

117/4

REPUBLIC OF SOUTH AFRICA

CONSTITUTIONAL ASSEMBLY

SUBMISSIONS, RESEARCH AND OPINIONS

MONDAY 20 FEBRUARY 1995

Discarded

SUBMISSIONS

The Chairperson of the Constitutional Assembly:

- The following submissions have been received from political parties in the Constitutional Assembly:

		Subject	Date	Ref No
1	ACDP (African Christian Democratic Party)	Preliminary submission regarding separation of powers	30/1	A.6.2AFR 0101
2	ACDP (African Christian Democratic Party)	Fundamental Rights	6/2	A.6.4AFR 000736
3	ACDP (African Christian Democratic Party)	Preliminary submission on Principle II of the Constitution	6/2	A.6.4AFR 000987
4	ANC (African National Congress)	Character of a democratic state	1/2	A.6.1ANC 000728
5	ANC (African National congress)	Bill of Rights	27/1	A.6.2ANC 000728

6	ANC(African National Congress)	Correctional services	27/1	A.6.6ANC 0107
7	ANC (African National Congress)	Commission on gender equality	27/1	A.6.6ANC 0102
8	ANC (African National Congress)	Financial Institutions and Public Enterprises	27/1	A.6.6ANC 0109
9	ANC (African National Congress)	Matters pertaining to Intelligence	27/1	A.6.6ANC 0110
10	ANC (African National Congress)	Matters of Defence	26/1	A.6.4ANC
11	ANC (African National Congress)	Nature of Provincial System and Local Government	27/1	A.6.3ANC 0105
12	Democratic Party	The New Constitution	20/1	A.6.1DEM 0132
13	Democratic Party	Character of a democratic state	26/1	A.6.1DEM 0133
14	Democratic Party	Separation of powers	26/1	A.6.2ASS 0134
15	Democratic Party	Nature of the Provincial System and Local Government	30/1	A.6.3DEM 0135
16	Freedom Front	Separation of powers	1/2	A.6.2FRE 000727
17	Inkatha Freedom Party	Democratic State	24/1	A.6.1IFP 0119

18	Inkatha Freedom Party	Separation of powers	30/1	A.6.2IFP 0120
19	Inkatha Freedom Party	Nature of the Provincial System and Local Government	31/1	A.6.3IFP 0121
20	Inkatha Freedom Party	Relations between levels of government	31/1	A.6.3 IFP 0122
21	Inkatha Freedom Party	Fundamental Rights	30/1	A.6.4 IFP 0123
22	Inkatha Freedom Party	Judiciary and Legal Systems	30/1	A.6.5 IFP 0124
23	Inkatha Freedom Party	Fiscal Institutions and Public Enterprise	30/1	A.6.6 IFP 0125
24	Inkatha Freedom Party	Public Administration	30/1	A.6.6 IFP 0126
25	Inkatha Freedom Party	Transformation and monitoring	30/1	A.6.6 IFP 0127
26	Inkatha Freedom Party	Accountability and control of the the Security Forces	25/1	A.6.6 IFP 0128
27	Nationalist Party	Democracy and the character of state	26/1	A.6.4 NAT 0137

28	Nationalist Party	Separation of powers	26/1	A.6.2 NAT 0138
29	Nationalist Party	Nature of Provincial System and Local Government	25/1	A.6.2 NAT 0139
30	Nationalist Party	Fundamental Rights	24/1	A.6.4 NAT 0140
31	Nationalist Party	Relationship between different levels of the court, and a single or split judiciary	23/1	A.6.5 NAT 0141
32	Pan Africanist Congress	Democracy and the character of state	30/1	A.6.1 PAC 0114
33	Pan Africanist Congress	Separation of powers	30/1	A.6.2 PAC 0115
34	Pan Africanist Congress	Relationship between levels of government	24/1	A.6.3 PAC 0116
35	Pan Africanist Congress	Entrenched Bill of Rights	30/1	A.6.4 PAC 0117

2. The following submissions have been received from organisations and political parties not represented in the Constitutional Assembly:

NO	NAME	SUBJECT	DATE	REF NO
36	African Enterprise	Human Rights and Religious Freedom	2/2	A.6.4AF 000810
37	The Afrikaner Freedom Foundation	Afrikaner Self- determination	3.2	A.6.4AF 000910

38	Animal Groups Alliance (AGA)	Entrenched Bill of Rights	2/2	A.6.4AN 000829
39	The Black Sash	Right to life	6/2	A.6.4BL 000916
40	Association of Retired Persons and Pensioners	Right to housing for the elderly	31/1	A.6.4AS 000682
41	CPSA: Southern African Theological Commission	Character of a democratic state	6/2	A.6.1CH 001019
42	Citizen's Commission on Human Rights	Human rights for mental patients	7/2	A.6.4CI 001036
43	Concerned Friends of the Frail and Aged	Rights for aged persons, revamp of geriatric-care, social welfare and housing	1/2	A.6.4CO 000781
44	Environmental Law Association	Separation of powers	3/2	A.6.2EN 000879
45	Evo Brokers	Property rights	2/2	A.6.4EV 000809
46	The Free Africa Foundation	Democratic state Structure of government Relationships between levels of government	2/2	A.6.1FR 000814
47	Free State Municipal Association	Relationship between levels of government	2/2	A.6.3FR 000813
48	GAST International	Rights for mentally anguished	31/1	A.6.4GA 000699
49	Human Sciences Research Council	Entrenched Bill of Rights Commission on gender equality	3/2	A.6.4HU 000915

50	HLUVUKANI	Advocate special courts for: Children Family Equal opportunities Land	3/2	A.6.4HL 000830
51	Independent Medico-Legal Unit(University of Natal)	Right to Forensic Services	3/2	A.6.4IN 000906
52	Indepent Schools Council	Fundamental human rights	3/2	A.6.4IN 000895
53	Legal Resources Centre	Right to housing	6/2	A.6.4LE 001022
54	Liebenberg & Associates	Fundamental rights	2/2	A.6.6LIE 000800
55	Ministry in the Office of the President	Right to mechanisms accessible and responsive to disabled people	2/2	A.6.4MI 000880
56	Muslim Persnal Law Board of South Africa	The Judiciary and the Muslim Board	3/2	A.6.5MO 000850
57	National Association of Democratic Lawyers	Judiciary and Legal Systems	7/2	A.6.5NA 001023
58	The Novalis Institute	Democracy Bill of rights	3/2	A.6.1NO 000907
59	Reform International Churches Association	Relationship between church and state	6/2	A.6.5RE 000930
60	Schurink W: HSRC	Commercial sex work	3/2	A.6.4SC 000915
61	SA Blind Workers Organisation	Rights for visually disabled.	3/2	A.6.4SO 000905

62	SA National Consumer Union	Co-ordination of consumer needs at national level	6/2	A.6.3SO 000974
63	SA Gunowners' Association	Right to own firearm	7/2	A.6.4SO 001055
64	SA Institute of Law-Enforcement Firearms Instructors	Right to defend one against violent attack Entrench right to qualified citizens to own arms	2/2	A.6.4SO 000816
65	Standard Bank Investment Corporation	Democratic state Relationship between levels of government Specialised structures of government	3/2	A.6.1ST 000909
66	Swift Agency	The principles of justice	3/2	A.6.4SO 00878
67	I Swartberg & Associates	A declaration of belief regarding governments and laws	6/2	A.6.5SO 00975
68	Transvaal Municipal Association	The way to true federalism /confederalism	3/2	A.6.1TR 000914
69	Uniresearch Foundation	Want a Constitutional Information Committee to be established	2/2	A.6.1UN 000824
70	UDW: Department of Science and Religion	Appeal for cultural, religious and educational rights to be respected	6/2	A.6.4UN 000945
71	UWC: Faculty of Dentistry	Implementation of water fluoridisation	7/2	A.6.4UN 001058

72	Faculty of Dentistry.	Give priority to health in the New Constitution	6/2	A.6.4UN 000919
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3. The following submissions have been received from individuals:

No	Name	Subject	Date	Ref No
73	Alberts S P	Attorney General and the Constitution	7/2	A.6.5ALB 001066
74	Abrahams S G	Financial Institutions and Public Enterprise	6/2	A.6.6ABR 000951
75	Bolus C	Freedom of speech Sexual orientation Abortion	6/2	A.6.1BOL 000866
76	Benson C R	Bill of Rights Judicial System	3/2	A.6.5BEN 000901
77	Bevan N	Pornography Sexual orientation Anti-abortion	7/2	A.6.4BEV 000995
78	Botha D E	Bill of Rights	6/2	A.6.4BOT 000946
79	Botha S	Anti-Abortion Censorship Homosexual marriages	7/2	A.6.4BOT 001047
80	Brune E O	Bill of Rights	6/2	A.6.4BRU 000986
81	Buys I S C	Fundamental Rights	31/1	A.6.4BUY 000710
82	Calf A P	Freedom of speech Anti-homosexual marriages Right to life	3/2	A.6.1CAL

83	Coggin G L	Democracy Public administration Bill of Rights	6/2	A.6.1COG 000988
84	Cousins P	The right to be heard	3/2	A.6.4COU 000859
85	Creed S	Right to life Freedom of speech Sexual orientation	7/2	A.6.4CRE 001013
86	Croft Raymon B	Democracy	3/2	A.6.1CRO 000881
87	D'arcy M C	Democracy Death penalty Equitable justice	6/2	A.6.1DAR 000962
88	De Klerk E	Freedom of speech Gay rights Abortion	6/2	A.6.1DEK 000963
89	Duncan J	Abortion	7/2	A.6.4DUN 001013
90	Durham N	Freedom of speech Gay Rights Right to life	7/2	A.6.1DUR 001004
91	Du Toit H de V	One capital for S A Policing public disorder	2/2	A.6.6DUT 000821
92	Engelby P	Animal rights	6/2	A.6.4ENG 000920
93	Eyssen J and L van	Freedom of speech Right to life Sexual orientation	3/2	A.6.1EYS 000877
94	Fong K	Prosecution of Rape Cases	7/2	A.6.5FON 001064
95	Gouws M	Freedom of speech Sexual orientation Right to life	7/2	A.6.1GOU 001060

96	Grindley W	Institution of the recall into the constitution	6/2	A.6.2GRI 000942
97	Grout C	Right fo life	3/2	A.6.4GRO 000876
98	Hagen T F	Entrenched Bill of Rights	2/2	A.6.4HAG 001040
99	Hartley S	Censorship Anti-abortion	2/2	A.6.4HAR 001045
100	Hart P D	Property Rights	7/2	0A.6.4HAR 000353
101	Hartsman C	Right to protection of patients from doctors, dentists and health care workers	3/2	A.6.4HAR 000796
102	Hasse P	Bill of Rights	6/2	A.6.4HAS 000994
103	Heerden K A van	Law of succession	7/2	A.6.5HEE 001035
104	Hitchcock E E	Entrenched Bill of Rights	7/2	A.6.4HIT 001014
105	Jacobs D	Anti-Gay Rights	3/2	A.6.4JAC 000861
106	Jacoby K L	Freedom of Speech Gay Rights Abortion	6/2	A.6.4JAC 000952
107	Jadwat M	Democracy Balanced budget Accountability of political parties Feudalism	3/2	A.6.1JAD 000913

108	Jefta A J	Death penalty Rape cases Fathers and children's rights Immigrants Prostitution	2/2	A.6.5JEF 000793
109	Johnson V	Freedom of expression Freedom of religions association Parental rights and obligations Education	2/2	A.6.1JOH 000808
110	Johnson G	Freedom of Speech Sexual orientation Abortion/right to life	6/2	A.6.1JOH 000967
111	Judge Dermot	Fundamental Rights	3/2	A.6.4JUD 000871
112	Karle J M	Freedom of expression & association Right to life Democracy	3/2	A.6.1KAR 000863
113	McDade L	Freedom of speech Homosexual relationships Right to life	6/2	A.6.1MCD 000956
114	Kennedy D	Abortion Pornography Prostitution Religion Children's Rights Punishment for crimes and violence	7/2	A.6.4KEN 001053
115	Kennedy P	Environment rights	3/2	A.6.4KEN 000886

116	Kerr T	Freedom of speech Sexual orientation Abortion	3/2	A.6.1KER 000865
117	Kgoale S M	Official languages Concern about the change of North Sotho to Pedi	6/2	A.6.1KGO 001021
118	Koen, B	Democracy Anti-affirmative action	6/2	A.6.1KOE 000938
119	Larsen S J	Abortion Gay rights Freedom of speech Censorship and pornography	6/2	A.6.1LAR 000960
120	Le Hane C	Bill of Rights Judiciary and legal systems	3/2	A.6.4LEH 000874
121	Maasdorp M H	"Unit of justice"	3/2	A.6.1MAA 000902
122	McCullagh M	Freedom of speech Censorship Bill of Rights Gender Equality	6/2	A.6.4McC 000989
123	Moody	Freedom of speech Sexual orientation Abortion	7/2	A.6.4MOO 001010
124	Moloko K E	Finance and corporate government	3/2	A.6.6MOL 000903
125	Noland W	Freedom of speech Sexual orientation Right to life Abortion	7/2	A.6.4NOL 001038
126	Oates R	Freedom of speech Right to life Sexual orientation	3/2	A.6.4OAT 001054

127	Paton H M	Anti-sexual orientation clause	3/2	A.6.4PAT 000971
128	Paton M	Anti-sexual orientation clause	7/2	A.6.4PAT 001059
129	Paynter J C	Censorship of media Taxation Education Entrenched Bill of Rights	6/2	A.6.1PAY 001015
130	Pollard G	Judicial System Bill of Rights	3/2	A.6.5POL 000862
131	Peer M	Democracy Structure of Government	3/2	A.6.1PEE 000897
132	Pettit S J	Freedom of speech Abortion Sexual orientation Religious freedom		A.6.4PET 000858
133	Pretorius I	Protection against use of torture by police		A.6.6PRE 000917
134	Ralph M	Against legalisation of homosexuality, gambling and prostitution	7/2	A.6.4RAL 001001
135	Rapson S	Censorship Sexual orientation Abortion	6/2	A.6.4RAP 000970
136	Read L V	Social upliftment Preservation of order amid change Rural poverty Enterprise	2/2	A.6.6REA 000826

137	Reed J	Does not support total removal of censorship. Sexual orientation Abortion	6/2	A.6.4REE 000893
138	Retief M	Freedom of speech Sexual orientation Right to life	6/2	A.6.4RET 000985
139	Reypert B	Freedom of Speech Sexual orientation Right to life	6/2	A.6.4REY 000834
140	Reypert P	Freedom of Speech Sexual orientation Right to life	3/2	A.6.4REY 000834
141	Robbshaw S J	Environment protection policy	7/2	A.6.4ROB 001051
142	Rogers A G K	Judiciary and legal systems	7/2	A.6.5ROG 001056
143	Scott K	Against total removal of sensorship Abortion Anti-Gay rights	3/2	A.6.1SCO 000875
144	Shea R	Entrench the concept of GNU Bill of Rights	3/2	A.6.4SHE 000911
145	Smith D I <u>et al</u>	Entrenched bill of rights Support capital punishment	6/2	A.6.4SMI 001018
146	Sowter F	Property taxation	7/2	A.6.4SOW 001069
147	Stevenson C	Democracy Self-determination Bill of Rights	7/2	A.6.4STE 001044
148	Strüwig	Federalism	7/2	A.6.4STR 001071

149	Talbot D	Conservation of natural resources	7/2	A.6.4TAL 001070
150	Taylor A	Freedom of speech Anti-gay rights Abortion	6/2	A.6.1TAY 000955
151	Thompson R J	Separation of power	3/2	A.6.2THO 000856
153	Toogood	Equal rights for children and fathers	6/2	A.6.4TOO 000943
154	Urban R	Democracy and character of State Bill of rights	6/2	A.6.1URB 000953
155	Webster G C	Covers all aspects of the Constitutional process	2/2	A.6.1WEB 000791
156	Wendt B V	Animal rights	6/2	A.6.4WEN 000939