled another 500 000 hectares of land which "belonged to the Zulu nation".

Natal land row angers ⁽²⁶⁴⁾ Government

By Rafiq Rohan

THE conflict between the Government and KwaZulu-Natal has heightened following attempts by the province to grab control of almost all the land in the area

Minister of Land Affairs Mr Derek Hanekom is furious at the efforts being made by the KwaZulu-Natal govern-

ment to push through legislation that would effectively mean the king would own 93 percent of all land in the province

The legislation will deprive people of owning available land although the Cabinet has rejected the controversial Ingonyama Trust Act as it stands, Hanekom accused the province of KwaZulu-Natal of

"re-enacting" the trust in an attempt to gain control of all land that is not privately owned

renewed 5/10/95

If made law, with the exception of land already privately owned, all land in the province - including townships, government buildings, roads, dams, parks and police stations - will belong to the Ingonyama Trust whose titular head is the king

Hanekom said "The Ingonyama Trust Act, originally passed with undue haste in the dying moments of the apartheid regime, was the subject of an extensive investigation by a representative Cabinet sub-committee"

Last June the Cabinet accepted the recommendations of the sub-committee and unanimously resolved that the Act should be amended or substituted

The Act, as it stands, makes the Ingonyama the owner of some 93 percent of the land of the former KwaZulu-

lu, Hanekom pointed out

Mr Theminkosi Memela, spokesman for KwaZulu-Natal premier Frank Mdlalose, told *Sowetan* that the provincial government has already decided to go ahead and enact the Ingonyama Trust Act

Plan gives IFP an additional seat

Nov 5/10/95

(264)

Maritzburg - The IFP yesterday unveiled plans to change the make-up of the committee which is drafting KwaZulu-Natal's constitution in a move that opposition groups said would give the party a free hand

Inkatha's chief whip Mike Tarr presented a motion in the provincial legislature which would give the party 10 places in the 20-member committee as opposed to the nine it has now

On Tuesday, Inkatha voted through federalist constitutional principles after a walkout by all other parties in the provincial chamber

ANC chief whip Ina Cronje told reporters that Inkatha's actions had "grave implications" for the province

"The constitution is supposed to be negotiated, not forced through," she said. "This is effectively a vote of no confidence in the committee"

Hanekom warns Kwazulu over land grab

264 (231) (3)

BY MONDLI MAKHANYA
POLITICAL REPORTER

Land Affairs Minister Derek Hanekom yesterday warned the Kwazulu-Natal government that re-enactment of the Ingonyama Trust Act would be unconstitutional and said the central Government would not "stand by and watch this happen". Hanekom said "all parts of the Government are obliged to re-

spect and comply with the constitution" in terms of which the provincial government did not have the power to enact such legislation.

He was reacting to the Kwazulu-Natal government's drafting of legislation designed to put 93% of the land of the former Kwazulu and some areas in the former Natal under the ownership of Ingonyama Trust. The Ingonyama Trust administrators tribal land

on behalf of the Zulu king.

The new legislation would effectively put the land - which includes townships, game parks and dams - in the control of the IFP-led provincial government.

This is set to exacerbate tension between Hanekom and the provincial government following threats by the government to take Hanekom to court over the Land Reform Bills which, among other things, reduce traditional lead-

ers' powers in allocating communally held land.

The Act transferring the land was passed in the dying days of the old SA parliament. The Act was the subject of the first major Cabinet dispute last year.

This action was also in contravention of a Cabinet decision last year that the decision be the subject of consultation between national and provincial governments.

"The intended legislation clearly is contrary to the interests of the people of that province, something which the provincial government should be well aware of. The question thus arises - why aggravate an issue that already is causing numerous problems for the people of the area? It seems clear to me that there can be no other motive involved than an overtly political one," said Hanekom.

IFP and ANC dig in their heels over election in KwaZulu-Natal

Farouk Chothia

IFP and the ANC baulked at the idea of an election yesterday by refusing to support a DP-sponsored motion of "no confidence" against KwaZulu-Natal premier Frank Mdlalose and his provincial cabinet.

Leading opposition against the motion in the provincial legislature, IFP MP Blessed Gwala said: "This is an attempt to burn the IFP alive. We have confidence in not only the premier but the entire cabinet."

DP KwaZulu-Natal leader Roger Burrows said the cabinet had performed dismally. "The people voted for their parties and the people await delivery, but things are getting worse."

Hitting out at Burrows, Gwala said an election would lead to chaos. "The premier and his cabinet are working tirelessly to rebuild this province from where it sank prior to the election."

NP MP Con Botha said if the motion was adopted it would trigger a constitutional crisis. Mdlalose would have to issue a proclamation within 14 days,

setting a date for an election to be held within 90 days. "This was impossible as there was no Electoral Act in place, nor a proper voters' roll. A motion of no confidence would be an open invitation to central government to step into the affairs of KwaZulu-Natal," said Botha. The NP opposed the motion, but wanted MPs to censure Mdlalose and the IFP for their antiquated thinking.

ANC MP Mike Mabuyakhulu said the DP was "licking its wounds" after feeling betrayed by the IFP and the ANC would not support its motion.

But the ANC agreed the IFP had failed to govern, and was still advocating a policy of separate development. The ANC therefore supported the NP's proposals that the IFP be censured.

The Minority Front said it was time for Mdlalose to sack some of his MECs, as there was no place for "passengers" in the cabinet. The province could not afford "scandals of cheques", referring to the R5,5m allegedly paid to IFP self-protection unit members.

Accusing the DP of being politically mischievous, IFP local government

MEC Peter Miller introduced a counter-motion, reaffirming confidence in the cabinet.

Having 40 MPs in the 81-member legislature, the IFP motion succeeded with PAC support. The front and African Christian Democratic Party abstained. Burrows said his motion would make it difficult for the IFP to call an election next year as it had opposed the idea. Emphasis was not being placed on good governance. When delivery was needed the RDP was becoming the "relax and delay plan".

The document that caused all the trouble

BY CYRIL MADLALA

AT THE heart of this week's political bloodletting in the Kwazulu Natal legislature was a motion tabled by the Inkatha Freedom Party instructing the legislature's constitutional committee to draft a new provincial constitution on the basis of the party's so-called Green Paper

This document lists 12 fundamental principles which the IFP believes should be the cornerstone of the province's constitution. Other parties had had their own position papers, but after negotiations a working document on compromise constitutional principles was drafted at the end of August.

Negotiators then had to take this document back to their organisations for mandates. The working document was rejected by the IFP, and its national council last weekend instructed its members to push through the provincial legislature the party's own proposals.

The main contentious principles in the Green paper are

- Calling the province "the Kingdom of Kwazulu Natal" and establishing a constitutional monarchy. The DP wants a monarchical structure of traditional rulers for the Zulu people, rather than a monarch for the territory of Kwazulu Natal. The NP wants the province called "Province of Kwazulu Natal."

- A "sunrise" clause wish-listing additional powers that Kwazulu Natal

(264) ST 8/10/95
should acquire when the new national constitution allows for it. The DP and the NP believe outstanding powers should be part of a schedule attached to the provincial constitution rather than part of the constitution itself, and should be negotiated before becoming part of the provincial constitution. The ANC prefers the existing arrangement whereby provinces are given specific powers and the remainder rests with central government.

- A provincial judiciary independent from the national judiciary and an independent provincial constitutional court. The other parties are opposed to this, but the NP does want the province to have the right to nominate one or two judges to serve on the national constitutional court when it deals with matters that concern Kwazulu Natal.

- The principle that provincial powers cannot be overridden by national powers. The ANC feels that there should be concurrent powers to enable central government to set national standards, for example on the payment of traditional leaders.

- The establishment of a provincial militia.

- Opposition parties are demanding clarity on the relationship between the envisaged provincial police force and the national police service. The ANC has expressed fears that the IFP wants to use the provincial police for political ends, as it says, happened in Kwazulu.

The fight for the truth

By CAROL PATON

A TOTAL of 186 people have so far been nominated to serve on the Truth and Reconciliation Commission.

They include prominent academics, lawyers, church leaders and human rights campaigners.

Among the most notable are Alex Boraine, a founder of the Institute for a Democratic South Africa, former Black Sash campaigners Mary Burton and Sheena Duncan, lawyers Denis Davis, Geoff Budlender, Kathy Satchwell and John Dugard, and

church leaders Desmond Tutu, Frank Chikane, Stanley Mogoba and Charles Villa-Vicencio.

Among the academics nominated are Steven Friedman; Robert Schrire, Mervyn Shear, Colin Vale and David Welsh.

Other nominees include psychologist Saths Cooper, SA Institute of Race Relations director John Kane-Berman, violence monitor Mary de Haas and publisher Shelagh Gastrow.

The deadline for nominations has been extended to October 14.

A panel appointed by the president will then draw

up a short-list of 40 candidates considered to be impartial and of high moral integrity and not high-profile members of a political party. Candidates should not be people who may apply for amnesty to the commission.

The panel will hold public interviews of the 40 candidates and recommend 25 to the president for selection as commissioners.

Mr Mandela, in consultation with the cabinet, will make the final selection of between 11 and 17 commissioners. He is also likely to include two international members.

EVERYTHING seemed to go horribly wrong for the ruling Inkatha Freedom Party in the KwaZulu Natal legislature this week.

As it pushed for the restoration of an autonomous kingdom of KwaZulu Natal, the party found itself on the brink of a calamitous confrontation with the opposition parties. At the end of the week it was politically battered, the IFP retreated to lick its wounds.

It had survived a vote of no-confidence in premier Frank Mdlalose and his cabinet, but it was accused of corruption, treachery, untrustworthiness and inability to govern by the other parties who walked out in disgust at what they called the IFP's "deceit".

Perched at the back of the public gallery watching the proceedings were IFP constitutional advisors Dr Mario Ambrosium and hard-liner Walter Felgate — the two men being blamed for the deviling relations between the IFP and the other parties in the provincial government.

Things went wrong from Tuesday, the first day of the session.

The IFP's Maurice MacKenzie moved that the parliamentary committee drafting a constitution for the province should work with the IFP's 12 constitutional principles detailed by its so-called Green Paper.

The chief whips of all the parties had earlier agreed that no controversial issues would be

IFP outgunned in week of high jinks

(264) 51 8710/5

BY CYRIL MADLALA

tabled on Tuesday, as members of the National Party would be away in Johannesburg for a party meeting.

Lone NP member Brian Edwards watched in amazement as the IFP introduced the motion. The debate that ensued contained a blistering attack on the IFP from all fronts for dishonouring the undertaking to the NP and for attempting to subvert the work of the constitutional committee.

The multiparty committee had, over many months, worked to reach consensus on constitutional principles that would be acceptable to all, they said. Now the IFP wanted to undo all that, and impose its own constitutional principles as a basis for a new constitution.

While the parliamentarians squabbled, members of the Unemployed Silent Majority Organisation sneaked in and staged a sit-in in the House. Police had to remove them.

After this intermission, the ANC, NP, Democratic Party, Minority Front and the Pan-Africanist Congress all refused to



ON THE CAMPAIGN TRAIL Mangosuthu Buthelezi, the IFP president and Minister of Home Affairs, greets the Rev Rajwili, who led the opening prayers at the start of the Inkatha Freedom Party's local government election campaign in Johannesburg yesterday. The IFP unveiled its election manifesto, which emphasises the need to fight crime, create jobs and improve services. Chief Buthelezi said the IFP supported the goals of the Reconstruction and Development Programme, but they could be achieved only through initiatives from local government — not through the centralist approach of the ANC. He told supporters and the provincial council members that the RDP's acronym was parodied as 'Rumours, Dreams and Promises'. Picture: JOE SEFALE

censure only the IFP for failure to provide leadership in the province.

In the end, the IFP weathered the storm by passing an amendment to the DP motion reaffirming the legislature's confidence in the premier and cabinet.

On Friday a new fight broke out in the legislature. IFP Chief Whip Mike Tarr tabled a motion to change the composition of the provincial committee by increasing his party's representation at the expense of the minority parties.

He proposed that the DP, PAC, African Christian Democratic Party and the MF should be represented by two members, with the unrepresented parties taking part but not voting.

"Thus, would have given the IFP a freer reip to push through its controversial Green Paper principles," IFP secretary general Dr Ziba Jiyane explained. "The IFP is not comfortable that, as the majority party, it is not able to drive the constitutional process."

However, opposition parties once again stood firm and threatened to boycott the committee. In the end the IFP withdrew the motion and settled for an amendment that resolved to defer all contentious issues concerning the committee to the legislature for a final decision.

The IFP had been outgunned — for now.

and Delay Plan" in the province. Instead of the premier taking the lead to ensure that there was a provincial constitution with appropriate autonomous powers as provided for in the national constitution, "the IFP moans, complains and snivels about the lack of provincial competencies", he said.

"Instead of doing something about it, they act out the type of farce which we saw in this house on Tuesday, effectively alienating parties such as the DP and other minorities which could help to achieve that goal."

He went on: "Substantial and specific evidence of cheques drawn on the police vote and cash given to a driver to hand out to self-protection units is divulged in this house. And we are expected to have confidence in the cabinet?"

"A ruling party, the IFP, which runs around threatening to table motions of no-confidence in its own cabinet is not a government," he said.

Having provincial ministers in the cabinet, and therefore being lumped together with the IFP in the no-confidence motion, the NP and the ANC closed ranks and proposed the motion be amended to

Whip Roger Burrows proposed a motion of no-confidence in Dr Mdlalose and his cabinet. After 17 months in office violence was spiralling — there was no law and order in KwaZulu Natal. He said the Reconstruction and Development Plan could stand for "Relay

cheques on behalf of two known self-protection unit members. Dr Mdlalose again promised that the results of the auditor general's investigations would be tabled before the legislature.

On Thursday it was the DP's turn to take centre stage. Chief

ment of more than R5-million to self-protection unit members was used to attack Dr Mdlalose who had assured the legislature that he led a clean government.

The NP's Mr Edwards said a Midlands farmer had told the NP that last week he had cashed

Tempers flare in kwaZulu (264) government

CT 10/10/95
OWN CORRESPONDENT

DURBAN: Tempers flared and chaos erupted in the kwaZulu/Natal government yesterday when a war of words broke out over the proposed bills to pay traditional leaders and the king.

The ANC, NP, and DP walked out of the debate and the IFP had to postpone voting because there was not a quorum.

The provincial parliament resembled a bar-room brawl as politicians hurled abuse across the floor. They were debating whether the two bills could be discussed, because a petition to place them before the Constitutional Court had been lodged.

The PAC and ACDP did not walk out, but refused to participate in the debate.

DP leader Mr Roger Burrows said he was "horrified by the tactics adopted by the IFP to force through the controversial bills".

Govt funds now available for protector of KwaZulu-Natal

(264) BO 12/10/95
Farouk Chothia

DURBAN — The appointment of a public protector in KwaZulu-Natal had been delayed because no budget allocation had been made for his office, premier Frank Mdlalose's spokesman Thembinkosi Memela said yesterday. The KwaZulu-Natal legislature passed legislation about six months ago to provide for the post, but only now has the public been invited to make nominations.

Memela said funds became available after

an approach was made to central government. The protector's salary would be R148 599 a year, equivalent to a public service chief director.

Memela said a parliamentary committee, which will include legislature speaker Gideon Mdlalose and secretary Robert Mzimela, would interview candidates.

A two-thirds legislature majority would have to ratify the appointment.

Memela said ratification should be at the legislature session scheduled for next month.

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(264) 30/12/10/95

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IFP's hardline strategy will deepen tension, warns ANC

BD 12/10/95 (264) (111)

Farouk Chothia

DURBAN — The strain within the KwaZulu-Natal government would deepen if the IFP failed to reverse the hardline strategy it adopted in the legislature session which ended on Monday this week, ANC provincial chairman Jacob Zuma warned yesterday.

Zuma said the IFP should realise that it had a mere one-member majority in the provincial legislature, and that it could not govern without the co-operation of the other parties.

"The next six months are crucial for the IFP to mend its ways. If it does not, it will be under perpetual pressure," Zuma said.

The IFP has 81 MPs in the legislature, which is including the speaker. The six opposition parties have a total of 40 of which the ANC has 26.

Premier Frank Mdlalose's spokesman, Theminkosi Mem-

ela, said that an "ordinary" cabinet meeting was held yesterday — the first since the legislature crisis started.

Confirming that no "heavy stuff" was discussed in the meeting, Zuma said. "I think everybody wanted to cool off."

Memela said the cabinet had met a delegation from one of the German states. Investment and tourism were discussed.

Zuma said he still got along "very well" with Mdlalose.

"I sympathise with him. He ought to be a father figure but his party is forcing him to behave as though he is only an IFP premier," Zuma said.

He warned the IFP not to introduce further legislation intended to challenge central government — including Bills to re-enact the Ingonyama Trust Act and an Electoral Act — at the legislature session scheduled for next month.

Zuma said that if the IFP did

so, the ANC would respond in the same fashion it had done in the session which ended on Monday.

Zuma said there was no prospect of the ANC pulling out of the unity government as it was one of the "cornerstones" of ANC policy for the transition period.

But the ANC would introduce a motion of no-confidence in the IFP if it continued using "bullying tactics". The IFP should also stop behaving as though it was "still running a one-party homeland".

"If they can't govern the province, the province must be taken out of their hands. It is our duty to defend democracy in the province," Zuma said.

He said the ANC caucus was to discuss the conduct of speaker Gideon Mdlalose who reversed an earlier ruling he made and allowed debate to take place on Bills intended to prevent traditional leaders from accepting remuneration from central government.

Niehaus attacks whites' dominance of the Press

BD 12/10/95 (111)

Tim Cohen

CAPE TOWN — White and foreign dominance of the SA Press was sharply criticised yesterday by the ANC.

ANC NEC member Carl Niehaus told a news briefing the SA Press was not reflecting the country's full diversity of voices.

The ANC said in a statement released at the briefing. "Without fundamental change in the patterns of ownership and control of the media, the sale of large sections of the print media industry to foreign interests can only further disempower South Africans."

The Press had been slow in responding to the far-reaching changes that SA was undergoing and most newsrooms remained predominantly white.

"Consequently most mainstream newspapers have white editors who are often perceived to be some of the strongest opponents of the democratic majority government."

The statement singled out Star editor Peter Sullivan, accusing him of trying to stifle opposition within his own staff.

The statement appended an internal memorandum signed by Sullivan which said the Star "must speak with one voice" on the issue of foreign ownership and the racial make-up of the Press because of the topic's "sensitivity".

"The Press is one issue which requires experience and strategic formulation."

It is understood the memorandum was issued in response to an article written by one of the newspaper's black reporters critical of the approach adopted by the Star during the ongoing debate. The article was not published.

The ANC said in the light of Sullivan's instructions to his staff, his professed commitment to Press freedom rang hollow.

In response, Sullivan was quoted in yesterday's Star as saying that the attack was mystifying as he had taken every opportunity to stress that he believed the ANC was fully committed to Press freedom and that he was committed to Press diversity.

Niehaus denied that his organisation was "soft" on crime.

Commenting on the decline in the safety and security budget, Niehaus said the ANC would have liked to have seen more spent directly on crime prevention.

But the ANC had a holistic approach to the problem which included a socioeconomic component and therefore required expenditure in other areas as well.

He said the ANC was concerned about "negative messages" on the local government election, particularly statements made recently by local government election task force co-chairman Van Zyl Slabbert. Despite hitches, the election was going to take place in most areas of the country and a positive message about the elections ought to be expressed, Niehaus said.

R140m for Soweto roads

Mduduzi ka Harvey

BD 12/10/95 (111)

THE greater Johannesburg transitional metropolitan council has allocated more than R140m from its budget in the current financial year to implement 30 road projects in Soweto.

Launching the RDP/Masakhane roads project in Orlando East yesterday, Johannesburg mayor Isaac Mogase said the greater Johannesburg council would ensure service delivery, but delivery had to be supported by the community.

The projects, he said, were a way of encouraging the community to support both Masakhane and the RDP.

The best structure to deliver to the communities was local government. But the best service delivery would require the best service payment in return, Mogase said.

Soweto mayor Danny Kekana echoed his sentiments, saying that residents should pay for services, because without funds there could be no service delivery.

Soweto Civic Association spokesman Pule Buthelezi encouraged residents to support the campaign. For local government to be successful, he said, it had to be people-driven.

Johannesburg council RDP unit head John Singh said that community involvement would be the project's main thrust.

The aim was to implement a philosophy of empowering communities, by promoting joint ventures between local and conventional contractors.

Natal premier accused of bias

(264) CT 12/10/95

DURBAN ANC KwáZulu/Natal leader Mr Jacob Zuma said yesterday unity in the province was being undermined by the "blatant bias" of central figures in the provincial government, including the IFP-aligned Mdlalose brothers.

Mr Zuma said both premier Dr Frank Mdlalose and his brother Mr Gideon Mdlalose, Speaker in the IFP-dominated provincial government, were openly partisan towards the IFP despite their sup-

posedly non-partisan positions.

His comments followed a stormy week-long sitting of the government which adjourned on Monday. The sitting was marred by heated verbal exchanges between the IFP and minority parties. The minority parties twice walked out to protest against "IFP bullying tactics". Opposition parties accused the IFP of trying to bulldoze legislation through the House — Sapa

Leaked: Buthelezi's fury over land

(264) MG 13-19/10/95

The Cabinet and Mangosuthu Buthelezi are at loggerheads again over the controversial Ingonyama Trust Act, writes **Gaye Davis**

LEAKED documents from a Cabinet committee meeting show that government moves to spike a KwaZulu-Natal legislature bid to re-enact the controversial Ingonyama Trust Act have sparked a major showdown.

In a strongly worded statement released at this week's meeting of the cabinet committee on social and administrative affairs, Buthelezi says that government action would be a "negative institutional prevarication" as the matter "affects the Zulu alone".

Buthelezi's furious reaction was to a memorandum tabled at the same cabinet committee meeting by Land Minister Derek Hanekom, Cabinet go-ahead for a Bill to re-enact the Act to come before Parliament during its next session. He says that words "fail me to express my personal opposition to the contents of this Bill, and I warn that in this respect my action is going to be far more understanding and conciliatory than



King's ransom: How we broke the story in May last year of FW de Klerk ceding control of KwaZulu-Natal land to Zulu King Goodwill Zwellithini

what may emerge out of the anger of the Zulu nation," Buthelezi said.

"I plead in the name of peace and reconciliation that we do not go ahead with this proposal which has the practical effect of completely repealing the Act and transforming the Trust into a ceremonial legal entity with advisory powers only."

As it stands, the Act — passed by former president FW de Klerk in a highly secret deal two days before he was voted out of power last year — puts three million hectares or 93 per cent of land in the former KwaZulu under the trusteeship of the

Ingonyama, Zulu King Goodwill Zwellithini

Hanekom was acting in terms of a unanimous Cabinet decision in June last year that the Act be amended or replaced to ensure the Ingonyama remained guardian of tribal land and that provision be made for the alienation of land.

There are deep suspicions within government that re-enactment of the Bill by the KwaZulu-Natal legislature would allow the IFP to make further amendments to encompass all state land in KwaZulu-Natal as a whole. Expressing his "total and unequal-

fed opposition" to the memorandum, Buthelezi warned that the country would be plunged into a "pernicious and institutional crisis" if Cabinet gave the green light to the Amendment Bill going ahead.

"No other single issue could be more sensitive and more inflammatory for the Zulu nation", he said, adding that central government amending the Act would "provoke and test the patience and tolerance which the Zulu nation has thus far demonstrated".

The areas governed by the act include not only tribal or communal land but also land in urban townships, government buildings, roads, dams, parks and commercial and industrial sites.

This was stifling development in areas that once fell under KwaZulu, Hanekom's memorandum said. Banks denied landholders loans because bonds would be invalid. Residents did not qualify for housing subsidies because they could not get registered title to their homes.

"It is not practically possible for people who need homes or land to become the legal owners or holders of land in these areas, because no land may be alienated or leased without the permission of the Ingonyama (Zwellithini), and (he) does not have the administrative facilities to deal with the very large number of requests which would be received." In terms of last year's Cabinet deci-

sion, Hanekom consulted KwaZulu-Natal premier Frank Mdlalose about the matter last month, who agreed to the Act's amendment but wanted this done by the provincial government.

Hanekom contends that as it is a land matter it thus falls to central government to do so. "In any event it is necessary to bring the situation into line with the position in other parts of the country, to give all South Africans equal rights in respect of land."

Buthelezi said he was aware of the difficulties of development where land was communal, rather than public and alienable. "The province of KwaZulu-Natal is working on this problem with a view to establishing a system which reflects our goal of pursuing the ideal of a truly modern and yet truly African state."

The Bill would be seen as "a provocation" to what the province was trying to achieve. He said "very little" would be left of "the facade that this Cabinet complies with the constitutional requirement that our decisions be taken by consensus where possible, if this Cabinet goes ahead with this Bill in spite of my most unqualified objection on such a matter which affects only my constituency." It is understood that state law advisors have been asked to investigate and report on the constitutional position in time for next Wednesday's Cabinet meeting.

KWAZULU-NATAL

Tensions rise but killings drop

(264) & FM 13/10/95

In spite of mounting tensions and some high profile killings in KwaZulu-Natal, violence has actually declined, according to police and independent monitoring organisations

Part of the success must be attributed to Operation Jumbo, a joint police/military crackdown in the province. Although police spokesman Lt Col Bala Naidoo says violence was in decline anyway

"Violent deaths in the first half of the year were down 17,7% lower than for the first six months of 1994 and it is still going down," he says, "and political killings are right down, perhaps the lowest for several years"

Nevertheless, political violence is still a problem and operations such as Jumbo can at best only contain this element as long as the province lurches from one political crisis to another

Issues such as the tensions between Inkatha and Zulu king Goodwill Zwelithini, whether central or regional governments should pay the monarch and traditional leaders and the fight now being waged over a provincial constitution all combine with the belief in many communities that whoever controls the turf — and therefore the structures of authority — can determine political allegiance and therefore create tensions which can easily erupt in conflict

The Human Rights Committee (HRC), which monitors political violence, points out that there has been a change in violence patterns, with attacks becoming more focused, concentrating on burning homes rather than disrupting public gatherings

Researcher Makubetse Sekhonyane says it has to do with "territorial domination" — and the belief that "it is much more difficult for political opponents to return to an area if their homes have been destroyed"

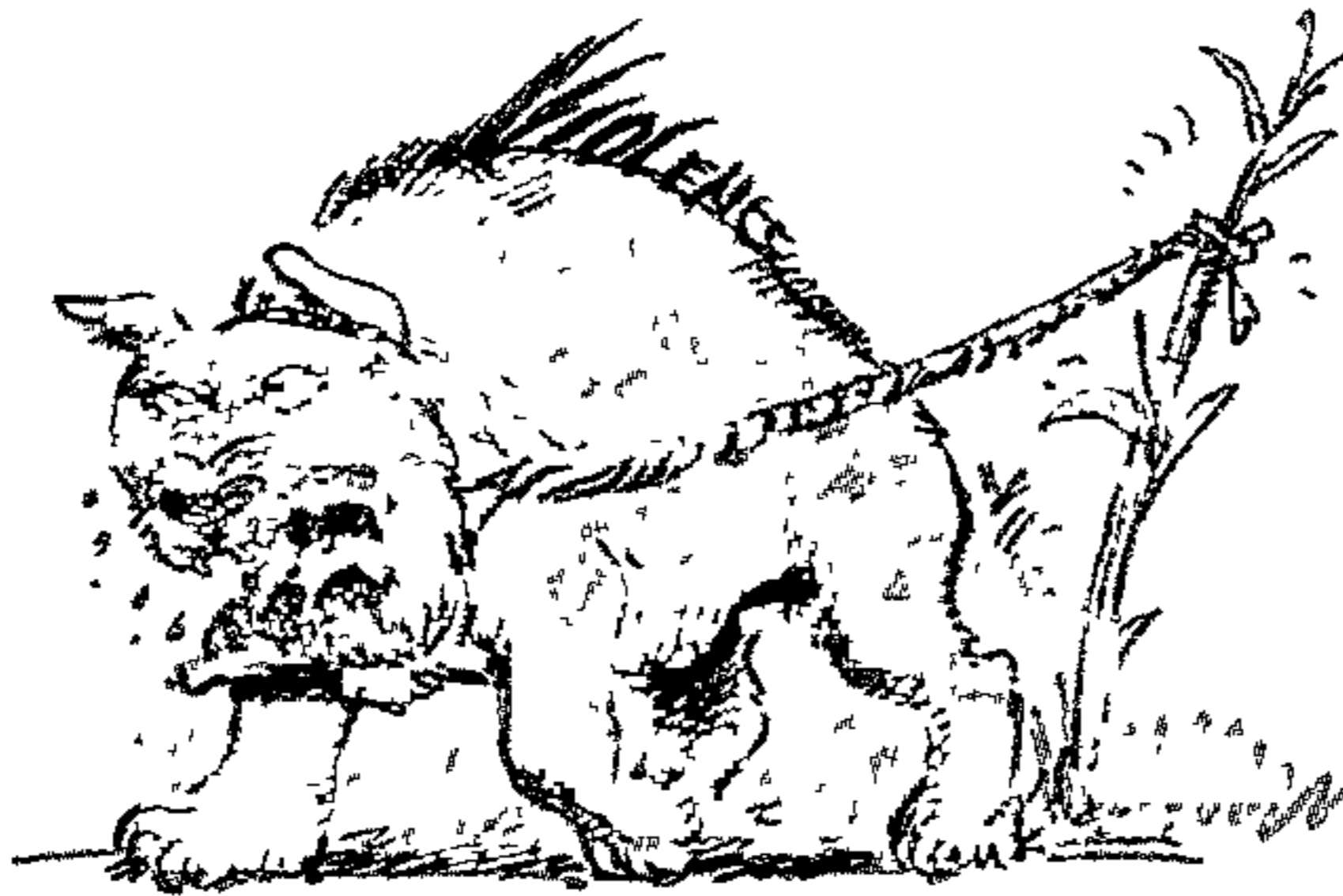
HRC says that there were 618 politically related deaths and more than 400 people injured in the province between January and August

Though the decline in killings suggests that communities are growing tired of the continuous cycle of violence, Sekhonyane says evidence continues to surface of well-trained provocateurs coming from outside areas to re-ignite tensions when peace seems possible in certain areas. It is, however, difficult to say to whom these agents

owe their allegiance

Though Inkatha has criticised the way in which the joint police and army drive, Operation Jumbo III, was launched "without so much as a by your leave to the province" on August 28, it has been effective

As with the police's Community Safety Plan in other parts of the country, Jumbo's objective is the stabilisation of troubled areas like Port Shepstone, parts of Durban,



the Midlands and Eshowe

Involving more than 1 000 people, the operation concentrates on high density high profile patrols, roadblocks, and search operations

By the beginning of this month the operation had carried out 458 roadblocks, searched 13 049 vehicles and 2 636 homes. The actions brought 2 101 arrests (197 for murder), recovery of 700 illegal firearms and assorted ammunition, hand grenades, petrol bombs, detonators and 28 grenade launchers

Naidoo is adamant that the increased policing, arrests, and weapons seizures have resulted in a "remarkable decrease in both unrest and criminal cases. The security forces are determined to reduce crime to more acceptable levels"

But the heightened activity is exacting a price on the security forces, particularly the police. Their casualties were boosted to 72 in the province this year as a result of the recent massacre of four policemen and an informer

The political fall-out, particularly Inkatha's antagonism to Jumbo, is likely to raise further problems. Indications are that the police's relations with the public in the province are at a lower ebb than elsewhere in SA. Safety & Security Minister Sidney Mufamadi commented recently that the

community policing programme, aimed at improving co-operation between police and public, has been far less successful in KwaZulu-Natal than elsewhere

Naidoo says that though police killings are a feature of the province it is difficult to say what the motives are. "The community policing problem is exacerbated by divided communities. Police forums which are an integral part of the process, require a cross section of the population and if one political party is left out then more harm than good is done"

The killings have also had their effect on police morale with rank and file police staging a march in Maritzburg at the weekend to draw attention to the killing of their comrades and calling for a vote of no confidence in provincial commissioner Chris Serfontein

There is little in the way of good news as far as politics are concerned, with particularly Inkatha and the ANC still at each other's throats. There are, however, occasional signs of co-operation in seeking to end the crime and violence

When an ANC leader proposed a motion in the provincial legislature recently calling for all parties to commit themselves to peaceful action and to heed President Nelson Mandela's call for peace in KwaZulu-Natal, it was notable that Premier Frank Mdlalose seconded the motion. Fine sentiments, but meaningless so long as the leaders fail to instil them in their followers ■

CONSTITUTION-MAKING

No more smoky rooms?

Is political expediency ruining the idealistic dream of a new constitution that is "owned by the people" and arrived at through national consensus?

The impression has been created that the Constitutional Assembly (CA) has shelved transparency by allowing closed-door bilateral meetings between the main parties in order to complete a final constitution by May 1996. The implication is that the public's views are relevant only up to a point, after which the most sensitive issues will be decided by party political horsetrading

The CA confirms that discussion has been deferred — on such contentious issues as the competencies of the provinces, the national anthem, the implementation of the country's 11 official languages and the nature of the national executive — to give



Ramaphosa . . . seeking a fine balance

CURRENT AFFAIRS

The official CA newsletter says "This is a different process to the one at the World Trade Centre where every meeting of the Constitutional Committee strove to end with a deal or two being struck

"The CA process is about a dialogue towards a national consensus on the new constitution before deals can be sealed. One difficult matter is the distribution of powers and functions between national and provincial parliaments and cabinets. But the CA is calmly exploring ways to ensure that a real national consensus is reached"

CA chairman Cyril Ramaphosa says there will have to be "a fine balance" between public participation and the political process so that neither is sacrificed at the expense of the other. He describes the relationship between provinces and central government as the "flywheel" of the process and says settling this matter would make the rest a lot easier.

But that does not mean that two-way deals struck offstage can be used to manipulate the 490-member CA (the National Assembly and the Senate sitting together, excluding the IFP which is boycotting the process). The situation is a far cry from the

closing days of the Kempton Park negotiations where bilateral agreements were forged, then forced through on the basis of "sufficient consensus"

The CA is an entirely different animal where nothing is decided by vote and the commitment to public participation and scrutiny is laboriously real. If anything the CA is too transparent.

All meetings of the CA and its committees and all documentation received and produced have been open and available to the public. Minutes are published on the Internet.

More than R35m is being spent up to May 1996 on a major publicity and information campaign, of which R19,5m is for advertising. So far more than 2m public submissions have been received and Ebrahim says all important stakeholder groups have been consulted.

This week the CA released a draft Bill of Rights and has undertaken to publish a working draft of the final constitution on November 15. The public will be invited to comment for a further three months. These comments will be fed into the constitutional deliberations as they are received. There will be a shift next year from written submissions to more interaction and debate with stakeholders and interested parties.

It is a protracted process. The CA has already exceeded its deadline for producing a draft constitution by more than three months. If bilateral meetings further negotiations by enabling parties to work out compromise solutions to thorny issues, they should not be discouraged. ■

parties time for bilateral meetings. However, CA executive director Hassen Ebrahim says the CA has not, and cannot, rubber-stamp any outside decision.

He says parties must be allowed to lobby each other privately for support but that this does not affect the transparent operation of the CA "where decisions are taken on the basis of consensus in view of the public"

A PROCEDURAL MATTER

The portfolio committee that fine-tuned the Bill amending the Local Government Transition Act before it went to the National Assembly and Senate this week was, in one sense, merely rectifying an anomaly.

Various presidential proclamations enabling next month's community elections had become null since the Constitutional Court's judgment that parliament's assigning of such powers to the President was unconstitutional.

Committee chairman Pravin Gordhan pointed out that the Amendment Bill replaced the proclamations with parliamentary law. But the real dispute went beyond procedural correction of faulty legislation. It related to the Western Cape NP's sustained view that two proclamations affecting its authority in a demarcation dispute were themselves unconstitutional.

This group, under regional premier Hennis Kriel, warned of a further appeal to the Constitutional Court and even of using its senators to block the Bill through a complex procedure laid out in Section 61 of the interim constitution.

Since the NP has decided to back Kriel's defence of his regional powers — which tallies with its federalist position — the risk arose of a split, since the amendment Bill, as well as the orig-

inal one, was introduced by Roelf Meyer, Minister of Provincial Affairs & Constitutional Development. Meyer, perhaps significantly, did not attend the sometimes tense committee hearings; the department was represented by Deputy Minister Valli Moosa.

As articulated by party leader F W de Klerk, the NP wanted the election to proceed, where it could do so, on November 1. But any clause that appeared to single out the Western Cape would be contested. The committee therefore had to frame the former proclamations so broadly that they applied nationally, leaving no room for a regional challenge.

By Tuesday, as the FM went to press, it remained uncertain whether the NP would vote against a Bill introduced by one of its most senior members. The wider political dimension relates to the ultimate fate of the NP as a partner in government.

With or without NP support, the amendment Bill was almost certain to be passed. It is also difficult to see how the Western Cape NP could return to the Constitutional Court to rule on proclamations that it found procedurally faulty but not inherently unconstitutional. However, one should never underestimate the agility of legal advisers.

POST OFFICE ^(EB)
FM 13/10/95
Challenge and response

There has been a "huge migration" of clients away from the Post Office as business turns to electronic communications, says Minister of Posts, Telecommunications & Broadcasting Pallo Jordan.

"You are not going to put a letter in the mail if you can send it by fax," he notes. But that does not mean he thinks the Post Office has no future in SA, quite the opposite. The Post Office has to compensate for lost revenue by strengthening its links with "bulk mailers" — Jordan mentions *Readers' Digest* and Edgars specifically — and by building up the related parcel service. "That is where the money lies."

In concentrating on these spheres, however, the Post Office must not neglect its commitment to the majority of South Africans. Though important to the Post Office's revenue-earning capacity, bulk mailers account for only a small slice of its total number of clients.

Referring to the ordinary folk who cannot afford to use electronic mailing services

Boundary row referred to court

(264)

By Farouk Chothia

BD13/10/95

DURBAN — KwaZulu-Natal local government MEC Peter Miller has decided to refer eight boundary disputes, including that of the Durban transitional metropolitan council, to the Electoral Court.

Miller told a news conference yesterday KwaZulu-Natal was on a tight schedule to meet its March 27 target date for elections. Eight boundary disputes were still unresolved, although the deadline for the proclamation of wards was the end of November.

Miller said he would refer the disputes, about whether tribal areas should be included in local authority areas, to the court next week. He could not say when a ruling would be made, but would stress the urgency of the matter.

Reacting to the announcement, ANC KwaZulu-Natal local government co-ordinator Magwaza Maphalala said he was sceptical about elections taking place on March 27 — six months after the rest of the country.

"We are dealing with people who do not have an interest in progress. They are hell-bent on being destructive," Maphalala said.

Miller said the court would have to make a ruling on the outer and inner boundaries of the Durban council, as well as the outer boundaries of Empanjeni/Ngwelezane, Eshowe, Mandini, Richards Bay, Port Shepstone and Margate. It was possible that disputes in Mtubatuba and Ulundi — it is believed the tussle in Ulundi is about whether an airstrip under tribal jurisdiction should be brought under the council — would also be referred to the court.

Miller said he had been forced to refer the disputes to the court after the provincial local government committee, which must endorse his decisions, deadlocked. He needed four of the six committee members to back his stance that tribal areas be excluded, but had the support of only three. Those who opposed him were ANC supporters, Miller said.

Miller said he was not willing to impose incorporation on "dissatisfied" communities because this would have raised the political temperature in KwaZulu-Natal.

Miller said there were instances where tribal areas had been included in council areas. This had been done at the request of chiefs and their communities.

"They accepted the consequences of permanently losing their tribal status," Miller said.

He would meet Provincial Affairs Minister Roelf Meyer today.

Meyer still has to approve the postponement of the elections throughout KwaZulu-Natal.

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Call to suspend MEC Mthetwa

~~(264)~~
DURBAN — KwaZulu-Natal safety and security MEC Rev Celani Mthetwa should be suspended, pending the outcome of investigations into his alleged involvement in third-force activities, Safety and Security Minister Sydney Mufamadi said in Verulam, near Durban, at the weekend. **BD 23/10/95**

"If I had anything to do with his appointment, I could possibly suspend him. But the decision is entirely in the hands of KwaZulu-Natal premier Dr Frank Mdlalose."

Meanwhile in Ulundi, IFP leader Mangosuthu Buthelezi said the IFP would ignore any allegations against its officials until the killing of its supporters was solved. The allegations against Mthetwa were a "cynical dirty tricks campaign" by the ANC. — Sapa

Political comment in this issue by J Jones, newsbills by C Pickard-Cambridge, headlines by V Strauss; all of 11 Diagonal Street, Johannesburg

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Promotion and support of

It's March 27 for KwaNatal

MARCH 27 has been set as the official date for local government elections in KwaZulu/Natal, the MEC for local government and housing, Peter Miller, said on Friday.

(264) CP 15/10/95
The date was accepted by Provincial Affairs and Constitutional Development Minister Roelf Meyer and his deputy, Valli Moosa.

Meyer and Moosa and election task group chairman Dr Frederick van Zyl Slabbert met Miller in Pietermaritzburg on Friday morning. At a media briefing on Friday afternoon, Miller said the election would go ahead provided three conditions were met:

- The Electoral Court would have to give its recommendations on outstanding demarcation issues by mid-November,

- It was essential the rural local government model proposed by the KwaZulu/Natal administration was accepted; and

- The provincial committee on local government should show total commitment in the months ahead.

Miller said these provincial committees had been given additional powers by amendments to the Transition Act, enabling them to "simply destroy any chance of having elections on March 27".

He said he had proposed to Meyer that voter registration be re-opened during November.

Emergency water plan launched in KwaZulu

(264)

(125) BD 17/10/95

DURBAN — The Durban transitional metropolitan council yesterday launched a bold water services project, dubbed Metro Water, intended largely to prevent the "total collapse" of water infrastructure in township areas.

However, it will require additional service payment revenue from areas currently unaccustomed to paying their service fees.

Council executive committee chairman Obed Mlaba said most township areas in KwaZulu-Natal were suffering the after-effects of underdevelopment during the apartheid era.

"Water piping was not put into place properly .. as a result the whole infrastructure is collapsing," Mlaba said.

Water losses had increased to up to 50% in some areas of greater Durban — a result of leaky pipes.

The Durban Metro Water plan would invest about R60m on upgrading and extending water services in the current financial year.

Durban water and waste department executive director Neil MacLeod said the project would receive an immediate R10m kickstart.

Research showed there was a need for investment of at least R500m in water service infrastructure to meet the requirements of the region's estimated

2,6-million population.

Only 54% of the metropolitan area's households had access to adequate water supply, MacLeod said.

"It will take about 10 years to get everyone to the level of water supply they should have."

The success of the plan would depend upon service payments.

Currently about 12% of customers are not paying water service charges.

Durban town clerk Eddie Morton said payment boycotts were partially caused by the poor quality of service provision.

Once the quality of water service was improved, payment would become more regular, he said.

The project was expected to create numerous job opportunities, making a sizeable contribution to the reconstruction and development programme.

Durban mayor Siphon Ngwenya said the delivery of services required responsibility on the part of the affected communities.

"I cannot stress strongly enough that with the delivery of services to areas that have been poorly serviced in the past, or have not had water at all, comes responsibility. And responsibility means payment for services," he said — Sapa.

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Tough IFP paper angers opposition

BD 18/10/95
Farouk Chothia

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DURBAN — Major opposition parties warned yesterday that the deadline for the adoption of KwaZulu-Natal's constitution would have to be extended following hard-line proposals tabled by the IFP providing for an unelected premier and empowering the Zulu king to veto legislation.

In an angry reaction, DP KwaZulu-Natal leader Roger Burrows said the IFP had not shifted "one iota", despite bilateral talks over the past two months.

Burrows said there was "broad agreement" among opposition parties that a constitution could not be adopted by December 31. The DP believed the deadline should be extended into the new year, he said.

Parties could conclude at a constitutional committee meeting next week that there was no prospect of agreement, and that they should "call it quits", he said.

NP KwaZulu-Natal caucus chairman Tino Volker said it was clear that the constitution could be adopted only early next year.

Describing Inkatha as "intransigent", ANC chief negotiator John Jeffery asked whether the constitutional process was worth continuing.

Volker said the constitution — unveiled in the constitutional committee yesterday — had been drafted about six months ago. "It is unchanged, and aspects are unachievable," Volker said.

But IFP national council member Walter Felgate said the tabling of the constitution paved the way for further negotiations

and give and take. Felgate said the IFP wanted a constitution adopted by the legislature on December 22. It would be "desirable" for the constitution to be adopted and implemented before the national constitution was completed.

He said the constitution "destroyed the myth" that the IFP favoured secession of KwaZulu-Natal, rather than the "maximum degree of autonomy".

Among the controversial features of the IFP proposals are a voluntary defence force and provincial powers to declare a state of emergency in the event of a "general insurrection". Central government troops could be stationed in KwaZulu-Natal only in consultation with the province.

On claims that large parts of the constitution would be rejected by the Constitutional Court, Felgate said this was a matter of interpretation. The IFP was making the "most liberal" interpretation of the interim constitution.

The IFP constitution states that "no power of the Republic of SA shall be legitimately exercised and applied" in KwaZulu-Natal if it is inconsistent with the provincial constitution.

It also provides for the Zulu monarch to "nominate the premier preferably from the ranks of the majority party" after consulting the major political parties. The king could veto any legislation, which would then be referred back to the legislature. Legislation would be promulgated only after the king — all of whose actions would be countersigned by the premier or competent minister — signed it.

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IFP blueprint 'secessionist'

(264) CT 18/10/95

DURBAN: Opposition parties criticised Inkatha's draft constitution for kwaZulu/Natal yesterday as "secessionist" and said it had no chance of being ratified by the Constitutional Court

Inkatha tabled its draft blueprint for a "Kingdom of kwaZulu/Natal" at a meeting of the provincial constitutional committee earlier yesterday

The party's plan provides for a provincial militia, judiciary and constitutional court

University of Natal constitutional lawyer Ms Saras Jagwanth said the draft had "secessionist tendencies"

"I can't see how any party can seriously think that this will be approved," she said — Reuter

IFP gives a kingdom for the constitution

The only change in the IFP's new draft constitution for KwaZulu-Natal is that 'state' has been changed to 'kingdom', writes **Ann Eveleth**

KWAZULU-NATAL'S constitutional process is going around in circles, if the draft constitution tabled this week by the Inkatha Freedom Party is anything to go by

Far from reflecting progress toward the negotiated solution which is ultimately required of the province, "The Constitution of the Province of the Kingdom of KwaZulu-Natal is a relic from the lime warp of the former homeland government. More than 95 percent of its clauses are resurrected directly from the equally controversial "Constitution of the State of KwaZulu-Natal" tabled by the IFP in late 1992 as an alternative to proposals then holding sway in the national constitutional process at Kempton Park.

Rejecting aspects of the constitution as "utterly unacceptable", Democratic Party MP Roger Burrows said the document "does not reflect a new South Africa, does not reflect April 27, does not reflect Kempton Park and does not reflect a democratic government"

The only notable deviation from the original document is the substitution of a "Kingdom" for

the previous "State" and a section entailing heavily-controlled powers for Zulu King Goodwill Zwelithini and extensive powers for the controversial House of Traditional Leaders. Neither Zwelithini nor other traditional leaders featured in the 1992 constitution, when both were firmly under the control of the IFP.

The new constitution — edited by IFP leader Mangosuthu Buthelezi's headline constitutional adviser Marro Ambrosini from the text which he jointly authored with his late colleague Albert Blaustein — provides for the monarch to nominate the premier, declare an emergency, and veto legislation passed by Parliament.

The catch is that all the king's actions must be countersigned by the premier or competent minister, his decisions made in consultation with the premier and a new-look 20-member royal council, comprising 10 nominees from the House of Traditional Leaders, including Buthelezi as its chairman, six members nominated by the monarch and four chosen by Parliament. The House of Traditional Leaders is empowered to depose the monarch — and other traditional leaders — with a two-thirds vote, and put a regent in his place. These provisions alone appear to rule out agreement with either the African National Congress — which fought a long battle to free Zwelithini from the vice-grip of the IFP and is still opposing the House of Traditional Leaders Act in court — or the DP, which has vociferously opposed the creation

of a kingdom in the entire province

Most opposition parties this week balked at IFP claims that it had tabled the document "to take the mystery out" of the 12 constitutional principles adopted by the provincial legislature despite an opposition walkout and to "dispel the myth that the IFP wants secession"

ANC chief negotiator John Jeffery said it was "clear the IFP didn't listen to any of the other parties or to the constitutional experts"

National Party MP Thno Volker warned that "certain aspects in document would be unacceptable to the Constitutional Court" and would therefore not receive the requisite two-thirds vote in the provincial legislature

The IFP's decision to table such a controversial document marked a major power shift within the party. As moderate provincial MP Mike Tarr took his seat as the constitutional committee's third chairman, opposition MPs wished him "long life" in the post which ANC MP Ismael Meer warned seemed to have a "high mortality rate"

Former chairman Arthur Konykramer's resignation — following censure by IFP hardliners — is attributed largely to his refusal to table the document. Having recovered from a triple bypass operation, IFP national hardliner Walter Felgate is now clearly in charge

The prominence of IFP heavyweights has forced the ANC to introduce its national leaders to the process, with national Constitutional Com-

mittee chairman Prawn Gordhan joining the bilateral

Many of the contentious issues contained in the constitution — including provision for a provincial reserve force, provincial judiciary and constitutional court, primacy of the provincial constitution over the national constitution and the extension of the territory to include territorial waters — have been repeatedly rejected by the opposition parties. The IFP has asked opposition parties to table detailed reactions on the constitution next week — an exercise that again covers old ground — appears that Felgate wants negotiations to start from scratch, ignoring all agreements Konykramer reached with the opposition. Felgate has said the IFP constitution is merely a starting point for negotiations, but he is committed to securing the "maximum degree of autonomy" for KwaZulu-Natal

"The more we can do to claim our rights now, the more difficult it will be for the national constitution to take away our powers," said Felgate

In this context, the IFP this week proposed December 22 — when almost everyone is usually on holiday — as the deadline for the adoption of a constitution in the legislature, beating the deadline for the adoption of a national constitution by about five months.

The ANC argues the IFP strategy is flawed because the national constitution cannot be legally bound by the provincial constitution

(264) MG 20-26/10/95

CANVASSING HOTS UP ON BOLAND

ANC out to improve fortunes in W Cape

ET 23/10/95

(264)

AS CAMPAIGNS warm up for transitional local council elections in the Boland, threats of legal action are beginning to emerge. **CHRIS BATEMAN** reports.

THE ANC will throw its full weight behind what it calls the "Cape corridor campaign" this week in an attempt to improve its electoral fortunes in the Northern, Eastern and Western Cape.

As canvassing warms up in 95 Western Cape towns for next Wednesday's transitional local council polls, fresh rows erupted yesterday in Uniondale and Mossel Bay.

In Uniondale, the local advice office issued allegedly libellous pamphlets claiming, among other things, that the ratepayers' association was a Conservative Party "front". The ratepayers' association fired back with a lawyer's let-

ter threatening court action.

In Mossel Bay, the returning officer is investigating an ANC complaint that National Party candidate Mr David Smith used municipal facilities to print pamphlets.

Parties have expressed concern about voter preparedness and understanding, especially in wards with unopposed candidates where proportional votes could be lost.

In Worcester, Mr Clarence Johnson (ANC, Avian Park) said: "Our biggest concern is that many voters won't understand that they have to vote twice, once for the proportional list (party vote) and the second time for their individ-

ual candidate."

The ANC's "corridor campaign" will take President Nelson Mandela to Graaff Reinet and his deputy, Mr Thabo Mbeki, to Worcester, Wellington and Paarl on Saturday.

The NP's campaign takes Deputy President Mr F W de Klerk and Western Cape leader Dr Dawie de Villiers to the Boland on Thursday.

ANC pamphlets will boast of top coloured affirmative action postings in the Western Cape government, rental arrears write-offs until February last year and the Masakhane campaign.

ANC posters will claim the NP has "failed in the Western Cape", while NP posters will boast of "Bringing power to the people" (electrification) and "Building safer communities".

ANC unveils its plan for KwaZulu-Natal

(264)
Farouk Chothia

BD 24/10/95
DURBAN — The ANC has unveiled a draft constitution for KwaZulu-Natal that argues against extending the province's powers beyond those provided for in the interim constitution.

The constitution is also intended to break the IFP's stranglehold over traditional leaders and force IFP leader Mangosuthu Buthelezi to relinquish his post as chairman of the province's house of traditional leaders.

It reflects the chasm between the ANC and IFP. The ANC constitution states that residual powers would rest with central government, while the IFP constitution provides for residual powers resting with the province.

The ANC constitution erodes the province's powers in relation to local government, stating that regional councils would be entitled to receive funds directly from central government. Councils would also be entitled to raise loans on the basis of criteria and formula determined by the nation-

Continued on Page 2

ANC plan

(264)

Continued from Page 1

BD 24/10/95
al Financial and Fiscal Commission
ANC local government head Mike Sutchffe told a news briefing this was a "normal practice" in federal countries and it was an efficient mechanism.

The ANC constitution does not say traditional leaders would have ex officio status in local government structures. ANC negotiator John Jeffery said there was no need to specify this as the interim constitution guaranteed these leaders such representation.

ANC national executive committee member and KwaZulu-Natal transport MEC Sibusiso Ndebele said the ANC did not want KwaZulu-Natal to have powers exceeding those listed in schedule six of the interim constitution.

"(Premier Frank) Mdlalose says that we had more powers under the bantustan system. That is what we fought against," Ndebele said. "If we occupy ourselves implementing what is in schedule six, we will be working 27 hours a day."

Jeffery said KwaZulu-Natal should have exclusive powers only to impose taxes, levies, and duties on casinos, gambling, wagering, lotteries and betting. KwaZulu-Natal would also have

the competence to enact legislation authorising imposition of user charges.

IFP national council member Walter Felgate said the ANC had a narrow interpretation of the interim constitution. It had to alter its position if agreement was to be found with the IFP.

The constitution proposed that the province's name be KwaZulu-Natal or Thukela, a river with its source in the Drakensberg. ANC chairman Jacob Zuma said: "Thukela is more neutral, more historic (and) more natural."

Unlike the IFP constitution, the ANC stressed that KwaZulu-Natal was an "inseparable" province of the republic. All the province's executive and legislative structures were to "participate fully in all structures promoting inter-governmental relations."

The constitution enhanced the Zulu monarch's powers, stating that he would preside over the house of traditional leaders. No person holding public office would be allowed to serve in the house, which would remove Buthelezi as its chairman.

The constitution stated that the Zulu monarch would appoint his own chief adviser, a post that would effectively strip Buthelezi of his title of "traditional prime minister."

The constitution proposed that the Zulu monarch, rather than the traditional affairs MEC, install chiefs

VISION FOR KWAZULU/NATAL OUTLINED

ANC proposals run counter to IFP plans

CT 24/10/95

DURBAN: The ANC has proposed that kwaZulu/Natal be given only those powers allowed for by the interim constitution. It also suggests that it be known as Thukela Province.

THE ANC has unveiled constitutional proposals for kwaZulu/Natal that differ vastly from those of the IFP

"The people out there have got to decide whether they want the IFP to mess up this province or the ANC to save it," ANC national chairman Mr Jacob Zuma told a news conference yesterday. He invited public comment and debate on the ANC's proposals.

Provincial ANC MP Mr John Jeffrey said the proposals were in line with the interim constitution agreed to at multi-party negotiations whereas Inkatha's were "secessionist" and excluded the province from South Africa.

He said the IFP draft would be struck down by the Constitutional Court if the proposals were passed by a two-thirds majority in the provincial parliament.

Inkatha's proposed draft for the "Kingdom of kwaZulu/Natal" advocates strong federal powers and an independent constitutional court, judiciary and militia for the province.

The ANC proposals see kwaZulu/Natal as a constituent and inseparable province of the republic and make no provision for most of the strong federal powers for which Inkatha calls. The ANC allows only for those powers that the interim constitution devolves to the provinces.

An alternative and more "neutral" name for kwaZulu/Natal could be the Province of Thukela, the ANC suggests. Thukela is the Zulu name for the Tugela River.

Another disagreement between the two rivals is over the capital of the province. The ANC wants Maritzburg while the IFP has named

Ulundi

On the Zulu monarch, the ANC does not apply the set of controls that Inkatha has proposed, such as ensuring the king's official actions are counter-signed by the premier and relevant minister.

The ANC says the king must install all chiefs in the province and designate one member of his royal council as his top adviser.

Deadline

Inkatha leader Chief Mangosuthu Buthelezi currently claims the title of traditional prime minister to the Zulu nation and the IFP's draft constitution compels the king to recognise this position.

The IFP, in defending its proposals, has said they are "strongly federal" and not secessionist.

It has set the end of the year as a deadline for the adoption of a provincial constitution, failing which it will call for a fresh election to try to increase its slim majority in the province. — Reuter

KwaZulu-Natal premier drops Mdetwa from safety, security post

Farouk Chothia

KWAZULU-Natal premier Frank Mdlalose yesterday sacked the hit squad-implicated Celani Mdetwa from his post as provincial safety and security MEC, but kept him in the cabinet as public works MEC.

The ANC and NP both said they would have preferred to see Mdetwa quit the cabinet. Mdlalose said he would take over the safety and security portfolio. The public works portfolio had been

separated from the finance portfolio and Mdetwa would be the public works MEC, while Senzele Mhlungu would be responsible only for finance. The separation was necessary as Mhlungu's portfolio was "important and very busy".

Mdlalose's decision came after repeated calls from the ANC to suspend Mdetwa after allegations were made that he had been involved in hit squad-related activities.

A pre-election Goldstone commission report claimed that he had been

involved in gun-running, while similar claims of gun-running had been made against him in the trials of three KwaZulu police "hit squad" members and former Vlakplaas C-10 unit commander Eugene de Kock.

However, Mdetwa said yesterday that Mdlalose's decision to transfer him was not linked to the allegations.

"That is just talk in the newspapers," Mdetwa said. He was "happy" to be the new public works MEC.

"It is a challenging post. It has so much to do with development," he said.

Mdetwa said he still had to decide whether to continue operating from Uthuli, or to move to Durban. Mdetwan the department from Durban.

ANC KwaZulu-Natal spokesman Dumisani Makhaye said Mdlalose's decision to transfer Mdetwa from a powerful portfolio to one that existed "only in name" was an admission that there was "something fundamentally wrong" with Mdetwa.

Makhaye said the allegations against Mdetwa were serious. Mdlalose should have shown "decisiveness" by

Mdetwa

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Mdlalose had shown what a low regard he had for the safety of the people of KwaZulu-Natal, Makhaye said.

However, Volker said the NP welcomed the fact that Mdlalose had taken over the portfolio.

There were no suspicions around him, and safety and security matters

would now receive attention at a higher level, he said.

Kevin O'Grady reports that IFP leader Mangosuthu Buthelezi played down the removal of Mdetwa from his post. "I have been in government for more than 20 years and it (a cabinet reshuffle) is something that happens all the time."

"It is not an earth-shattering thing to do," he said at an impromptu media briefing shortly before an election rally in Johannesburg.

suspending or sacking him
NP KwaZulu-Natal caucus chairman Tino Volker said Mdetwa should

quit the cabinet if there was substance to the allegations against him. It was no use "pussy-footing" in such a situation.

Makhaye said Mdlalose's decision to take over the safety and security portfolio was worrying. Mdlalose's department was not known for efficiency. By adding a key post to his workload,

Continued on Page 2

PUBLIC SECTOR - LOCAL AUTH. - NATAL / KWAZULU
(INCL. KWAZULU)

1995-

NOV. - DEC.

Cosatu announces shock KwaZulu poll day strike

BD 1/11/95 (264)

DURBAN — Business in KwaZulu-Natal was caught off guard when Cosatu yesterday announced its provincial affiliates would down tools at midday today to protest against postponement of local government elections.

Sapa reports that Cosatu provincial secretary Paulus Ngcobo confirmed the union had called on all members in KwaZulu-Natal to stop work at midday and join marches organised by the ANC to protest against the postponement of the province's poll.

The Durban commerce and industry chamber said the announcement had caught business in the city by surprise.

The chamber reiterated that today was not a public holiday in KwaZulu-Natal and employees were expected to report for work as usual.

If the stayaway went ahead it could cost the province millions of rands, chamber officials said.

Chamber CEO Geoff Tyler said the move was "pointless" considering KwaZulu-Natal was not holding local government elections. "There is no reason for a



stayaway and anybody not coming to work will presumably be treated according to whatever procedures are in the workplace for absenteeism," he said.

Ngcobo said that if the IFP-led provincial government had not delayed the election, employees would have had today off anyway.

Asked if this meant another public holiday should be announced when the province went to the polls on March 27, Ngcobo replied: "We'll cross the bridge and see."

He said protesters would march to Durban city hall to deliver a memorandum protesting against violence in the province.

When the ANC initially voiced its plans for a protest last week, the DP in the province condemned the idea, saying the ANC should be out in the field persuading potential voters to register for next year's election instead of marching in the city.

Susan Russell reports Cosatu also warned employers in other parts of the country who were threatening to force employees to work today that they faced the wrath of the union if they did so.

Cosatu said it had received reports certain "right-wing" employers had threatened workers.

"Cosatu calls on the employers who intend to force employees to work during this special holiday, for the sake of peace and democracy, to allow workers their right," the union said.

□ The provincial affairs and constitutional development ministry said yesterday polling stations would be open from 7am to 10pm today. No extension was possible.

Minister moved as part of reshuffle — Mdlalose

(264) CT 2/11/95

DURBAN: kwaZulu/Natal Premier Dr Frank Mdlalose said yesterday he had removed Mr Celani Mtetwa as Safety and Security Minister as part of a cabinet reshuffle and not because of allegations he had been involved in political violence

"Celani Mtetwa has not been transferred from Safety and Security because of media reports on his alleged involvement in so-called hit-squad activities," he said

"A premier of any democratic government has the power to consider reshuffling his cabinet. It is for this reason alone that I transferred Mtetwa to the Ministry of

Public Works"

Dr Mdlalose has taken over the Safety and Security portfolio

Witnesses alleged in the Durban Supreme Court during a murder trial earlier this year that Mr Mtetwa had been involved in supplying AK-47 rifles to an IFP office in northern kwaZulu/Natal in the early 1990s

The Pretoria Supreme Court also heard allegations recently during the trial of former Vlakplaas commander Colonel Eugene de Kock that Mr Mtetwa had been an informer for the police's "dirty-tricks unit". — Reuter

Cosatu march points finger at IFP

Nicola Jenvey

(264) A 30 29/11/95

DURBAN — While most of SA completed the transition to democracy yesterday, the ANC and the IFP took turns to apportion blame over the province's failure to cast its ballots

During a march of 5 000 people to Durban City Hall, ANC-aligned Congress of SA Trade Unions members handed a memorandum for President Nelson Mandela to Natal Law Society president Frank Sithole, claiming the IFP would still delay elections from happening in March 1996.

ANC national chairman and KwaZulu-Natal economic affairs and tourism MEC Jacob Zuma said the IFP did not want to "hand over the reigns of power to the people".

The memorandum called for the "immediate suspension from duty" of KwaZulu-Natal public works MEC Celani Mthethwa, KwaZulu-Natal so-

cial welfare MEC Gideon Zulu, IFP national assembly MP Themba Khoza and several SANDF generals until after their "hit squad" trial

The ANC rejected any IFP calls for a secessionist state, claiming KwaZulu-Natal belonged to a united SA and not to a "clique of Zulu chauvinism".

However, IFP deputy campaign manager Anthony Grinker said the march was "sheer hypocrisy". The ANC had also contributed to KwaZulu-Natal not holding elections by "refusing to budge" on the metropolitan council outer boundaries.

Durban Chamber of Commerce and Industry CEO Geoff Tyler said the march had been the smallest Durban had seen, with few companies affected

However, BTR Dunlop group industrial relations manager Peter Daly said the company experienced a 100% stayaway at its Ladysmith and Durban factories between noon and 4pm.

We are to meet in person in Johannesburg. Mandela and are trying to organise a meeting of the two leaders at which we can put the issues on the table.

We have been encouraged up to a point. At least we have made the politicians fully aware of our perception of the situation and of the economic consequences. They have tremendous political problems which we cannot ignore.

The fundamental issue is that the IFP is strong on federalism while the ANC is strongly centralist.

Business would prefer to see a relatively moderate federal system whereas the perceived concept of IFP federalism is more separatist in nature. We need to make business's view of the issue very clear to both the IFP and the ANC.

Gerrie van Biljon: I believe that the political parties are putting party issues before the interests of the province.

Bousted: At present the constitutional debate makes it impossible to escape party politics in any issue.

Mahmoud Rajab: There was a limit to how much persuasion business could bring to bear in the political arena but constant reference to the importance of the economy could help bring the message home.

The swing by the ANC away from a socialist economic leanings can be largely attributed to lobbying by big business.

Are we making any progress in the fight against crime and violence?

Rajab: We need to draw a distinction between political violence and straight crime. The former appears to be falling off but little headway is being made in curbing the latter. Perhaps the defence force needs to be used to a greater extent in combating lawlessness.

Bousted: We are not winning in the fight against crime and violence. If anything the level of criminal activity is growing slightly.

I think we have a tendency to see crime as being something that just affects the white parts of Durban business but people living in the townships fear for their lives.

Thabo Mpakanyane: While it is important to focus on tourist spots this must not be done at the expense of other areas. Security needs to be as wide spread as possible. It should not be seen or interpreted

WORKING GROUP The Mercury business, from left, Thabo Mpakanyane of the Greater Durban Marketing Authority, the SBD's Gerrie van Biljon, Mahmood Rajab of New National Assurance (obscured), Jon van Coller of Vancometrics, Frankel Pollack's David Cairns, Francois Scholtz of the SBD, Robin Bousted from the Chamber of Commerce and Industry and John Sherricks of the Independent Newspaper Group.

that there are certain groups of people who are more secure than others.

Van Biljon: Perhaps more use could be made of advertising in breaking the culture of crime and violence and making people aware of the costs to the economy.

How do you read present economic trends in the KwaZulu Natal economy and how do you feel about the prospects for next year?

David Cairns: The bad news for the province over the next few months and years is that there will be significant job losses as we gradually reintegrate into the world market.

You just have to look at the figures (showing the number of sales each employee makes) and you can see that the process of restructuring is resulting in less and less people being employed.

Job losses are the last thing that we need and clearly the major challenge for management, union leaders and politicians in this province is to create a framework which is investor friendly so we can get new investment to take up the slack in employment.

Bousted: The increase in joblessness is not connected to cutbacks in production. It has to do with minimum wage rates. My biggest concern is the new labour legislation which comes into play next year is going to accentuate that situation.

There will be an absolute trend towards automation. Throughout industry people are looking at getting rid of the problem and unfortunately wild-cat strikes such as we had recently just make the situation worse. Labour is painting for itself a picture of unreliability and that is dangerous.

Mpakanyane: Part of the solution lies in developing sub-contracting links between small and mainstream large business.

The KwaZulu Natal Ministry of Economic Affairs and Tourism and the Regional Economic Forum are writing an economic vision for 2020. Do you think this is useful in getting the ball rolling or an exercise in futility?

Bousted: The chamber has been pushing for a vision for a long time. If you provide people with a vision you give them a target to which they can aspire.

Regrettably the vision has no numbers to it also it under emphasises the value of tourism in this region, which most people see as the key factor to the solution.

Mpakanyane: There is now work under way to put the necessary meat on the vision. It is important that everyone can share the same vision.

Has there been progress in developing the province's tourism potential?

Mpakanyane: We still have a lot more lessons to learn but we have shown with the Rugby World Cup that we have the ability and capacity to host a major international event. We are very confident in our outlook on tourism.

Also there is some serious investment interest being shown by foreigners in KwaZulu Natal.

Has there been progress in the delivery of the RDP in KwaZulu Natal this year? Where are the bottlenecks?

Bousted: There has been absolutely minimum progress on the construction side. In terms of the number of houses the delivery has been almost insignificant. The

The Mercury Business Forum meets every three months to review KwaZulu Natal's economy. The forum is chaired by economist Jon van Coller. Members of the panel comprise David Cairns of Frankel Pollack, Vinderine, Thabo Mpakanyane of the Greater Durban Marketing Authority, Robin Bousted of the Durban Chamber of Commerce and Industry, Mahmood Rajab chief executive of New National Assurance and Gerrie van Biljon, KZN general manager of the Small Business Development Corporation.

one area where there has been some movement is Cato Crest. There has been some progress in electrification and to a lesser extent water provision.

The bottlenecks arise from the fact that we have totally new local, provincial and central government administrations.

However, in the past four weeks there has been a substantial turnaround and it looks as though the RDP is starting to get going in the region to the point where resources might become very stretched between now and the end of the financial year.

The Metro and regional councils are getting together now and performing well.

Cairns: The market certainly believes that something is going to happen.

The construction companies are among the best performers. I think investors are discounting that there is going to be substantially increased activity in the construction sector.

The informal sector seems to be growing steadily in numbers. Do you welcome this move and is the development of this sector, particularly in the city centre, being properly managed?

Bousted: The informal sector is essentially a safety valve for unemployment. The municipality is definitely not managing it properly. They have the powers to do so but they are now facing an election.

It is a highly politically sensitive issue and I don't see the situation changing significantly until the local election is over.

Van Biljon: It is in the interest of the private sector to encourage the growth of the informal sector.

Rajab: The informal sector provides the opportunity for previously disadvantaged people to learn what capitalism is all about. Mpakanyane: I think we have to be less sensitive about the aesthetic look of a city.

Bousted: What we should be doing is managing the change to produce an environment which is clean but one which is also vibrant and full of colour and different personalities.

ANC calls for tight security in Natal poll

T 6/11/95 (264)

DURBAN The African National Congress yesterday called on the central government to ensure tight security was maintained during local government elections in kwaZulu/Natal

At the conclusion of the ANC's two-day provincial general council meeting here yesterday the party called for the arrest of anyone found disrupting the poll or intimidating voters or election officials

kwaZulu/Natal Minister of Economic Affairs and Tourism and ANC national chairman Mr Jacob Zuma said it was the responsibility of the central government to ensure that political parties carried out their activities without intimidation

The ANC claimed traditional chiefs in some rural areas had intimidated residents into not registering for the election, scheduled for March 27 next year

The ANC also welcomed the court appearances of former Defence Minister Magnus Malan and 10 former high-ranking military officers on Thursday in connection with the 1987 kwaMakutha massacre in which 13 people were killed

It said anyone found to be involved in hit-squad activities should be prosecuted.

The ANC also called on the central government to speed up the transformation and restructuring of all security services in kwaZulu/Natal. — Sapa

Inkatha not spent force — Buthelezi

et (105) (264) CT 6/11/95

DURBAN: Chief Mangosuthu Buthelezi, whose Inkatha Freedom Party took less than one percent of votes cast in last week's municipal elections, said yesterday his party would win the council polls in kwaZulu/Natal next year and ultimately become the new South African government.

kwaZulu/Natal's 3,1 million registered voters are to go to the local polls on March 27 next year because of demarcation and political disputes

"We know without a shadow of doubt that if you vote, we will win every single regional council in the kingdom," Chief Buthelezi said in a prepared speech for delivery at a local government election rally in Wasbank

"We will, in fact, trounce the opposition, which is foolishly of the view that the IFP is a spent force.

"We are a national party with a huge base here, and I want to make it very clear to everyone that while we intend remaining the government of the kingdom, we equally intend becoming the government of South Africa — the federal government of South Africa," he said

Chief Buthelezi said his party would ultimately win its fight for federalism and "bring democracy



'IFP WILL WIN': Chief Mangosuthu Buthelezi

to the whole of South Africa"

Chief Buthelezi previously called for a fresh election in kwaZulu/Natal to try to increase his party's hold on power after it won 50,3% of the votes in last year's provincial elections, but yesterday he appeared to soften his stand on this

"No one really wants new provincial elections, but if this course of action is the only one, or best one available to us, we must be in a position to exercise it and win convincingly." — Reuter

Zuma calls on govt to 'intervene' in elections

(264)

BD 6/11/95

Farouk Chothia

DURBAN — Central government would have to "intervene" in KwaZulu-Natal in order to ensure that the March 27 local government election in the province did not turn into a "joke", ANC KwaZulu-Natal chairman Jacob Zuma said on Saturday.

In his "state of the province" address to the ANC provincial general council meeting, Zuma said central government would have to ensure that the weapons of "warlords" were confiscated, and that they did not intimidate voters.

"The result could be distorted by the security situation. This is a serious matter. It needs no promises. It needs action now," Zuma said.

His call comes after local government elections in most of SA were completed last week.

This paved the way for the ANC to focus its energies on grabbing power in KwaZulu-Natal, Zuma said.

ANC national executive committee member said last week's results provided "conclusive evidence" that the IFP "does not exist" in Gauteng, and the ANC would demonstrate on March 27 that it did not have much support in

KwaZulu-Natal

Zuma said the IFP had been "hobnobbing with killers in the military and the police underground", and it would not find it difficult to "hobnob with the Terre'Blanches" either.

The IFP had failed to emerge as a national party, and was focussing all its energies on KwaZulu-Natal in the hope it would become its "fiefdom".

"(It is) in this province that problems of the country are going to emerge and become bigger," Zuma said.

The ANC had to gear up for provincial elections in order to "save" KwaZulu-Natal, he said.

Conditions that led to electoral fraud in the general election would have to be eliminated before a new provincial election was held.

Meanwhile, five people were killed and another five injured when gunmen fired on two houses in Shakaville on the north coast yesterday.

Police spokesman Col Hamilton Ngidi said that the gunmen were armed with AK-47 and G-3 rifles. A 38-year-old pregnant woman was among the injured.

Ngidi said the motive for the attack was unclear, but the area had a history of political conflict.

KwaZulu-Natal probes claims of govt bribery

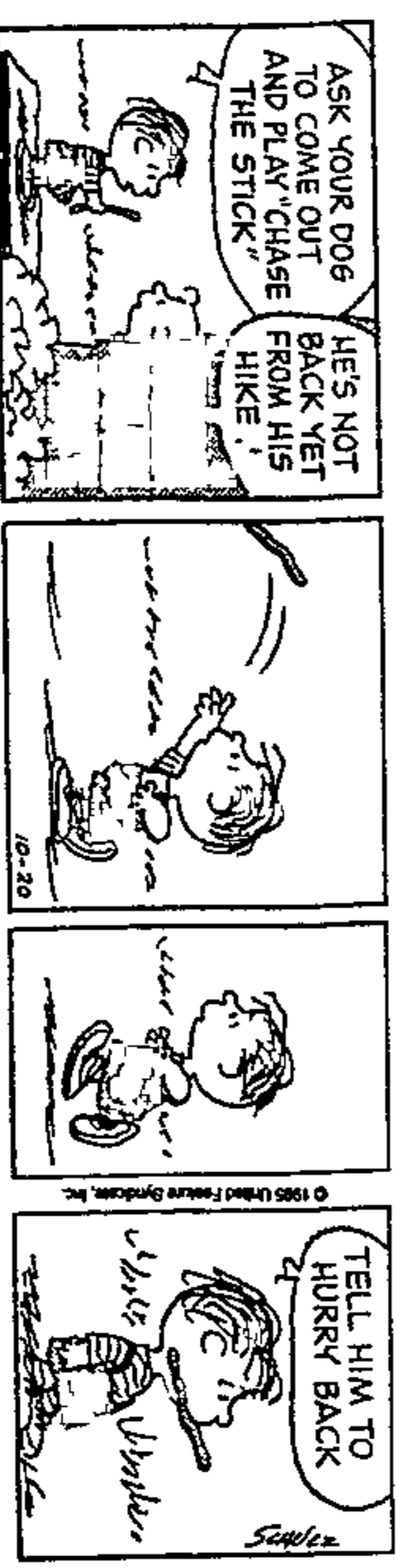
Farouk Chothia

DURBAN — KwaZulu-Natal local government and housing MEC Peter Miller said yesterday that two separate investigations were under way in the wake of allegations that officials from his department were "dishonest" and had received bribes for work done. Miller's announcement came hard on the heels of the arrest of Ladysmith assistant town treasurer Stanley Smith on fraud charges.

Police spokesman Maj Henry Budhrum said Smith — along with a second person, Martha Naude — appeared in the Ladysmith Magistrate's Court last month. The case was postponed to December 11. Smith was released on R2 000 bail and Naude on R10 000 bail. Miller said Smith's arrest had provided a lead, and there were allegations that Ladysmith-based local government and housing department officials may have been involved in receiving bribes and kickbacks. Miller said independent auditors were investigating the matter in cooperation with the police. The provincial auditor-general had been informed. More arrests were imminent. Miller said irregularities had also been discovered in the administration of a housing scheme in Austerville in Durban, a project the department inherited from the former House of Representatives. Indications were that both government officials and persons in the private sector were involved in the irregularities. Miller said he was fully committed to rooting out any cases of corruption and dishonesty in his department. The matter had been referred to the police commercial branch for investigation.

PEANUTS

By Charles Schulz



Stephané Bothma 'proved Afrikaner support'

PRETORIA — Local election results showed that the Freedom Front had the support of the majority of Afrikaners in the country, party leader Constand Viljoen said yesterday. He said his party would remain independent and would not form any alliances with the NP or the ANC, but talks would be held with the CP in an attempt to unite the Afrikaner.

Comparisons between the results of last year's general elections and last week's community elections showed in some cases that support for the Front had increased by up to 95%, Viljoen said. Based on election results — despite the fact that the majority of farmers in the Northern Transvaal and Free State did not vote — the Front had received 4% of the votes. Afrikaners constituted 7% of SA's total population, he said. The positive results confirmed his party's policy of self-determination and also finally established which party spoke on behalf of the Afrikaner. "One of the main objectives of the Freedom Front remains to establish a political position of strength for the Afrikaner in the country, despite our small numbers, and to ensure cultural and territorial self-determination," Viljoen said. With the local elections, the Front had established its structures countrywide with about 300 elected councillors, FF chief whip Joseph Chole said. The FF estimated that in a general election it could achieve about 1-million votes. "We believe that the remaining CP supporters will vote for the Freedom Front in a future election," Chole said, adding that in not one instance in last week's elections did his party register a drop in support. On the indictment of former Defence Minister Magnus Malan, Viljoen said that if no prima facie evidence existed, an Afrikaner backlash could be expected.

Mandela praises role of lawyers in the struggle

Susan Russell

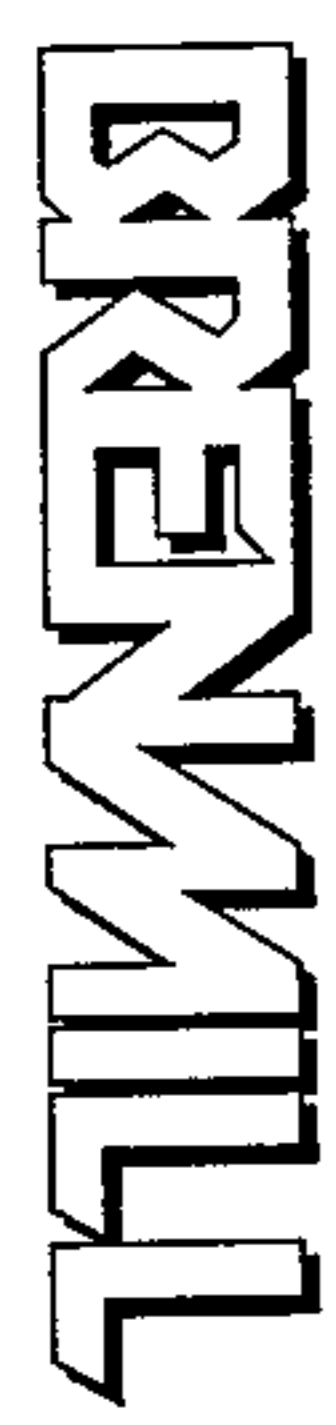
FEW people realised how important lawyers had been in the struggle for democracy in SA, President Nelson Mandela told senior officials from the International Bar Association and lawyers' organisations from about a dozen African states when he received them at his official residence in Pretoria yesterday. Also at the informal meeting were SA Bar

Council chairman Malcolm Wallis SC and Roger Cleaver of the Association of Law Societies. The lawyers are all attending the International Bar Association's three-day conference which opened in Sandton yesterday. Mandela was to have delivered the business law section's 25th anniversary lecture tomorrow, but is now unable to do so due to his commitment to attend the Commonwealth heads of gov-

ernment meeting in New Zealand later this week. His lecture on 'The Rule of Law — Cornerstone of Economic Progress' will be delivered by Justice Minister Dullah Omar instead. A special session of the conference for officials from the various African Bar Associations and Law Societies on independence of the judiciary was cancelled so that the representatives from Algeria, Ghana, Malawi, Kenya, Uganda,

Mozambique, Botswana, Namibia, Zimbabwe, Nigeria and Zambia could meet Mandela — a lawyer himself — before he left for New Zealand. The International Bar Association has invited Mandela to accept honorary life membership as well as presidency of its Human Rights Institute. It is the largest international lawyers organisation with its 165-member bar associations and law societies representing more than 2,5-million lawyers. Representatives from 40 countries are attending the conference, covering a range of issues including constitutional law, joint ventures, family law and ethics, and project finance.

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KwaZulu projects to be speeded up

Star 9/11/95 (264)

BY MONDLI MAKHANYA

Ulundi - Minister without Portfolio Jay Naidoo is to deploy members of his department in KwaZulu Natal next year to help speed up the implementation of RDP projects in the province.

This was agreed to at a meeting yesterday in Ulundi between Naidoo and the KwaZulu Natal cabinet. Naidoo said ANC and IFP members were in consensus on the need to unite the province around the goal of implementing the RDP.

The meeting discussed the tardiness of the implementation of the RDP in the province which, with nearly

R1-billion unused in RDP funds, is lagging far behind other provinces.

This has been of concern to Naidoo and the Government who are keen to get the RDP going in the province.

Methods will be found to expedite the accessing of funds and the implementation of projects.

Acting premier Chief Nyanga Ngubane, who led the KwaZulu Natal delegation, said project proposals would be drawn up by the beginning of next year to ensure their consideration for the 1996/97 budgets.

Naidoo will visit Presidential Lead Projects in the province today.

Corruption probe

PM 10/11/95
A combined police and independent inquiry has been launched into allegations of bribery and corruption among KwaZulu-Natal provincial housing officials.

The probe was ordered as a result of information that came to light during an investigation which led to the arrest of Ladysmith assistant town treasurer Stan Smith on fraud charges involving R2,5m a fortnight ago.

The charges relate to millions of rand of development money, which was allegedly stolen over the past three years.

Smith is currently out on R2 000 bail.

In a bizarre turn of events, Ladysmith treasurer's secretary Barbara Malan allegedly attempted to shoot herself last week and is now in intensive care in a Maritzburg hospital. Though Malan was being investigated on four charges of theft involving R21 000, police spokesman Henry Budhram says there is nothing officially linking Malan with the fraud case.

According to Housing & Local Government MEC Peter Miller, further arrests are imminent. He says the secretary of Local Government & Housing, Jan van der Walt, with his (Miller's) full support appointed independent forensic auditors with instructions to identify all evidence of irregular conduct among departmental officials.

"The investigation is proceeding in cooperation with the police, and with the full knowledge of the Provincial head of the

War-hit areas get R100-m Naidoo pledge

Nov 10/11/95

By MONDLI MAKHANYA

Minister without Portfolio Jay Naidoo yesterday announced a R100-million fund to help rebuild formerly war-ravaged KwaZulu Natal communities.

Naidoo made this announcement during a visit to a Presidential Lead Project in Bruntville near Mooi River.

He was accompanied by provincial economic affairs MEC Jacob Zuma and acting premier Chief Nyanga Ngubane.

Money from the fund will go to communities where warring political factions have finally found a formula for peace.

It will be used to rebuild houses and other structures damaged in political violence as an incentive for peace-building initiatives and a means of rewarding these initiatives in a tangible way.

The fund will be administered by Kwazulu Natal Premier and IFP national chairman Doctor Frank Mdllose and Zuma who is the ANC's national chairman.

Although tension still simmers in Bruntville, the IFP and ANC are now co-operating in the reconstruction of houses and hostels in the townships.

Addressing residents Naidoo made a plea for an end to the Kwazulu Natal political conflict and threatened "the wrath of the state" and the community on those who perpetrated violence.

"They must be treated like criminals," said Naidoo.

By MICHAEL SCHMIDT

EVERY day the residents of a KwaZulu Natal town wait for another head to roll as a top team of investigators untangle a massive municipal fraud case.

The scam, in which more than R2.5-million was allegedly siphoned from funds allocated for upgrading Steadville township in Ladysmith, was discovered a month ago.

Since then a Ladysmith town council official and a former provincial administration engineer have been arrested.

The council's treasury secretary is lying in a coma after a botched suicide attempt, and a Newcastle businesswoman has appeared in court.

The scandal has the town buzzing, and many officials, in-

OFFICIALS DRAW INTO LAAGER OF SILENCE AS FRAUD UNRAVELS

cluding the mayor, have been drawn into a laager of silence.

This week police swooped on the Pieterstown home of former regional engineer Cornelius "Cornie" Johannes Brooks, 60.

His name was added to the charge sheet and he was released on R10 000 bail.

Last week police arrested Martha Cathrina Sophia Naude, 38, of Newcastle, the owner of Newcastle Mining Suppliers.

Police described the company as an unregistered "fly-by-night" operation that was the sole contractor for work supposed to be done in Steadville.

Mrs Naude was also released on R10 000 bail.

The Wednesday before Mrs Naude's arrest, town treasury secretary Barbara Malan, 39, shot herself in the head after being grilled by police over the disappearance of R21 000.

She is in a serious condition in Grey's hospital in Maritzburg. She has suffered brain damage and will not be normal again, according to her surgeon, Dr Errol Ackermann.

On September 6, the deputy town treasurer, Stanley Smith, 44, was suspended and later arrested for allegedly defrauding

Steadville of R2.5-million in provincial aid. He appeared in court, was released on R2 000 bail and ordered not to leave town. Mr Smith also faces a municipal disciplinary hearing.

The accused may not make contact with each other or with a string of state witnesses.

Detectives trying to unravel the far-reaching operation say they expect more arrests this week. Their team will be increased to 12 members tomorrow.

Major Vaughan Schwartz of the Commercial Crime Unit said, "Ideally, we would like to put 20 people on this full-time, but we

don't have the manpower."

Detectives believe the three-year-long operation involved the inflation of claims for maintenance works and other upgrading projects done at Steadville by Mrs Naude's company.

The claims were submitted to the old Natal Provincial Administration which is now the KwaZulu Natal Administration.

Police believe much of the work for which Newcastle Mining Suppliers was paid might not have been done at all.

Key officials were allegedly paid kickbacks to turn a blind eye to irregularities.

A forensic accountant specialising in fraud is tracing all transactions, and police engineering experts are determining what work was done and what should have been done.

Ladysmith's Transitional Local Council chief executive officer, Paul Pretorius, said the corruption exposed by police had been inherited from Steadville's apartheid-era local authority, which was then under the KwaZulu government's control.

But, pressed for comment, the transitional council's executive chairman, Dr Faisal Khan, said, "I agree the old Ladysmith Town

Council may not have known about the alleged fraud, but they ought to have known.

"I understand there was an agreement between the Natal Provincial Administration and the Steadville Town Committee that the Ladysmith Town Council acts as an agent for the handling of funds."

Mr Smith was the man seconded by the council to act as the township's treasurer.

Dr Khan said that although the matter was sub judice, the council was concerned that "this is just the tip of the iceberg".

"We have no idea how much

money is involved and what it was earmarked for."

He said he was delighted by the recent arrests because R178 000 of KwaZulu government development money meant for the nearby township of Ezakheni went missing in 1992 and no arrests had apparently followed.

"We only hope there is no loaned money involved — like from the National Housing Commission."

"If this is the case, the ratepayers of Ladysmith will have to repay it," he said.

Ironically, Steadville may have benefited from the scam while the 60 000 people of nearby Ezakheni languished in dusty squalor.

The alleged fraudsters probably pushed for more development in the township so they could skim more money off the provincial payments.

264 ST12/11/95

McDonald's wins latest battle

Nicola Jenvey

BD 13/11/95

DURBAN — The US fast-food chain McDonald's won the latest battle in the burger war on Friday when Durban Supreme Court judge Noel Hurt ordered local businessmen George Charalambous and George Sombonos to refrain from operating under the distinctive "M" logo.

Product names bearing a similarity to McDonald's products could also not be traded.

Charalambous owns a Durban restaurant called Macdonalds and opened one in Johannesburg last week, three days before the official launch of the US McDonald's in SA.

Hurt said legal counsel for Charalambous had had insufficient time to prepare arguments for Friday's appearance as the papers were only served the day before. A November 30 return date was set.

However, in the interim, Macdonald's had to add "Dax" to its trademark and could not utilise the double arches "in any context or at any location".

Charalambous could continue operating his Durban restaurant as Macdonald's as had been the case since 1978, but had to change the Johannesburg one to Dax Macdonald's.

Hurt believed there was "some significance" in the coincidental opening of the Johannesburg Macdonald's three days before McDonald's opened in Blackheath and said the respondent Dax Prop — of which Charalambous is the sole member — was "endeavouring to profit by McDonald's goodwill".

He did not accept the argument that since McDonald's had not yet traded in SA, there was no goodwill surrounding the name.

"It is obvious from their significant spending in advertising in SA (more than R20m) that McDonald's are indicating goodwill. Part of that goodwill was created through the use of the golden double arches in their advertising campaign," Hurt said.

Permission was given for Dax Prop to change the return date if this was desired by providing McDonald's with 24 hours written notice.

IFP must win poll — Buthelezi

Farouk Chothia

BD 13/11/95

(264)

DURBAN — The local government elections in KwaZulu-Natal, due to be held on March 27 next year, were a matter of life and death for the party, IFP president Mangosuthu Buthelezi said yesterday. Thus the party dared not fail in its mission to win the province with an overwhelming majority, he said.

Buthelezi told a rally in Okhahlamba in the KwaZulu-Natal midlands that the battle for KwaZulu-Natal was becoming the "very battle" for freedom and democracy in SA. An IFP defeat would open the doors to increased violence against IFP supporters.

An overwhelming victory would, however, be the "door through which we can secure the autonomy of our province, and the survival of the Zulu nation," Buthelezi said.

IFP national deputy chairman Sipo Mzimela said the IFP national council discussed at a meeting last Friday the IFP's poor performance in the November 1 election, and there was an acknowledgement that much work had to be done in the province. Nevertheless, spirits were "high" and the mood "upbeat," he said.

Mzimela said the management of

the November 1 election campaign did not live up to expectations, and a "machinery" would be set up to manage the KwaZulu-Natal campaign. Also, he said, there would have to be an "injection of new blood".

Mzimela said the campaign would focus on bread-and-butter issues, and not on national issues, such as IFP demands for KwaZulu-Natal autonomy.

Buthelezi said that with the ANC preparing to use all its resources to win KwaZulu-Natal, the IFP would have to find the strength to be able to stand up to ANC "intimidation".

"If we fail, the entire cause of freedom, democracy and pluralism in SA will fail," Buthelezi said.

Buthelezi said that Gauteng premier Tokyo Sexwale's statement that an ANC victory in KwaZulu-Natal would be the "cherry on the top" was "highly irresponsible".

Buthelezi accused the ANC of busying its supporters from the Eastern Cape to KwaZulu-Natal to register for the election.

He said security forces were engaging in "genocide" against IFP supporters, and the "might of the state is being harnessed to destroy our party". IFP supporters' only option was to begin policing their own communities.

CC to hear KwaZulu application

(264)

BY HELEN GRANGE
Constitutional Court
Correspondent

An urgent application by the KwaZulu Natal government to have key constitutional amendments relating to provincial powers overturned is scheduled to be heard by the Constitutional Court on Wednesday.

The application against the Government seeks to set aside a number of recent amendments to the interim constitution and the Local Government Transition Act.

These include measures allowing President Mandela to determine pay levels for provincial executive councils and premiers, the appointment and payment of traditional leaders, and legislative bypassing of the yet to be established national council of traditional leaders.

The KwaZulu Natal government contends that clearly defined provincial powers are encroached upon.

In responding heads of argument, the Government states that KwaZulu Natal misconceives the Constitutional Principles, which do not prohibit exclusive or concurrent powers by the central Government.

The Government contends KwaZulu Natal wrongly accepts that a clear resolution to the unitary state/federation issue has been achieved.

Star 13/11/95

IFP links army arrests to plot against chief

~~(#15)~~ (264) CT 14/11/95
 DURBAN: The arrest of four off-duty SA National Defence Force members in Wembezi in the kwaZulu/Natal Midlands could be linked to an attempt to assassinate Inkatha Freedom Party leader Chief Mangosuthu Buthelezi, the IFP said yesterday.

The arrests on Sunday were confirmed by the chief of SANDF Natal Command, Brigadier Chris le Roux.

The four, dressed in brown SANDF uniforms, were seen in the presence of African National Congress crowds gathered in Wembezi close to an IFP rally addressed by Chief Buthelezi.

"These members have been identified as non-statutory force members undergoing training at the technical services training unit in Pretoria," the SANDF said.

They would be escorted back to Pretoria "for an in-depth investigation with regard to their presence at a political rally while in SANDF uniform".

The IFP spokesman on defence, senator Mr Phillip Powell, said information had been received on Thursday that four SANDF members had been "hired" by ANC structures in Wembezi to assassinate Chief

Buthelezi

"Their presence in Wembezi supports the information which the IFP was given last Thursday," the IFP said in a statement.

Mr Powell said: "At best, these members are guilty of violating constitutional provisions of neutrality. At worst, we have a group of SANDF members recruited to assassinate Chief Buthelezi."

ANC comment was not available yesterday afternoon.

Incitement

However, it said in a statement that a speech given by Chief Buthelezi on Sunday should be investigated by the kwaZulu/Natal attorney-general and the national and provincial police commissioners to determine whether it was an incitement to violence.

Referring to the same speech, the Democratic Party slammed as "provocative" Chief Buthelezi's statement that violence would rise in kwaZulu/Natal if the IFP lost elections in the province next year.

— Sapa

Provincial powers challenged in court

(264) BN 14/11/95

Susan Russell

KWAZULU-Natal goes to the Constitutional Court this week to challenge several amendments made by central government to the constitution and Local Government Transition Act, which it claims are an illegal interference with its own powers

Among the amendments KwaZulu-Natal, led by Premier Frank Mdlalose, is seeking to have overturned is a provision removing the province's power to appoint traditional leaders and transferring it to the President.

Other amendments purport to strip the provincial legislature of its power to set the remuneration of the premier and his cabinet, and its authority to pay the province's traditional leaders.

The Constitutional Court will hear the case, the second dispute between provincial and local government to go before the court, tomorrow.

It will sit today to hear the second case which raises the question of what extent free speech provisions in the Constitution may be invoked in a defence to a defamation damages claim.

There is still uncertainty, pending a ruling on the issue by the court, on whether Chapter three rights in the constitution are applicable only vertically, that is between individuals and

the state, or whether they also apply horizontally, in civil claims between individuals or private entities.

In the present case the Eastern Cape Supreme Court judge who heard the matter held that the constitution was horizontally applicable, and also that it now placed an onus on the person who brought a defamation claim to show the right to his good name and reputation took precedence over the defendant's right to freedom of speech.

The plaintiff, local government official Nigel Gardener, who lost the case, is challenging both findings.

The Constitutional Court, however, has indicated that it wishes to hear argument on a preliminary point, namely whether it has jurisdiction to hear the appeal at all, or whether the matter should have been referred to the Appellate Division in Bloemfontein.

On Thursday the court will hear its second last case of the year when it considers a section of the Arms and Ammunition Act which presumes a person on premises where illegal weapons are found is guilty of possession unless he can prove the contrary. It will be argued the sections violate fair trial provisions which guarantee the right to remain silent and against self-incrimination, as well as the presumption of innocence until proven guilty.

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POLITICS

Sowetan 15/11/95
**KwaZulu
dispute
(264)
in court**

THE Special Electoral Court will hear oral argument on November 27 and 28 in a dispute between KwaZulu-Natal's local government and housing MEC and his provincial committee on the demarcation of boundaries in the province, court chairman Justice J W Smalberger said in Bloemfontein yesterday

In dispute are the boundaries of the Durban transitional metropolitan council and the transitional local councils of Mandini, Port Shepstone, Margate, Eshowe, Empangeni, Richards Bay, Inyala-Mtubatuba and U'undi and the boundaries of the Durban TMC substructures

The hearings will take place at the Supreme Court in Durban

At 9 30am on November 27 argument will be heard on the outer and inner boundaries of the Durban TMC. The boundaries of the TLCs will be dealt with at 2pm on November 28

Justice Smalberger said people or bodies which had lodged written submissions or requested a hearing, or a suitably qualified person duly authorised by them, would be entitled to present argument

These were the relevant MEC, a representative of the non-concurring provincial committee, a representative of the concurring provincial committee, the Durban TMC, its substructures and the other TLCs in relation to their specific interests, and any other person or body which could establish a right to be heard

People or bodies intending to present oral arguments must file heads of argument with the secretary of the Special Electoral Court, c/o the Registrar, Appeal Court, Bloemfontein, before noon on November 22

The judge said the heads should set out succinctly the contentions on delimitation issues, preferences in that regard and where relevant, the right to be heard. Local government elections in KwaZulu Natal were postponed to early next year. -Sapa

Mdlalose wants powers restored

15/11/95

Some parts (264)

By Mzimasi Ngudle

KWAZULU-NATAL premier Mr Frank Mdlalose will today ask the Constitutional Court to restore his provincial government powers, including the power to pay traditional leaders, which he claims were taken away by the national Government

The case is a sequel to the amendment of the constitution, which effectively stripped the province of its powers over traditional authorities under the interim constitution

In his argument, Mdlalose says the amendments to section 149 (10) of the constitution impinged upon provincial autonomy

"Before the amendment, the section gave the provincial legislature

the power to make laws with regard to the remuneration of the premier and the provincial cabinet

"The amendment transferred that power to the President and therefore interfered with the legislative competence of the province conferred by the constitution," he says

Mdlalose says that before the amendment, traditional leaders were entitled to be *ex officio* members of local government and to be elected to any office within local government

"The effect of the amendment is to afford the President the power to declare guidelines for the identification of such traditional leaders," he says

Mdlalose says the amendment violates provincial powers listed in Schedule 6 of the constitution. He

says the constitution was amended without the consent of the KwaZulu-Natal provincial legislature as required by the constitution

Mdlalose further argues that the Schedule 6 powers cannot be exercised concurrently by the national and provincial governments, but that either provincial legislation or an Act of Parliament must prevail in every given case

"The provinces are vested with original powers in respect of legislative competence in areas listed in Schedule 6," he said

In his responding affidavit, Mr Roelf Meyer, Minister for Provincial Affairs and Constitutional Development, says the legislative competences of the national and provincial governments "must be described in terms of the notion of concurrency"

ANC rejects draft KwaZulu-Natal constitution framed by

Farouk Choitha

DURBAN — The ANC warned yesterday that it would hit back at national level after the IFP and NP unveiled a draft constitution for KwaZulu-Natal in which it was allowed no input.

During an acrimonious three-hour debate in the KwaZulu-Natal constitutional affairs committee, ANC MP Dumisani Makhaye said the ANC would have nothing to do with the constitutional model negotiated by the IFP and NP, and would "make it unworkable

ANC negotiator John Jeffery warned the NP and IFP that if they excluded the ANC from negotiations, the ANC would do likewise in the Constitutional Assembly, focusing on obtaining a two-thirds majority through negotiations with other parties. If it fell short, it would call a referendum and secure the required 60% support with ease, Jeffery said.

The row was sparked when IFP MP Blessed Gwala called on the committee to adopt a motion compelling all parties to use the draft as the basis for

achieving consensus on a final document. Although committee members had not been given copies of the document — it was still being photocopied — he called for a vote.

Angry ANC members shouted down IFP and NP negotiators for engaging in "political thugery". IFP chief whip Mike Tarr admitted that none of the IFP members on the committee had seen the constitution. NP caucus chairman Tino Volker said that although he had worked on the draft, he had not seen the final version

of the constitution either.

ANC negotiator Nhlamla Ngidi said the ANC would review its participation in the committee. "If this is an attempt to exclude us, rest assured there will be no constitution in this province," he warned.

DP MP Wessel Nel said his party would not accept a constitution "thrust upon us", while Minority Front leader Amichand Rajbansi said the constitution did not incorporate positions he had outlined in talks with the IFP. Volker proposed that the vote be

KwaZulu-Natal

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Continued from Page 1

ter Felgate said he was disappointed that a historic breakthrough had been delayed by ANC obstructionism. The IFP would renew efforts to accommodate other parties.

Reflecting IFP concessions to the NP, the draft constitution proposes that the province be named KwaZulu Natal and that the Zulu king be the

monarch of KwaZulu, rather than the province as a whole.

The IFP also dropped demands that the monarch nominate the premier, and that he be given the power to veto legislation. However, it would make the monarch the trustee of all communal land.

Volker said disagreements remained on IFP demands to set up a provincial militia, appellate division and constitutional court to rule on what powers central government could exercise in KwaZulu-Natal

shelved and that the views of other parties be reflected in the constitution.

A revised motion stating that the committee would consider using the draft as a basis for reaching finality was passed by the IFP majority after all other parties, including the NP, abstained. The motion also stated that a constitution would be adopted by the legislature at a session scheduled for November 29.

IFP national council member Wal-

Continued on Page 2

IFP and NP

MPs to get support staff and increased resources

BD 16/11/95

Wyndham Hartley

CAPE TOWN — MPs are to get support staff and increased resources as part of an R82,5m upgrading package for the national legislature, but the money will come from private funding and not from the public purse.

About 122 new positions on the parliamentary staff will soon be advertised, meaning that money and resource allocations to political parties will almost treble.

All political parties have been complaining that the resources in Parliament make it extremely difficult for MPs to do their jobs properly.

Political parties will be able to select the people that are employed and Parliament will pay their salaries once their qualifications have been verified. The appointments will be on a contract basis and will last only until the next general election. The 122 positions will be divided proportionally between the parties represented in Parliament.

The ANC will get 51 secretaries and 25 administrative assistants, the NP 16 and 8, the IFP 8 and 4, and the Freedom Front and the DP 2 and 1, and the PAC and the African Christian Democratic Party will get one secretary and one administrative assistant. In addition to its present allocation of R1,4m,

salaries for the ANC posts will cost R3,5m a year. The NP allocation of R455 000 will be boosted by salaries of R1,1m, Inkatha's R225 000 by salaries of R552 000. Both the Front and the DP will enjoy salaries of R138 000 in addition to allocations of about R70 000. The two smaller parties have allocations of R30 000 boosted by R88 000.

National Assembly speaker Frene Ginwala said that as a matter of policy Parliament should be funded only from the public purse to avoid any impression that influence was being exercised on Parliament, its officials or any of its structures. For this reason the money raised through the government would be public knowledge and would last only for a limited three-year period.

It is estimated that at the end of the three years salaries of the new appointments will add R9m to the R332m cost of running Parliament.

Ginwala also announced that the committee section of Parliament will be strengthened to the maximum 126 people (from the former 16).

Groups of committees will be given six additional staff while the big committees such as finance will get an extra four. These posts will be filled in terms of Parliament's affirmative action policy

NP backs away from Natal charter

Farouk Chothia

(264) BD 16/11/95

DURBAN — The NP yesterday distanced itself from a draft constitution for KwaZulu-Natal which it jointly unveiled with the IFP earlier this week.

The NP claimed that amendments had been made without its knowledge.

NP KwaZulu-Natal spokesman Pieter van Pletzen said "certain individuals" in the IFP had unilaterally included in the draft constitution positions that had not been agreed to with the NP. The NP became aware of the additions when the constitution was made public at a meeting of the constitutional committee on Monday.

NP KwaZulu-Natal caucus chairman Tino Volker said the constitution did not reflect positions agreed to with the IFP and it could not be described as an IFP-NP constitution.

IFP national council member Wat-

ter Felgate denied the IFP had acted in bad faith. The constitution was a "composite" document which tried to accommodate the views of all parties. It was an "opening discussion document". Negotiations had moved to a stage where "big issues" had to be resolved, and it was normal for problems to emerge, Felgate said.

Volker said the constitutional process had suffered a "hiccup", but he remained "cautiously optimistic" about a constitutional settlement.

He said clauses the NP had problems with were those in relation to a militia, and powers over judicial and local government matters.

It is understood the NP wants a provincial militia for protection of government property and for national disasters, whereas the draft constitution refers to a militia that can be summoned to quell riots.

KwaZulu-Natal takes govt to court over amendments

Susan Russell

(364) BN 16/11/95
KWAZULU-Natal took central government to the Constitutional Court yesterday in a bid to overturn six amendments to the Constitution and Local Government Transition Act which it claims illegally curtail the powers of the provincial authorities.

The province wants the amendments, passed by Parliament amid strong objections from opposition parties, declared null and void and set aside as unconstitutional.

In a written affidavit, Mdlalose submitted that the amendments were unconstitutional in that they interfered, curtailed or removed provincial powers defined, expressly or by necessary implication, in the constitution.

Among the amendments are measures which transfer the power to determine the salary levels of provincial executive councils and premiers from the provincial legislatures and place it with the President.

Other amendments remove provincial governments' power to appoint and pay traditional leaders, also transferring this power to the President.

KwaZulu-Natal is also challenging the legality of an amendment to section

245 of the constitution which in effect precludes it from passing local laws until March 31, the cut-off date for the holding of local government elections.

The province is set to go to the polls on March 27, which means it will be unable to pass local law for three days.

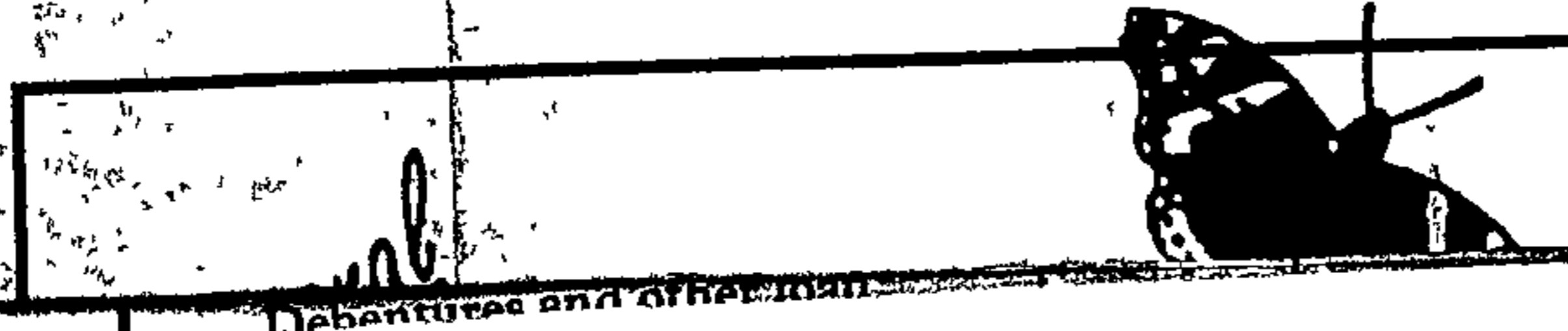
Counsel for the province, D Gordon SC, told the Constitutional Court that while on the face of it this might not be a serious complaint, being a matter of only three days, there was an objection in principle to amendment.

The provision might this time have the effect of delaying the power to legislate for only three days, he said, but this could in future extend to 30 days or even 30 years if central government was at odds with a province.

Yesterday's application was opposed by central government.

Provincial Affairs Minister Roelf Meyer said in court papers that KwaZulu-Natal had entirely misconceived the constitutional principles involved by asserting that the provinces and central government had separate and exclusive legislative competencies.

But the provinces shared concurrent competencies with government and were subordinate to it in defined respects. Judgment was reserved.



Mdlalose to lead KZN peace tour

Star 16/11/95 (264)

By Jovial Rantao
Political Reporter

KwaZulu Natal Premier Dr Frank Mdlalose is to lead a multiparty delegation on a peace tour and hold multicultural celebrations at violent flashpoints around Mandeni, the North Coast and Port Shepstone, his office announced yesterday

The tour - tentatively planned for Saturday - and the peace initiative will form part of the UN's 50th

anniversary celebrations

During the various ceremonies, the ANC, the IFP, the DP, the NP, the PAC, the Minority Front, the African Christian Democratic Party and the Freedom Front are expected to sign peace pledges

"As long as there's conflict in the province, we will continue to seek peace - we will continue to persuade people to lay down their arms and seek co-operation with each other," Mdlalose said

He also pleaded with political

parties to forget their differences and attend the events as "peace-loving and progress-seeking people"

Among political leaders accompanying Mdlalose will be George Bartlett (NP), B H Cele (standing in for ANC leader Jacob Zuma), Amuchand Rajbansi (MF) and Roger Burrows (DP) The UN will be represented by David Whaley

The peace tour delegation will also hold talks with local political leaders

Eastern Cape ready to retrench 15 000

David Greybe

CAPE TOWN — The Eastern Cape government plans to retrench up to 15 000 public servants by end-March next year as part of its rationalisation plans, says provincial service commission chairman Hofmeyer Tsengiwe.

Tsengiwe said yesterday the retrenchment figure represented about 10% of the estimated 140 000-strong public service in the province.

About 40% of the entire public workforce would have had to reapply for their jobs by the time rationalisation was completed in March.

The reasons for this were, firstly, to create a more representative public service as required under the interim constitution and, secondly, to give "outsiders" who did not want to work as public servants under apartheid rule an opportunity to apply for posts.

The Eastern Cape government has, more than any other province in the past 18 months, laboured under a bloated public service and unaccountable departments inherited from the former Transkei and Ciskei.

It inherited about 55 000 public servants from Transkei, 20 000 from Ciskei and 65 000 from the Cape Provincial Administration.

Tsengiwe said despite the problems the province faced, he was pleased in the main with the rationalisation

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headway made to date. For instance, "all posts at management level" were filled by end-September this year.

The process had since moved below the management echelon.

Advertising of these posts internally and externally had already begun, Tsengiwe said.

While the restructuring pace depended ultimately on each of 11 provincial departments, he hoped the programme would be completed by end-March.

Tsengiwe's commission was responsible for the approval of each department's rationalisation plans.

It recommended also that management within each department "form a task team of line, personnel and work study functionaries" whose job it would be to fill the posts.

According to an internal "document of rationalisation action steps with time frames" which had been sent to departments, letters informing staff that their services were no longer required would be issued from this month. Departments have to submit a schedule of surplus staff to the commission by end-February.

Retrenched staff would, according to national guidelines, be employed for a maximum six additional months. However, they were expected to apply for other public service posts or private sector work during this period.

NP calls on ANC to accede to IFP's demand for mediation

Farouk Chothia

DURBAN — The NP yesterday called on the ANC to yield to IFP demands for international mediation in order to pave the way for the IFP's return to the Constitutional Assembly.

NP KwaZulu-Natal leader Danie Schutte said that both the NP and IFP had made significant concessions regarding a KwaZulu-Natal constitution. The NP wanted a constitution adopted long before local government elections were held on March 27.

"We can't sit back and see the province devoured by intolerance and violence," Schutte said.

The NP wanted "things generally agreed up to now" to be cast in stone when the provincial constitution was finalised, in order to prevent the ANC from ever "imposing a Marxist state" in SA. In this context, the provincial constitution should stipulate that any future amendments had to be compatible with the provincial principles.

ANC provincial negotiator John Jeffery said this was a new proposal which the ANC found unacceptable. It meant that if the ANC ever took power in KwaZulu-Natal with a two-thirds majority, it would be unable to "totally

change the constitution. At a national level, the constitution had to be compatible with the principles only until 1999. Thereafter, amendments could be made without the principles being taken into consideration, Jeffery said.

Schutte said among the issues on which agreement with the IFP still had to be reached were those regarding a militia and a constitutional court.

The NP accepted the need for a provincial constitutional court, but disagreement existed over the scope of its powers. Issues regarding IFP demands for a militia remained unresolved.

Schutte said the NP had made a "massive compromise" to the IFP by agreeing to the inclusion of "sunrise clauses" to facilitate a settlement.

He said the ANC should agree to mediation to open the way for the IFP's return to the assembly.

ANC MP and parliamentary constitutional affairs standing committee chairman Pravin Gordhan said the ANC was waiting for a "signal" from the IFP indicating that it wanted to return to the assembly.

Before mediation could be considered, a "genuine effort" had to be made to narrow and resolve differences over the KwaZulu-Natal constitution.

KWAZULU-NATAL

Consensus or bust

(264)
FM 17/11/95

After months of bitter wrangling, KwaZulu-Natal suddenly seems to be galloping towards a constitutional settlement. However, it is not clear whether this will be with or without the support of the ANC.

What seems to have improved prospects has been the approach to negotiations for a provincial constitution, rather than the substance of its proposals. Two months ago the emphasis placed by Inkatha on agreeing to a draft constitution in the multiparty standing committee, shifted to a series of intensive bilateral talks between Inkatha and the other parties.

Also, Inkatha, which had threatened to be inflexible, appears to have made several key concessions to its negotiating partners.

The big question is whether Inkatha will be able to win agreement for the provincial constitution from its main adversary, the ANC. Negotiating teams from the two parties were due to meet at the beginning of the week, but the meeting was postponed for two days.

The constitution could be passed by a two-thirds majority without the ANC if Inkatha manages to harness the support of the minority parties, which it seems to have done. However, a consensus-based agreement would have better prospects than one passed by the minimum majority necessary.

The kind of agreement finally reached obviously has big implications for the strife-torn province, where police report that at least 50 people were killed last weekend alone.

ANC chief negotiator in the province John Jefferey warns that there could be greater instability if the ANC is left out in the cold over the constitution. He suspects that the ANC has been left out.

The strategy behind Inkatha's bilaterals has been to reach agreement with the NP on the basis that it would then be a small step

to bringing the other minorities on board.

By way of concession, Inkatha has offered to continue a provincial unity government by establishing a "council of State". Inkatha has also modified its proposal that provincial Cabinet members need not be members of the legislature, by suggesting that the number of unelected MECs be restricted to two.

By the same token, the smaller parties have acquiesced in Inkatha's demand for a provincial bill of rights and constitutional court, though constitutional disputes with government will be referred to the national Constitutional Court.

There are also strong indications that part of the deal with the NP is that Inkatha will return to the Constitutional Assembly, from which it withdrew in January, in the event of a provincial constitution being accepted by the legislature. But while the chances of reaching agreement on a provincial constitution seem good, there is every indication that things are hotting up for KwaZulu-Natal's delayed local elections in March. And the campaign threatens to be a bloody one.

Inkatha officially launched its campaign on Monday night. But its leader Mangosuthu Buthelezi fired the opening salvo in typically controversial style at a weekend peace rally in Estcourt, warning that an election defeat for Inkatha "would open the door" to increased violence. He claims the ANC's final goal is the destruction of Inkatha and KwaZulu-Natal's provincial autonomy.

Other parties rounded on Buthelezi for perpetuating the myth that violence and politics must remain inseparable. Yet, the level of intolerance was emphasised when Inkatha supporters were stoned and insulted by ANC members on the way to the same rally. This happened in spite of a peace declaration that was signed by the two parties in Estcourt a week earlier. Also disturbing was the participation of four uniformed SANDF soldiers in the ANC crowd.

Even if there is agreement on a provincial constitution, a quantum leap is needed by political leaders who must preach peace and tolerance to their followers — and sound as though they really mean it. ■



Impi of invective from KwaZulu's offended

Star 17/11/95

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Politicians can dish it out, but what they see as personal attacks seem to bring out the worst in them

Politicians spend their lives convincing people to vote for them. However, personal attacks seem to bring out the worst in them.

Take KwaZulu-Natal Premier Dr Frank Mdlalose, for instance. Clearly irritated by an attack on him by Land Affairs Minister Derek Hanekom on national television, Mdlalose lunged into his vocabulary bag for strong words to react to the Minister's "diatribe" attack against him.

When all the English and Zulu words seemed meek and weak, the honourable premier of the "Kingdom of KwaZulu" turned to Hanekom's "moeder taal" - Afrikaans - and spat fire.

"Uthander," charged Mdlalose, sounding more like an Azanian People's Liberation Army member. He further described the Minister-

with-a-bakkie as "a pompous self-effacing outsider".

Mdlalose said no amount of talk from Hanekom with an inflated ego will influence the judgment and decisions of the IFP's national council. Quite a mouthful!

Hanekom's sin was telling villagers in KwaZulu-Natal that he was tired of pretending that the premier of KwaZulu-Natal was doing the best for his people.

Festranged First Lady Winnie Mandela is known for her strong will to tackle issues head-on. Gambling, however, does not seem to one of her strengths, if events in the Rand Supreme Court are anything to go by.

In and out of court rooms this week like a partner from a busy law-firm, the former Deputy Minister on Wednesday gambled and lost R100 000, at least in the first round. She flew

to the United States to attend a pre-arranged appointment, hoping to get a postponement of the trial, but Supreme Court Judge JF Myburgh would hear nothing of it.

The judge said Mandela left the country knowing fully well she might be called to testify and had taken a chance.

"This is not Sun International where you take a gamble, but a court of law," the judge said before ruling in favour of the Foster Webb Charter company.

Knowing Mandela as we do, Sauer can safely say this is not the last we hear of the matter.

When name-droppers talk at social gatherings, they normally refer to rubbing shoulders with so-and-so at certain exclusive venues. Well, President Mandela is not a name-dropper, but after his experience in New Zealand he can boast that he has rubbed noses with some important people.

Instead of the Western hugging and kissing to welcome a visitor, the Maoris rub noses.

Political parties, led by Tony Leon's DP, were quick to jump on the anti-crime bandwagon in the run-up to the local government elections.

Approportioning blame for the causes of our world-beating crime wave became possibly the most dominating feature of the campaign trail.

But one critic, looking at the country with the unguarded - or is it naive? - eye of a foreign visitor, leaves no doubt at all about the seriousness of the problem.

Martin Johnson, cricket correspondent for The Independent of London and on tour with the English cricket team, wrote this week:

"England are currently blighted in several square miles of armed fortress known as Sandton City. Complete with 24 hour armed

Hector Sauer

The truth as seen by visitors or, as some may be inclined to believe, a gross exaggeration of a well-known local problem to give the impression England is a crime-free little haven? After all, some of us still remember the British journalist who opened his story with "Welcome to Hell" when the English rugby team arrived in Durban for the Rugby World Cup in June.

ty patrols, closed circuit TV, searchlights, intercoms, and everything bar moat and portcullis, it is a bit like something out of *Mad Max*. "This place has sprung up because there is nothing more mad than venturing into Johannesburg itself, especially after dark, and entire business complexes are being moved out and into Sandton."

Premier

IFP is likely to test the political waters in local poll before

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Will he or won't he? The question of whether Mangosuthu Buthelezi will save the national cabinet or lead Kwazulu Natal appears ever more acute as constitutional negotiations hot up and local elections loom. **SAM SOLE** looks at the choices facing the chief

Home Affairs Minister and In-catha Freedom Party leader Mangosuthu Buthelezi has vehemently denied media reports

that he was to resign from his central government position to take up the premiership of Kwazulu Natal

Buthelezi called the reports, which quoted unnamed senior IFP sources, "a product of imaginations of Orwellian proportions" So he was highly irritated when Transvaal IFP maverick Themba Khoza successfully muddled the denial by suggesting Buthelezi might indeed return to lead the province

What is true is that there is considerable pressure within the party, particularly in Kwazulu Natal, for him to do so

structures outside the province and in the National Assembly are less enthusiastic.

Buthelezi has been open about his frustration over his perception of the IFP-led provincial government's inability to stamp its authority on the province The ruthless intervention over the constitution-making process, which saw the removal of Arthur Komgkramer as constitutional committee chairman, was but one expression of that frustration

The abrupt removal of Celani Mletwa from his low-profile role as MEC for the strategic safety



CHIEF'S CHOICE: Mangosuthu Buthelezi faces a tough call

The party is therefore more likely to test the political waters via the less critical local government elections

Another factor is the progress in constitutional negotiations If the IFP succeeds in its bid to write a provincial constitution, some of the pressure would be taken off the party at provincial level

The focus would shift to entrenching that constitution at national level within the final national constitution Here the impetus would be for Buthelezi to remain on the national stage

and security portfolio may be seen as another example The response from the provincial caucus has been a largely unspoken "come back and see if you can do better"

And within the IFP Youth Brigade, in particular, there has reportedly been pressure for Buthelezi to join his political frontline troops in the trenches of Kwazulu Natal

There are a number of factors which may influence a decision to take over the premiership

The results of the local government elections in the rest of

Observers point out that a return to Kwazulu Natal would send out two messages first, an abdication of the IFP's national aspirations and, second, the reliance of the party on one man - both of which would be perceived negatively in some quarters

Given some of his recent statements, it appears that Buthelezi would like to underline his indispensability to the party, but unless there is a deadlock over the provincial constitution, it appears unlikely he will give up the advantages of a national cabinet post for the time being

the country, where the IFP did very poorly and the ANC did better than predicted, have underlined the fact that the IFP has no cause to be complacent about achieving a substantial victory in Kwazulu Natal - particularly in light of the fact that the ANC will now be able to concentrate its considerable national resources on propping up a provincial campaign

If the party called fresh provincial elections at this stage, there would probably be an irresistible call for Buthelezi to return to lead this all-or-nothing campaign

Buthelezi shows his hand
Mar 18/11/95

Buthelezi calls for all to vote

(264) CT 20/11/95

INGWAVUMA, kwaZulu/Natal
The Inkatha Freedom Party would capture a majority vote in the March local government elections if everyone voted, IFP leader and Home Affairs Minister Chief Mangosuthu Buthelezi said yesterday.

Addressing an election rally here in northern kwaZulu/Natal, Chief Buthelezi said having the elections on March 27 would give voters opportunity to use the rest of November to register — a point crucial to an IFP victory in regional councils.

"I see no reason why we cannot get 65% of the vote on March 27 and when we do this, we will be sending out a very powerful political message to our opponents and to our allies," he said.

"If the ANC does better than it did in the April 1994 elections, it will be because we are sitting on our backsides watching TV instead of building our structures."

Chief Buthelezi said he was disappointed about his party's losses in the local elections on November 1, but by winning kwaZulu/Natal the protection of traditional leadership and an equitable Constitution could be achieved — Sapa

ARE our political attentions focused on a side-show rather than the real political drama?

The side-show may be the arrest of retired generals on murder charges. And the real drama may be the most serious challenge to political calm — the tension between the ANC and IFP.

The trial of the generals is unlikely to seriously threaten our new order. Constand Viljoen's warnings notwithstanding, the threat of right-wing rebellion is slim if it exists at all. And the military would begin to feel dangerously twitchy only if the arrests seemed to threaten a purge of those soldiers who served the old order. There is no sign that it does soldiers who no longer hold high rank are being charged with a specific offence by an ordinary court which uses normal legal processes. Even if they are convicted, they can always apply for amnesty, which they would probably receive.

Government is presumably aware that it cannot take on the serving military without running grave risks, and it is therefore unlikely to try. And the military top brass know their options are also limited: the entire world would rally around the new government if it faced a challenge from the soldiers. In any event, the defence force is becoming more racially and politically diverse and would be divided within itself on how to respond to government. So the politicians and the military have good reason not to take each other on.

ANC-IFP tensions, on the other hand, are serious. The gulf between them remains vast, and there seems no sign that it will end soon, the tension continues to trigger violence in KwaZulu-Natal, with an ever-present danger of escalation within the province.

Ironically for democrats, the greatest peril is the prospect of an election, whether local or provincial. A look at last year's results broken down by magisterial district shows that elections in most of KwaZulu-Natal have nothing to do with free

IFP-ANC deadlock cries out for a political solution

STEVEN FRIEDMAN

BD 20/11/95

(264)

voter choice. They are about territory, whichever party dominates an area can count on more than 90% of the vote.

The province's recent history shows that control of territory is usually achieved by force. So, if the parties fight a vigorous election campaign, they are unlikely to rely on posters and door-to-door canvassing alone. Nor is an election likely to settle anything: the province is polarised enough to ensure that whoever loses will cry foul.

It is not even clear whether the parties can agree on who would supervise the election: the ANC would probably object if the province does, the IFP if central government does. For this reason, it is not at all certain that there will be an election. This might reduce the danger of bloodshed, but ensure that the stalemate continues. If, as is possible, our next constitution is agreed in the IFP's absence, the deadlock may last a long time.

But what has the arrest of the generals to do with the ANC-IFP tension? Quite a bit, perhaps: it is possible that key figures in the ANC hope the trial will set in motion events which will end by implicating the IFP.

This does not mean the generals or Viljoen are right to claim that the arrests were a political decision.



BUTHELEZI

there is no evidence to support this. Nor have they said why the ANC would order arrests before the local election if the only voters it might impress live in a province where none was voting.

But a senior IFP official is on trial too, and there are suggestions that some in the ANC have confided their hope that the buck will not stop with him. Some political insiders also insist that key ANC figures

continue to believe that violence in KwaZulu-Natal can be quelled by security action — that an emergency and tough peacekeeping can make the problem disappear. This has not been attempted, it is suggested, because the NP does not approve and, however limited the NP in government may be, a state of emergency would need its support.

All of this may be mere speculation. But what is clear is that ANC frustration with the IFP — or at least its leader — is growing, and that this could prompt some of its leaders to hope that a zealous prosecutor or a military peacekeeping mission might end the problem.

This does not mean they plan any action. But as long as hopes that the courts or an emergency will end the problem are harboured, an attempt to solve it politically is unlikely. And, since it is only possible to solve it politically, this means it will not be solved at all.

ANC sources argue that IFP leader Mangosuthu Buthelezi and his curle do not want compromise. They may be right: the signs suggest that his aim is to impose on the province the same sort of rule — complete with a provincial police force under IFP control — which he grew to know and love in KwaZulu. The ANC cannot accept that. On the other hand, Buthelezi is

not the only senior figure in the IFP, even if he does run a very tight ship. A while before the local elections, we witnessed a remarkable sight — the IFP provincial caucus publicly differing with the national leadership. Unlike the ANC, the IFP does not normally air its differences in public. Indeed, so great is the awe in which the party leaders held that it used to be unclear whether there were any differences to air. So, while the provincial caucus challenge was beaten back, the fact that it happened at all suggests that some in the IFP leadership must be very frustrated indeed with the party's current strategy.

But continued or growing polarisation between the ANC and IFP seems likely to weaken those within the IFP who favour compromise. Ironically, any of the extra-political windfalls for which some in the ANC may hope would be certain to close IFP ranks behind a hardline stance. By contrast, a serious attempt at compromise, which goes some way to enhancing the powers of provinces in general and those run by minority parties in particular, could have the opposite effect, strengthening pressure within the IFP for a settlement.

This strategy would not be guaranteed to succeed quickly but it is hard to see what the alternatives are. Whoever leads it, the IFP does represent a section of the KwaZulu-Natal society, and there is no sign that it is likely to disappear soon — it will either be accommodated through compromise, or remain a festering sore for years.

As this column has argued before, the ANC-IFP divide does not threaten the political order — because both sides' options are limited, it will be contained.

But, since the two will have to learn to coexist politically sooner or later, much bloodshed and a thorn in the flesh of the new order could be avoided if the inevitable political compromise comes sooner rather than later.

□ Friedman is director of the Centre for Policy Studies.

Dispute between IFP hardliners and Miller over local govt model

Farouk Chothia

DURBAN—KwaZulu-Natal local government MEC Peter Miller has been forced to drop plans to pass his local government model for the province through the provincial legislature before the end of the year after it was rejected by IFP hardliners Walter Felgate and Mario Ambrosini.

IFP sources said the dispute between the two factions could place the March 27 local government election date in further jeopardy. "If we still

have not agreed on a model, then it will be impossible to meet the election deadline," one source said.

IFP sources said differences were tied to the constitutional debate raging within the IFP. In the draft constitution for KwaZulu-Natal, Felgate and Ambrosini proposed that regional councils — the equivalent of Swiss cantons which would effectively be parliaments with far-reaching legislative powers — would be a buffer between local and provincial government. Miller did not envisage such powers

for regional councils. He saw them as the provider of bulk services with powers to pass by-laws.

Confirming there were differences with Miller, Felgate said regional councils should have powers on the basis of subsidiarity. Miller wanted the provincial MEC to have the power to override any decision of a local authority. This was contrary to IFP policy, Felgate said. He preferred regional councils and local authorities to have more autonomy. One source said that Miller's pro-

posals were designed to ensure that ANC-led councils or local authorities like Durban were not too independent and able to block the plans of the IFP-led provincial government.

IFP sources said Miller published a local government Bill on November 3, but had been asked by Felgate and Ambrosini to withdraw it. Miller had refused, but was under pressure to amend it "substantially". Miller had published the Bill on November 3 with the aim of passing it through a legislature session starting

on November 29. The Bill would now be passed only in the new year.

IFP-aligned chiefs — including IFP president Mangosuthu Buthelezi — threw their weight behind Felgate and Ambrosini on Friday by expressing concern that Miller's model seemed "substantially different from that repeatedly demanded by amakhosi for the past 14 months".

Miller said the resolution was a "very serious matter". He had held ear-

Continued on Page 2

IFP

Continued from Page 1

her discussions with chiefs, and they had accepted his model.

IFP sources said a meeting had been scheduled between Miller, Felgate and Ambrosini for today in a bid to hammer out differences. "If Felgate and Ambrosini win the argument, then the ANC will challenge the Bill in the Constitutional Court as there is no doubt their proposal is incompatible with the Local Government Transition Act," an IFP source said. One senior Ulundu-based IFP source said Felgate had set his sights

on Miller's portfolio, and was attempting to oust him.

The source said Felgate had released he was "totally ineffective" as a national MP, and was now making all decisions for implementation by the IFP KwaZulu-Natal caucus.

The source said Felgate would become a provincial MP next May — when parties are allowed to again reshuffle their lists — before making a bid for Miller's portfolio. Miller was an "easy target" as he was the IFP's only white MEC, and he was resisting pressure to base himself in Ulundu. Felgate denied the suggestion. "The last thing I want to do in the world is to get his (Miller's) portfolio. He is a hard-working and an efficient minister."

(264) B020/11/95

(264) B0 20/11/95

We can get 65% in March, says Buthelezi

(264) Star 20/11/95

Durban - The ANC would try anything to win power in KwaZulu Natal in next year's local elections, Inkatha leader Mangosuthu Buthelezi said yesterday.

"The ANC knows that, until it has won KwaZulu Natal, it has not truly won South Africa. Unless the ANC controls KwaZulu Natal there will always be one solid bastion of political opposition," Buthelezi said in a speech prepared for a rally in the north of the province.

"The ANC is importing its entire election machinery from Gauteng and from other provinces to try work a miracle. It is going to put everything into these elections, from maximising the use of President Mandela down to registering non-KwaZulu Natal residents as voters."

It was important that people voted for Inkatha on March 27 to improve their living conditions and to strengthen the IFP's national constitutional demands.

"Forcing the ANC in particular to concede to our (constitutional) demands, will necessitate their having to confront not just a province united in its constitutional demands, but a province united under the IFP's resolute leadership."

Buthelezi said the results of the forthcoming election would also prove who had the political power in the province, dispelling allegations that last year's national election results in KwaZulu Natal had been rigged in favour of the IFP.

"I see no reason why we cannot get 65% of the vote," he said - Reuters

KwaZulu Natal political parties meet to solve constitutional crisis

New constitution as soon as possible 'essential for stability', says NP, as IFP struggles to get two-thirds majority for document passed by constitutional committee, but rejected by all other parties. (264)

By JOVIAL RANTAO
Political Reporter

Political parties in KwaZulu Natal will this week engage in extensive bilateral meetings aimed at salvaging the province's constitutional negotiations process, which was grounded last week by an Inkatha Freedom Party document which was rejected by all other political parties.

In addition to talking among themselves, the major parties - the IFP, the ANC, the National Party and the Democratic Party - are also scheduled to hold separate meetings with Zulu King Goodwill Zwelithini. They are expected to ask for the king's input and his support for the process.

ANC constitutional negotiator John Jeffrey said his party would hold bilater-

als with the NP, the DP and possibly the IFP ahead of Thursday's meeting of the KwaZulu Natal constitutional committee. The committee is expected to decide on the fate of the IFP document, which was passed in last week's IFP-dominated committee meeting.

Jeffreys told The Star the ANC wanted the constitution-making process to be inclusive, transparent and open.

"We stick to our position that we need the basic document for discussion to be neutral and contain the views of all parties," Jeffrey said.

NP provincial leader Danie Schutte has emphasised the need for the adoption of a constitution as soon as possible, because it was essential for stability in the province. The IFP's participation in the central negotiations process was important for the credibility of the process, he

said. The NP had called for bilateral talks "because we cannot sit back and watch the province being devoured by intolerance and violence," he said.

The IFP has committed itself to the achievement of a broad-ranging constitution which would provide federal powers for the people of KwaZulu Natal.

"We seek the broadest possible basis for the drafting and promulgation of this constitution, and remain hopeful that all parties will work with us in producing a constitution. We re-emphasise that no party should be excluded from this process and that inputs from all elements of civil society are welcome," the IFP said in a statement.

The party remained "cautiously confident" that the necessary two-thirds support for the constitution would be achieved in the legislature.

Star 20/11/95

ANC call to 'save KwaZulu'

Farouk Chothia

(264) 21/11/95

DURBAN — The ANC revived calls yesterday for an early provincial election in KwaZulu-Natal, claiming that IFP infighting was preventing effective governance in the province.

The ANC was reacting to differences between KwaZulu-Natal local government MEC Peter Miller and IFP national council member Walter Felgate and IFP and home affairs ministry adviser Mario Ambrosini, which will delay finalisation of a local government model for the province.

ANC KwaZulu-Natal spokesman Dumisani Makhaye said it was clear that the IFP was "at war with itself". The only way to "save" KwaZulu-Natal from IFP inefficiency and internal strife was through the holding of an early provincial election.

A planned meeting between Felgate, Ambrosini and Miller yesterday to resolve their differences did not take

place. Felgate said another date would be set for the meeting.

Felgate said the IFP wanted regional councils and local authorities to have greater autonomy than that provided for in a Bill published by Miller on November 3. The differences prevented Miller from having the Bill adopted at a legislature session starting on November 29. It will now have to be presented in the new year.

ANC KwaZulu-Natal local government head Mike Sutcliffe said the ANC found Miller's Bill — as well as the Swiss canton-styled model proposed by Felgate and Ambrosini — unacceptable. The ANC would oppose any model that "balkanised" KwaZulu-Natal, and "denied the most underdeveloped areas democracy".

Sutcliffe's comment appeared to refer to IFP plans to give all 300 chiefs in KwaZulu-Natal ex-officio representation on regional councils — guaranteeing IFP control of the councils.

Troop build-up for kwaZulu elections (264) CT 22/11/95 OWN CORRESPONDENT

MARITZBURG A troop build-up before local elections in kwaZulu/Natal early next year is to begin in mid-December.

Three additional companies, mainly made up of commandos, are to reinforce the 1 760 troops already helping 17 000 policemen maintain law and order in the province.

This was disclosed at a media briefing held by the Natal Command of the South African army here yesterday.

The decision follows a sharp increase in the number of people killed this year in political violence.

Defence law 'violates' right of access to courts

BO 22/11/95

Susan Russell

A SECTION of the Defence Act which limits the time period during which a member of the public may institute a claim against the security forces for damages is a violation of the guaranteed right of access to the courts, the Constitutional Court heard yesterday.

The constitutionality of section 113(1) of the Defence Act was challenged on similar grounds in two separate applications heard simultaneously by the Constitutional Court.

In terms of the Act a member of the public must institute action within six months of the event leading to the litigation or else they lose their right to do so. In addition the prospective litigant must give the defence force one month's notice of their intention to sue before instituting action.

The first application challenging the provision was argued on behalf of a former member of the SANDF's now disbanded covert Civil Cooperation Unit, Lafras Lutinh, who wishes to pursue a

R1,1m claim for payments which he alleges he is still owed by his former employers.

The second application was brought on behalf of an Alexandra youth, Leach Mokela Mohlomi, who instituted action against the defence force after he was shot and badly wounded in the leg by a member of the security forces in May last year.

It was argued on behalf of counsel appearing separately for the pair yesterday that section 113(1) was a violation of both the equality clause in the constitution as well as section 22 which guarantees the right of access to the courts.

The court was told that the section violated the equality clause because it unequally favoured the SANDF over litigants, who would not be constrained by the same limitation in civil actions against other parties.

Counsel for Mohlomi, Gilbert Marcus SC, said it was integral to any society that respected the rule of law that it was the courts that were entrusted with dispute resolution.

"The alternative," he said, "is

self help and chaos."

Marcus said that although section 133(1) of the Defence Act did not stop a litigant from going to court it did make it more difficult.

An absence of provisions giving the judges hearing the matter in the lower courts a discretion to extend the six month prescription was, on the face of it, a violation of section 22, he said.

The defence force opposed the application. It was submitted on their behalf that the prescribed six-month period was necessary because the SANDF was, and still is, a large organisation with all sorts of administration difficulties. It also had a large staff turnover despite the fact that there no longer was national service. These circumstances made it necessary to deal with claims as timeously as possible.

Counsel for the SANDF, J van der Merwe SC, submitted that section 113(1) was reasonable and justifiable.

He also argued that the section did not curtail a person's access to the courts.

Zwethini and ANC hold 'fruitful' constitutional talks

(264)

BO 22/11/95

Farouk Chothia

DURBAN — Zulu King Goodwill Zwelithini held "fruitful" talks with the ANC yesterday on a constitution for KwaZulu-Natal, but was disappointed at the IFP's failure to pitch up for a meeting on Monday.

An ANC delegation led by ANC national chairman Jacob Zuma tabled its constitutional proposals at a meeting at one of the king's Nongoma palaces.

The meeting took place against the backdrop of an invitation by Zwelithini to the seven political parties in KwaZulu-Natal to hold talks with him on the role they envisaged for the monarchy in the provincial constitution.

Zwelithini's spokesman Sifiso Zulu said the monarch would present his proposals after studying the parties' views.

He was surprised that the IFP, after scheduling a meeting with him for Monday, had failed

to turn up

KwaZulu-Natal premier Frank Mdlalose's office said the IFP was not in a position to present its proposals to Zwelithini because the original plan was that the constitutional committee, made up of representatives of all seven parties, would meet the monarch.

A royal family source said Zwelithini was disappointed also that the IFP in its proposals had reduced him to monarch of KwaZulu rather than of the whole province.

The IFP altered its position to accommodate the NP and DP, whose support it needed to obtain a two-thirds majority for a constitution. The NP and DP insisted on the compromise on the grounds that non-Zulus could not be expected to pay allegiance to Zwelithini.

However, the ANC and PAC identified Zwelithini as the constitutional monarch of the whole province.

Plot to kill Phosa to be probed

Kevin O'Grady

NATIONAL police commissioner George Fivaz has ordered a top-level investigation into gun-running activities in Mpumalanga, and into an alleged plot to assassinate the province's premier, Mathews Phosa.

Phosa said yesterday he had met both Fivaz and Safety and Security Minister Sydney Mufamadi to discuss the alleged involvement of policemen and soldiers in gun-running syndicates in Mpumalanga.

"We agreed the investigation started by Mpumalanga should be continued with vigour and anyone found to be involved should be arrested and prosecuted," Phosa said.

There had been a "huge flood of arms" from Mozambique.

It was also agreed at the meeting that there was substance to allegations of a plot to assassinate Phosa. A senior policeman had been appointed to head both investigations.

Joy as parties agree on Natal constitution

(264)
DURBAN: kwaZulu/Natal's constitution-writing process is at last on track after a remarkable meeting yesterday where all seven political parties — the ANC and IFP included — agreed on the way forward for the province's constitutional committee

CT 24/11/95
The two major parties paid tribute to the five minority parties who urged the process along

IFP member Ms Faith Gasa said a bilateral meeting earlier this week between the ANC and IFP came about after the minority parties asked them to meet and "swallow our pride"

The mood of the meeting was summed up afterwards by PAC leader Mr Joe Mkhwanazi, who told the committee "If I were a woman, I would be weeping now"

Mr Mkhwanazi was elected chairman of the sub-committee which meets next Wednesday to start work on the draft document:

Indications are that a working draft might be ready by early next year. — Special Correspondent

Millions lost to fraud and theft in Eastern Cape, KwaZulu govts

Own Correspondent

BISHO — A senior Bisho public servant has been arrested in connection with multimillion-rand fraud in the health and welfare department.

Finance department computer section director Malcolm Knight has been released on bail after appearing in the KwaZulu Regional Court.

The fraud, involving between R5m and R10m, allegedly involves officials pocketing pension payouts to bogus pensioners and to dead people whose

names have not been removed from computer records.

This is the second time this year the Eastern Cape's health and welfare department has been hit by fraud involving officials allegedly pocketing money intended for the underprivileged.

Commercial branch detectives are investigating a R2,5m fraud in the province's primary schools feeding scheme. The latest scam is believed to have been going on for 18 months.

Police experts would examine computer back-up tapes confiscated on

Wednesday, police liaison officer Lt Col Garry Neuwenhuis said yesterday. The arrests followed an anonymous tip-off.

A second suspect had been arrested and up to 15 more arrests were expected, Neuwenhuis said. The second suspect had not yet appeared in court.

Neuwenhuis said computer operators in positions of trust had allegedly put false names into the computer dispensing pension and welfare payouts. Pensions due to these non-existent people were fraudulently paid out to

Bisho officials

Meanwhile, Farouk Chothia reports from Durban that thefts and irregularities amounting to R8,3m occurred in the former KwaZulu government in the 1992/93 financial year.

There had also been unauthorised expenditure of R12,13m, KwaZulu-Natal auditor-general Chris Foster said in a report released earlier this week.

He said cash, cheques and other government property had been stolen. There had been 251 cases of theft and irregularities during the financial

Fraud

Continued from Page 1

many of the cases of theft had not been completed. This meant government officials who were implicated had been suspended, but were receiving full salaries. Committee members were angry about this, and wanted investigations speeded up so guilty officials could be dealt with.

Foster identified the finance department as the worst affected. Theft involving R6,71m had been unearthed in 43 cases. In the justice department the figure was R1,04m, in the works department it was R186 254, in education and culture it was R174 471, in the interior department it involved R75 434, in the health department it was R34 816, and the figure for police was R31 159. The thefts and irregularities in the police department involved firearms and ammunition.

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(264)

BD 24/11/95

Foster said the health department was responsible for unauthorised expenditure of R8m, the works department for R3,6m, the police department R264 655, the economic affairs department R158 887 and the chief minister's department R481.

During the 1991/92 financial year, he said, a government-owned vehicle in the police department had travelled 101 629 km without log sheets having been completed. In the 1992/93 financial year, funds allocated to the health department for a national nutrition programme had been kept in a private account without treasury approval. In the works department, projects had been shelved or cancelled after R4,3m had been paid to architects, surveyors and engineers for services rendered.

Other problems were that accounting records were not properly updated, stock registers were non-existent, annual stock-taking had not taken place and job control records were not properly maintained.

Government officials had been implicated in 161 cases. Provincial public accounts committee chairman Tino Volker said there had been delays in completing the report because government departments had been slow in supplying information to the auditor-general's office. Statements and appropriation accounts were returned to departments as they were incomplete or incorrect, Volker said. Investigations into

Continued on Page 2

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KwaZulu's cash 'irregularities'

MG 24-30/11/95

Ann Eveleth

FINANCIAL irregularities of R6.7-million were unearthed by the KwaZulu-Natal auditor general during a check on the former KwaZulu government's 1992/93 budget, the provincial Public Accounts Committee (PAC) heard this week.

Accounts chairman NP MP Tino Volker said Auditor General Chris Foster reported "43 cases of theft

and irregularities involving motor vehicles and cash to the value of that figure".

"In 30 incidents involving R2 728 181, officials were implicated," the report said. Volker said the auditor general's report on "irregularities and unauthorised expenditures" formed part of two separate reports on the 1992/93 financial statements of the former KwaZulu government and former

Natal Provincial Administration.

"In the KwaZulu case, there were cases where staff members were implicated in theft," he said.

In Natal, Volker said there was one case where a pension payment official, believing the office security was lax, had taken home pension money totalling R166 630, only to be robbed in front of his home.

Volker said the accounts committee would meet again today "to decide how we are going to report on the Auditor General's report when it meets on November 29."

ANC alliance in Cape 'under strain'

By BEN MACLENNAN

THE alliance between the ANC and its partners in the Western Cape is under strain, according to party provincial secretary James Ngculu.

In a report to the ANC's Western Cape congress in Khayelitsha yesterday, he said the alliance with Cosatu, the SACP and Sanco was "more of a historic than a dynamic, living alliance."

There had been problems with alliance partners' non-attendance of meetings while workers in the Khayelitsha/Ikapa area had embarked on action which was "anti-alliance". "Cosatu remained quiet and sometimes became part of the problem," he said.

Further when it came to Sanco we found out that where the relationship remained good at provincial level, on the ground this was not the case and in some areas the relationship has deteriorated.

Ngculu also described the ANC MP and head of Contralesa, Phatekile Holomisa, as a "toothless and swollen-headed bulldog" for having unsuccessfully called for a boycott of the local elections.

Opening the conference, Justice Minister Dullah Omar, said the ANC had to win the Cape metropole elections to complete the process of democrati-

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sation in the Western Cape. The local elections had to be seen as part of the process of ending white minority domination, he said.

"If we want to win this election then we must deserve to win it. We can only deserve to win it if we represent an alternative for the people of our region, an alternative to corruption, dishonesty and political manipulation," Mr Omar said.

— Sapa

Delays place polls in doubt

(264)

DURBAN: It would be impossible for local government elections to be held in large parts of kwaZulu/Natal in March because boundary disputes had yet to be resolved, the regional Minister of Local Government, Mr Peter Miller, said yesterday. *ET 27/11/95*

Elections in the province were postponed to March 27 because of the disputes, which focus chiefly on whether tribal areas should merge with urban neighbours.

Mr Miller warned last month that unless the electoral court resolved the disputes by mid-November, the March date for elections would be in jeopardy.

He said yesterday the disputes would go to court this week.

"There's a desire to harmonise the election date with the Western Cape, which is also awaiting an electoral court decision," he said.

He had told national Provincial Affairs Minister Mr Roelf Meyer, who had acknowledged there were problems. — Reuter

IFP stakes all on Natal poll

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same item
28/11/95

By Joe Mdhlela
Political Reporter

WITH local government elections in KwaZulu-Natal scheduled for March 27, the electoral court yesterday began deliberating on the Durban metropolitan demarcation disputes

However, spokesman for the MEC for local government and housing Dr Warwick Dornig said the outcome of the disputes would not impact negatively on the electoral process or the date of the elections

Disputes

"The elections will continue as scheduled regardless of what the court ruling will be," Dornig said

He said it was possible that if certain issues were not settled before March 27 it would be decided to continue with the elections in areas where there are no disputes

The court is also expected to address itself to the problem of how the tribal land will be delimit-

ed, an issue close to the heart of the Inkatha Freedom Party

The provincial elections in KwaZulu-Natal will be a test for the IFP after its poor performance in the rest of the country early this month when it polled less than one percent of the vote

IFP future at stake

President of the IFP and Minister of Home Affairs Chief Mangosuthu Buthelezi is on record as saying his party's future depends on how well it does in the forthcoming local government elections

Buthelezi has urged his supporters to register in great numbers so as to ensure that the IFP captures the province

Supplementary elections in the province have been extended from the beginning of the month to November 30. However, the African National Congress is staging a massive voter awareness campaign in the province, a spokesman for the organisation Mr Mlungisi Ndhlela said

ANC seeks probe into 'amended' Bill

Farouk Chothia

DURBAN — The ANC demanded yesterday that the KwaZulu-Natal legislature investigate claims IFP hardliners Walter Felgate and Mario Ambrosini rewrote a Bill drafted by local government MEC Peter Miller without his permission.

ANC provincial executive committee member and KwaZulu-Natal health MEC Zweh Mkhize said Felgate and Ambrosini had acted "illegally" and "despicably".

"It is quite clear that these persons cannot determine where a party mandate starts and where government responsibility begins," Mkhize said.

ANC local government head Mike Sutchiffe said the ANC would demand in the legislature tomorrow that a multiparty committee be appointed to investigate the allegations. Felgate and Ambrosini had "violated the integrity of government if they were guilty".

DP KwaZulu-Natal leader Roger Burrows said the incident raised ques-

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'Amended' Bill

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tions about security measures at MECs offices. The DP would ask in the legislature whether any individual could gain access to confidential information without authorisation.

Felgate said he would welcome an investigation because the allegations were "absurd". He and Ambrosini had merely gone to Miller's office to fetch a copy of the Bill. It was on a computer disk and while they were waiting for Miller to arrive, an official had "offered" them a computer to work on.

Felgate said it was the democratic right of "any man in the street" to request information from an MEC.

Sutchiffe said the Bill was "out of the

hands" of Miller. It had been gazetted and Felgate and Ambrosini should have made submissions to the local government portfolio committee.

Felgate and Ambrosini have been putting pressure on Miller to amend the Bill. They want to strip the provincial government of many of its powers and to place these in the hands of regional councils. Miller was resisting their proposal.

An IFP source said the differences would be referred to the IFP national council later this month for a ruling.

Felgate and Ambrosini's proposal would ensure that even if the IFP lost future provincial elections, the party would wield enormous influence in the province through regional councils.

The IFP wants all 270 traditional leaders in KwaZulu-Natal to serve on the councils.

R1,2m case to be heard

MIDDELBURG — Highveld regional services council chairman Gerhard Smith appeared briefly in the Middelburg Magistrate's Court on Friday on charges of embezzling R1,2m while coordinating the arrangements for local government elections in KwaNdebele.

He was not asked to plead and was released, African Eye News Service reported yesterday. The case was postponed to January 30.

The allegations surfaced during a continuing commission of inquiry into the council, appointed by Mpumalanga premier Mathews Phosa, to investigate any financial or management irregularities.

Smith wrote a cheque for R1,2m drawn on the budget of a voter education project and, it is alleged, fraudulently deposited the money with a company in which he had an interest.

He is then alleged to have transferred the amount to a personal savings account.

A second cheque for R1,5m, made out in favour of the same company, was cancelled by Nelspruit chief magistrate Heinrich Moldenhauer, chairman of the commission. — Sapa.

Parties are playing games, says judge

Farouk Chothia

DURBAN — A special electoral court judge criticised KwaZulu-Natal political parties yesterday for "playing games", and urged them to compromise on boundary disputes so local government elections could take place in the province on March 27.

Local government MEC Peter Miller told the court he would consider the appeal "very seriously", but that it was impossible to hold elections on March 27. Disagreeing, court chairman Judge J Smalberger said: "If there is a will, there is a way".

Miller said wards would have to be demarcated within the next week if elections were to be held on the scheduled date. Ten weeks were needed for this process, and elections could be held in late May.

The court began a two-day hearing in Durban to resolve the dispute over the outer and inner boundaries of the Durban transitional metropolitan council and those of six transitional local councils.

The disputes were referred to the court after the IFP could not agree with the ANC and the demarcation board on whether tribal areas should be incorporated into the councils.

The court dealt yesterday with the dispute over 14 tribal areas which the ANC and the board want included in the Durban council. Miller and the IFP said they opposed this.

Miller conceded that two of the tribal areas — Folweni and Umlazi CC — qualified for inclusion in the Durban

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council. Both were proclaimed townships, and had high-density populations, Miller said.

But the inclusion could not take place immediately because of "time pressures" and "technical reasons". The approval of traditional leaders was also needed, Miller said.

Judge M Nafsa said the parties seemed to be "playing games". He said consensus could have been reached on the incorporation of densely populated tribal areas into the council, while the others could have been excluded.

Nafsa questioned why the parties had failed to reach such an agreement.

Miller replied that it would "remain a mystery why reasonable peoples' minds could not meet". Pressure to meet deadlines for the election took away the opportunity to work things out rationally and logically.

Smalberger said every endeavour should be made to hold the election on March 27. He said the court would rule this morning on the Durban dispute. Parties should then enter into negotiations to settle the disputes in the other councils.

The court also heard evidence on the dispute over the boundaries of the Durban metropolitan substructures. Miller argued that the board's proposals would perpetuate apartheid boundaries and create economically unviable substructures. He unveiled his own proposals, which the ANC rejected.

Smalberger asked the parties to enter last-minute negotiations, and to report to the court this afternoon on whether they had reached agreement.

'Several Wits academics underqualified'

Ingrid Salgado

THE Wits University Transformation Front alleged yesterday that several senior Wits academics were not properly qualified at the time of being appointed to high-ranking positions such as professorships.

The accused staff included some of the 13 academics who claimed deputy vice-chancellor William Makgoba made misrepresentations in his CV. The front — comprising the Black Staff Forum, Students' Representative Council, SA Students' Congress and trade unions — would not identify the "underqualified" academics, although vice-chancellor Robert Charlton and university council chairman FA Anderson knew who they were.

The front's preliminary inves-

tigations had revealed that some of the academics failed to "substantially enhance" their research and publications since acquiring full professorship. It had investigated the academics' CVs — including eight deans and deputy vice-chancellor June Sinclair — to ascertain whether they were qualified for the positions they hold.

One academic — regarded as the most senior of them all — had been struggling with a doctoral thesis since 1982, the front said.

The front has rejected the tribunal set up to probe allegations against Makgoba. They have urged that the university council extend the tribunal's terms of reference to include investigating the manner in which the academics gathered information on Makgoba and the qualifications, research and publishing record and experi-

ence of all senior staff.

Front chairman Shadrack Gutto said a special council meeting today would discuss the tribunal's widespread rejection. He was optimistic the council would "exercise wisdom" and make the process more inclusive.

The front would consider legal or mass action if the tribunal proceeded in its current form. It would also ask the tribunal's three members not to participate in a structure around which Wits was deeply divided. If they refused, mass action could begin in January when the tribunal was expected to convene.

Gutto said the university would be unable to operate if the majority of workers, students and staff embarked on mass action. However, it would ensure that any action was disciplined.

Court to rule on provincial powers

(264)
Susan Russell

BD 29/11/95

THE Constitutional Court will deliver its ruling today on the dispute between the IFP-led KwaZulu-Natal provincial government and central government over six amendments to the Constitution passed last session.

KwaZulu-Natal Premier Frank Mdlalose challenged the legality of the amendments in court earlier this month on grounds they were an unconstitutional interference with provincial powers by central government.

One amendment transferred the power to determine salaries of provincial premiers and their executive councils to central government. Another removed the provinces' power to appoint and pay traditional leaders.

The Constitutional Court will also hand down its judgement today on the constitutionality of a provision of the Drugs and Drug Trafficking Act, which maintains that anyone caught with more than 115g of dagga is presumed to be guilty of dealing.

ANC lashes out as court rules in favour of IFP

Star 29/11/95

(264)

Decision on tribal authorities slammed as move away from democracy and one which endorses feudal system

SAPA
Durban

Only four boundary disputes obstruct KwaZulu Natal's path to local government elections on March 27 next year after yesterday's rulings on the second day of electoral court hearings in Durban on demarcation disputes

The court was set up to resolve local boundary disputes between the IFP, the KwaZulu Natal demarcation board and the ANC.

The disagreements concern the role of tribal authorities in local government and a demarcation squabble relating to the boundaries of the Durban TMC

In the case of the Durban TMC's outer boundaries, the court yesterday ruled in favour of the IFP's proposal to exclude tribal areas from the new local government structure,

prompting an angry reaction from ANC officials

The court's decision was largely based on argument led by KwaZulu Natal local government MEC Peter Miller, who claimed tribal authorities had not yet been adequately consulted about incorporation into new local government structures

Boundary disputes in four of the province's most populous transitional local government areas were also resolved at the court's insistence by the opposing parties yesterday through compromise agreements

Another minor dispute concerning the Mtubatuba area was still to be resolved by the court, observers noted. If so, only three boundary disputes would remain those concerning Richards Bay, Empangeni and Port Shepstone. The court is expected to rule on these outstanding disputes later today.

The ANC yesterday criticised the court's decisions. "We believe that today has been significant in that KwaZulu Natal is believed to be an area of the country where feudalism should operate and not an area for democratic government," ANC local government spokesman Dr Mike Sutcliffe said.

He warned that the pro-feudal approach, evidenced by granting autonomy to tribal areas, would have serious consequences. "We need to seriously work to incorporate the areas that have been left out by these rulings," he said, adding that many tribal authorities were simply refusing to consult about possible local government changes

Responding to the ANC's criticism, Miller said custom law in tribal areas was a widespread reality that needed to be acknowledged in KwaZulu Natal.

Buthelezi attacks MEC for 'conflicting' draft

Durban - Inkatha leader Mangosuthu Buthelezi criticised one of his party's senior officials yesterday for drafting a rural local government model which conflicted with party proposals

Buthelezi said in an interview that KwaZulu Natal's local government minister Peter Miller had "come out with his own version of rural government", in conflict with Inkatha's vision.

"(Miller) is shying away from the

decisions of (Inkatha's) national council and the amakhosi (chiefs).

"That model is well known. Mr Miller had no right to change that," Buthelezi said.

Miller said he was "perplexed" at the allegations levelled against him.

"The draft bill (on rural local government) was the product of 14 months of negotiations.

"It has been placed before the KwaZulu Natal provincial cabinet on three occasions

"It's been presented both to the caucus of the provincial parliament and to the IFP caucus in the national assembly," said Miller.

Ironically, Buthelezi's attack on Miller came on the same day that the MEC won victory for his party in the electoral court on another matter

As a result of the court's decision, only four remaining boundary disputes obstruct KwaZulu Natal's path to local government elections on March 27 next year - Sapa-Reuters

Electoral court rules against incorporation of tribal areas into Durban

Farouk Chothia

DURBAN — The Special Electoral Court ruled yesterday against incorporating tribal areas into the Durban metropolitan council, handing the IFP a signal victory over the ANC.

Court chairman Judge J Smalberger said the court had to take cognisance of the fact that the affected traditional authorities and the House of Traditional Leaders had opposed incorporation. He said the court's decision was "firm and unanimous".

Criticising the judgment, ANC KwaZulu-Natal local government head Mike Sutcliffe said the court had accepted the view that KwaZulu-Natal was "an area of SA where feudalism — and not democracy — should operate".

Smalberger said the Ingonyama Trust Act — which made Zulu king Goodwill Zwelithini trustee of the tribal land — complicated efforts to incorporate the areas into the council for the March 27 election. The issue of who was liable to pay rates — the king, chief or residents — was unclear.

Smalberger said the court acknowledged parts of the tribal land were densely populated and therefore qualified for inclusion, but it was difficult to demarcate poll boundaries.

He said the court acknowledged many residents in the affected areas had strong economic ties with Durban. They worked in the city and spent their money there. These communities had "legitimate aspirations" when demanding inclusion in the Durban region. The court hoped consultations and negotiations would continue with

the aim of incorporating them

KwaZulu-Natal local government MEC Peter Miller said the judgment was a "great relief". It paved the way for a local government model that would accommodate modern democratic ideals and traditional communal pressures. He acknowledged that "urban pressures" had resulted in "legitimate claims" for incorporation and he gave an assurance that consultations would include such areas. He would try to consult traditional leaders as much as possible before the

election, but there would be instances when it might take years before areas were incorporated.

Sutcliffe said the ruling was a "travesty of justice" and the ANC rejected with contempt the fact that the most marginalised communities had been denied democracy.

"We hope that this is the last time that a court which is not representative of the people of SA sits (on such a matter)," Sutcliffe said.

IFP

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Communities would "take whatever action necessary" to ensure their areas were incorporated into the Durban council for the coming election.

Miller's threat that elections would have to be postponed because of boundary disputes had influenced the court, Sutcliffe said.

The Durban judgment led to negotiations between Miller and the ANC over similar disputes in eight transitional local councils. In six, a settlement was reached.

Miller agreed to incorporate some of the tribal areas into the councils, but in most they remained excluded.

The parties failed to reach settlement on the Empangeni, Richards Bay and Port Shepstone boundaries. The court rules on these disputes today.

Miller and the ANC also settled on the boundaries of Durban's suburbs. Half the city centre is to fall under one substructure and the rest under another. But the two substructures will have a single administration.

IFP KwaZulu-Natal local government caucus head John Anisebrook said the compromise would be criticised. "The baby has been cut in half," he said.

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Miller 'had no right to introduce model'

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Farouk Chothia

DURBAN — IFP president Mangosuthu Buthelezi accused KwaZulu-Natal local government MEC Peter Miller yesterday of failing to abide by decisions of the IFP national council when unveiling a Bill on a model for local government in the province.

Buthelezi said Miller had "no right" to introduce a model that was different from that agreed to by the IFP national council and chiefs and said he was "shying away" from decisions reached.

Buthelezi's comments came against the backdrop of a refusal by Miller to heed calls from IFP hardliners Walter Felgate and Mario Ambrosini to amend the Bill.

Miller's Bill vests enormous power over local government matters in himself in his capacity as local government MEC. Felgate and Ambrosini want to strip the MEC of most powers by vesting the powers in regional councils.

Miller sees the regional councils as mere providers of bulk services with powers to pass by-laws and ordinances. Felgate and Ambrosini want the councils — on which traditional leaders will have automatic representation — to have far-reaching legislative powers.

The dispute is to be discussed at an IFP national council meeting this month. Buthelezi's comments indicate he will side with Felgate and Ambrosini.

Reacting, Miller said Buthelezi's view had left him "a little perplexed" as

the Bill had been discussed with the IFP KwaZulu-Natal caucus and the IFP national caucus. The Bill had also been put to the KwaZulu-Natal cabinet on three occasions. Only thereafter had it been gazetted.

The Bill incorporated "a lot of material" from the former KwaZulu administration as well as ordinances from the former Natal administration.

Miller said he was not the author of the Bill. Experts and others who were "very sympathetic" to the IFP had drafted it. "I will have intensive negotiations with all concerned to clear the matter," he said.

Meanwhile, the NP in KwaZulu-Natal has called for primary local government elections to be held in rural areas, including areas under the jurisdiction of traditional leaders.

The position of the NP places it on a collision course with the IFP which insists traditional leaders would carry out primary local government functions in their areas.

NP KwaZulu-Natal caucus chairman Tino Volker said primary local government elections had not been envisaged because of pressures to meet the November 1 deadline.

Volker said the extensions meant there was time to negotiate a model which would allow for primary elections in rural areas. The NP wanted traditional leaders to have ex-officio representation on elected councils in their areas, not on regional councils.

Miller 'had no right to introduce model'

BD 29/11/95 (264)

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Court takes away power

By Mzimasi Ngudle

KWAZULU-NATAL premier Dr Frank Mdlalose yesterday lost his Constitutional Court battle to retain provincial powers that were removed by amendments to the Constitution.

The amendments, among other things, took away powers to determine the remuneration of the provincial cabinet.

They also vested in President Nelson Mandela the power to determine guidelines for identifying traditional leaders.

The amendments came amid the tussle between the African National Congress-led Government of National Unity and the KwaZulu-Natal legislature over control of traditional authorities in the province.

There were also increasing demands for greater regional autonomy for KwaZulu-Natal when the amendments were passed in Parliament.

Delivering judgment, Mr Justice Ismail Mahomed held that amendments to the Constitution, which permitted the provincial legislature to determine the remuneration of the provincial cabinet, were not in conflict with the Constitution.

With regard to Mdlalose's argument that amendments to constitutional principles granting powers to the provinces were unconstitutional, Mahomed said that constitutional principles in Schedule 4 of the Constitution had relevance only for a future constitution.

Mohamed said provinces had no exclusive powers over traditional leaders, but shared these powers concurrently with the central Government. While both provinces and Parliament were competent to legislate on local government, parliamentary legislation would prevail over provincial legislation.

Guns upset kwaZulu legislators

(264) CT 30/11/95
ULUNDI: A row erupted shortly after the start of a session of the kwaZulu/Natal legislature yesterday over a pile of shotguns and semi-automatic rifles stacked near the debating chamber

The metre-high pile of weapons, which had been issued by the former kwaZulu government to tribal chiefs, were returned

to the provincial government in terms of a proclamation earlier this year

ANC chief whip Ms Ina Cronje and her Democratic Party counterpart Mr Roger Burrows left the chamber to investigate

Ms Cronje returned to the chamber and called for an adjournment until the weapons were removed — Reuter

MPs fired up over guns in legislature

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Farouk Chothia

ULUNDI — The police have collected more than 500 firearms issued to chiefs by the KwaZulu homeland, but new firearm licences have already been issued to them and their bodyguards.

The firearms, recalled in terms of a central government crackdown on homeland weaponry, were at the centre of a row on the first day of a KwaZulu-Natal legislature sitting yesterday. ANC MPs reacted strongly to the discovery that about 500 weapons — including G3 rifles, shotguns and handguns — had been placed near the legislative chamber.

ANC chief whip Ina Cronje demanded the adjournment of the session, claiming the weapons posed a serious security risk. ANC MP John Jeffery said the sanctity of the legislature had been violated, and he was "astounded" at the fact that the legislature was being used as a police station or arsenal.

KwaZulu-Natal premier Frank Mdlalose accused the ANC of introducing a "red herring". There was no danger as policemen were guarding the weapons.

Speaker Gideon Mdlalose refused to adjourn the session but agreed to a request from the DP that a group of MPs leave the session to keep a watch over the weapons.

SAPS Ulundi district commissioner

Brig Frank Holloway said the weapons had to be stored in a safe in the legislature building as no other space was available.

KwaZulu-Natal traditional affairs MEC Nyanga Ngubane said "very few" traditional leaders were still in possession of weapons issued to them by the former KwaZulu government. However, new firearm licences had been issued to more than 200 chiefs and their bodyguards.

The IFP had initially indicated that the chiefs would refuse to hand over their weapons, but a compromise was reached between KwaZulu-Natal premier Frank Mdlalose and Safety and Security Minister Sydney Mufamadi.

Mdlalose gave an undertaking that the weapons would be handed in, while Mufamadi agreed that chiefs' applications for new firearm licences would be dealt with speedily.

In other developments in the legislature, Transport MEC Sibusiso Ndebele warned government would overspend on its transport budget by several million rands if costs were not reduced. To remain within budget, departments would have to postpone car repairs until the next financial year.

Corruption in the repair of vehicles, involving private garages and government officials, was continuing. To add to the losses, vehicles were also being hijacked and stolen.

Mdlalose's challenge to constitutional changes fails

BD 30/11/95

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Susan Russell

KWAZULU-Natal premier Frank Mdlalose has lost a Constitutional Court bid to overturn four amendments to the interim constitution passed by Parliament, which he claimed interfered unlawfully with provincial powers.

Two of the amended sections, 149(10) and 182, dealt with the payment and appointment of provincial leaders and executive councils and the appointment of traditional leaders in provinces. The amendment to section 149(10) transferred the power to determine remuneration of provincial premiers and executive committees to the president, while section 182 empowered him to determine guidelines to identify traditional leaders for ex-officio positions in local government.

Mdlalose and his executive committee attacked the constitutionality of the amendments, saying they did not comply with section 62 of the constitution, which deals with amendments to legislation affecting the legislative and executive competence of provinces.

Lawyers acting on behalf of Mdlalose argued that Parliament should have complied with section 62(2) and obtained the consent of KwaZulu-Natal's provincial legislature before amending section 149(10).

But the Constitutional Court said this provision would apply only where amended legislation did not apply to all provinces.

The amendment to section 149(10) applied to all provinces and was therefore not affected by this requirement.

Mdlalose attacked the amendment to section 182 on the grounds that section 62 had not been complied with, but this was rejected by the court, which held it was not necessary in this instance either because the legislation applied equally to all provinces.

In his judgment court deputy president Judge I Mahomed said the amendment to section 182 did not appear to interfere with the legislative or executive competence of the provincial government as contended by Mdlalose.

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Mdlalose

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Even if it did, this by itself was not a reason for declaring the amendment unconstitutional.

The court also rejected the claim that the amendment to section 184(5), altering the procedure for referring legislation to traditional authorities, was unconstitutional.

Mahomed, delivering his judgment with the unanimous concurrence of the 10 other Constitutional Court judges, said the amendment complied with the relevant provisions of section 62.

Mdlalose also attacked the constitutionality of an amendment to section 245 of the constitution which provided that local government could not be restructured except in terms of the Local Government Transition Act until March 31 next year, even if local elections had already taken place.

Prior to the amendment local government could be restructured by a competent authority after elections had been held.

Elections are to be held in KwaZulu-Natal on March 27, which means the local government will not be able to enact any changes until three days later.

It was argued on Mdlalose's behalf that the amendment unconstitutionally extended national legislation over provincial legislative competence, and that it was not made in the "spirit" of the constitution. The court found that the amendment was made in accordance with the relevant provisions.

Farouk Chothia reports from Ulundi that KwaZulu-Natal local government MEC Peter Miller said he was "disappointed but not devastated" by the judgment.

The fact that the court had not awarded costs indicated that the province had a prima facie case and the court found it "worth hearing. It was a fair contest. We lost on points."

Judges' ruling favours central Govt

Constitutional body upholds right of the Government
to make changes of equal application to all provinces
without the consent of provincial legislatures

KwaZulu Natal Premier Dr Frank Mdlalose lost his Constitutional Court bid yesterday to challenge the powers of the central Government over provinces.

Mdlalose, who is also the Inkatha Freedom Party's chairman, had asked the court to rule against President Nelson Mandela over changes to the law which gave him the authority to decide the pay of premiers and members of provincial executive councils (MECs).

But Judge Ismail Mahomed, with the court's 10 other judges concurring with his judgment, rejected Mdlalose's argument that the central Government's action was unconstitutional.

"(None) of the amendments to the constitution placed in issue by the applicants in the present case

can conceivably fall within a category of amendments so basic to the constitution as to effectively abrogate or destroy it," Mahomed said.

Mdlalose's lawyers had earlier accused Mandela, the Government and Provincial Affairs and Constitutional Development Minister Roelf Meyer of trying to undermine provincial powers.

"The constitution prior to its amendment (by Parliament) gave legislative competence in regard to the remuneration of the premier and members of the executive council of a province to the provincial legislatures.

"The amendment transferred that competence to the president," they said.

Mdlalose's lawyers said this was unconstitutional because powers given to the provinces last

year could only be taken away if the Government had agreement from provincial legislatures.

The Government was also restricted in that its intervention had to be justified under clauses in the constitution stipulating it had to concern a matter that could not be regulated effectively by the provinces, they said.

Under the constitution, the Government could also step in where standards needed to be set for all provinces, or to maintain economic unity.

Meyer, defending the case, argued in documents handed to court that the constitution gave Parliament the right to override the provinces so long as uniformity was called for and its legislation applied to all parts of the country.

"The applicants have failed to

identify a single constitutional provision which has been violated," he added.

Judge Mahomed said he agreed the constitution did not come to the rescue of the provinces if it applied across the board.

"The amendment does not target any particular province or provinces. It is of equal application to all provinces.

"It therefore does not require the consent of the KwaZulu Natal provincial legislature or any other provincial legislature," said Judge Mahomed.

The law Mdlalose had contested, which now remains in place, addresses disparities between privileges for premiers, provides a benchmark for the payment of office-bearers and co-ordinates salaries at all levels of government - Reuters

STAN 30/11/95

(264)

Miller 'set to amend local government Bill'

Farouk Choithia **BD 30/11/95** (264)

ULUNDI — KwaZulu-Natal local government MEC Peter Miller had agreed to amend the Provincial Local Government Bill substantially to ensure that it dovetailed with the IFP's local government model, IFP national council member Walter Felgate claimed yesterday.

But Miller refused to confirm or deny this. He said he was still to hold discussions with IFP leaders over the Bill.

Felgate and Miller held a joint news conference earlier yesterday in what appeared to be a public relations exercise to downplay the row that has strained relations between them.

The two issued a joint statement saying they had held "frank and detailed discussions" and it was agreed that amendments to the Bill would be drafted for Miller's consideration.

IFP president Mangosuthu Buthelezi criticised Miller on Monday for "shying away" from decisions of the IFP national council and reflecting a model different to that of the IFP's in the Bill.

Felgate said in a later interview that Buthelezi's criticisms were "very helpful". It made him and Miller "sit up and take note" and ensure that the Bill met the requirements of the IFP national council.

Felgate said Miller's Bill had been drafted by technocrats and politicians from the "old era" who had a "natural inborn resistance" to change.

Felgate said that Miller was not like them. Miller supported IFP policy and agreed that major amendments should be made to the Bill so that rural people could be empowered.

Felgate said while all traditional leaders would have ex-officio representation on the councils, elected representatives would also serve on them.

Comment: Page 12

Mediation is first step, says Felgate

Farouk Choithia **BD 30/11/95**

ULUNDI — The IFP would return to the Constitutional Assembly only after international mediation had been completed, IFP national council member Walter Felgate said yesterday.

He said an undertaking from the ANC that it agreed to mediation would not result in the IFP joining the assembly. The IFP did not "trust" the ANC and believed the ruling party would renege on its word.

Felgate said the IFP's priority was to reach a constitutional settlement in KwaZulu-Natal. It was close to reaching an agreement with the NP. The IFP believed that once an agreement had been reached, Deputy President FW de Klerk would join Home Affairs Minister Mangosuthu Buthelezi in the government of national unity to demand that President Nelson Mandela honour the mediation agreement.

The completion of a constitution in KwaZulu-Natal would make the issues on which there needed to be mediation "crisp and clear", Felgate said.

The IFP believed that mediation could take place in January if the ANC agreed. It would not last more than "a couple of days".

Once the IFP returned to the assem-

blly, it would make a joint effort with the NP to prevent the ANC passing its centralised constitutional vision in favour of federal principles.

NP KwaZulu-Natal leader Danie Schutte said negotiations in KwaZulu-Natal were "very positive". De Klerk had always believed there should be mediation. The ANC's failure to honour the agreement was the underlying reason for tension in KwaZulu-Natal.

Schutte said an option was to hold mediation without the ANC. The KwaZulu-Natal constitution could be placed before mediators to see whether it was "internationally acceptable".

Schutte said there was a general feeling in the country that it was a "luxury for parties outside the ANC to be divided". There should be co-operation when parties shared basic principles.

Sources said the IFP had continued to make concessions over a KwaZulu-Natal constitution in bilateral talks with the NP.

There were indications that it would accept a militia over which both premier Frank Mdlalose and Mandela would have control. The province could summon it to assist in disasters such as a flood, while only Mandela would have the power to summon it to quell any political unrest.

SANDF set to integrate 2 000 IFP-aligned 'troops'

Stephané Bothma **BD 30/11/95**

PRETORIA — About 2 000 KwaZulu-Natal IFP-aligned self-protection unit (SPU) members are to be integrated into the SA National Defence Force over the next two years.

Cabinet secretary Jakes Gerwel told a media briefing at the Union Buildings yesterday that Cabinet had approved the decision to allow the SPU members to become soldiers after discussions with the IFP.

He said 200 SPU members would be integrated during the current financial year, while the rest would join the SANDF in the next financial year.

The SANDF last night said it had agreed in principle to the integration of no more than 2 000 SPU members into the force. The integration would take place on condition that the SANDF and other relevant authorities in KwaZulu-Natal agreed on the names of the people to be integrated and that a certified personnel register be compiled as a first step.

"The process... will be done in accordance with a mutually agreed-upon procedure," SANDF communications chief Maj-Gen Gert Opperman said.

He said the exact time scales for the process had not yet been determined but would be influenced by the availability of funds.

More details would be announced in the next few days, he said.

The SANDF is currently in the process of integrating an estimated 35 000 MK and Apla non-statutory force members into the defence force.

Meanwhile, all prisoners whose death penalties had not been commuted by the previous government would have their cases referred back to their trial courts for re-sentencing, Gerwel said.

Setback for IFP as Bill on tribal land is thrown out

BD 1/12/95 (264)

Farouk Chothia

ULUNDI — A controversial Bill bringing the Ingonyama Trust Act under provincial control was thrown out of the KwaZulu-Natal legislature yesterday after it emerged that speaker Gideon Mdlalose had not referred it to the House of Traditional Leaders

This is a major setback for the IFP, which sponsored the Bill and which hoped to pass it before the Act was amended by Land Affairs Minister Derek Hanekom in Parliament. Hanekom hopes to push through amendments early next year.

The IFP believes Hanekom's amendments will turn communal land into public property, undermining chiefs and putting the land under the ambit of his department. This would make it extremely difficult for the IFP to argue in an ensuing Constitutional Court battle that land affairs is a provincial competency.

ANC MP John Jeffery said the

House of Traditional Leaders passed a resolution endorsing the Bill five days before it was approved by the provincial cabinet. This meant it did not meet the constitutional requirement that the legislature refer any Bill affecting chiefs to the House of Traditional Leaders for comment.

Jeffery asked Mdlalose several times whether he had referred the Bill to the traditional leaders. When Mdlalose and others did not reply, the Speaker ruled the matter could not be debated. The session ended yesterday.

IFP national council member Walter Felgate said the failure to pass the Bill "does not reflect well on us". The legislature would reconvene in January, before Parliament, to do so.

The IFP believes the legislature has the competence to pass the Bill as communal land falls within the ambit of indigenous and customary law.

Two Bills were also passed preventing traditional leaders from accepting central government stipends.

Buthelezi fires new race salvo at Miller

BD 1/12/95 (264)

Farouk Chothia

ULUNDI — KwaZulu-Natal local government MEC Peter Miller could be refusing to implement the IFP's local government model because he did not want to carry out decisions made by "kaffirs", IFP president Mangosuthu Buthelezi said on SABC's Radio Zulu this week.

This is the latest indication that Buthelezi has become intolerant of opposing views within the IFP and expects the IFP KwaZulu-Natal caucus to just carry out instructions by hardliners Walter Felgate and Mario Ambrosini.

"Some people think that just because they are white they can simply decide for us and disregard what the party has resolved," Buthelezi said. "If Miller wants to do as he pleases, rather than what the party and amakhosi say, I told them (Felgate and Ambrosini) to convene a meeting where he (Miller) can tell us whether it is just because we are kaffirs that he will not heed what we have decided."

Buthelezi's attack was the latest twist to the clash between IFP hardliners and Miller over a local government model for KwaZulu-Natal. Miller was resisting pressure from Felgate and Ambrosini to amend a Bill which would result in regional councils — on which all traditional leaders would have automatic representation — having greater powers than the local government MEC.

Miller refused to react to the attack,

but said he had no plan to quit.

"I'll stay for as long as I am making a useful contribution," he said. However, he was "very aware of the fact that in politics you do not have any contractual job security".

This is the latest racial jibe that Buthelezi has made against white IFP MPs in KwaZulu-Natal. Earlier this year, he said a "coterie" of white provincial MPs were "nuts with twisted minds". In the aftermath of that attack, treasurer-general Arthur Konigkramer was ousted as KwaZulu-Natal constitutional committee chairman. IFP national MP Farouk Cassim also claimed there was racism in the party and this led to him being threatened with expulsion.

IFP sources said black moderates were also on the retreat as hardliners tightened their grip on the party. Secretary-general Ziba Jiyane was being "paralysed" and forced to take instructions from Felgate. Felgate was overseeing the running of the IFP head office and was also giving orders to provincial MPs and MECs on a day-to-day basis.

ANC national executive committee member and KwaZulu-Natal transport MEC Sibusiso Ndebele said the attack on Miller indicated this group was running the IFP as Afrikaner Broederbond members had once run the NP.

The Broederbonders took decisions in secret and undermined elected NP leaders by ordering them to carry out those decisions.

CARMEL RICKARD reports on three important Constitutional Court rulings on controversial subjects

IFP wins local battle but loses provincial war

ST 3/12/95
(264)

YOU win some; you lose some. That was the tough lesson from the courts this week for the Kwazulu Natal Premier, Dr Frank Mdlalose.

On Tuesday and Wednesday the special electoral court, sitting in Durban, found in favour of the Inkatha Freedom Party's position on demarcation of boundaries — a crucial issue in the forthcoming local government elections.

But, also on Wednesday, the Constitutional Court ruled against Dr Mdlalose and his IFP government in all the disputes between them and the national government over provincial powers.

In a sense, both legal battles were about control of traditional leaders — perhaps the most important element of the IFP's political constituency.

At issue in the special electoral court were boundary disputes around Durban and in two other parts of the province — around Richards Bay and Empangeni in the north, and Port Shepstone in the south.

The African National Congress wanted these contested tribal areas to be included in the area of the local authorities. The IFP, however, wanted them kept separate. Ruling in the favour of the IFP, the court found that there had not been enough consultation with the local traditional leaders about whether these areas should be included or excluded from the local council authorities.

In seeking to ensure that the most heavily traditional areas are separated from the urban councils, the IFP appears to be drawing a cordon round its heartland, creating a fallback position if it loses local urban support in the forthcoming elections.

The question of traditional leaders was also on Dr Mdlalose's mind when he challenged several amendments to the constitution in the Constitutional Court earlier this month.

The court's judgment, delivered in a record two weeks after the case was argued, was written by the deputy president of the court, Ismail Mahomed. With the unanimous agreement of the other judges, he found there was no substance in Dr Mdlalose's complaints that the central government had acted unlawfully.

Several of the amendments challenged by the Kwazulu Natal premier dealt with regional powers of patronage over traditional leaders and provincial officials, another key issue in the upcoming election battle.

The first complaint by the premier was



FRANK MDLALOSE
Complaints 'unfounded'

that the central Parliament had changed the constitution so that while provincial premiers and executive council members would continue to be paid by the province, their scale of salaries and perks would be determined by the president. Previously, the salary scale was at the discretion of each province.

The Constitutional Court found there was nothing wrong with this amendment, which had been correctly carried out and did not infringe the constitution.

Another complaint dealt with the amendment which allows Mr Mandela to decide on "guidelines" for "identifying" traditional leaders who will participate ex officio in local government.

Originally, the president had no role in selecting the traditional leaders who could participate.

Seeking to remove the president from the powerful position of being able to discriminate between claimants to traditional leadership status, the Kwazulu Natal government asked the Constitutional Court to declare this amendment invalid, but once again the court found nothing wrong with it.

Yet another complaint by the premier also dealt with the powers of traditional authorities.

It challenged a new provision which allowed parliamentary legislation on indigenous law and traditional authorities to go ahead, even if a proposed Council of Traditional Leaders — whose blessing was needed for such legislation under the constitution before the amendment — has not yet been formed.

Political rivalry has paralysed KwaZulu-Natal government

By Bennie Bunsee

THINGS APPEAR TO be moving to a head in KwaZulu-Natal. The country and, certainly the province itself, is being numbed into a dullness by the continuous quarrelling and downright pettiness that now characterises the politics of the province.

In the province, the tussle between

the African National Congress and the Inkatha Freedom Party has paralysed the functioning of the provincial government — elected 18 months ago, it is still battling to get on to its feet.

It has certainly put paid to the establishment of local government.

Most alarming is the senseless killing that neither of the two party leaders appear to be able to halt, despite Operation Jumbo and the

recent heavy police presence in the area.

We need to get the police and legal services on their feet if we are not to witness a total breakdown of law and order in the region.

There are also issues involved in the dispute between the ANC and IFP that are of national importance, and which will be a matter of continuing debate.

The relationship between central and provincial government, and what powers the latter should have, has been the subject of much discussion.

The key issue here is the devolution of powers and how heavy-handed the central powers of government should be centralisation versus devolution, to put it in a nutshell.

Clearly there are powers that belong almost exclusively to central

government, and others that bring people closer to participation in matters relating to their life. Here I am also referring to local government.



IFP leader Mangosuthu Buthelezi

But obviously the powers of provincial government complement those of central government and cannot be tantamount to secession. Nor can it amount to federalism.

These words are bandied about without any clear definition. What is the federalism that the IFP speaks about? Is it a separate territorial integrity with complete power in all matters of public service? Clearly that will not be acceptable. There has to be an integration of powers where the part relates to the whole.

Indeed, while there is a case for bringing democracy and participation closer to the people, there is a need for strong central government also to unite the nation, and to end separatist tendencies that could destroy the maturing of that democracy.

Azanian People's Organisation leader Lybon Mabasa made a good point recently in pointing out the inadequacy and dangers of setting up nine provinces based to one degree or another on ethnicity and localised interests.

It is precisely this that will make a mockery of a true democratic national state (what *Sowetan* often refers to as "nation-building"). Even in the most democratic of states, it is not possible to overcome particularist interests.

Indeed, a democratic state is often defined as practising pluralism, but this is a far cry from giving licence to localised ethnic interests that place its own welfare above that of the rest of the nation.

The provincial powers should have remained as they were — divided into four. That would cut across race and ethnic barriers, while the Bill of Rights and the Constitution guarantees all individuals and ethnic groups the same equality.

While we can debate all of this, the fact remains that the problems in KwaZulu-Natal remain intractable. It will lead to an impasse from which we will find we cannot get out.

We would then be giving the region over to those who bully and intimidate. That will make a total mockery of democratic government in the region.

The tug of war between the ANC and IFP cannot be allowed to continue. Without apportioning blame, it is imperative that a democratic solution be found as soon as possible.

It is for this reason that I would welcome another election to decide once and for all who has the majority support to govern the region. Obviously there will be a fierce battle between the ANC and IFP, and each party will throw everything into the arena.

The worst scenario, and one which we obviously cannot overlook, is the use of violence and the worst excesses that characterised last year's elections like intimidation and vote-rigging.

The only way to overcome this would be if the election was monitored by the United Nations, the Organisation of African Unity and Commonwealth countries. Nobody would then be able to question their impartiality.

Such an internationalised election would put the spotlight too on the transgressors of democracy, and open the way for their isolation.

The monitoring report itself would be sufficient to point out the culprits.

I imagine that the IFP would welcome such a move, since it has always insisted on international mediation. The ANC should welcome it too. It believes it has majority support in the region and that, without any voter intimidation, it would win any election.

After international mediation of this kind, both the ANC and IFP must accept one another. Both have a substantial base in the area, and they need to recognise each other and work together.

(The writer is a Durban-based freelance journalist.)

ANC rejects KwaZulu Natal polling date as 'unilateral'

Durban - The ANC in KwaZulu Natal has rejected what it called a unilateral decision to postpone local government polls in the province for a second time

The new polling date of May 29 for KwaZulu Natal and parts of the Western Cape announced by Constitutional Development Minister Roelf Meyer had come like a "bolt from the blue", KwaZulu Natal ANC local government spokesman Michael Sutcliffe said yesterday

The voting in KwaZulu Natal had been set down for March 27 after it was postponed from November 1 because of logistical difficulties and boundary disputes

Sutcliffe said decisions by the national cabinet and the ANC's National Executive Committee that elections would be staggered between November 1, 1995 and March 31, 1996 still stood

Natal rejects with contempt the unilateral declaration last night that the date for local elections had been changed to May 29, 1996

The decision was clearly arrived at only after consultations with the National Party and the Inkatha Freedom Party. There had been no consultations with the ANC which represented 62% of the national government, Sutcliffe said.

"Only after deliberations at

this weekend's NEC meeting will the ANC decide when the elections will be held. Until that decision is announced, the national government decision still stands - elections will be staggered until March 31 1996," he added

KwaZulu Natal's Local Government Minister Peter Miller told reporters in Durban yesterday that all parties except the ANC were opposed to a staggered poll - Reuters

(264)

The ANC in KwaZulu
Natal 8/12/95

Phosa slams Kwa-Natal logjam

By WALLY MBHELE

CP 10/12/95

MPUMULANGA Premier Mathews Phosa has launched an attack on the KwaZulu-Natal provincial legislature, saying it is being hamstrung by political bickering which SA cannot afford

Speaking at the opening of a four-day media briefing in the Mpumalanga town of Hazyview this week, Phosa said the

(264) constitutional logjam arising from differences between Inkatha and the ANC in the KwaZulu-Natal Cabinet had become a seemingly intractable problem

However, it was essential for the country that a dignified solution be found

"I firmly believe that we should not put local, provincial or regional

agendas above the national agenda (which is) based on the current wide process of consultation and the maximum possible amount of consensus

"In all our proposals we should ensure that South Africa presents a unified constitutional agenda We should ensure that provinces receive both the resources and the powers to function effectively"

Asked what powers he was referring to, Phosa said the government had to ensure that some of the powers, such as water affairs, ran concurrently He added that his argument about provincial powers has been abused to make it appear that he was advocating a federal system "Nothing should be entertained that could, in any way, stifle efficient government"

IFP, Nats in deal on Natal constitution

(264)

DURBAN — Kwazulu-Natal's ruling Inkatha Freedom Party has dangled a carrot in front of the province's minority parties in a bid to help it win a race against time to pass the region's constitution before the end of the month.

The party, after behind-the-scenes sweet-talking with the National Party, has scrapped a host of contentious demands from its constitutional draft, and hopes to reach agreement with remaining parties at a meeting this week.

Key issues which the IFP has compromised on are its plans for a provincial militia, a provincial judiciary, constitutional monarch and control over territorial waters.

The success of the Maritzburg bosberaad, which begins today, is regarded by the IFP as crucial, as it sets in motion a sequence of events that have to be finalised by May, when the national constitution will be complete.

IFP chief negotiator Walter Felgate said once the new national constitution was in place there would be little space for true provincial autonomy and this would block his party's aspirations towards federalism.

The IFP hopes a final provincial draft will be complete by Thursday, which can then be put out for public comment, passed by KwaZulu-Natal's legislature and sent to the Constitutional Court (CC).

ARG 12/12/95
The CC has a waiting list of up to six weeks, and is likely to query elements of the provincial constitution, before sending it back to KwaZulu-Natal, meaning another six weeks, leaving little time before May.

However, ANC provincial constitutional leader John Jeffery said the process of constitution writing had been tampered with because of the NP-IFP deal, adding those parties were trying to "force" it on the ANC.

He reiterated that the ANC looked forward to discussing substantive issues for the first time, this week, but would not rush such an important process.

The ANC was not employing delaying tactics, he added, saying there was no race against time because the final constitution was supreme anyway.

The Democratic Party's Roger Burrows, said the IFP had made considerable concessions and it was now possible to reach the month-end deadline.

ANC rejects IFP-NP draft

(264) *Sowetan 13/12/93*

By Paddy Harper
KwaZulu-Natal Bureau

THE ANC in KwaZulu-Natal has rejected the draft constitutional agreement between Inkatha and the National Party, saying the agreement "undermined democratic decision-making"

The agreement between the two parties was announced on Monday when they unveiled a joint draft constitution for KwaZulu-Natal, claiming that consensus on a provincial constitution should be reached by the end of the week

The ANC said the agreement, hammered out during bilateral meetings between Inkatha and the NP, excluded the views of other parties

"Any exclusive constitution in the province will not and cannot work. It is a recipe for a bloodbath," the ANC said

Heralded as a major breakthrough by IFP chief negotiator Mr Walter Felgate and NP provincial leader Mr Danie Schutte, the NP-IFP agreement outlines a series of areas upon which agreement has been reached between

the two parties in bilateral talks over the past three months

In terms of the agreement, Inkatha accepts that a provincial constitution should be in line with the national constitution, and should also be certified by the Constitutional Court

Further, the sunrise clauses proposed by IFP and allowing for a new model for powers of local and provincial government and a provincial constitutional court, will now be negotiated at national level in the Constituent Assembly for validation

The agreement also stipulates that the multi-party provincial cabinet will stay in place until the next provincial elections. Thereafter a multi-party executive structure for the province will be put in place

The IFP has dropped its demands for a provincial militia, a provincial judiciary, a provincial constitutional court and other powers which are at present powers of national government. Schutte said the agreement narrowed the gap between the IFP's proposals and those of the ANC and other parties

R4-m for child survival drive in KwaZulu Natal

(264)
BY MATTHEW BUCKLAND

Star 19/12/95
More than R4-million is to be pumped into a project to improve health services and educate the underprivileged communities of the impoverished Bergville district of KwaZulu Natal over the next four years

The project, which is a result of a joint initiative by World Vision, a Christian development and relief organisation, and USaid, an American agency for international development, is expected to be implemented around March.

Project manager Monika Holst said the project, dubbed the Child Survival Programme, aimed primarily at improving infant mortality and morbidity rates in the region through a widespread education campaign that specifically targets mothers and children.

The project, which will affect about 3 000 children and their families, will involve sending community "health promoters" and "motivators" into rural villages and schools with "clear and simple health messages"

"We will be bringing in outside consultants and setting up health centres where communities want them. Health information systems will also be set up to capture information from the community and feed it back to the community to be used," she said

Working closely with the KwaZulu Natal department of health, the project also aimed to train government health staff and provide technical support for existing government activities in order to sustain the project in the future

"In the old administrations there were people working separately for the national, Natal provincial, KwaZulu homeland, municipal and private health services. We hope to bring these all together under one health system. We see this project as a catalyst to establishing a pilot district health system like they have in England. It is the new way that national health policy is going," Holst said.

Towns want to switch provinces

~~(264)~~ (264)
PIET RETIEF — Piet Retief and surrounding communities in Mpumalanga were demanding their reincorporation into KwaZulu-Natal, reincorporation of Piet Retief into KwaZulu-Natal committee spokesman Alson Hlatshwayo said yesterday **BD 19/12/95**

The communities of Thandukukhanya township, the villages of Comondale and Moolman, the Greater Pongola and several other areas around Piet Retief want to secede from Mpumalanga because they were traditionally part of KwaZulu-Natal.

The communities' demand won the support of local chiefs. Both the chiefs and the communities maintained there was no proper representation in the demarcation of the borders of SA, Hlatshwayo said.

The process was dominated by the ANC, he said. A referendum would have been most appropriate to handle the process.

Mpumalanga local government acting director Wessel van As said if the communities wanted reincorporation into KwaZulu-Natal, they should take their request to regional premier Matthews Phosa.

Warwick Doring, spokesman for KwaZulu-Natal local government MEC Peter Miller, said: "The provincial administration of KwaZulu-Natal will be very careful not to interfere in the internal affairs of a neighbouring province, but as is the case with the East Griqualand issue and the Eastern Cape, the province of KwaZulu-Natal would be happy to enter into properly structured discussions with its counterparts in the province of Mpumalanga, with a view to finding a mutually satisfactory solution to the issue." — Sapa

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20/19/12/95 (264)

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KWAZULU-NATAL (264)

Defusing tension

FM 22/12/95

In what amounts to an olive branch to Inkatha leader Mangosuthu Buthelezi, President Nelson Mandela has assured disgruntled Zulu tribal leaders that the vexed issues of their remuneration and land reform are negotiable

But the *quid pro quo*, he stresses, is that the restoration of peace and political tolerance must be accorded priority

In a three-hour meeting with 31 *amakhosi* headed by Buthelezi in his capacity as head of the Zulu House of Traditional Leaders, Mandela — who led a government team including Provincial Affairs Minister Roelf Meyer and his deputy, Valli Moosa — agreed that Meyer and KwaZulu-Natal traditional affairs MEC N J Ngubani meet to thrash out a practical method of paying tribal leaders

The President also agreed that Buthelezi and Land Affairs Minister Derek Hanekom should meet to try to resolve Inkatha's concern that the Interim Land Reform Bill will effectively neutralise the Ingonyama Trust Act — one of the last pieces of legislation passed by the Nat government, which vests control of large tracts of tribal land with the Zulu monarch

Both issues have caused considerable tension between government and KwaZulu-Natal's ruling Inkatha which believes both issues are essentially provincial affairs. The disputes have been referred to the Constitutional Court for a decision — twice in the case of traditional leaders' payment

Government says its decision to pay traditional leaders directly is merely good housekeeping aimed at standardising payment and conditions throughout SA. Inkatha sees it as a measure primarily aimed at breaking its grip, as provincial paymasters,

on the chiefs

A provincial Act giving Ulundi control over chiefs' remuneration is in abeyance pending a Constitutional Court decision on whether this is a provincial competency under the interim constitution

A counter suit, by KwaZulu-Natal premier Frank Mdlalose, challenging the procedure used by the National Assembly to make government the paymaster, was rejected by the court

A court finding on the provincial legislature's right, in terms of Schedule 6 of the constitution, to re-enact the Ingonyama Trust Act, is also pending

Mandela, looking strained after his meeting with the chiefs at King's House, Durban — where they presented him with a toughly worded memorandum complaining about the lack of progress in addressing their grievances — responded by pointing out that resolving these issues should defuse tensions and that the leaders should be above politics

After consultation, they agreed to allow political gatherings of whatever hue in their areas so that there could be an atmosphere of political tolerance during next year's local government elections

Mandela also said that he and Buthelezi would meet early in the new year to explore ways of eliminating political violence. Stressing that nobody gained by blaming the other side for starting the conflict, he said he and Buthelezi would be branded by history as the leaders who had failed to stop the strife if they did nothing to bring peace

Though his call came on the day the Human Rights Committee recorded its lowest-ever political death toll in the province, it was on the eve of the slaughter of nine people allegedly by uniformed gunmen at Okhalweni near Paddock at the weekend

While both Inkatha and the ANC were quick to condemn the massacre irrespective

of who was responsible, it serves as a brutal reminder of the deeply rooted tensions and suspicions which divide the province and threaten to erupt in violence at the slightest provocation

Mandela's meeting with Buthelezi and his conciliatory approach towards the tribal leaders suggests that the ANC is moving closer to recognising the need for a political settlement with Inkatha. Only once such a settlement has been reached are tensions in the province likely to be defused ■



Mandela will meet Buthelezi next month