

2/4/1/226

**A22**

**CONSTITUTIONAL  
ASSEMBLY**

**THEME COMMITTEE 1**

**CHARACTER OF  
DEMOCRATIC STATE**

**8 MAY 1995**

**ROOM M515  
14H00**

***DOCUMENTATION***

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# CONSTITUTIONAL ASSEMBLY

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## MEETING OF THEME COMMITTEE 1

### CHARACTER OF THE DEMOCRATIC STATE

Please note that a meeting of the above committee will be held as indicated below:

**Date:** Monday, 8 May 1995

**Time:** 14h00 - 18h00

**Venue:** Room M515

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#### AGENDA

1. Opening
2. Apologies
3. Adoption of Previous Minutes
4. Matters arising
5. Core Group Report
6. Tabling and discussion of Party submissions

ACDP  
ANC  
DP  
FF  
NP  
PAC

7. Public Participation Programme

8. General

9. Closure

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H EBRAHIM  
EXECUTIVE DIRECTOR:  
CONSTITUTIONAL ASSEMBLY

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Enquiries: L. Rammble and S. Rabinowitz (Tel: 24 - 5031 Ext 266)

**CONSTITUTIONAL ASSEMBLY  
THEME COMMITTEE 1  
CHARACTER OF THE DEMOCRATIC STATE**

**MINUTES OF THE MEETING OF THEME COMMITTEE 1  
THURSDAY 20 APRIL 1995 14H00 ROOM M515**

**Present**

**Mahlangu NJ (Chairperson)**

**Booi MS  
Chiba L  
Chikane MM  
Cwele CS  
Fani LM  
Ginwala F  
Goosen AD  
Gumede DM  
Lekgoro MK  
Majola-Pikoli NT  
Marais PG  
Meshoe KR  
Mokaba P  
Momberg JH**

**Moorcroft EK  
Mukhuba TT  
Ripinga SS  
Routledge NC  
Shope G  
Van Deventer FJ  
Van Zyl ID  
Vilakazi BH  
Williams AJ**

**APOLOGIES:**

**Dyani MM  
Janse Van Rensburg AP  
Khuzwayo NEK  
Macozoma SJ  
Mulder PWA  
Ncube BS  
Nzimande BE  
Schoeman EA  
Sisulu AN  
Streicher DM**

**Technical Experts present:**

**Heunis JC  
Husain Z**

**An apology was noted from Prof Corder.**

**CA Staff:  
Lamani T**

**Leola Rammable and Susan Rabinowitz were in attendance.**

**1. OPENING**

- 1.1 The meeting was opened by the Chairperson at 14h10.

**2. ADOPTION OF PREVIOUS MINUTES**

- 2.1 The Minutes of the Theme Committee meeting of 19 April 1995 contained in Document A21 were adopted with the amendment that BH Vilakazi be recorded as being present at that meeting.

**3. MATTERS ARISING**

- 3.1 None

**4. PRESENTATION BY MEDIA DEPARTMENT FOR ADVERTISEMENTS FOR BLOCKS 7 & 9**

- 4.1 The Chairperson reported on the presentation by the advertising agency of the proposed advertisements for Blocks 7 and 9 which had taken place at the Core Group meeting on Wednesday 19 April, the Minutes of that meeting being contained in Document A21. He reported that because the ANC expressed concerns about the advertisements and had not yet discussed this issue, it had been agreed that the presentation should be made to the Theme Committee for comment.

- 4.2 A member of the CA Media Department presented the proposed advertisement on the flag for discussion by the Theme Committee.

It was agreed that the advertising agency should take into account the concept that the CA is a process of a new beginning and this should be a guide for formulating the advertisements. It was further agreed that there should be separate advertisements for each of the issues in these Blocks.

The media department agreed to take into account the comments made by the party representatives at the Core Group meeting of 19 April and the Theme Committee when reformulating the advertisements, together with the advertising agency.

**5. FINALISING DRAFT REPORT FOR BLOCK 2**

- 5.1 The Technical Advisors reported on the amendments which the Theme Committee had instructed to be made to the Draft Report for Block 2 contained in Document A20 (Extra Documentation) which had been tabled at the Theme Committee Meeting of 19 April 1995. The following amendments had been made:

(a) Note on Page 13 under Part Two had been reformulated

as follows:

"Not all parties have dealt with the agenda items referred to below in the same detail. The parties have agreed that no significance should be attached to this."

It was agreed that this formulation was accepted.

- (b) With regard to the second paragraph on Page 14, Point B)1, the Technical Advisors tabled a reformulated paragraph which attempted to include the aspects of affirmative action, equal access and an element of reasonableness.

It was agreed that the following formulation should be included in the Report namely:

"-substantive equality, seen to imply the sanctioning, for a reasonable period, of measures designed to improve the situation of those disadvantaged by past discrimination (now outlawed), in order to enable such persons to achieve the full and equal enjoyment of their legal rights (as in section 8 (3) (a) of the 1993 Constitution). Substantive equality also implies the sanctioning, for a reasonable period, of measures designed to provide equal access to opportunities to those disadvantaged by unfair discrimination."

It was further agreed that the above formulation would replace Non-Contentious Point 3 on Page 21 in the Analytical Survey.

- (c) It was confirmed that the item Discussion under Public Submissions on Pages 50 and 51 would be deleted from the report, as had been agreed at the Theme Committee meeting of 19 April 1995.

It was agreed that Theme Committee One's Report on Block 2 was approved for submission to the Constitutional Committee.

## **6. TABLING AND DISCUSSION OF PARTY SUBMISSIONS**

- 6.1 It was agreed that this item should stand over until the next Theme Committee meeting.

## **7. PUBLIC PARTICIPATION PROGRAMME**

- 7.1 There was no report.

**8. GENERAL**

- 8.1 The Chairperson reported that a decision had been taken by the Core Group that the deadline for party submissions for Block 4 which deals with Accountable Government was Thursday 4 May 1995.

**9. CLOSURE**

The meeting rose at 15h15.

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**CHAIRPERSON**



**CONSTITUTIONAL ASSEMBLY  
THEME COMMITTEE 1  
CHARACTER OF THE DEMOCRATIC STATE**

**MINUTES OF THE CORE GROUP MEETING  
WEDNESDAY 3 MAY 1995 11H00 ROOM E216**

**Present  
Mahlangu NJ (Chairperson)**

**Dyani MM  
Marais PG  
Meshoe KR  
Moorcroft EK  
Mulder PWA**

**APOLOGIES:**

**Majola-Pikoli N**

**CA Staff:**

**Sithole E (Media)**

**Two members of Hunt Lascaris Advertising were present.**

**Leola Rammble and Susan Rabinowitz were in attendance.**

**1. OPENING**

1.1 The meeting was opened by the Chairperson at 11h15.

**2. PRESENTATION BY ADVERTISING AGENCY AND FINALISATION OF ADVERTISEMENTS FOR BLOCKS 7 AND 9**

2.1 The advertising agency reported that, having taken into account the concerns raised and comments made by the Core Group and the Theme Committee, it had reformulated the advertisements on the flag and language issues and would be presenting proposals on the advertisements on seats of government and the name of the country.

2.2 Flag

Three print advertisements were presented by the advertising agency.

It was noted that the ACDP, DP, FF and NP preferred the advertisement that was originally presented by the advertising agency at the Core Group meeting on 19 April 1995 and Theme Committee meeting on 20 April 1995. However, it was agreed that to avoid

delaying the process further the first advertisement presented at this meeting reading "What will the country's new flag look like...You decide" is acceptable in terms of the Theme Committee decision.

### 2.3 Language

A print advertisement was presented. It was agreed that this was acceptable with the amendment that it should read "What should our country's official language/s be?"

Two radio advertisements were presented and it was agreed that the first advertisement which lists the different languages in alphabetical order is acceptable.

### 2.4 Seats of Government

Two print advertisements were presented. It was agreed that the advertisement should read "Where should the seat of Parliament sit".

### 2.5 Name

The advertising agency requested proposals for the advertisement on the issue of the name of the country.

It was agreed that the advertisement should be kept as simple and as general as possible.

### 2.6 Press Statement

The Media Department requested feedback from the Core Group as to whether a press statement could be released.

It was decided that a press statement would be released inviting public submissions on the above issues.

## 3. **PUBLIC PARTICIPATION PROGRAMME**

3.1 It was agreed that all parties who were sending members to the CPM in Peddie on 6 May 1995 should submit the names to the Secretariat today.

The Secretary advised that there would be a briefing meeting for those members attending the CPM in Peddie this afternoon Wednesday 3 May 1995 at 15h00 in V2.

3.2 A memorandum from the Executive Director regarding sector public hearings for business, children's rights and traditional authorities was tabled.

**4. DEADLINE FOR SUBMISSIONS FOR BLOCK 4: ACCOUNTABLE GOVERNMENT**

4.1 The Secretary reminded the parties that the deadline for the submissions for Block 4 dealing with Accountable Government was Thursday 4 May 1995 at 13h00.

**5. GENERAL**

None

**6. CLOSURE**

The meeting rose at 12h20.

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***ANC SUBMISSION***

## **Supremacy of the Constitution**

**Constitutional Assembly  
Submission to Theme Committee 1  
Block 3**

### ***Guiding principles***

1. The ANC submits that the following guiding principles are relevant for the question of the supremacy of the constitution and should be reflected in the context in which the supremacy of the constitution is formulated:
  - 1.1 The character of the state shall be a multi-party democratic state based upon democratic majority rule.
  - 1.2 There shall be a bill of rights guaranteeing all accepted human rights including socio-economic right and which shall, where appropriate, be applicable against all sources of power.
  - 1.3 Parliament shall, subject to the Constitution, be the supreme law maker, and the expression of the will of the people. The executive will be accountable to it.
  - 1.4 Parliament shall not be limited in its capacity to legislate so as to address the legacy of the past including such issues as land restoration, re-distribution, and affirmative action.
  - 1.5 Separation of Powers between the organs of state shall be provided for in a manner consistent with the accountability of the executive to Parliament.
  - 1.6 All provisions of the final constitution shall be capable of amendment subject only to the constitutional prescribed majorities and procedures.

### ***The democratic constitutional state***

2. The South African state should have the character of being a democratic constitutional state expressing the balance between democratism and constitutionalism.
3. The concept of the democratic constitutional state<sup>1</sup> should be a normative guide and not a mere political programme, and should in an harmonious way encompass the following:

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<sup>1</sup>. To be included at least in the Preamble of the Constitution

- 3.1 ***The principle of democracy:*** The right of the people of South Africa to exercise state power through the vote as well as state organs and institutions.
  - 3.2 ***The principle of constitutionalism:*** The national lawgiver (Parliament) should be bound by the Constitution except and in so far as the Constitution may be amended in the prescribed way, whilst the executive and judiciary should be bound by written and unwritten law.<sup>2</sup>
4. It follows from 3 that the principle of constitutionalism should be formulated in the context of, and will be influenced by:
    - 4.1 The doctrine of the separation of powers, and
    - 4.2 a fair balance between rigidity and elasticity regarding amendment of different parts of the constitution.

#### ***The harmonisation of democratism and constitutionalism***

5. The central problem which the Constitution should solve is the apparent antinomial relation between freedom and equality. Whilst the idea of freedom eventually leads to constitutionalism in the sense of <sup>3</sup> "limited government", the idea of equality is the point of departure of democratism.
6. Extreme constitutionalism may give rise to the fear that the exercise of legitimate democratic powers of the people may be subjected to unacceptable and inappropriate limits.<sup>4</sup>
7. In the same way democracy unconstrained by rules guaranteeing equality of citizenship and a fair contest between parties may lead to the arbitrary exercise of state power and anarchic conditions.

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<sup>2</sup> It follows that all organs of state at all levels of government are to be bound by the constitution, including Parliament, but only Parliament may amend the Constitution in the prescribed way.

<sup>3</sup> As in the constitutional history of the USA.

<sup>4</sup> Sometimes more strongly expressed in the terms that extreme constitutionalism, or "limited government", may be an elitist orientation. discourse technique to transcribe an anti-democratic attempt. Giving too much weight to, or over-stating, the supremacy of the constitution may be used to make highly relevant democratic/political questions appear as legal/constitutional questions and thus as unpolitical questions. These political questions are thus restyled and relegated to the legal-scientific sphere, where non-elected experts decide.

8. The solution for a moderated constitutionalism and democratism should be sought along the following lines:
- 8.1 Democracy should be seen as the supremacy of the people through the supremacy of law/the constitution: the idea of democratic constitutionalism. There should be no democracy without constitutionalism, and no constitutionalism without democracy.
  - 8.2 Constitutionalism should be legitimate, and it is legitimate when it is seen against the background of democratic law-making and the democratic system of responsible and accountable government.
  - 8.3 The distinction between judicial and political questions which is required for an unacceptable statement of the supremacy of the constitution should be made within the context of the basically undivided unity of law-making and politics in a system of democratic governance.
  - 8.4 The supremacy of the Constitution could accordingly and against this back-ground be seen as meaning that democratic decisions should, with regard to material content and procedure, only be legally possible within the limits set by the Constitution, and thus in accordance with the Constitution.
  - 8.5 The supremacy of the constitution should not be a system against the state, but it should be a system for the democratic state, to guard against the state degenerating into anarchy, arbitrariness and illegality, without a framework of rules. Such a state would undermine democracy and democratic practices.

***The role of the judiciary***

9. It follows from the above that the underlying assumption in Constitutional Principle XXIII should be accounted for in the final constitution, i.e. that the judiciary should not assume a legislative role in the sense of having to decide on the desirability or necessity of legislative.
10. The judicial determination of the constitutionality of legislation should be restricted to establish the formal and material legal compatibility of national or provincial legislation with the Constitution, or the compatibility of provincial legislation with other national legislation, and not the political desirability of the same.

## MEMORANDUM

**TO: THEME COMMITTEE MEMBERS**

**FROM: HASSEN EBRAHIM**

**RE: CONSTITUTIONAL PUBLIC MEETINGS**

1. Since we were unable to receive a satisfactory response and the co-operation of the Premier's Office in KwaZulu-Natal, the CA has not been able to finalise preparations for CPMs in the province. It was therefore necessary to cancel the CPM proposed for Ingwavuma. The CA has to yet investigate other options e.g briefings.
2. **Confirmation Forms** will be distributed to Theme Committee members by the Theme Committee's Managing Secretary at Theme Committee meetings. Confirmation forms for CPMs from **10 MAY 1995 until the end of MAY 1995** will be distributed - a specific CPM is indicated as point 1 on each Confirmation Form. The cut-off date for confirmation will be the end of work on the Monday prior to a CPM.

### **PLEASE NOTE**

Confirmation Forms should be

- \* delivered by a service officer to the Operations Room, Floor 12, Regis House, Adderley Street **OR**
- \* faxed to Una Fourie or Mandy Busuttil at (021) 238-132.

### **3. BRIEFINGS**

For Theme Committee members who will be travelling to a CPM, briefings will be held each Wednesday before the CPM. A briefing document and an itinerary of travel arrangements will be distributed at the briefing.

**The briefing for the CPM to take place at Peddie on 6 May 1995 will be held in the Large Lounge (V2) on 3 MAY 1995 at 15:00.**

All briefings for remaining CPMS will be held in M201 (Marks Building) at 12:00 on the following dates:

#### **MAY 1995**

- Briefing: 10 May 1995 (CPMs - 13 May 1995).
- Briefing: 17 May 1995 (CPMs - 20 May 1995).
- Briefing: 24 May 1995 (CPMs - 27 May 1995).

#### **JUNE 1995**

- Briefing: 31 May 1995 (CPMs - 3 June 1995).
- Briefing: 7 June 1995 (CPMs - 10 June 1995).
- Briefing: 14 June 1995 (CPMs - 17 June 1995).
- Briefing: 21 June 1995 (CPMs - 24 June 1995).



**Constitutional Public Meetings**

**Confirmation Forms**

## CONSTITUTIONAL PUBLIC MEETING CONFIRMATION FORM

**1. CPM**

DATE	PROVINCE	TOWN
13 May	Eastern Transvaal	Standerton

**2. NAME OF THEME COMMITTEE MEMBER**

.....

**3. THEME COMMITTEE**

Please tick where applicable

Theme Committee	Theme Committee	Theme Committee	Theme Committee
1	4	6.2	
2	5	6.3	
3	6.1	6.4	

**4. TRAVEL ARRANGEMENTS**

Please tick where applicable

**BEFORE CPM**

**AFTER CPM**

Arrangements	CA	OWN	Arrangements	CA	OWN
Transport TO airport from Old National Assembly entrance			Air travel to CAPE TOWN		
Air travel to VENUE			Transport FROM airport TO:		
<b>ACCOMMODATION ARRANGEMENTS</b>	CA	OWN	National Assembly		
			Pelican Park		
<b>PLEASE NOTE</b> CA: To be arranged by the Constitutional Assembly Administration. OWN: To be arranged privately for own account.			Acasia Park		
			Laboria Park		

5. Office contact number:..... After hours:.....

6. RSVP BEFORE 9 MAY 1995.

## CONSTITUTIONAL PUBLIC MEETING CONFIRMATION FORM

**1. CPM**

DATE	PROVINCE	TOWN
20 May	Northern Cape	Uplington

**2. NAME OF THEME COMMITTEE MEMBER**

.....

**3. THEME COMMITTEE**

Please tick where applicable

Theme Committee		Theme Committee		Theme Committee	
1		4		6.2	
2		5		6.3	
3		6.1		6.4	

**4. TRAVEL ARRANGEMENTS**

Please tick where applicable

**BEFORE CPM**

**AFTER CPM**

Arrangements	CA	OWN	Arrangements	CA	OWN
Transport TO airport from Old National Assembly entrance			Air travel to CAPE TOWN		
Air travel to VENUE			Transport FROM airport TO:		
<b>ACCOMMODATION ARRANGEMENTS</b>	CA	OWN	National Assembly		
			Pelican Park		
<b>PLEASE NOTE</b> CA: To be arranged by the Constitutional Assembly Administration. OWN: To be arranged privately for own account.			Acasia Park		
			Laboria Park		

5. Office contact number:..... After hours:.....

6. RSVP BEFORE 15 May 1995.

## CONSTITUTIONAL PUBLIC MEETING CONFIRMATION FORM

**1. CPM**

DATE	PROVINCE	TOWN
20 May	Free State	Hartswater

**2. NAME OF THEME COMMITTEE MEMBER**

.....

**3. THEME COMMITTEE**

Please tick where applicable

Theme Committee	Theme Committee	Theme Committee	Theme Committee
1	4	6.2	
2	5	6.3	
3	6.1	6.4	

**4. TRAVEL ARRANGEMENTS**

Please tick where applicable

**BEFORE CPM**

**AFTER CPM**

Arrangements	CA	OWN	Arrangements	CA	OWN
Transport TO airport from Old National Assembly entrance			Air travel to CAPE TOWN		
Air travel to VENUE			Transport FROM airport TO:		
<b>ACCOMMODATION ARRANGEMENTS</b>	<b>CA</b>	<b>OWN</b>	National Assembly		
			Pelican Park		
<b>PLEASE NOTE</b> <b>CA:</b> To be arranged by the Constitutional Assembly Administration. <b>OWN:</b> To be arranged privately for own account.			Acasia Park		
			Laboria Park		

5. Office contact number:..... After hours:.....

6. RSVP BEFORE 15 May 1995.

## CONSTITUTIONAL PUBLIC MEETING CONFIRMATION FORM

**1. CPM**

DATE	PROVINCE	TOWN
20 May	North West	Taung

**2. NAME OF THEME COMMITTEE MEMBER**

.....

**3. THEME COMMITTEE**

Please tick where applicable

Theme Committee	Theme Committee	Theme Committee	Theme Committee
1	4	6.2	
2	5	6.3	
3	6.1	6.4	

**4. TRAVEL ARRANGEMENTS**

Please tick where applicable

**BEFORE CPM**

**AFTER CPM**

Arrangements	CA	OWN	Arrangements	CA	OWN
Transport TO airport from Old National Assembly entrance			Air travel to CAPE TOWN		
Air travel to VENUE			Transport FROM airport TO:		
<b>ACCOMMODATION ARRANGEMENTS</b>	CA	OWN	National Assembly		
			Pelican Park		
<b>PLEASE NOTE</b> CA: To be arranged by the Constitutional Assembly Administration. OWN: To be arranged privately for own account.			Acasia Park		
			Laboria Park		

5. Office contact number:..... After hours:.....

6. RSVP BEFORE 15 May 1995.

## CONSTITUTIONAL PUBLIC MEETING CONFIRMATION FORM

**1. CPM**

DATE	PROVINCE	TOWN
27 May	Western Cape	Beaufort West

**2. NAME OF THEME COMMITTEE MEMBER**

.....

**3. THEME COMMITTEE**

Please tick where applicable

Theme Committee	Theme Committee	Theme Committee	Theme Committee
1	4	6.2	
2	5	6.3	
3	6.1	6.4	

**4. TRAVEL ARRANGEMENTS**

Please tick where applicable

**BEFORE CPM**

**AFTER CPM**

Arrangements	CA	OWN	Arrangements	CA	OWN
Transport TO airport from Old National Assembly entrance			Air travel to CAPE TOWN		
Air travel to VENUE			Transport FROM airport TO:		
<b>ACCOMMODATION ARRANGEMENTS</b>	CA	OWN	National Assembly		
			Pelican Park		
<b>PLEASE NOTE</b> <b>CA:</b> To be arranged by the Constitutional Assembly Administration. <b>OWN:</b> To be arranged privately for own account.			Acasia Park		
			Laboria Park		

5. Office contact number:..... After hours:.....

6. RSVP BEFORE 20 May 1995.



CONSTITUTIONAL ASSEMBLY

MEMORANDUM

**FROM:** Hassen Ebrahim  
**TO:** The Members of Theme Committees  
**DATE:** 3 May 1995  
**SUBJECT:** Public Hearings

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This is to serve as a reminder and an invitation to the Public Hearings that will take place over the next few weeks with various sectors.

The following is a list of the dates and venues for the Sector Hearings. The names of those people attending must be forwarded to the Theme Committee Secretaries of the respective Theme Committees by the date specified.

Please take note of the allocation per Theme Committee for the respective Public Hearings. Please inform your managing secretaries if these allocations are not adequate.

<u>SECTOR</u>	<u>DATE</u>	<u>VENUE</u>	<u>RSVP DEADLINE</u>
Business	8 May	Old Assembly Chamber	5 May - 1pm
**Children's Rights	13 May	HSRC - Pretoria	8 May - 1pm
Traditional Authorities	12/13 May	Old Assembly Chamber	8 May - 1pm

- \* Please see attached agendas for the above Hearings.
- \*\* Travel details would also need to be given to Managing Secretaries with regard to the Children's Rights Public Hearing.

**ALLOCATION OF PEOPLE PER THEME COMMITTEE**

<b><u>SECTOR</u></b>	<b><u>THEME COMMITTEE</u></b>	<b><u>ALLOCATION</u></b>
Business	All	3 people per committee
Traditional Authorities	1	1 person
	2	4 people
	3	1 person
	4	3 people
	5	4 people
	6	2 people
Children's Rights	1	1 person
	2	1 person
	3	1 person
	4	10 people
	5	1 person
	6	1 person

Detailed programmes and agendas for the Public Hearings for Religious Groups, Youth, Women and Labour will be forwarded to you by the week of the 14th of May 1995.

Ref.b:\memnvn3.5a



# CONSTITUTIONAL ASSEMBLY

## PUBLIC HEARING

### *TRADITIONAL AUTHORITIES AND CUSTOMARY LAW AND PRACTICES*

OLD ASSEMBLY CHAMBER, PARLIAMENT, CAPE TOWN

FRIDAY & SATURDAY, 12 & 13 MAY 1995

#### FRIDAY, 12 MAY 1995

14H15 - 15H00	Arrival and Registration Tea / Coffee	
15H00 - 15H15	Welcome	<i>Prof Bonganjalo Goba MPD National Director</i>
15H15 - 15H30	Opening Address	<i>Hon Mr Cyril Ramaphosa Chairperson of the Constitutional Assembly</i>

#### SESSION ONE

Chair : Senator Bulelani Ngcuka

#### Constitutional Issue : Traditional Courts & Customary Law/Practices

15H30 - 15H45	Traditional Courts	<i>Mr Rajesh Chowdree</i>
15H45 - 16H00	Customary Law/Practices	<i>Prof Digby S Kayana</i>
16H00 - 16H45	Plenary Discussion	
16H45 - 17H00	Tea/Coffee	

#### SESSION TWO

Chair : Mr Sheppard Mdladlana, MP

#### Constitutional Issue : Customary Law and the Bill of Rights

17H00 - 17H15	Customary Law & Human Rights	<i>Prof B Fikile Ndaki</i>
17H15 - 18H00	Plenary Discussion	
18H00 - 18H15	Technical Adviser's Summary (Session 1 & 2)	<i>Ms Thuli Madonsela</i>
18H15 - 18H30	Announcement of Arrangements for Accommodation	
18H30 - 20H00	Dinner at Parliament	
20H15	Transport from Parliament to hotels	

## SATURDAY, 13 MAY 1995

07H00 - 08H15	Breakfast at hotels
08H30	Transport from hotels to Parliament
09H00 - 09H15	Arrangements for the day and Announcements

### SESSION THREE

Chair : Mr M Johannes Mahlangu

#### Constitutional Issue : Role of Traditional Leadership - Executive and Legislative Functions of the State

09H15 - 09H30	Congress of Traditional Leaders of South Africa	<i>Adv S P Holomisa</i>
09H30 - 09H45	S.A. National Civics Organisation	<i>To be identified</i>
09H45 - 10H30	Plenary Discussion	
10H30 - 10H45	Technical Adviser's Summary	<i>Prof Thandabantu Nhlapo</i>
10H45 - 11H00	Tea/Coffee	

### SESSION FOUR

Chair : Mrs Patricia De Lille, MP

#### Constitutional Issue : Role of Traditional Leadership in various Levels of Government

11H00 - 11H15	The role of Traditional Leadership in Local Government	<i>Ms Pelonomi Venson</i>
11H15 - 12H00	Plenary Discussion	
12H00 - 12H15	Technical Adviser's Summary	<i>Prof B R Mqoke</i>
12H15 - 12H30	Closing Address	<i>Hon Mr Leon Wessels Deputy Chairperson of the Constitutional Assembly</i>
12H30 - 12H45	Vote of Thanks	
13H00 - 14H30	Lunch at Parliament	
14H30	Departure	

THEME COMMITTEES TWO, FOUR AND FIVE TO INCLUDE TRADITIONAL AUTHORITIES IN THEIR BRIEFS

# CONSTITUTIONAL ASSEMBLY

## THEME COMMITTEE 1 CHARACTER OF DEMOCRATIC STATE

### SUGGESTED WORK SCHEDULE

19 APRIL - 1 JULY

DATE	EVENT
THURSDAY 4 MAY	MANAGEMENT COMMITTEE PARTY CAUCUSES <b>DEADLINE FOR PARTY SUBMISSIONS ON ACCOUNTABLE GOVERNMENT</b>
SATURDAY 6 MAY	PUBLIC PARTICIPATION - PEDDIE
MONDAY 8 MAY	DISCUSSION ON PARTY SUBMISSIONS FOR SUPREMACY OF THE CONSTITUTION
THURSDAY 11 MAY	MANAGEMENT COMMITTEE PARTY CAUCUS
SATURDAY 13 MAY	PUBLIC PARTICIPATION - INGWAVUMA STANDERTON
MONDAY 15 MAY	DISCUSSION ON DRAFT REPORT FOR SUPREMACY OF THE CONSTITUTION  ORIENTATION WORKSHOP FOR: THE ECONOMY REPRESENTATIVE GOVERNMENT CITIZENSHIP SUFFRAGE
THURSDAY 18 MAY	MC PARTY CAUCUS
SATURDAY 20 MAY	PUBLIC PARTICIPATION - UPINGTON HARRISMITH TAUNG
MONDAY 22 MAY	FINALIZE DRAFT REPORT OF SUPREMACY OF THE CONSTITUTION  TABLING AND DISCUSSION OF PARTY SUBMISSIONS FOR ACCOUNTABLE GOVERNMENT

<b>THURSDAY 25 MAY</b>	MC  <b>DEADLINE FOR PARTY SUBMISSIONS FOR: THE ECONOMY REPRESENTATIVE GOVERNMENT CITIZENSHIP SUFFRAGE</b>  PARTY CAUCUS
<b>SATURDAY 27 MAY</b>	PUBLIC PARTICIPATION - BEAUFORT WEST NEWCASTLE
<b>MONDAY 29 MAY</b>	DISCUSSION ON DRAFT REPORT FOR ACCOUNTABLE GOVERNMENT  ORIENTATION WORKSHOP ON FOREIGN RELATIONS AND INTERNATIONAL LAW; AND THE PREAMBLE AND POSTAMBLE
<b>THURSDAY 1 JUNE</b>	MC PARTY CAUCUS
<b>SATURDAY 3 JUNE</b>	PUBLIC PARTICIPATION - KIMBERLEY THOHOYANDOU
<b>MONDAY 5 JUNE</b>	FINALIZE DRAFT REPORT ON ACCOUNTABLE GOVERNMENT  TABLING AND DISCUSSION OF PARTY SUBMISSIONS ON THE ECONOMY
<b>SATURDAY 10 JUNE</b>	PUBLIC PARTICIPATION - LUSIKISIKI MAFIKENG
<b>MONDAY 12 JUNE</b>	DISCUSSION ON DRAFT REPORT ON THE ECONOMY  TABLING AND DISCUSSION ON PARTY SUBMISSIONS FOR: REPRESENTATIVE GOVERNMENT CITIZENSHIP SUFFRAGE
<b>THURSDAY 15 JUNE</b>	<b>DEADLINE FOR PARTY SUBMISSIONS ON FOREIGN RELATIONS AND INTERNATIONAL LAW</b> MC PARTY CAUCUS
<b>SATURDAY 17 JUNE</b>	PUBLIC PARTICIPATION - CARNARVON ELLISRAS MHLUZI

MONDAY 19 JUNE	FINALIZE DRAFT REPORT ON THE ECONOMY  DISCUSSION ON DRAFT REPORT FOR: REPRESENTATIVE GOVERNMENT CITIZENSHIP SUFFRAGE
TUESDAY 20 JUNE	FINALIZE REPORT FOR:  REPRESENTATIVE GOVERNMENT CITIZENSHIP SUFFRAGE  DISCUSSION ON DRAFT REPORTS ON LANGUAGE; NAME AND SYMBOLS; NATIONAL TERRITORY AND SEATS OF GOVERNMENT
WEDNESDAY 21 JUNE	FINALIZE REPORTS ON LANGUAGE; NAME AND SYMBOLS; NATIONAL TERRITORY AND SEATS OF GOVERNMENT
THURSDAY 22 JUNE	TABLING AND DISCUSSION ON PARTY SUBMISSIONS FOREIGN RELATIONS AND INTERNATIONAL LAW  <b>DEADLINE FOR PARTY SUBMISSIONS ON THE POSTAMBLE AND PREAMBLE</b>
FRIDAY 23 JUNE	DISCUSSION ON DRAFT REPORT OF FOREIGN RELATIONS AND INTERNATIONAL LAW
SATURDAY 24 JUNE	PUBLIC PARTICIPATION - GEORGE MAOKENG HAMMERSDALE
MONDAY 26 JUNE	FINALIZE REPORT OF FOREIGN RELATIONS AND INTERNATIONAL LAW  TABLING AND DISCUSSION ON PARTY SUBMISSIONS ON THE PREAMBLE AND POSTAMBLE
TUESDAY 27 JUNE	DISCUSSION ON DRAFT REPORT ON THE PREAMBLE AND POSTAMBLE
WEDNESDAY 28 JUNE	FINALIZE DRAFT REPORT ON THE PREAMBLE AND POSTAMBLE
THURSDAY 29 JUNE	
FRIDAY 30 JUNE	
SATURDAY 1 JULY	

## CONSTITUTIONAL ASSEMBLY

### THEME COMMITTEE 1 CHARACTER OF DEMOCRATIC STATE

#### SUGGESTED WORK SCHEDULE FOR BLOCKS 7 & 9

DATE	EVENT
TUESDAY 2 MAY	ADVERTISING AGENCY TO PRESENT ADVERTS TO CORE GROUP AND SUB-COMMITTEE ESTABLISHED BY THE MC
WEDNESDAY 31 MAY	DEADLINE FOR PUBLIC SUBMISSIONS FOR ISSUES DEALING WITH LANGUAGE, NAME AND SYMBOLS AND SEATS OF GOVERNMENT
FRIDAY 1 JUNE	ADMINISTRATION TO PROCESS THE SUBMISSIONS AND TOGETHER WITH THE TECHNICAL EXPERTS COLLATE THEM FOR PRESENTATION TO THE CORE GROUP
MONDAY 5 JUNE	CORE GROUP TO LOOK AT PUBLIC SUBMISSIONS DEALING WITH EACH OF THE ISSUES AND IDENTIFY THE ROLE PLAYERS WHO SHOULD BE INVITED FOR PUBLIC HEARINGS
SATURDAY 10 JUNE	PUBLIC HEARING - LANGUAGE AND NAME AND SYMBOLS
SUNDAY 11 JUNE	PUBLIC HEARING - SEATS OF GOVERNMENT
MONDAY 12 JUNE	DEADLINE FOR PARTY SUBMISSIONS
MONDAY 19 JUNE	DISCUSSION ON PARTY SUBMISSIONS AND INPUT FROM PUBLIC HEARINGS  DRAFT REPORT TO BE COMPLETED BY TECHNICAL COMMITTEE AND DRAFTING COMMITTEE
TUESDAY 20 JUNE	CORE GROUP TO DISCUSS DRAFT REPORTS
WEDNESDAY 21 JUNE	THEME COMMITTEE TO DISCUSS REPORTS AND FINALIZE REPORTS

