

# Guidelines debate draws many in PE

OPINION formers from the Eastern Cape were invited by the Eastern Cape regional office of IDASA in April to attend a commission which focused attention on the recently published constitutional proposals of the African National Congress. They were asked to offer their thoughts on, and reactions to, the proposals placed before them.

While many of those invited appeared to have rigidly pre-conceived ideas about the ANC which precluded their attendance, many others realised that this opportunity should be grasped with both hands to begin with a debate which will be the most crucial one yet faced by South Africans.

The level of debate indicated a sincere attempt on the part of those who attended to face up to the problems of the future and not to side step them. This approach seemed to bear fruit in the degree of consensus often reached in the workshops, even though it was not the result that was as important to IDASA as the process by which that result was achieved.

Karthy Govender, of the University of Natal, was the guest-speaker whose task it was to compare the ANC's guidelines to the very recent report of the government-appointed Law Commission. That there is very little material difference between the two, is of enormous importance to all South Africans. Quite clearly it is no more than basic human rights which both documents call for and it now seems absolutely obvious that those human rights will have to be granted to all South Africans in the very near future.

Dr Ian Phillips, the other guest-speaker, traced the background and history of the ANC's guidelines, relating the two-year interactive process by which the proposals came into being. In this process, the ANC's constitutional committee analysed dozens of contemporary constitutions, ran a series of "in-house seminars" and conducted countless discussions with membership and others, before arriving at these proposals.

The workshops at the commission were highly successful, with the following issues



The debate gets under way in Port Elizabeth.

generating much debate: a unitary versus a federal state; free enterprise versus a mixed economy versus socialism; the redistribution of wealth and land; group rights versus individual rights; and a future education system.

IDASA will be compiling a publication based on this commission, and others that have been held on a countrywide basis.

Apart from those who attended the commission, many other people have submitted written representations or have conducted private interviews with our research staff, and these contributions will also be included in the planned publication.

**KEITH WATTRUSS**  
Co-director, Eastern Cape

## More clarity needed

ON 8 May some 50 East Londoners came together to discuss the ANC's constitutional guidelines. In his opening address, Prof Peter Vale of Rhodes University emphasised that these guidelines were not a hard and fast set of rules for the future. They should be viewed, rather, as a guide to the kind of constitution in which civil liberties will enjoy protection rather than violation, as was the case at present.

Prof Vale went on to say that it was necessary for South Africans to realise that the ANC was not some mystical far-off group of people: they live and work within the country and need to be recognised as having a substantial role to play in the future of South Africa. He pointed out that the ANC had more embassies on foreign soil than the South African government and that this could be seen as an indication of the international support enjoyed by the organisation.

A Grahamstown advocate, Izak Smuts, drew comparisons between the guidelines and the Law Commission's recent report on human rights. He said that there was very little conflict between the two documents, which both advocated universal franchise, the entrenchment of fundamental human rights and limits to administrative and executive powers.

In the plenary session it became obvious that there were a number of clauses which needed further clarification.

An indication of the need for this kind of debate can be gained from the comment made by one of the participants who said: "We need at least a week to discuss this, we are only just beginning to trust each other



At the East London workshop . . . Prof Peter Vale and Mr Izak Smuts ponder a point.



Group discussion at the East London workshop.

and lose inhibitions and we have to part." The debate on both the Freedom Charter and the guidelines will be taken further soon in the Border region.

**CINDY DEUTSCHMANN**  
Border Regional Co-ordinator



Dr Ian Phillips . . . guidelines result of long debate.