

FAKS/FAX



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Herewith the Abbreviated Constitutional Moposale from the afrikaner-Volkounie.



HEADS OF INPUT

ABBREVIATED CONSTITUTIONAL PROPOSALS BY THE AFRIKANER-VOLKSUNIE

CONSTITUTIONAL POINT OF DEPARTURE

As a guiding principle those in government and government itself, should be brought as close as possible to the electorate at grass-root level.

MAIN OBJECTIVE

The main objective of the AVU is the establishment of a federal constitutional system for South Africa in which Afrikaners could exercise effective self-determination in one or more of the component states.

Self-determination for Afrikaners should be realised in harmony with the democratisation of the whole of South Africa, without any form of statutory racial discrimination.

FURTHER OBJECTIVE

The proposed federal system should, inter alia, satisfy the following requirements:

Number of component states

 A number of component states should be created with strong autonomy and the retention of original powers.

Asymmetry

The principle of asymmetry should be followed. That could entail, inter alia, that each component state will devise its own constitution and will hand over to the central authority only those powers of state which the component state of its own free will elects to relinquish.

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Residual powers will therefore vest in the component state. The so-called "Bottom-up" approach is therefore being adopted.

* As soon as boundaries for the component states have been determined, representatives of the component states will draw up the constitution of their component state. Thereafter that constitution will be submitted to the Multiparty Forum for coordination.

Constitutional State

* The envisaged state will be a constitutional state governed by the rule of law with separation of the powers of the legislature, executive and the judiciary.

Local Government

- * Government, and those in government, should be brought as close as possible to the electorate at grass-roots level.
 - Meaningful and maximum powers of government should accordingly be devolved to local government.
- * A creative system of local government should be devised, taking the following into consideration.
 - ** the present order;
 - ** the problems appertaining to the disadvantaged communities:
 - ** the maintenance of property values and standards; and
 - ** the regulation of possible conflict which could present a serious danger on local government level owing to the intensive human interaction on that level.
- * The final boundaries of component states, as well as their powers of government and competancies should be finalized in the negotiating process, taking into account the democratic will of the people in the component states, and

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other factors normally taken into account worldwide when such boundaries are drawn.

* The boundaries, powers of government and competancies of the component states should be entrenched in the constitution of the central government, and any amendment thereof, should only be effected on a basis of consensus.

Proposed component states in which Afrikaners will form a

- It is common cause that the Zulu people will form the majority in the proposed Kwa-Natal component state, as will the Xhosa people in the proposed Kei component state.
- The fact that in a certain component state a particular people will form the majority in numbers, is a commonly accepted, morally justifiable and internationally accepted principle.
- * Based on the same principle the AVU will endeavour to ensure that the boundaries of the proposed component states will be drawn in a reasonable and just manner, taking international norms into account, but also in such a manner that Afrikaners could be accommodated as a majority within the boundaries of such component states.
- * In the circumstances the AVU requests
 - ** that a component state be created in the north of South Africa, with Pretoria as its nucleus, in which Afrikaners will constitute the majority; and
 - ** that a component state be created in the Cape Province in which South Africans, who use Afrikaans as their first language, could form the majority.

The creation of Regions within component states

* In order to provide for sound government, and for the interests of minorities, in particular to ensure harmonious local government, the AVU favours the creation of regions within the boundaries of component states.

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Citizenship

Provision should be made for South Africans as well as component state citizenship for individuals.

Transitional arrangements

As soon as new constitutions (regional and central) have been adopted, transitional arrangement to be agreed on should be implemented on regional and national levels.

Minority Rights

- * The AVU is in favour of the establishment of mechanisms to protect the rights of minorities. Some relevant examples are:
 - ** A Bill of Human Rights;
 - Checks and balances in the constitutions of both the central governments as well as component state governments, which prevent the central government and the governments of the component states from contravening the Bill of Rights;
 - ** Guaranteed representation of minorities in the central and components state parliaments.
 - ** The creation of a system of cooperative autonomy for groups asking for it in order to control certain identity forming matters by statutory means.