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***CONSTITUTIONAL ASSEMBLY***

***THEME COMMITTEE 1  
CHARACTER OF  
DEMOCRATIC STATE***

***SUBMISSIONS MADE AT  
THE MEETING HELD IN  
PAARL TOWN HALL***

***11 FEBRUARY 1995***



CONSTITUTIONAL ASSEMBLY  
PUBLIC PARTICIPATION PROGRAMME  
PAARL TOWN HALL

**MR A PAULSE:** I appreciate the friendly gesture and I would like to assure that I consider it a great honour to be in the company of such a distinguished group of people. It is indeed a very pleasant task to host this symposium this afternoon and, in doing so, I would like to extend a special word of welcome, firstly, to the Chairperson of the Constitutional Assembly, Mr Cyril Ramaphosa; the Deputy Chairperson of the Constitutional Assembly, Mr Leon Wessels; Mr Patrick McKenzie, Minister of Police Services in the Western Cape - and who will also be acting as Chairperson today- as well as all other distinguished guests, your presence here is much appreciated.

Ladies and gentlemen, we all had a dream, a dream we shared with our fellow countrymen; a dream of a better South Africa; a vision for South Africa to achieve high standards for all its peoples; a dream of togetherness, of peace and happiness.

We must pledge ourselves to a new season of renewal and, as the old era passes and the new era looms, our message must be one of peace, harmony, love and understanding: a new tide of goodwill, a tide devoid of frustration and fear, a time for friendship and mutual understanding, a tide and future for all in this beautiful country of ours. It is our people that matter. It should therefore be our resolve to reach out to others, to communicate in order to learn from each other, and to assist where we can. That is why we are here, together, today -to make a modest contribution to our country's new Constitution. Let us join hands and prove to the world that South Africa is a place where its people matter.

In conclusion, ladies and gentlemen, I would like to leave the following words of John Cavalier with you:

"Yesterday you learnt from today you  
live for and tomorrow you plan for."  
Nkosi Sikeleli Africa (God Bless Africa).

It now gives me great pleasure to call upon Mr McKenzie to take over the rest of the meeting. Thank you very much.

**THE CHAIRPERSON (MR P MCKENZIE):** Thank you very much, Mr Paulse, who is also the chairman of our interim Council. Thank you for the warm greetings and the warm words of encouragement. It is good for us -as the rainbow people of South Africa- to be with you in Paarl.



This is indeed an eventful day for us because it is the first time in almost 400 years that the people come together to write the Constitution of South Africa. It is a good feeling and it makes us feel very happy and proud that we have earned, and we have now been brought to the rightful place where all South Africans are. I think the fact that these gentlemen are with us today shows that the Government is serious in wanting to get the input of the community and the people from the ground level. We want to say thank you to the Government for that initiative.

The Constitutional Assembly consists of the National Assembly and the Senate. It is their task to write the new Constitution. The current transitional Constitution which we have at the moment is a Constitution which was negotiated at the multi-party talks at Kempton Park. The Constitutional Assembly, through public participation like today, wants to make our new Constitution a people-driven process: a product which is -and has- the will of the people. A product of which people can say "we own the Constitution". Friends, today it is one of the first steps in getting that Constitution. This is why we have come to the people.

We thank each and all of you who have seen their way clear to come here today. It is a pleasure to see this hall full, because all of us are serious about the future of this country and about our own future in it. We would like you to feel free and that you feel comfortable. I would also like to tell you what the agenda we have ahead of us will look like.

The Chairperson of the Constitutional Committee, Mr Ramaphosa, will be dealing with the process, the principles, and how you as people can participate. Mr Leon Wessels will be dealing with the Theme Committee reports -basically, the issues. Thereafter we would like to hear your views.

Let me introduce today's first speaker to you. I am not going to go through his two-page C.V., but I want to say to you, on a lighter note, that he enjoys reading biographies, he enjoys watching motor racing, he enjoys trout fishing, he even enjoys tennis and most of all, comrades, he enjoys jazz music. For those educated people, he has studied law, he has been a workers' man by being elected as general secretary to the National Union of Mines. His current position is Chairman of the Constitutional Assembly. He is a talented man. He has got the good looks. Therefore, with no further ado, let me say to you let us welcome ... Cyril Ramaphosa. Thank you, Sir.

MR C RAMAPHOSA:

Mr Chairperson, your Lordship the Mayor of Paarl, the dignitaries of Paarl, and by that I mean everybody who is sitting here. I send greetings to all of you in the name of the Constitutional Assembly of South Africa. We come together today under the name, the banner, the roof of the Constitutional Assembly and not under the name of the National Party, the ANC,



the IFP, the DP, or any other party.

Mr Chairperson, you appropriately said that the people of Paarl are like the rainbow colours. For a minute I thought you were trying to attract the attention of all of us to your tie, because it is the colours of the rainbow.

This is a special occasion. The people of Paarl are participating in the launch of the public participation programme of the Constitutional Assembly, and are therefore participating in a very historic process. So Paarl stands out as the one city -is it a city or a town- in the whole country as being very special in as far as the work of the Constitutional Assembly is concerned.

We, meaning Mr Wessels and myself, are going to be very brief on what we have to say because we would like you, the dignitaries of Paarl, to have a lot of time during which you will have your say on the Constitution.

On the 27th of April 1994 our country achieved a historic miracle. We were able to hold an election which was quite historic -to get millions of our people participating through their hands, through their fingers, through their feet and eyes in the democratisation process, moving our country from apartheid to the democracy that we have today. On that day our country got a new Constitution, a Constitution which gave back to us an era of freedom and an era of equality. That Constitution is an interim Constitution, it is the Constitution through which the country is governed at the moment. The interim Constitution also makes provision on how the final Constitution of our country should be drafted. The interim Constitution provides a framework of constitutional principles. These constitutional principles tell us how the new Constitution must look like.

This framework which we have in the transitional Constitution consists of 34 constitutional principles. These constitutional principles are principles that we cannot deviate from. They deal, amongst other things, on how the State, or the Government, should be structured. They also deal with the question of human rights. They also deal with how many levels of government we should have: National, Provincial or Local government.

The transitional Constitution states, secondly, that the final Constitution must be drafted within two years. Now, two years is not a very long period of time. This means that all of us will have to put a shoulder to the wheel and will have to work hard so that, by May next year, we must have drafted a final Constitution.

All that, comrades, means that we do not have to sleep, we do not have to loaf, we have to work hard so that all be finalised not later than May next year. What



I mean is that it has to be a joint effort. It is not Mandela's Constitution, nor Ramaphosa's Constitution nor any of the Cabinet Ministers' Constitution, but it is our Constitution.

The new Constitution which we must have is not an ordinary Law, it is the highest Law in the country; that is why we say that we want people, we want that the ordinary people in our country must also participate in the entire process of drafting this Constitution.

We want full participation by ordinary people in our country, and that includes you sitting over there and everyone else in this room, to have a say on what should be contained in the Constitution.

Many people can ask how they must participate in this whole process. It is very simple. We can start now. We want to hear what each of us here has to say about the new Constitution. Secondly, you can write to the Chairperson of the Constitutional Council.

Thirdly, you can participate in various other meetings that we are going to hold here in the Western Cape, in a number of towns, in the deep rural areas of our country. We would like our people to participate and give their views on what should go into the new Constitution. Your inputs, whatever you have to say, even today, when you stand up to say something, your input, your proposal will be taken into account by the Theme Committees which I am going to talk about now. They will make sure that whatever you have to say is properly taken into consideration. It will be given real, serious consideration. It will not be a Mickey Mouse process. It will not be a process through which we are trying to hoodwink you.

The Constitutional Assembly has divided itself up into a number of Committees. It has divided itself into six Theme Committees, and these themes have to do with the issues that must go into the Constitution.

The first Theme Committee deals with the nature of the State that we want to have in South Africa. In other words, what type of a democracy do we want to have. Do we want to have a democracy that is really South African; do we want a democracy that looks like what you have in America; do we want a democracy that looks like what you have in Australia, or any other country. That Theme Committee is going to be looking at the type of democracy we want to have.

The second Theme Committee will be looking at the structures of Government. It will be looking at the question of Parliament, National Government, Provincial



Government, as well as Local Government. Now, you obviously will have a lot of things to say on all those. You may want to have something to say on Local Government, which is closest to where you are. This is an opportunity for you, sitting where you are, to have your say on what the Constitution of the future should have.

The third Theme Committee deals with the relationship there should be between the different levels of government. By this we mean the National Government at national level, the Provincial Government at provincial level, and Local Government at local level; should the Local Government stand on its own, should it have a relationship with the provincial level, or not?

The fourth Theme Committee shall be dealing with the individual rights. Do I have a right for full participation; do I have a right to do whatever I intend to do?

The fifth Theme Committee will be dealing with the matters of justice, the judicial system and the courts.

The sixth Theme Committee will deal with the whole question of the structures, the specialized structures, of government, like the Defence Force, the Police, the Reserve Bank, and on the Commission of Human Rights and many other structures of government that we are going to have.

Now, we know that each of us sitting here has something to say on all the issues that we are going to have in the Constitution. This whole process therefore gives us an opportunity as South Africans, as ordinary people on the ground, to say how we want to be governed, to say how we want Government should be accountable to us.

We do not want to spare any effort with regard to getting your views. Your views are very important. This Constitution must not be a party political Constitution, it must be a Constitution of all South Africans that binds our nation together, that enhances the whole process of reconciliation and nation-building.

It is therefore important, dignitaries of Paarl, that each one of you should have something to say. If you do not have an opportunity of saying something today, you can write to the Constitutional Assembly. Some people are even coming in personally and putting their views forward.

When we finish writing the Constitution in May of 1996 we want to be sure that



the people in Paarl have also participated in the whole history-making process, and that they will have their little signature, their little imprint in the history of our country, as we move to full and complete democracy.

Mr Wessels will presently state which specific matters we will deal with in the Constitutional Assembly during the next few weeks. I would like people to listen very carefully, because these are the issues about which you can put forward proposals.

I think we should use this opportunity, because this is an opportunity that comes once in the lifetime of a nation: that it participates in a collective basis in the writing of the Constitution. So, people of Paarl, this is your chance, have your say in what should go in the Constitution.

Paarl seems to be a very beautiful town. It seems to have a great deal of order and everything seems to work well here. You have got the wine and everything else. I am very keen, at some stage, to become a little citizen of Paarl. I will only do so if you are going to make inputs in the writing of the Constitution. So I give you a challenge.

THE CHAIRPERSON: Thank you very, very much, Cyril, for that talk. I want to remind him that Paarl does not only have the wine but it also has beautiful women. If you want to become a citizen because of the wine, I want to become a citizen because of the women. I always knew that women like me because I am tall, dark and handsome, so that is excellent. That's right, sister, black and beautiful.

The next friend that will be talking to us is Leon Wessels. Now he also likes playing golf, cycling, and then two things which are very interesting: one, he likes to jog, and he has run the Comrades Marathon twice already, and he is still surviving.

I want to see, if Cyril likes wine and I like women what he will run away from. He is an advocate in the Bar, that's right, in the Bar -that's why he likes to drink. He is also our Deputy Chairman of the Constitutional Assembly. If one looks at him, with a smile like that he can get anywhere in the world. He has got the looks, he has got talents, the smile, he has got the body shape, and I am proud to present you, Leon Wessels.

MR L WESSELS: Our esteemed Chairperson, ladies and gentlemen, I would like to start by saying that Mr Ramaphosa has set a formidable example of



multilingualism. I think that such an example of tolerance, of our language, too, is an example well worth following.

I come from Gauteng, therefore, I am a Gauta. Mr Ramaphosa is also a Gauta, and he will understand what I am going to say now. (This part was not translated - Xhosa).

Ladies and gentlemen, the interpreter sitting next to me says I should brush up on my English and that I should speak English more often, because he is more at ease with translating from English into the other languages. So I shall speak both English and Afrikaans.

I want to join Mr Ramaphosa and say to the dignitaries of Paarl: it is wonderful to be with you; it is wonderful to associate with you and not to engage like we politicians have become so accustomed to do -in a confrontational nature, but just to sit and talk to one another.

Ladies and gentlemen, I would like to tell how I intend to tackle this speech. I will tell you of the politician who, after delivering a speech, asked his friends how it went. Half of his friends say: badly. He replies: but what should I have done? So, one guy says to him: man, you were so lifeless, so sluggish; you should have added a bit of fire to your speech. Another one says: no man, you should have put more of this speech in the fire. So now I am going to put my entire speech into the fire. I am going to speak to you in a different way. My speech is in this pocket.

You see, when we speak of a constitution, we do not mean something which is made or lives far away, at a distance from the people. We are speaking of the rules which regulate the lives of all the people, so that, if all the people of South Africa aren't comfortable with the Constitution, it will simply not be a good Constitution.

One is actually left speechless when you look at international Constitutions that are 100 years and 200 years old. The people still respect the Constitution, in spite of the fact that the politicians differ and argue about daily lives in the Constitution. The Constitution creates the space for John Citizen of Paarl to hold the politicians they have elected accountable for what they are doing. So, if you are badly represented in government institutions, you don't tear the Constitution apart, you know how to elect new and better political leaders in that Constitution.

I am now going to explain, in short, what the important issues are, the issues we will have to deal with in our activities of the next couple of weeks. I hope that I will be able to bring home and point out to you -in the process- what the topics are on



which you can comment. This will give you a better insight into the problems of our work.

The first set of issues we will be dealing with has to do with the character of the State, of the democratic State in particular. Each person in South Africa last year had the opportunity to vote. But the nature of a democratic State is such that it is not a one-person one-vote once only. So we must build into the Constitution the nature of true democracy - where there can be continuous elections and politicians held accountable by the electorate.

Before I came here this morning I had quite a decision to make as to what colour shirt I should wear. I shall explain to you why this is so. Now, if the Government does not like people with purple shirts, they can make a law to prohibit it. And, if they do make such a law I will, in terms of the Constitution, be able to take them to court and say that they are discriminating against me. I will go at them until their eyes water, until they give in. In a democratic state you cannot discriminate against people. But, what will have to become clear is what the structure of our government is going to be.

When one looks at the American experience, you read in the newspapers now they are already campaigning to elect a president next year in November. Is that a good system of government? I looked at the news last night. I saw that Mr Densho Ping in Beijing, China is extremely old and people suspect he is so old that it is impossible for him to continue to be involved in government in Beijing.

Every time people say Densho Ping is old, the stock market in Beijing drops. But, ladies and gentlemen, if you had to look in the books to find out what his position is, is not written anywhere. Officially I am told that he is the Honorary President of the Bridge Club of China. But, there is no position for him, yet he influences importance in that country.

Since we want to establish a structure, here, in Africa, which is our own and which best serves our interests, what should the structure of our government be? There are three people here sitting side by side; not in order of importance, though. We are enjoying the hospitality of the Mayor, who represents Local Government in Paarl. Seated next to them are two other men from the Provincial Parliament, the Premier of which is Mr Hernus Kriel. Mr Ramaphosa and I are in central Parliament, but we are from Premier Tokyo Sexwale's region. Now, what is the relationship between what the Mayor is occupied with, what the Chairperson is occupied with, and what Mr Ramaphosa is occupied with? It is of crucial importance that we have complete clarity in the Constitution as to what the powers and duties and responsibilities of each of these three levels of Government are. During the next couple of weeks and months, this, these relationships, will be discussed by us at



length.

Ladies and gentlemen, I return to the question of my speech, to my suitcase. I would just like to tell you that, had I donned my pink shirt, some would have said Wessels is "a pink", he is a little pink man, and that has a specific meaning in politics.

I considered a white shirt. Had I been wearing a white shirt, people would have said Wessels comes here in the name of peace. White is also known as the colour of equality. So, when we speak of people's fundamental rights, we give them colours. This blue means something. The blue on our posters means something. Blue, ladies and gentlemen, stands for liberty, for freedom. The first rights people had, those born first, the first generation rights, we call blue rights. These are the rights that say that one can speak what is in one's heart, that a person can vote, and that one has freedom of movement. Those rights are written into this Constitution and must be written and further defined in this Constitution we are drafting now.

But, these rights are not the only rights. There is another generation of rights which we now have to consider. These are called the second generation rights, or, red rights. These are the rights or guidelines which you give in a constitution as to how you must improve people's quality of life.

A lot of discussion will yet have to go into these two generations of rights, discussions about how we write them in and how we ensure that they are not merely rights on paper, that they are alive. People do not stop thinking, nor do they stop working.

These (green) rights are called third generation rights: that every person has the right to live and to work in a safe and clean environment. Rights mean nothing if you cannot claim or exercise them. That is why it is extremely important that we have a judicial system and a court structure that is accessible to the people and that they are accessible, not only accessible, but also affordable, and therefore we will be looking critically at not only our judicial structure, but at the court structure, too.

The final set of problems and challenges and issues we will be looking at has to do with a very -amongst others- simple philosophy. The Americans say that a man was caught with his hands in the cookie jar. How do we ensure that public servants, officials, do not waste the taxpayers' money, in other words the good John Citizens and lady citizens of Paarl do not waste their money?

Finally, we are looking at specialised institutions to ensure that people, through



the Human Rights Commission or through the Auditor-General or through the Reserve Bank, have their rights and their money well secured.

Ladies and gentlemen, if Willie Motola wins the New York Marathon, and if Elana Meyer wins in Madrid or Oslo, or if Francois Pienaar and his team win the World Cup, or when we enjoy the Olympic Games here in the Cape in 2004, then we shall say: those are our people. We shall say the same of our Constitution: "That it is our Constitution". Thank you very much.

**THE CHAIRPERSON:** Well, thank you very much. Cyril, I must say that Leon is one step ahead of us. You want to come to Paarl for the wine, I want to come for the women, Leon has brought his wardrobe with him already. He is already moving in.

All right. I think that we have now come to an interesting part. We do have a recording here today that is taping everything that you and I are saying. What you are saying will be taken to the various Theme Committees. So everything that you will say is important to us. Your contribution is needed. So I am going to give you a few minutes to participate and give us your views. We are not going to answer questions because we are not here with all the answers today. We have basically come to listen and to give you the opportunity to tell us how you would like to see the new Constitution. You don't need to fear, you can speak in any language of your choice. So now I am going to give anyone the opportunity that would like to say how you would like to see the Constitution or if you have any contribution you would like to make now.

We have roving mikes all around the hall so you can just raise your hand and stay in your seat and they will come to you. The first contribution is this gentleman in the fourth row. Thank you, Sir.

**MEMBER OF AUDIENCE:** I need to thank the dignitaries that include Minister Wessels. My only question to Minister Wessels is Minister Wessels, when do I start working, I am starving. I cannot afford.

**THE CHAIRPERSON:** Thank you very much, Sir. Is there another hand? On this side, there in the middle, that man there. Just a bit to the front, he's got his hand up, yes. To the man in the white shirt: we will get back to you in a moment, we are first going to the man in the red shirt.

**MEMBER OF AUDIENCE:** I was in the Defence Force, Sir, 1988, I was sent to Pretoria, I am a cabinet-maker. They did not accept me. Why didn't they



accept me? Then they said to me what does this man want here, we were three. I had to get rank. They sent me RTU (return to unit) again. Then I went to Angola, I fought in Angola. And now I am still unemployed. I am looking for those people who sent me back. They are now generals, majors, captains, lieutenants, non-commissioned officers, and so on. They do not want to give it to me. Thank you.

THE CHAIRPERSON:

Thank you very much, Sir. Can we ask you, Sir, whether you would like to come to the aisle? So that we can have a little more order. That's right, that gentleman there, I see your hand, yes. Listen friends, we will give you the opportunity, but you must respect a person who is on his feet. You would like other people to listen to you, so let's all listen to all other people.

MEMBER OF AUDIENCE:

Mr Chairman, I think that one of the things that concerns every South African now is the degree of lawlessness existing in the country at the moment. We see the police toying. We see nurses neglecting their patients and the patients dying. We see Ministers defrauding foreign aid agencies. The list is endless. I would put it to you, gentlemen, that until law and order is restored to this country the new Constitution is not going to be worth the paper it is written on.

The second point is that at the moment the law is not affordable to the man in the street. If my constitutional right is infringed in any way I cannot afford the legal fees that are required to set my rights right. The third point is that how much is it going to cost the taxpayer, all this Constitutional Assembly, Theme Committees and the whole damn lot that you have put on this paper? It seems to me that you are creating a bureaucracy, whereas in all the successful countries in the world, the lean and mean government is the success to the future. I think you are creating a hell of a big bureaucratic dog that is wagging its own tail in the way that you are going about this. Thank you.

THE CHAIRPERSON:

Thank you, Sir. The gentleman there with the specs, yes, Sir.

MEMBER OF AUDIENCE:

I am basically saying that on the issue of human rights, the gentleman previously commented on the issue of lawlessness, but I think that there are two issues that which we have to elevate about party allegiance. Those are internationally contentious and controversial issues. I think of the issue of pro-choice and pro-life. I think some sort of mechanism must be built in that the community at large can make an input on the issue of capital punishment and on abortion.

I belong to a specific political party but what I am saying is it is, for me, not clear



when the issue of capital punishment is taken to the Constitutional Court, which basically protects the interim Constitution. So I say: if we are writing the Constitution before May next year, some process must be started where the public at large is consulted on very controversial issues like that. I understand it is an emotional issue, it is very sentimental, but I think that we need to mobilize forces to come to some form of consensus in this country.

The last thing I want to comment on is the issue about traditional chieftains. It doesn't affect us here, but I find it contradictory that, on the one hand, we accommodate chiefs and chieftains and on the other hand we are promoting democracy. I think we need to find again consensus as to how do we incorporate the issue of chieftaincy in a democracy.

THE CHAIRPERSON: Thank you very much. We have a gentleman in front, Sir, stand up. Thank you.

MEMBER OF AUDIENCE: Firstly, may I greet the dignitaries. Thank you for the opportunity of being allowed to give an input. Now, coming to the changes, my only request is that on the local government level a Coloured and a Black must be appointed. They are the people who must actually perform the task, hence there are changes. Now, secondly, what is the reason that it has to be so? It is because there have been changes. Secondly, a Black man's word must be heard by the police, let us all be one. Before a member of the Force can arrest an offender, he must first inform the residents' committee and explain about the cause of the arrest. Each area has its committee. So a member of the Force must not simply arrest an individual without having informed a committee of a particular area.

Then the other point I have to mention is that we do not have money, we are starving. I am unemployed. We cannot even afford to buy houses. We do not have money, so much so that we shall have to go and live in the cheaps. We thank the leaders for having come down to us. I hope they shall take all our complaints along with them.

THE CHAIRPERSON: Thank you very much. Now listen friends, I have allocated half an hour for questions. I have now gone through 10 minutes of questioning. I still have 20 minutes left. We must please not make any speeches. We had two gentlemen that made speeches today. Let's just ask our questions. Now, this gentleman came from that side, you will be given a chance now.

MEMBER OF AUDIENCE: Thank you, Mr Chair. I appreciate that



today at Mbekweni we have seen people like Mr Cyril Ramaphosa. It is important for our leaders to come down to our level. Firstly: the Black nation is suffering. Now as far as employment is concerned, as I am standing in front of you, I am Mr Mweba.

**THE CHAIRPERSON:** Thank you, Mr Mweba, we heard your question. Now we will give somebody else a chance. All right. I see quite a lot of men's hands, but there is no more discrimination, so we must also see a lady's hand. The lady in blue.

**MEMBER OF AUDIENCE:** I don't know whether this is a proposal or a suggestion. What my contribution is, is that the death sentence must remain in force. It must not be repealed. Thank you.

**THE CHAIRPERSON:** The gentleman at the back there, just where you are now. Yes, let's get some people also from the back now.

**MEMBER OF AUDIENCE:** Thank you Mr Chairman. I would like to speak on the educational aspect. Now, we have been told that there is no discrimination in this country any more. But I'm afraid that we still have a large measure of discrimination when it comes to providing educational facilities for the handicapped, especially the mentally handicapped. If we take into account that in this country we have approximately 100-plus training centres for mentally handicapped children of all races, and we think that in Paarl and its vicinities we have probably 40-plus schools for primary and secondary children, it is clear that there is quite a large discrepancy in the provision of training facilities for handicapped people. A school is built for a normal child, but the Government does not build a school for a handicapped child. It expects the community to raise part of the funds. I would like to see this matter addressed, that the Government should provide on an equal basis for all children. Thank you, Mr Chairman.

**THE CHAIRPERSON:** We have a lady here in front, we have a lady here. We will take one man, one lady.

**MEMBER OF AUDIENCE:** Thank you, Sir, for the privilege to be able to speak here. I would like to talk about the high existing divorce rate. We have a problem where a husband and wife who have children get a divorce, even if those children are two years or a year old. And there is a house which they have bought, between them. They decide to get divorced. The court awards the children to the man or to the woman. If the children are awarded to the woman, then the house is divided between them. If the children are awarded to the man, then the woman no longer has a roof over her head. But we are worried that there are no houses,



we have a housing shortage, and if that house must be divided, then it is said that it must be sold, and then either of them are without a roof over their heads. Can it not be put into the Constitution that, where the house does not sell, it must be given to the person who actually is awarded the children?

**THE CHAIRPERSON:**  
white shirt, yes, that is correct.

Thank you very much. There, the man in the

**MEMBER OF AUDIENCE:** My question is about the relationship between the Regional Government and the National Government. In this regard we are constantly seeing this story, and my concern is: what mechanism is going to be built into the new Constitution to prevent that the situation we have now? For example, where we have a national Government, a Government of National Unity, of which the greater majority are from the ANC, and we have one or two provinces where another political party governs, so that mechanisms for national unity which have been put in place can be hampered by the other parties at some of the provincial levels. I am specifically referring here to the whole story around education at present, where we are continuously told by our Minister of Education in the Western Cape that there is no money and that, as a result of the fact that the National Government does not want to make funds available, many teachers will lose their jobs in the near future. Now I certainly don't think that this is the position of the National Government. What is going to happen as regards the new Constitution to prevent this kind of situation?

The second part of what I have to say concerns the relationship between Regional Government and Local Government. Here in Paarl we are sitting with a transitional Council which has inherited the problems of the previous era. Our people have housing problems; we are battling with these old problems from the old apartheid era. The current transitional Council cannot address these problems, because the ordinances and regulations of the (former) legislation that have remained are hampering the effective addressing of these problems. So the question is: how are these ordinances and regulations being addressed? How can we change this situation and how long will it take? It has been said that the Constitution will only be finalised in May next year. What are the interim arrangements to circumvent these remaining rules and regulations?

Finally, notably, the issue of farm workers. Although there is talk and there is direction to the effect that farm workers are going to be included in the new labour legislation, in the previous election we had, and in the current election process we still have the problem of the tremendous powers farm owners have -the workers on those farms are virtually the property of the farm owners. What is the direction, with regards to the Constitutional Assembly, to seriously bring the rights of our farm labourers to the fore, and then not only on paper but also in practice? Thank you very much.



**THE CHAIRPERSON:** Thank you very much. The man with the white hat. You must just come out from behind the pillar, so that everyone can see you.

**MEMBER OF AUDIENCE:** Thank you very much. Sirs, that lady that spoke about the death penalty (by hanging). I see they are eager that the law should include the death penalty. I feel it must be included, because people kill people every day. Thousands of people are being killed. And the people who are killing them (indistinct speech) they murder again because they do not get the death sentence. Let us go according to the Old Testament's "an eye for an eye" and "a tooth for a tooth". This would stamp out all these things.

**THE CHAIRPERSON:** This gentleman in green, yes, Sir. Let us go to this side, and then to the back again, and so on. Sir, go to that side.

**MEMBER OF AUDIENCE:** Thank you, Mr Chairman. We have already had some people speak on the question of education. It seems to me that the most important component of education is being neglected: the children. Here in Paarl we are sitting with a big problem: school-leaving. Although existant legislation compels children to attend school until the age of 16, this legislation is not enforced by the upholders of law and order. Now, I wonder whether it can be written into the Constitution that those children's right to education can, once written into the Constitution, be protected. Thank you very much.

**THE CHAIRPERSON:** I need to get that gentleman at the back there. Let's move to the back now. Let's just do that gentleman first.

**MEMBER FROM AUDIENCE:** My appeal to Mr Kriel and his Cabinet is that they must please provide all the people, and that includes the Blacks, with work opportunities.

**THE CHAIRPERSON:** This lady in the green?

**MEMBER OF AUDIENCE:** All I want to say is that I am a missionary, I do evangelisation work on the farms, but the conditions in which our people live are desperate, they are critical. And the children walk miles to school, and there is no transport. The houses have holes and the farmers do not want the people to vote in the election. They want the people on the farms, but those people do not know what is going on in Paarl. Paarl is ultra-conservative ("verkrampt"); there is racism here. I am honest. My interests lie with the children, they are the future of



our world. They have to be taken into account, and I want to bring this forward so that the Constitution can, for a change, let the farmers who lead us a life be acknowledged.

THE CHAIRPERSON:

The lady there, just behind, there. The lady here on the aisle? Just behind, there. I am coming this way, just hold on. We will give you a chance.

MEMBER OF AUDIENCE:

Mr Chairman, I am glad to be able to speak right after this lady. I am a welfare worker, working at present on the farms farms in and around Paarl, and I would just like to tell you that there are farmers who stand out. I would like to convey the welfare workers' concern to the new Government. I know that there is a shift of emphasis to primary care and services. I would like to make an appeal: that the level of expertise which welfare workers have now reached should not be left unprotected as a result of this new direction. I am not sure whether you see what I mean: anyone can provide primary health if they have enough money, but primary health services cannot provide the services of welfare work. Thank you very much.

THE CHAIRPERSON:

Thank you very much. Let's have a youth. Sir, yes? Okay, first you and then you. All right, fine, no problem. I will come upstairs right now.

MEMBER OF AUDIENCE:

Thank you, Mr Chairman. The first issue I would like to raise is the interview given by the Chairman of the Constitutional Assembly, that is, Mr Cyril Ramaphosa. He talked about the nature of the State. I think if you looked at the background of South Africa it would be better if you are going to opt for a unitary state. Looking at how it is in South Africa, the problems at the moment, I think the unitary State can be the solution to the form of government we are fighting for.

The other issue I would like to raise concerns the people working on farms. Although we have to respect the rights of the owners of the farm, the rights of the workers must also be respected, and then it must be inscribed in the Constitution or in the Bill of Rights of this country that those people, if they are working on the farms, must get better wages, there must be better houses for those people, the farmers must see to it that those people should and are not used as cheap labour on the farm itself, they must be given the chance to go to school so that they can be educated like any other children.

The other issue I would also like to raise is that presently, South Africa is having a problem around the public sector workers. I think it would be proper for the



Government to look at either drafting a code of conduct, but I would be happy on that process in that code of conduct that the workers or the trade unions or the association of workers that (in the public sector) must be involved in that process. That code of conduct should be set up, it must be drafted, it must project the input of the trade union.

The other issue which I think is very important is that work must be enshrined in the Constitution. That the right to provide work from the private sector or the State, that it must be enshrined in the Constitution. That is the problem we are having in South Africa: the people are not guaranteed the right to have work.

The other issue which I think is very important is: presently we are having a problem about insurance companies. I don't think it would be right to go with this problem. Presently the insurance companies, if anybody can be found that the cause of death is the fact that he was HIV, in fact that he had diseases, and then those people won't be paid money for the insurance. I think the State needs to take up this issue: whether I die because I have Aids, it does not mean that I cannot be paid out my insurance, because I contributed to the premiums of my insurance policy.

THE CHAIRPERSON:

Thank you very much, Sir. The person with the yellow at the back, right at the back, the yellow, yes, that's it.

MEMBER OF AUDIENCE:

Good day, ladies and gentlemen, Mr Cyril Ramaphosa, Mr Allan Paule. Today I am standing here and represent the Rastafarians community of Paarl in South Africa. As most Black people know Rastafarians, we are so-called Coloureds, the gap between us is very close. I mean communication and so on. No like Rasta, during the years, Rasta plays an important role in the promotion of Black liberty and Black dignity and still Rasta is working hard for the upliftment of Blacks. Okay, we know the Government did make a lot of promises to the people for houses and so on and so on, but as we people know there is still a lot of problems that exist, and it will take a lot of years or maybe ... (intervention).

THE CHAIRPERSON:

What is your proposal, Sir?

MEMBER OF AUDIENCE:

No, Rasta, we are working on self-help programmes. Now today I just want to ask Mr Cyril Ramaphosa and Co. if there was made any provision for the Rastafarian religion in the new Constitution, mainly on the point of legalisation of marijuana?



THE CHAIRPERSON:  
young man in front. Thank you.

Thank you. You must stand up. The

MEMBER OF AUDIENCE: The accused in South African courts are being victimised when one tries to raise a point or explain how he happened to commit the crime. Then the Magistrate would say: it is better if you would be represented, go and ask for -I ask for the services of a legal practitioner.

THE CHAIRPERSON: There is a lady, yes, lady, you. Where is the mike? There is a lady. Not the one in blue. That lady that just stood, yes, you, lady. Let us listen to the woman.

MEMBER OF AUDIENCE: Thank you. Mr Chairman, I actually want to make a suggestion and it comes under, I suppose, under your principle of human rights. I want to suggest that we should make it an offence for any white person of the right wing ever to refer to us again as a Hotnot or a Kaffer. I am saying this because this is the only way we will ever rid this country of ours of being referred to as "Hotnots" or "Kaffers". The other thing is that, in our dictionaries, I would like to suggest that the words "aia", which is "an older Coloured woman", and "outa", which is "an elderly Coloured man", a "jong", which is "a male Coloured", and a "meid", which is "an elderly Coloured woman", and a "Hotnot", who is "someone you can order or push around", and a "Kaffer", who is "a native of Bantu descent". If we do not remove these words, words written in the eighties by the oppressors, from the dictionary, we shall never be rid of this impairment of one's human dignity.

THE CHAIRPERSON: Thank you very much. Can we have a lady upstairs? I am coming to you, lady, let's do the lady upstairs.

MEMBER OF AUDIENCE: (Speech not interpreted).

THE CHAIRPERSON: Thank you. The young man upstairs, I will come to you now, Sir.

MEMBER OF AUDIENCE: Mr Chairman, dignitaries. I would like to know ...

THE CHAIRPERSON: Yes, he will translate in a moment. Just let him finish speaking.



**MEMBER OF AUDIENCE:** In the past we voted the previous Governments into power and, at that stage, our votes counted. In the Constitution of this country the words "God the Almighty" appears, and we had accepted that there would be no discrimination against anyone. Now, my concern is: we have voted the present Government into power. I speak as a Black man; we have to understand this: people, our people, are still discriminated against. My concern, Mr Chairman, is that in the Bill of Human Rights our people must be protected irrespective of which Government is the existing government. But, my plea today is, to the entire world, that our people's human rights must be protected in the Bill of Human Rights. Thank you very much.

**THE CHAIRPERSON:** Thank you very much. We have a gentleman upstairs here.

**MEMBER OF AUDIENCE:** My appeal to Parliament is that the powers, the powers of the ladies, my appeal to the Government is that the powers of the ladies must be limited. It now appears they are no longer to behave as ladies.

**THE CHAIRPERSON:** The lady that was upstairs. can you interpret for the lady that is upstairs?

**MEMBER OF AUDIENCE:** The request from the lady who spoke upstairs was that the Government must provide some aid to the choral musicians.

**THE CHAIRPERSON:** Thank you very much. That lady there, yes?

**MEMBER OF AUDIENCE:** (Speech not interpreted).

**CHAIRPERSON:** Can we just have the lady behind you and then you. First that lady and then you, Sir. No, Sir, no, no, the woman in the green there, thank you.

**MEMBER OF AUDIENCE:** The request is for the Government to provide housing subsidies for the people who cannot afford. Thank you.

**THE CHAIRPERSON:** Thank you, Sir.



MEMBER OF AUDIENCE:

Thank you, Mr Chairman. I just want to say that perseverance pays, because I had my hand up for quite some time now. The first thing which I need to mention is that the Constitution should be a mechanism to protect basic rights of citizens that for instance Mr Wessels also referred to as the blue rights. In the interim Constitution there is a clause that says every child has a right to basic education. But at the present moment there is a very peculiar situation in the Western Cape, particularly in areas like Mbekweni and in other areas, but I will refer to Mbekweni where you have at this point in time certain schools that have not yet received stationery.

You have a situation where there is, in some schools, a shortage of 9 to 10 teachers and yet there is that stipulation in the interim Constitution that education is a right, a basic right for every child. But at the present moment we find the situation that the Provincial Government in the Western Cape is able to set its own pace that is very different from that of national education, national level. So this means, therefore, that the children in the Western Cape, especially Africans, I would say that they are very much disadvantaged. You find a situation or scenario where the Provincial Government in the Western Cape is perpetuating the crisis that is supposed to be solved by the introduction of one department as from the 1st of January this year.

The second issue, the last one, is that the question of guarantees for jobs should not be for certain sections in the South African society. Jobs should be guaranteed for each and everyone, irrespective of colour. Thank you.

THE CHAIRPERSON:

Thank you. Who are we going to have now? We will have this gentleman in front, and then we will just do a few at the back there also. Now, the gentleman in front. We will come this way, mama, we will come this way.

MEMBER OF AUDIENCE:

Thank you, Mr ANC. There are two issues I want to raise to Comrade Ramaphosa, the Chairman of the C.A. and, I believe, broader issues are of cardinal importance and they can be written in the Constitution. Firstly: apparently the people of this country are not satisfied with the names assigned to the towns and the other institutions. This is evident in the changing of the name Transvaal to Gauteng and the rest of the places, like Mangao. So I would like to suggest to the Chairman of the C.A. that we consider changing the name of this country, if it really means the business in having the new dispensation. The name of this country should be changed here, to follow the aspirations of the people of this country.

THE CHAIRPERSON:

Thank you.



MEMBER OF AUDIENCE:

Secondly, I want the new Constitution of this country to have a clause giving the rights to the State President to resort to nationalisation if he deems fit to do so. Because RDP and the other affirmative actions and the rest, you see, might fail or they might not bring about the required result. So the State President should have that right to resort to nationalisation if he deems fit to do so.

THE CHAIRPERSON:

Thank you. We need to do some at the back. Right at the back. No, no, further back, further back. We will come there now. Let's do the back. We are extending our question time. We originally took half an hour. We have gone 10 minutes over the half hour, and there has just been a request that we give a further 10 minutes. So it looks okay. Can we have a question at the back?

MEMBER OF AUDIENCE:

Mr Chairman, thank you very much for the opportunity. I think that the new law and the Constitution should seriously address poverty. I think that one way of doing this is to ensure that the Constitution make provision for minimum wage structures throughout the country. Paarl and Cape Town are very close to each other, yet there is a difference in the wage structures of these two places. The further one goes into the countryside, the more critical it becomes. Thank you.

THE CHAIRPERSON:

Thank you very much. Now we will go further down. Yes, down.

MEMBER OF AUDIENCE:

I am appealing to Mr Cyril Ramaphosa to inform our leader in the Western Cape, Mr Kriel, that we would like to see him, because we have never met him.

THE CHAIRPERSON:

Thank you. At the bottom now, yes.

MEMBER OF AUDIENCE:

My concern is on the constitutional draft that has been handed out. My employer has exposed to us draft three, and then there was an accusation that the Government is not being transparent, because there was a hidden agenda in draft one and draft two. So where do we go in order to get the other two drafts? Secondly: Mbekweni, we are told, that must help in the reconstruction and development, but whenever we ask for resources or for help we are told that the Government doesn't have money. Is that true?

And then the feeling of the, we are told that with a new Government there is



democracy involved, but in a practical situation we are still feeling the pinches of autocracy. That is in our waiting situation. We are not prompted, we are just because of what we are. And the people that are being taken to places are the White people. Why is this still existing if there are changes? Then in Mbekweni there is, in fact there are other places, there are a lot of changes as far as health is concerned. In Mbekweni there is nothing. I can say that there is absolutely nothing. So why does it take slow, and faster in other areas?

THE CHAIRPERSON:

Okay, thank you. This lady. No, no, back, Sir, back, back, yes. No, that lady there who has her hand in the air. Yes, you. And then we'll do two or three in the middle, and two or three here in the front.

MEMBER OF AUDIENCE:

Thank you, Sir. At the moment we have a problem trying to motivate our children and the youngsters at university as to why they should study, and even why they should go to school at all. Now, I would like to make a very serious appeal to those who are drafting the Constitution that they should insert something, firstly, to motivate our children, who are what the new South Africa is about, for the future. And secondly, that very urgent and serious steps must be taken to revise the syllabi as well as the standards and criteria according to which we as older teachers were trained, because there are thousands upon thousands of young graduates in this country that cannot do anything in the practical world outside. Thank you very much.

THE CHAIRPERSON:

The man with the long arms, here, long arms of iron -crutches. Yes, that's it. Yes, lady, okay. He actually raised his hand to help a lady. No, no, not the woman in front here. He has enough women. That lady there.

MEMBER OF AUDIENCE:

Mr Chairman, we have a big problem in Paarl regarding the welfare. The welfare policy must be totally changed. Firstly, for the disabled. A Xhosa person has to wait for six months, a Coloured person for three months, and a White person for six weeks. The hospital and the doctor tell you that you are disabled, and then the medical official in Bellville says you have been classified as fit. Now, which one of the two must we believe? The second point is this: the people in the community made a serious plea that the welfare work officials must come out to Mbekweni, Fairyland and the whole area, to come and listen to the people's problems. Then, for a third time, we made a serious plea that (time and time again) the people of Mbekweni get no support from the welfare. What, for instance, happens when the shacks ("die hokke") burn in Mbekweni and in Fairyland? No vouchers are given out by the welfare. Last week we had a sit-in because of the 16 houses that were left roofless. Now we ask that that the whole welfare work policy be turned around.



**MEMBER OF AUDIENCE:**

I would like to ensure our children's rights against corporal punishment in the school. Not only from schools, but I want that the parents need to know that they are allowed to stand up and tell the headmaster and the headmistress that the children are not allowed to be beaten. They need to know where to go if there is an ultra-conservative ("verkrampste") headmaster, as in my case.

**THE CHAIRPERSON:**

Thank you.

**MEMBER OF AUDIENCE:**

Then I also want to say that in our school they have just invested thousands of rands in computers, when there are children without pens and papers. And they are boasting about it. Why? This should not be allowed. I also want to talk about something which might be delicate to some people, and that is religious education in schools. The children who are not Christians in this part of the world are definitely outcasts. There is not only scripture Bible studies every day, but it is incorporated into singing, into assembly and into every, all parts of their education system, not only specifically one period that they can be excluded. So I think that religious education needs to be at home and in the religious institutions.

**THE CHAIRPERSON:**

Thank you very much. This lady here.

**MEMBER OF AUDIENCE:**

My request to the Theme Committee is that it must deal with the matter concerning drugs, drug abuse, child abuse, and women's rights. I am not through. To that speaker, the one who says that the women's rights must be limited: I don't think that speaker realises that our Madam Speaker is a woman. If he has got that idea, my brother, then you had better draw ...

**THE CHAIRPERSON:**

Lady, just hold on. The lady upstairs.

**MEMBER OF AUDIENCE:**

Mr Chairman, Mr Ramaphosa and others. My suggestion for the Constitution is that an amount should be deducted from a person's salary as wages towards a national medical scheme and a national pension scheme, the same as they do in England and in Germany and other European countries. This will help the people and it will also help the taxes, because not so much of the money on the taxes will be used on those schemes and the people would be contributing to their own medical benefits and their own pension schemes, in the long run.

**THE CHAIRPERSON:**

Thank you very much.



**MEMBER OF AUDIENCE:**

And also getting back to the gentleman on women's rights. I think the ladies should have equal rights to men, especially in the work-place, because you should be allowed to join a trade union if you want to. We, as women, in my particular firm, are not allowed to join a trade union because we are threatened with our positions, will be made redundant and then being retrenched.

**THE CHAIRPERSON:**

Thank you very much. Let me say now we have got this gentleman in front here and that lady there. No, no, we have just come from that side. Don't be like that. We will do this side now. All I want to say is it is not only necessary to pose your questions here. You must also, please, as Cyril Ramaphosa said to us today, people can come, you can phone, you can write. Also, not only do you need to phone and write, but when we close this meeting now, you will see some of these gentlemen -speak to them personally also. So let's say: "let's come to this gentleman here now". Thank you, Sir.

**MEMBER OF AUDIENCE:**

Thank you, Mr Chairman. I only have two issues. That is now the question of the monarchies, people like the chiefs, who strongly feel that they do not need to have a say in the Constitution. If people like Chief Zweletini are given the right to have a say in the Constitution, we may encounter the same problems that have been encountered by Lesotho. Then, the other issue I would like to touch is that concerning the members of the Defence Force. It is important that in the region members of the Defence Force ... (Change-over of tapes).

**THE CHAIRPERSON:**

There is a young lady there that has got her hand up right now, in the middle, just in that row, yes.

**MEMBER OF AUDIENCE:**

Thank you. I would like to put an emphasis on child welfare. Will you please, the Department of Pensions and Welfare, take a good look at child welfare, because sometimes the children are left with the father while the mother is not doing anything for her, yet the social workers they don't take any steps. But when it is the mother who is claiming maintenance, the social workers they are all up in arms with the gentlemen. Please take note of this also: the man also may not have money to support the children, whilst the woman is eating her money and the child is suffering. So please, think about the children. Thank you.

**THE CHAIRPERSON:**

I think that this session has now proved to be a very profitable session. Once can believe that the Constitutional Assembly, we have shown today and proven with the interests that people have shown, that we need to have much, much more of these meetings and longer



times for it.

Certain people that we must really say thank you to is our interpreter, I think he has done a wonderful job today. Thank you, Sir. And then also we must say thank you to the Municipality of Paarl, for the use of this hall and for all their assistance. And then we must also say thank you very much to KWV for all the lovely drinks they have given us today. And just before we go, just to put the cherry on the cake before I have our Mayor close the meeting, I think we need to get our friend Cyril Ramaphosa to also come and say thank you to us, for the last moment.

**MR C RAMAPHOSA:** Just two words. I just want to express our deep appreciation for the manner in which all of you have participated in the launch of the first meeting of the C.A. process in public. I would like to thank you from the bottom of our hearts, because your participation proves that this is a very important aspect of the work that we must continue with throughout the country. And, as I expected, you did it just as Paarlites can do it, and no one else can do it better than the people of Paarl.

Now, you raised a number of questions and you made a number of proposals. As we said, we will forward these to the various Theme Committees to process. Sitting on the stage there are quite a number of members of the Theme Committees and some of them are sitting right amongst us here in the hall, and they will have taken notes and will take the comments and the questions that you have made, forward to the Constitutional Assembly.

One proposal that I will respond to personally is your request that Mr Kriel must come and see you. I am going to personally go to him and tell him that the people of Paarl want him to come here.

Lastly, I just want to speak for a minute about the registration process for the Local Government Elections. As you know, we are holding Local Government Elections in October, and it is important that all of us must register for those elections. The democratisation process in our country will not be complete unless we have those elections being run on a successful basis, and this means for them to be successful, every one of us must register.

The very questions that some of you are raising about education, about the building of schools for the handicapped, about jobs, about the rights of farm workers, about nearly everything that you have mentioned here today, will not be put into practice unless they are done so at the local level. And that means that your Local Government, which is closest to the people, where democracy really means something, is the level where it must be done, and it cannot be done unless



you register and participate in these elections.

If you want to stand a better chance of making sure that you get jobs and that there is free school education, help everyone on the local Council, help Mr Kriel, help the National Government, help Mr Mandela and help everyone. And go and register for Local Government Elections and vote in October, knowing that you are continuing with the process of democratising our country. Viva Local Government Elections, Viva!

AUDIENCE:

Viva!

MR C RAMAPHOSA:

Viva registration, Viva!

THE MAYOR:

Ladies and gentlemen, just a few announcements before we close this meeting. There is one request: that the audience remain seated while the dignitaries leave the hall. And, just as a matter of information, there was also a request when this gathering was planned that none of the National Anthems, that we are not going to sing any of those Anthems. That's why you probably don't see any flags here -the new flag, the old flag or any party political flag, because of the delicacy of this process.

I want to make use of this opportunity to especially thank Mr Cyril Ramaphosa and Mr Leon Wessels for their presence here today, in having the launch of the Constitutional process campaign here in our town.

I think Cyril was not joking when he spoke about our good wines. As a token of our appreciation, we want to thank them on behalf of the Council and of the people of Paarl, so we have got two small gifts here that we want to give on behalf of the people of Paarl. Cyril loves his brandy, so we have given him brandy. I am not sure about Mr Wessels, whether you also enjoy brandy, but on behalf of the people of Paarl ...

Ladies and gentlemen, this brings us to the end of our meeting and we hope that these gentlemen have a safe journey back to town. Thank you very much.

MEETING ADJOURNS.



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\* Paarl Town hall  
\* Cyril & Leon - attorney

OORSKRYFSTER SE SERTIFIKAAT

Ek, die ondergetekende, sertifiseer hiermee dat die voorafgaande, tot die beste van my vermoë en sover dit hoorbaar is, 'n ware en juiste afskrif is van die oorspronklike getuienis wat deur middel van 'n meganiese opvangtoestel opgeneem is in die saak van:

DIE STAAT TEEN: \_\_\_\_\_

OORSKRYFSTER : \_\_\_\_\_ SAAKNO: \_\_\_\_\_

DATUM VOLTOOI : \_\_\_\_\_ LIASSEERNOMMER: \_\_\_\_\_

NAGESIEN DEUR : \_\_\_\_\_ DATUM: \_\_\_\_\_

GEKORRIGEER DEUR: \_\_\_\_\_ DATUM: \_\_\_\_\_

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CONSTITUTIONAL ASSEMBLY

MR PAULSE: I appreciate the friendly gesture and I would like to assure that I consider it a great honour to be in the company of such a distinguished group of people. It is indeed a very pleasant task to host this symposium this afternoon and in doing so I would like to extend a special word of welcome to firstly the chairperson of the Constitutional Assembly Mr Cyril Ramaphosa, the deputy chairperson of the Constitutional Assembly Mr Leon Wessels, Mr Patrick McKenzie Minister of Police Services in the Western Cape - and who will also be acting as chairperson today - as well as all other distinguished guests, your presence here is much appreciated.

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Ladies and gentlemen, we all had a dream, a dream we shared with our fellow countrymen; a dream of a better South Africa; a vision for South Africa to achieve high standards for all its peoples; a dream of togetherness, of peace and happiness.

We must pledge ourselves to a new season of renewal and as the old era passes and the new era looms our message must be one of peace, harmony, love and understanding.

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'n Nuwe gety van welwillendheid, 'n gety sonder frustrasie en vrees, 'n gety van vriendskap en wedersydse verstaanbaarheid, 'n gety en toekoms vir almal in hierdie pragtige land van ons. Dit is ons mense wat saak maak en daarom moet dit ons voorneme wees om uit te reik na ander mense, te kommunikeer om van ander te leer en van hulp te wees waar ons kan. Dit is waarom ons vandag hier bymekaar is om 'n beskeie bydrae te maak tot die nuwe Grondwet van

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ons land. Laat ons hande neem en aan die wêreld bewys dat Suid-Afrika is 'n plek waar sy mense saak maak.

In conclusion ladies and gentlemen, I would like to leave the following words of John Cavalier with you -

"Yesterday you learnt from today you live for and tomorrow you plan for."

Nkosi Sikeleli Africa (God Bless Africa).

It now gives me great pleasure to call upon Mr McKenzie to take over the rest of the meeting. Thank you very much. 10

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THE CHAIRPERSON: Thank you very very much, Mr Paulse, who is also the chairman of our interim council. Thank you for the warm greetings and the warm words of encouragement. It is good for us as the rainbow people of South Africa to be with you in Paarl.

This is indeed an eventful way for us because this is the first time in almost 400 years that the people come together to write the Constitution of South Africa. It is a good feeling and it makes us feel very happy and proud that we have earned, and we now have been brought to the rightful place where all South Africans are. I think the fact that these gentlemen are with us today shows that the Government is serious in wanting to get the input of the community and the people from ground level. We want to say thank you to the Government for that initiative. 10

The Constitutional Assembly consists of the National Assembly and the Senate. It is their task to write the new Constitution. The current transition Constitution which we have at the moment is a constitution which was negotiated at the multi-party talks at Kempton Park. The Constitutional Assembly, through public participation like today, wants to make our new Constitution a people-driven process. A product which is - and has - the will of the people. A product which people can say we own the Constitution. Friends today it is one of the first steps in getting that Constitution. This is why we have come to the people. 20

Baie dankie vir elkeen van hulle wat u weg oopgevind het om hiernatoe te kom vandag. Dit is baie mooi om hierdie saal vol te sien omdat elkeen van ons ernstig is oor hierdie land se toekoms en ons eie toekoms binne-in die land. Ons wil hê dat u moet vry voel, u gemaklik moet voel. Ek gaan 30



vir u net sê hoe ons agenda vorentoe gaan lyk.

The Chairperson of the Constitutional Committee, Mr Ramaphosa will be dealing with the process, the principles and how you as people can participate. Mr Leon Wessels will be dealing with the Theme Committee reports, basically the issues. Thereafter we would like to hear your views.

Let me introduce the first speaker to you today. I am not going to go through his two-page CV. But I want to say to you on a lighter note that he enjoys reading biographies, he enjoys watching motor racing, he enjoys trout fishing, he even enjoys tennis and most of all comrades, he enjoys jazz music. For those educated people, he has studied law, he has been a workers' man by being elected as general secretary to the National Union of Mines. His current position is chairman of the Constitutional Assembly. He is a talented man. He has got the good looks. Therefore with no further ado, let me say to you let us welcome Cyril Ramaphosa. Thank you, Sir.

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MR C RAMAPHOSA: Mr Chairperson, your Lordship the Mayor of Paarl, the dignitaries of Paarl, and by that I mean everybody who is sitting here. I send greetings to all of you in the name of the Constitutional Assembly of South Africa. We come together today under the name, the banner, the roof of the Constitutional Assembly and not under the name of the National Party, the ANC, the IFP, the DP or any other party.

Mr Chairperson, you appropriately said that the people of Paarl are like the rainbow colours. For a minute I thought you were trying to attract attention of all of us to your tie, because it is the colours of the rainbow. 10

This is a special occasion. The people of Paarl are participating in the launch of the public participation programme of the Constitutional Assembly, and are therefore participating in a very historic process. So Paarl stands out as the one city - is it a city or a town - in the whole country as being very special in as far as the work of the Constitutional Assembly is concerned. 20

We, meaning Mr Wessels and myself, are going to be very brief on what we have to say because we would like you, the dignitaries of Paarl to have a lot of time during which you will have your say on the Constitution.

On the 27th of April 1994 our country achieved a historic miracle. We were able to hold an election which was quite historic, to get millions of our people participating through their hands, through their fingers, through their feet and eyes in the democratisation process, moving our country from apartheid to the democracy that we have today. On that day our country got a new Constitution, a Constitution which gave back to an era of freedom and an 30



era of equality. That Constitution is an interim Constitution, it is the Constitution through which the country is governed at the moment. That interim Constitution also makes provision on how the final Constitution of our country should be drafted. The interim Constitution provides a framework of constitutional principles. These constitutional principles tell us how the new Constitution must look like.

Hierdie raamwerk wat ons in die oorgangsgrondwet het, bestaan uit 34 grondwetlike beginsels. 10

These constitutional principles are principles that we cannot deviate away from. They deal amongst other things on how the State or the Government should be structured. They also deal with the question of human rights. They also deal with how many levels of government we should have: national, provincial or local government.

Die oorgangsgrondwet sê tweedens dat die finale grondwet binne twee jaar opgestel moet word. Nou twee jaar is nie 'n baie lang tyd nie. Dit meen dat almal van ons moet skouer aan die wiel sit en hard werk sodat ons teen Mei van volgende jaar 'n finale Grondwet moet opstel. 20

All that comrades means that we do not have to sleep, we do not have to loaf, we have to work hard so that all be finalised not later than May next year. What I mean is that it has to be a joint effort. It is not Mandela's Constitution, nor Ramaphosa's Constitution nor any of the Cabinet Ministers' Constitution, but it is our Constitution.

Die nuwe Grondwet wat ons moet hê is nie 'n gewone wet nie, dit is die hoogste wet in die land en daarom sê ons ons wil hê mense, die gewone mense in ons land moet ook deelneem aan die hele proses om hierdie Grondwet op te stel. 30



We want full participation by ordinary people in our country and that includes you sitting over there and everyone else in this room, to have a say on what should be contained in the Constitution.

Baie mense kan vra hoe gaan hulle deelneem in hierdie hele proses. Dit is baie eenvoudig. Ons kan nou begin, ons wil hoor wat elkeen van ons het om te sê oor die nuwe Grondwet. Tweedens, u kan aan die Voorsitter van die Grondwetlike Raad skryf.

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Thirdly, you can participate in various other meetings that we are going to hold here in the Western Cape in a number of towns, in the deep rural areas of our country. We would like our people to participate and give their views on what should go into the new Constitution. Your inputs, whatever you have to say even today, when you stand up to say something, your input - u voorstel sal deur die temakomitee - it will be taken into account by the Theme Committee which I am going to talk about now. They will make sure that whatever you have to say is properly taken into consideration. It will be given real serious consideration. It will not be a Mickey Mouse process. It will not be a process through which we are trying to hoodwink you.

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The Constitutional Assembly has divided itself up into a number of committees. It has divided itself into six theme committees and these themes have to do with the issues that must go into the Constitution. The first theme committee deals with the nature of the state that we want to have in South Africa. In other words what type of a democracy do we want to have. Do we want to have a democracy that is really South African; do we want a

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democracy that looks like what you have in America; do we want a democracy that looks what you have in Australia or any other country. That theme committee is going to be looking at the type of democracy we want to have.

The second theme committee will be looking at the structures of Government. It will be looking at the question of Parliament, national government, provincial government as well as local government. Now you obviously will have a lot of things to say on all those. You may want to have something to say on local government, which is closest to where you are. This is an opportunity for you, sitting where you are, to have your say on what the Constitution of the future should have. 10

Die derde temakomitee het te doen met die verhouding wat daar moet bestaan tussen die verskillende vlakke van regering. Hiermee bedoel ons die nasionale regering op nasionale vlak, die provinsiale regering op provinsiale vlak en plaaslike regering op plaaslike vlak; moet die plaaslike regering alleen staan, moet dit 'n verhouding hê met die provinsiale vlak of nie. 20

The fourth theme committee shall be dealing with the individual rights. Do I have a right for full participation; do I have a right to do whatever I intend to do?

The fifth theme committee will be dealing with the matters of justice, the judicial system and the courts.

The sixth theme committee will be dealing with the whole question of the structures, the specialised structures of government - soos die Weermag, die Polisie, die Reserwebank - and the Commission on Human Rights and many other structures of government that we are going to have. 30



Now we know that each one of us sitting here has something to say on all the issues that we are going to have in the Constitution. This whole process therefore gives us an opportunity as South African, as ordinary people on the ground, to say how we want to be governed; to say how we want government should be accountable to us.

We do not want to spare any effort with regard to getting your views, your views are very important. This Constitution must not be a party political constitution, it must be a constitution of all South Africans that binds our nation together, that enhances the whole process of reconciliation and nation-building. 10

It is therefore important that dignitaries of Paarl, that each one of you should have something to say. If you do not have an opportunity of saying something today, you can write to the Constitutional Assembly. Some people are even coming in personally and putting their views forward.

When we finish writing the Constitution in May of 1996 we want to be sure that the people in Paarl have also participated in the whole history-making process, and that they will have their little signature, their little imprint in the history of our country as we move to full and complete democracy. 20

Mnr Wessels sal netnou vertel met watter spesifieke sake ons die volgende paar weke in die Grondwetlike Vergadering gaan handel. Ek wil hê mense moet baie mooi luister, want dit is oor hierdie sake wat julle voorstelle kan maak.

I think we should use this opportunity because this is an opportunity that comes once in the lifetime of a nation. That it participates in a collective basis in the writing of 30  
01-554 the/ . . .



the Constitution. So people of Paarl this is your chance, have your say in what should go in the Constitution.

Paarl seems to be a very beautiful town. It seems to have a great deal of order and everything seems to work well here. You have got the wine and everything else. I am very keen at some stage to become a little citizen of Paarl. I will only do so if you are going to make inputs in the writing of the Constitution. So I give you a challenge.

The CHAIRPERSON: Thank you very, very much, Cyril for that talk. I want to remind him that Paarl does not only have the wine but it also has beautiful women. If you want to become a citizen because of the wine, I want to become a citizen because of the women. I always knew that women always liked me because I am talk, dark and handsome, so that is excellent. That's right, sister, black and beautiful. 10

The next friend that will be talking to us is Leon Wessels. Now he also likes playing golf, cycling and then two things which are very interesting. One, he likes to jog and he has run the Comrades Marathon twice already and he is still surviving. 20

I want to see, if Cyril likes wine and I like women what he will run away from. He is an advocate in the Bar, that's right in the Bar - that's why he likes to drink. He is also our Deputy Chairman of the Constitutional Assembly. If one looks at him, with a smile like that he can get anywhere in the world. He has got the looks, he has got talents, the smile, he has got the body shape and I am proud to present you Leon Wessels. 30



MR L WESSELS: Geagte Voorsitter, geagte dames en here, ek wil ter aanvang sê dat mnr Ramaphosa het 'n pragtige voorbeeld hier gestel van veeltaligheid. Ek dink dat hierdie voorbeeld van verdraagsaamheid ook teenoor ons taal is navolgenswaardig.

Ek kom van Gauteng af en is dus in ander woorde 'n Gauta. Mnr Ramaphosa is ook 'n Gauta en hy gaan my verstaan as ek nou met hom praat. (Die deel nie vertolk nie - Xhosa).

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Dames en here die tolk hier neffens my sê my dat ek moet my Engels 'n bietjie opknap en ek moet 'n bietjie Engels ook praat want hy is meer op sy gemak om te vertaal van Engels in die ander tale. So ek gaan Engels en Afrikaans praat.

I want to join Mr Ramaphosa and say to the dignitaries of Paarl it is wonderful to be with you, it is wonderful to associate with you and not to engage like we politicians have become so accustomed to do in a confrontational nature, but just to sit and talk to one another.

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Dames en here ek wil vir u die storie vertel hoe ek hierdie toespraak gaan aanpak. Die politikus lewer 'n toespraak en hy wil van sy vriende hoor hoe het dit met hom gegaan. Hulle sê vir hom, helpste van sy vriende sê swak. Hy sê maar wat moes ek gemaak het. Die een ou sê vir hom man, jy was so dooierig, jy moes 'n bietjie meer vuur in jou toespraak gesit het. Die ander klomp sê vir hom nee, man, jy moes meer van die toespraak in die vuur gesit het. Ek gaan hierdie hele toespraak gaan ek in die vuur sit, ek gaan anders met u praat. My toespraak is in hierdie saak, ek gaan julle nou vertel.

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U sien as ons van 'n grondwet praat dan ons praat nie



van 'n ding wat ver van die mense leef of gemaak is nie. Ons praat van die reëls wat die lewe reël van al die mense. So as al die mense van Suid-Afrika nie gemaklik met 'n grondwet is nie.

It will simply not be a good constitution. One is actually left speechless when you look at international constitutions that are 100 years and 200 years old. The people still respect the constitution in spite of the fact that the politicians differ and argue about daily lives in that constitution. A constitution creates the space for John Citizen of the Paarl to hold the politicians they have elected accountable for what they are doing. So if you are badly represented in government institutions you don't tear the Constitution apart, you know how to elect new and better political leaders in that Constitution. 10

Ek gaan kortliks aan u verduidelik wat is die belangrike vraagstukke waarmee ons in ons werksaamhede moet handel in die volgende paar weke. In die proses hoop ek om by u tuis te bring watter onderwerpe u op kan kommentaar lewer en ook die probleme van ons werk beter te verstaan. 20

The first set of issues we will be dealing with has to do with the character of the State, of the democratic State in particular. Each person in South Africa last year had the opportunity to vote. But the nature of a democratic state is such that it is not a one-person one-vote once only. So we must build into the Constitution the nature of true democracy where there can be continuous elections and politicians held accountable by the electorate.

Ek het vanoggend toe ek hiernatoe kom redelik moes oorweeg watter kleur hemp sal ek aantrek. Ek sal vir u verduidelik hoekom dit so is. As die Regering nou nie hou 30



van mense met pers hemde nie kan hulle 'n wet maak om dit te verbied. As hulle so 'n wet maak sal ek in terme van die Grondwet hulle hof toe vat en sê hulle diskrimineer teen my. Ek sal hulle teer roer dat hulle oë traan. In 'n demokratiese staat kan jy nie teen mense diskrimineer nie. Maar ons moet duidelikheid kry wat die struktuur van ons regering gaan wees.

When one looks at the American experience, you read in the newspapers now they are already campaigning to elect a president next year in November. Is that a good system of government? I looked at the news last night. I saw that Mr Densho Ping in Beijing China is extremely old and people suspect that he is so old that it is impossible for him to continue to be involved in government in Beijing. 10

Elke keer wat mense sê Densho Ping is oud val die aandelebeurs in Beijing. Maar nou dames en here as u na die boeke gaan kyk, word daar nêrens geskryf wat sy posisie is nie.

Officially I am told that he is the honorary president of the bridge club of China. But there is no position for him, yet he influences importance in that country. 20

Ons wil in Afrika 'n struktuur vestig wat eie aan ons is en wat ons belange die beste dien; hoe moet ons regeringstruktuur lyk. Hier sit nou drie mense hier langs mekaar, nie in orde van belangrikheid nie, maar ons geniet die burgemeester se gasvryheid. Hy verteenwoordig plaaslike regering in die Paarl. Hier langs hulle sit twee ander manne van die Provinsiale Parlement waarvan mnr Hernus Kriel die Premier is. Mnr Ramaphosa en ek is in die sentrale Parlement, maar ons kom van Premier Tokyo Sexwale se wêreld af. Nou wat is die verhouding tussen dit waarmee 30



die burgemeester besig is, die voorsitter mee besig is en mnr Ramaphosa mee besig is. Dit is van kardinale belang dat ons in die Grondwet presies duidelikheid sal hê wat is die bevoegdhede en die pligte en die verantwoordelikhede van elk van hierdie drie regeringsvlakke. Daaroor, oor dié verhoudings sal ons nog baie praat in die volgende weke en maande.

Dames en here, ek is nou weer by my toespraak, by my tas. Ek wil net vir u sê as ek hierdie pienk hemp aangetrek het vanmôre is daar mense wat sou gesê het Wessels is 'n pienk, hy is 'n pienk mannetjie, en dit beteken iets in die politiek. 10

Ek het hierdie wit hemp oorweeg. As ek hierdie wit hemp aangehad het dan het mense gesê Wessels kom in die naam van vrede, hy kom hierso - it is also known as the colour of equality. So as ons praat oor die fundamentele regte van mense gee ons hulle kleure. Hierdie blou beteken iets. Daardie blou op ons plakkate beteken iets.

Blue ladies and gentlemen, stands for liberty - vir 20 vryheid. Die eerste regte wat mense gehad het, die eerste gebore, die eerstepeslagregte noem ons blou regte. Dis die regte wat sê 'n man kan praat wat in sy hart is, 'n man kan stem en 'n mens kan beweeg waar hy wil beweeg, dit is blou regte.

Those rights are written into this Constitution and must be written and further defined in this Constitution we are drafting now.

Maar dis nie al die regte nie. Daar is 'n verdere geslagregte waarna ons nou moet kyk. Dit staan bekend as die tweedegeslag of die rooi regte. Dit is die regte of die riglyne wat jy in 'n grondwet gee van hoe jy die kwaliteit 30



van die lewe van mense moet verbeter.

Tussen hierdie twee sal ons nog baie moet praat, hoe skryf ons dit in en hoe maak ons seker dat dit nie regte is wat op papier is nie maar regte wat lewe. Die mense hou nie op met dink nie en hulle hou ook nie op met werk nie.

Hierdie groen regte is die derdegeslagregte. Elke mens het die reg om in 'n veilige en 'n skoon omgewing te kan leef en te kan werk. Regte beteken niks as jy hulle nie kan opeis of kan uitoefen nie. Daarom is dit van kardinale belang dat - we should have a judicial system and a court structure that is accessible for the people and that they are also accessible, not only accessible, but also affordable, and therefore we will be looking critically at our not only judicial structure but the court structure. 10

The final set of problems and challenges and issues we will be looking at has to do with a very - amongst others - simple philosophy. The Americans say that a man was caught with his hands in the cookie jar. How do we ensure that public servants, officials do not waste the taxpayers' money, in other words the good John Citizens and lady citizens of Paarl do not waste their money. 20

Finally we are looking at specialised institutions to ensure that people through the Human Rights Commission or through the Auditor-General or through the Reserve Bank have the rights and their money well secured.

Dames en here, as Willie Motola die New York Marathon wen en as Elana Meyer in Madrid of Oslo wen, of as Francois Pienaar en sy manne hierdie jaar die Wêreldbeker wen, of as ons in die jaar 2004 hier in die Kaap die Olimpiese Spele geniet, dan sê ons dis ons mense. So moet ons ook van hierdie Grondwet sê dis ons Grondwet. Baie dankie. 30



THE CHAIRPERSON: Well, thank you very much. Cyril, I must say that Leon is one step ahead of us. You want to come Paarl for the wine, I want to come for the women, Leon has brought his wardrobe with him already. Hy trek al in al.

All right. I think that we have now come to an interesting part. We do have a recording here today that is taking up everything that you and I are saying. What you are saying will be taken to the various theme committees. So everything that you will say is important to us. Your contribution is needed. So I am going to give you a few minutes to participate and give us your views. We are not going to answer questions because we are not here with all the answers today. We have basically come to listen and to give you the opportunity to tell us how you would like to see the new Constitution. You don't need to fear you can speak in any language of your choice. So now I am going to give anyone the opportunity that would like to say how you would like to see the Constitution or if you have any contribution you would like to make now.

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We have roving mikes all around the hall so you can just raise your hand and stay in your seat and they will come to you. The first contribution is this gentleman in the fourth row. Thank you, Sir.

MEMBER FROM AUDIENCE: I need to thank the dignitaries that include Minister Wessels. My only question to Minister Wessels is Minister Wessels when do I start working, I am starving. I cannot afford.

THE CHAIRPERSON: Thank you very much, Sir. Is there another hand? Net hierdie kant, daar in die middel, daardie meneer daarso. Net so 'n bietjie vorentoe, sy hand wat nou daar op is, ja. Meneer, met die wit hemp, ons sal nou weer

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terugkom na u toe, ons gaan na die een met die rooi hemp eerste, hoor.

LID VAN GEHOOR: Ek was in die Weermag, meneer, 1988, ek was Pretoria toe gestuur, ek is 'n skrynwerker. Hulle het my nie aanvaar nie, hoekom aanvaar hulle my nie? Toe sê hulle vir my wat seek die man hierso, ons was drie gewees, toe moet ek range kry. Hulle stuur my weer RTU, terug na jou - na daai gaan ek Angola toe, ek het geveg in Angola. Nog altyd, op die huidige oomblik ek is werkloos. Ek soek daai mense wat vir my teruggestuur het. Hulle is nou 10  
generaals, majore, kapteine, luitenant, onder-offisiere en almal daardie. Hulle wil dit nie vir my gee nie. Dankie.

DIE VOORSITTER: Baie dankie, meneer. Kan ons net vra vir u meneer kan u tog kom - would you like to come to the aisle so that we can have a little more order. That's right, that gentleman there, I see your hand, yes. Listen friends, we will give you the opportunity but you must respect a person who is on his feet. You would like other people to listen to you, so let's all listen to all other people. 20

MEMBER FROM AUDIENCE: Mr Chairman, I think that one of the things that concerns every South African now is the degree of lawlessness existing in the country at the moment. We see the police toyi-toying, we see nurses neglecting their patients and the patients dying. We see Ministers defrauding foreign aid agencies. The list is endless. I would put it to you gentlemen that until law and order is restored to this country the new Constitution is not going to be worth the paper it is written on.

The second point is that at the moment the law is not affordable to the man on the street. If my constitutional right is infringed in any way I cannot afford the legal fees 30  
1(B)-517 that/ . . .



that are required to set my rights right. The third point is that how much is it going to cost the taxpayer, all this Constitutional Assembly, Theme Committees and the whole damn lot that you have put on this paper. It seems to me that you are creating a bureaucracy whereas in all the successful countries in the world, the lean and mean government is the success to the future. I think you are creating a hell of a big bureaucratic dog that is wagging its own tail in the way that you are going about this. Thank you.

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THE CHAIRPERSON: Thank you, Sir. The gentleman there with the specs, yes, Sir.

MEMBER FROM AUDIENCE: I am basically saying that on the issue of human rights, the gentleman previously commented on the issue of lawlessness, but I think that there are two issues which we have to elevate about party allegiance. Those are internationally contentious and controversial issues. I think the issue of pro choice and pro life. I think some sort of mechanism must be built in that the community at large can make an input on the issue of capital punishment and on abortion.

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I belong to a specific political party but what I am saying is it is for me not clear when the issue of capital punishment is taken to the Constitutional Court, which basically protects the interim Constitution. So I say if we are writing the Constitution before May next year, some process must be started where the public at large is consulted on very controversial issues like that. I understand it is an emotional issue, it is very sentimental, but I think that we need to mobilise forces to come to some form of consensus in the country.

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The last thing I want to comment on is the issue about  
1(B)545 traditional/...



traditional chieftains. It doesn't affect us here, but I find it contradictory that on the one hand we accommodate chiefs and chieftains and on the other hand we are promoting democracy. I think we need to find again consensus as to how do we incorporate the issue of chieftaincy in a democracy.

THE CHAIRPERSON: Thank you very much. We have a gentleman in front, Sir, stand up. Dankie.

MEMBER FROM AUDIENCE: Firstly may I greet the dignitaries. 10  
Thank you for the opportunity of being allowed to give an input. Now coming to the changes my only request is that on the local government level a Coloured and a Black must be appointed. They are the people who must actually perform the task, hence there are changes. Now secondly, what is the reason that it has to be so? It is because there have been changes. Secondly, a Black man's word must be heard by the police, let us all be one. Before a member of the force can arrest an offender he must first inform the residents committee and explain about the cause of the 20  
arrest. Each area has its committee. So a member of the force must not simply arrest an individual without having informed a committee of a particular area.

Then the other point I have to mention is that we do not have money, we are starving. I am unemployed. We cannot even afford to buy houses. We do not have money in so much that we shall have to go and live in the cheaps. We thank the leaders for having come down to us. I hope they shall take all our complaints along with them.

THE CHAIRPERSON: Thank you very much. Now listen friends, 30  
I have allocated half an hour for questions. I have now gone through 10 minutes of questioning. I still have 20  
1(B)-645 minutes/. . .



minutes left. We must please not make any speeches. We had two gentlemen that made speeches today. Let's just ask our questions. Now this gentleman came from that side, you will be given a chance now.

MEMBER FROM AUDIENCE: Thank you, Mr Chair. I appreciate that today at Mbkwani we have seen people like Mr Cyril Ramaphosa. It is important for our leaders to come down to our level. Firstly the Black nation is suffering. Now as far as employment is concerned, as I am standing in front of you, I am Mr Mweba. 10

THE CHAIRPERSON: Thank you, Mr Mweba, we heard your question. Now we will give somebody else a chance. All right. I see quite a lot of men's hands, but there is no more discrimination so we must also see a lady's hand. The lady in blue.

MEMBER FROM AUDIENCE: I don't know whether this is a proposal or a suggestion. What my contribution is that the death sentence must remain in force, it must not be repealed, thank you. 20

THE CHAIRPERSON: The gentleman at the back there, just where you are now. Yes, let's get some people also from the back now.

MEMBER FROM AUDIENCE: Thank you, Mr Chairman. I would like to speak on the educational aspect. Now we have been told that there is no discrimination in the country anymore. But I'm afraid that we still have a large measure of discrimination when it comes to providing educational facilities for the handicapped. Especially the mentally handicapped. If we take into account that in the country we have approximately 100 plus training centres for mentally handicapped children of all races and we think that in Paarl 30



and its vicinities we have probably 40 plus schools for primary and secondary children, it is clear that there is quite a large discrepancy in the provision of training facilities for handicapped people. A school is built for a normal child, but the Government does not build a school for a handicapped child. It expects the community to raise part of the funds. I would like to see this matter addressed, that the Government should provide on an equal basis for all children. Thank you, Mr Chairman.

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THE CHAIRPERSON: We have a lady here in front, we have a lady here. We will take one man one lady.

LID VAN GEHOOR: Dankie, meneer dat u vir my die voorreg gee om te kan praat. Ek wil eintlik praat op die hoë "divorce cases" eintlik wat plaasvind. Ons het 'n probleem waar die man en die vrou hulle "divorce" mekaar en hulle het kinders, "even" kinders van twee jaar oud en 'n jaar oud. Daar is 'n huis tussen die man en vrou wat gekoop is. Hulle kom tot 'n besluit om te "divorce". Die hof gee die kinders aan die man of hy gee die kinders aan die vrou. As hy die kinders aan die vrou gee dan word daardie huis word verdeel tussen die twee. As dit vir die man gegee word dan sit daardie vrou sonder 'n dak oor haar kop. Maar ons is bekommerd daar is nie huise nie, ons is tekort aan huise en as daardie huis moet verdeel word, moet gesê word die huis word verkoop, dan is daar een van die twee is dakloos. Kan dit nie in u se Grondwet gesit word waar die huis nie verkoop kan word nie, dit moet gegee word aan die persoon wat die kinders eintlik kry.

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VOORSITTER: Baie dankie. Daar is die meneer met die wit hemp, ja, dis korrek.

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LID VAN GEHOOR: My vraag gaan rondom die verhouding tussen  
02\_63 die/ . . .



die streeksregering en nasionale regering. In die verband sien ons gedurigdeur die storie en my bekommernis is watter meganisme gaan in die nuwe Grondwet ingewerk word om te verhoed dat die situasie waar ons nou het byvoorbeeld waar ons 'n nasionale regering het, 'n regering van nasionale eenheid het, waarvan die grootste meerderheid van byvoorbeeld die ANC kant af kom en ons het 'n provinsie of twee waar daar 'n ander politieke party aan bewind is, dat meganismes vir nasionale eenheid wat daar gestel word 10 gefrustreer kan word deur die ander partye op sekere provinsiale vlakke. Ek verwys hier spesifiek na die hele storie rondom onderwys op die stadium, waar ons gedurigdeur op die stadium moet verneem van ons Minister van Opvoeding in die Wes-Kaap dat daar nie geld is nie, en as gevolg van die feit dat die Nasionale Regering geld nie wil beskikbaar stel nie, moet daar talle onderwysers hulle werk verloor in die afsienbare toekoms. Nou seer sekerlik dink ek nie dit is die posisie van die Nasionale Regering nie. Wat gaan gebeur ten opsigte van die nuwe Grondwet om dit te voorkom. 20

Die tweede gedeelte is ook die verhouding tussen streeksregering en plaaslike regering. Ons sit hier in die Paarl met 'n oorgangsraad wat probleme geërf het van die vorige era. Ons mense sit met probleme van behuising, die ou probleme van die ou apartheidsera waarmee ons sukkel. Die huidige oorgangsraad kan dit nie aanspreek nie, want daar is nog steeds ordonnansies en regulasies van die vorige wetgewing wat effektiewe aanspreek van daardie probleme frustreer. So die vraag is hoe word daardie ordonnansies en regulasies aangespreek, hoe kan ons dit verander en as ons dit kan verander hoe lank gaan dit vat. Daar is gepraat dat die Grondwet word eers in Mei volgende jaar gefinaliseer, 30



wat is die interim reëling om verby daardie reëls en regulasies wat huidiglik daar is, verby te kan kom.

Laastens die kwessie rondom plaaswerkers in die besonder. Alhoewel daar sprake is en rigting is dat plaaswerkers onder die nuwe arbeidswetgewing ingesluit gaan word, het ons in die vorige verkiesing en het ons nou nog steeds in die verkiesingsproses probleme van die plaaseienaars wat geweldige magte het en die werkers op daardie plase is byna die eiendom van die plaaseienaars. 10  
Wat is die rigting ook ten opsigte van die Grondwetgewende Vergadering om die regte van ons werkers, nie net op papier nie, maar in werklikheid ook ernstig na vore te laat kom. Baie dankie.

VOORSITTER: Baie dankie. Die meneer met die wit hoed. U moet maar net agter die pilaar uitkom dan kan almal vir u sien.

LID VAN GEHOOR: Dankie. Menere, daardie dame wat gepraat het daar van die hangstraf. Ek sien hulle wil graag, die wet wil graag die hangstraf inneem en die hangstraf, ek voel 20  
hy moet daar wees, want die mense maak elke dag die mense dood. Daar is duisende mense wat doodgemaak word. En die mense wat mense doodmaak hulle (onduidelik) dan maak hulle nog 'n moord want hulle kry nie hangstraf nie. Kom ons gaan volgens die ou Testament "'n oog vir 'n oog en 'n tand vir 'n tand". Dit sal al die dinge tot niet maak.

VOORSITTER: Hierdie meneer met die groen, ja, meneer, kom ons gaan nou daai kant toe en dan gaan ons weer agtertoe en so aan. Meneer, kom daai kant toe.

LID VAN GEHOOR: Dankie, mnr die Voorsitter. Ons het reeds 30  
'n paar vorige sprekers oor die kwessie van opvoeding gehad. Die belangrikste komponent van die opvoeding lyk my word



buite rekening gelaat en dit is die kinders. Ons sit hier in die Paarl met 'n groot, 'n groot probleem van skoolverlating. Alhoewel wetgewing kinders alreeds verplig om skool by te woon tot op die ouderdom van 16, word die wetgewing nie toegepas deur die handhawers van wet en orde nie. Nou wonder ek net of dit nie in die Grondwet ingeskryf kan word sodat daardie kinders se regte tot opvoeding dan kan beskerm word as dit ingesluit kan word in die Grondwet nie. Baie dankie.

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THE CHAIRPERSON: I need to get that gentleman at the back there. Let's move to the back now. Let's just do that gentleman first.

MEMBER FROM AUDIENCE: My appeal to Mr Kriel and his Cabinet is that they must please provide all the people that includes the Blacks, with work opportunities.

THE CHAIRPERSON: This lady in the green?

LID VAN GEHOOR: Al wat ek net wil sê ek myself is 'n sendeling, ek doen evangelisasiewerk op die plase, maar die haglike toestand wat ons mense in lewe, dit is kritiek, en die kinders stap myle skool toe en daar is nie vervoer nie. Die huise het gate in en die boere van die plaas wil nie die mense in die verkiesing dat die mense kies nie, hulle jaag die mense weg as die mense gaan kies, hulle wil die mense op die plaas hê maar daardie mense weet niks wat aangaan in die Paarl nie. Die Paarl is verkramp want hulle het rassisme hierso. Ek is eerlik. My belange is die kinders wat die toekoms van ons wêreld is. Dit is hulle wat moet raakgesien word, en ek sal dit op hoogte stel, dat die Grondwet 'n slag die plaasboere 'n bietjie gaan raaksien wat ons regte lewe lewe.

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VOORSITTER: Die dame net daar agter. The lady here on the aisle/ . . .



aisle? Net so agtertoe. I am coming this way, just hold on.  
We will give you a chance.

LID VAN GEHOOR: Mnr die Voorsitter, ek is bly ek kan praat nadat die dame gepraat het. Ek is 'n maatskaplike werker, ek werk tans op die plase in die Paarl en ek wil net vir u sê dat daar is darem boere wat uitgesonder kan word. Ek wil graag aan die nuwe Regering die besorgdheid van die maatskaplike werkers aan u oordra. Ek weet daar is 'n klemverskuiwing om na primêre sorg en dienste. Ek wil 'n beroep doen dat die vakkundigheid waaroor maatskaplike werkers huidiglik beskik, nie as gevolg van dit onbeskermd gelaat sal word nie. Ek weet nie of u verstaan wat ek bedoel nie. Almal kan primêre sorg doen as hulle genoeg geld het, maar primêre sorgdienste kan nie maatskaplike werk lewer nie. Baie dankie. 10

VOORSITTER: Baie dankie. Let's have a youth. Sir, yes? Okay, first you and then you. All right, fine, no problem. I will come upstairs right now.

MEMBER FROM AUDIENCE: Thank you, Mr Chairman. The first issue I would like to raise in the interview given by the chairman of the Constitutional Assembly, that is Mr Cyril Ramaphosa. He talked about the nature of the state. I think if you looked at the background of South Africa it would be better if you are going to opt for a unitary state, looking how it is in South Africa, the problems at the moment. I think a unitary state can be the solution to the form of government we are fighting for. The other issue I would like to raise concerning the people working in farms. Although we have to respect the rights of those owners of the farm, the rights of the workers must be also respected and then it must be inscribed in the Constitution or in 20



the Bill of Rights of the country that those people, if they are working on the farms, they must get better wages, they must be better houses for those people working in the farms and those people, the farmers must see to it that those people should not be used as cheap labour in the farm itself. They must be given chance to go to school so that they can be educated like any other children. The other issue I would like to raise. Presently South Africa is having a problem around the public sector workers. I think it would be proper for the Government to look at either drafting a code of conduct, but I would be happy on that process in that code of conduct that the workers or the trade unions or the association of workers that in the public sector must be involved in that process. That code of conduct should be set up, it must be drafted, it must project the input of the trade union. The other issue which I think is very important, the work must be enshrined in the Constitution that the right to provide work from private sector or to the State that it must be enshrined in the Constitution. That is the problem we are having in South Africa, the people are not guaranteed the right to have work. The other issue which I think is very important. Presently we are having a problem about insurance companies. I don't think it would be right to go with this problem. Presently the insurance companies, if anybody can be found that the cause of death is the fact that he was HIV, in fact that he had diseases, and then those people won't be paid money for the insurance. I think the State need to take up this issue, whether I die because I have Aids, it does not mean that I cannot be paid out my insurance, because I contributed to the premiums of my insurance policy.



THE CHAIRPERSON: Thank you very much, Sir. The person with the yellow at the back, right at the back, the yellow, yes, that's it.

MEMBER FROM AUDIENCE: Good day, ladies and gentlemen, Mr Cyril Ramaphosa, Mr Allan Paulse. Today I am standing here and represent the Rastafarians community of Paarl in South Africa. As most Black people know Rastafarians, we are so-called Coloureds, the gap between us is very close. I mean communication and so on. Now like Rasta, during the years, Rasta plays an important role in the promotion of Black liberty and Black dignity and still Rasta is working hard for the upliftment of Blacks. Okay, we know the Government did make a lot of promises to the people for houses and so on and so on, but as we people know there is still a lot of problems that exist, and it will take a lot of years or maybe . . . (intervention). 10

THE CHAIRPERSON: What is your proposal, Sir?

MEMBER FROM AUDIENCE: No, Rasta, we are working on a self-help programmes. Now today I just want to ask Mr Cyril Ramaphosa and Co if there was made any provision for the Rastafarian religion in the new Constitution, mainly on the point of legalisation of marijuana. 20

THE CHAIRPERSON: Thank you. You must stand up. The young man in front. Thank you.

MEMBER FROM AUDIENCE: The accused in South African courts are being victimised when one tries to raise a point or explain how he happened to commit the crime. Then the magistrate would say it is better if you would be represented, go and ask for - I ask for the services of a legal practitioner. 30

THE CHAIRPERSON: There is a lady, yes, lady, you. Where



mense het vir die vorige regerings aan bewind gestem en ons mense se stemme het getel op daardie stadium. In die Grondwet van die land word die aanhef van God die Almagtige genoem en waar daar, ons aanvaar dat daar teen geen mens sou gediskrimineer word nie. My bekommernis is, ons het die huidige regering van die dag aan die bewind gebring. Ons mense word op 'n stadium, ek praat ek as 'n Swartman - we are Black, we have to understand this - aan die einde van die dag word ons mense nog, word daar nog teenoor mense 10 gediskrimineer. My bekommernis is, mnr die Voorsitter, dat daar in die Bill of Human Rights - that our people must be protected irrespective of which government is the existing government, but my plea today is, to the world and to the entire world, that our people's human rights must be protected in the Bill of Human Rights. Thank you very much.

THE CHAIRMAN: Thank you very much. We have a gentleman upstairs here.

MEMBER FROM AUDIENCE: My appeal to Parliament is that the powers, the powers of the ladies, my appeal to the Government 20 is that the powers of the ladies must be limited. It now appears they are no longer to behave as ladies.

THE CHAIRMAN: The lady that was upstairs, can you interpret for the lady that is upstairs.

MEMBER FROM THE AUDIENCE: The request from the lady who spoke upstairs was that the Government must provide some aid to the choral musicians.

THE CHAIRMAN: Thank you very much. That lady there, yes?

MEMBER FROM THE AUDIENCE: (Speech not interpreted).

THE CHAIRMAN: Can we just have the lady behind you and then 30 you. First that lady and then you, Sir. Nee, meneer, nee, nee, die vrou hier met die groen, daarso, dankie.



is the mike? There is a lady. Not the one in blue, that lady that just stood, yes, you, lady. Kom ons luister na die vroumens.

MEMBER FROM AUDIENCE: Thank you. Mr Chairman, I actually want to make a suggestion and it comes under, I suppose under your principle of human rights. I want to suggest that we should make it an offence for any White person of the right wing ever to refer to us again as a Hotnot or a Kaffer. I am saying this because this is the only way we will ever rid this country of us being referred to as Hotnots or Kaffers. The other thing is that in our dictionaries I would like to suggest that the words "aia", which is an "ouerige Kleurlingvrou" and "outa" which is "aanspreek vir 'n bejaarde Kleurlingman, 'n jong wat 'n manlike Gekleurde is en 'n meid wat verouderde vroulike Kleurling is en 'n Hotnot is iemand wat jy kan hiet en gebied en 'n Kaffer is 'n inboorling van Bantoe-afkomste. En tensy die boeke wat geskrywe is in die tagtigerjare die regte or the oppressors, verdrukkers. Tensy ons haal hierdie woorde uit die woordeboek uit sal ons nooit ontslae raak teen hierdie menswaardigheid van jou wat aangeraak word nie.

THE CHAIRPERSON: Thank you very much. Can we have a lady upstairs? I am coming to you, lady, let's do the lady upstairs.

MEMBER FROM AUDIENCE: (Speech not interpreted).

THE CHAIRPERSON: Thank you. The young man upstairs, I will come to you now, Sir.

LID VAN GEHOOR: Mnr die Voorsitter, hooggeplaastes, ek wil graag weet . . .

VOORSITTER: Ja, hy sal nou vertaal, laat hom eers klaar praat.

LID VAN GEHOOR: Vroeër in die geskiedenis het ons selfde



MEMBER FROM THE AUDIENCE: The request is for the Government to provide housing subsidies for the people who cannot afford. Thank you.

THE CHAIRMAN: Thank you Sir.

MEMBER FROM THE AUDIENCE: Thank you, Mr Chairman. I just want to say that perseverance pays, because I had my hand up for quite some time now. The first thing which I need to mention is that the Constitution should be a mechanism to protect basic rights of citizens that for instance, Mr Wessels also referred to, as the blue rights. In the interim Constitution there is a clause that says every child has a right to basic education. But at the present moment there is a very peculiar situation in the Western Cape, particularly in areas like Mbekweni and in other areas, but I will refer to Mbekweni where you have at this point in time certain schools that have not yet received stationery. You have a situation where there is in some schools a shortage of 9 to 10 teachers and yet there is that stipulation in that interim Constitution that education is a right, a basic right for every child. But at the present moment we find the situation that the provincial government in the Western Cape is able to set its only pace that is very different from that of national education, national level. So that means therefore that children in the Western Cape, especially Africans, I would say that are very much disadvantaged. You find a situation or a scenario where the provincial government in the Western Cape is perpetuating the crisis that is supposed to be solved by the introduction of one department as from the 1st of January, this year. The second issue, the last one is that the question of guarantees for jobs should not be for certain sections in



the South African society. Jobs should be guaranteed for each and everyone, irrespective of colour. Thank you.

THE CHAIRMAN: Thank you. What we are going to have now, we will have this gentleman in front and then we will just do a few at the back there also. Now the gentleman in front. We will come this way, mama, we will come this way.

MEMBER FROM THE AUDIENCE: Thank you, Mr ANC. There are two issues I want to raise to Comrade Ramaphosa, the chairman of the CA and I believe broader issues are of cardinal importance, and they can be written in the Constitution. Firstly apparently the people of this country are not satisfied with the names assigned to the towns and the other institutions. That is evident in the changing of the name Transvaal to Gauteng and the rest of the places like Mangao. So I would suggest to the chairman of the CA that we consider changing the name of this country, if it really means the business in having the new dispensation. The name of this country should be changed here, to follow the aspirations of the people of this country.

THE CHAIRMAN: Thank you.

MEMBER FROM THE AUDIENCE: Secondly, I want the new Constitution of the country to have a clause giving the rights to the State President to resort to nationalisation if he deems fit to do so. Because RDP and the other affirmative actions and the rest, you see, might fail or they might not bring about the required result. So the State President should have that right to resort to nationalisation if it deems fit to do so.

THE CHAIRMAN: Thank you. We need to do some at the back. Reg agter. No, no, further back, further back, we will come there now, let's do the back. We are extending our question



time. We originally took half-an-hour, we have gone 10 minutes over the half-an-hour and there has just been a request that we give a further 10 minutes. So it looks okay. Can we have a question at the back?

LID VAN GEHOOR: Mnr die Voorsitter, baie dankie vir die geleentheid. Ek dink die nuwe Wet, die Grondwet moet ook armoede ernstig aanspreek. Ek dink een manier om dit te doen is om te sorg dat die Grondwet voorsiening maak vir minium loonstrukture dwarsoor die hele land. U weet Paarl en Kaapstad is byna teenaan mekaar, maar daar is tog 'n verskil in die loonstrukture in daardie twee plekke. Dit raak al ernstiger wanneer 'n mens verder die platteland ingaan. Dankie. 10

VOORSITTER: Baie dankie. Nou gaan ons hom meer onder vat. Ja, onder.

MEMBER FROM THE AUDIENCE: I am appealing to Mr Cyril Ramaphosa to inform our leader in the Western Cape Mr Kriel, that we would like to see him, because we have never met him. 20

THE CHAIRMAN: Thank you.

THE CHAIRMAN: At the bottom now, yes.

MEMBER FROM THE AUDIENCE: My concern is on the constitution draft that has been handed out. My employer has exposed to us the draft three and then there was an accusation that the Government is being not transparent, because there was a hidden agenda on the draft one and draft two. So where do we go in order to get the other two drafts. And number two is Mbekweni we are told that must help in the reconstruction and development, but whenever we ask for resources or for help we are told that the Government doesn't have money. Is that true? 30



And then the feeling of the, we were told that with a new government there is democracy involved, but in a practical situation we are still feeling the pinches of autocracy. That is in our waiting situation. We are not prompted, we are just because of what we are, and then people that are being taken to places is the White people. Why is it still existing if there are changes. Then in Mbekweni there is, in fact there are other places there is a lot of changes as far as health is concerned. In Mbekweni there is nothing. I can say that there is absolutely nothing. So why does it take slow and faster in other areas? 10

THE CHAIRMAN: Okay, thank you. This lady - nee, nee, agter, meneer, agter, agter, ja, nee, daardie dame wie se hand op is daar, ja, u. En dan doen ons nou so twee, drie in die middel, twee, drie hier voor.

LID VAN GEHOOR: Dankie, meneer. Op die oomblik het ons 'n probleem om ons jong kinders en jong mense op universiteite gemotiveer te kry waarom sal hulle wil verder studeer, waarom sou hulle hoegenaamd skool toe gaan. Nou wil ek 'n baie groot en ernstige beroep doen op ons grondwetskrywers dat hulle werklik iets daarin sal voeg om ons kinders eerstens te motiveer, waaroor gaan dit in die nuwe Suid-Afrika vir die toekoms. Tweedens dat 'n baie ernstige en dringende stap gedoen moet word om ons leerplanne en die maatstawwe waarvolgens ons as ou onderwysers opgelei is, dat dit hersien moet word, want ons sit met derduisende gegradueerde jong mense in hierdie land wat geen werk in die praktiese wêreld hier buite kan doen nie. Baie dankie. 20 30

VOORSITTER: Die man hier met die lang arms hierso, lang ysterarms, die kurke, daar's hy. Yes, lady, okay. He



actually raised his hand to help a lady. Nee, nee, nie die vrou hier voor nie, hy het genoeg vrouens, daardie een daar.

LID VAN GEHOOR: Mnr die Voorsitter, ons het 'n groot probleem in die Paarl wat die welsyn betref. Die welsynbeleid moet heeltemal verander. Punt nommer een vir die "disabled" mense. Die Xhosa-man moet ses maande wag, die "Coloured" drie maande en die Blanke ses weke. Die hospitaal en die dokter sê vir jou jy is "disabled" dan sê die mediese beampte in Bellville jy is geskik verklaar. Nou watter een van die twee moet ons nou glo. Die tweede punt is die, die mense het 'n groot beroep in die gemeenskap dat die welsynbeamptes moet uitkom na Mbekweni, Fairyland en die hele omgewing, om die mense se probleme te kom luister. Dan doen ons vir die derde maal weer 'n groot aanspraak dat Mbekweni se mense is duisendmaal geteister deur die welsyn, want wat gebeur as die hokke brand in Mbekweni, die hokke brand in Fairyland, dan is daar geen "voucher" wat deur die welsyn uitgegee wil word nie. Verlede week het ons 'n "sit-in" gehad vir Fairyland se 16 huise wat dakloos gelaat is. Nou ons vra dat die hele welsynbeleid omgedraai moet word.

VOORSITTER: Dankie. Eerste daardie dame en dan hierdie dame voor. Ja, daardie dame - and then this lady - en dan weer hier, daardie dame daarbo.

MEMBER FROM THE AUDIENCE: I would like to ensure our children's rights against corporal punishment in the school, not only from schools, but I want the parents need to know that they are allowed to stand up and tell headmaster and headmistress that the children are not allowed to be beaten. They need to know where to go if there is a "verkrampste" headmaster as in my case.

THE CHAIRMAN: Thank you.



MEMBER FROM THE AUDIENCE: Then I also want to say that in our school they have just invested thousands of rands in computers when there are children without pens and papers. And they are boasting about it. Why? This should not be allowed. I also want to talk about something which might be delicate to some people and that is religious education in schools. The children who are not Christians in this part of the world are definitely outcasts. There is not only scripture Bible studies every day, but it is incorporated into singing, into assembly and into every, all parts of their education system, not only specifically one period that they can be excluded. So I think that religious education needs to be at home and in the religious institutions. 10

THE CHAIRMAN: Thank you very much. This lady here.

MEMBER FROM THE AUDIENCE: My request to the Theme Committee is that it must deal with the matter concerning drugs; drug abuse, child abuse women's rights.

I am not through. To that speaker, the one who says that the women's rights must be limited, I don't think that speaker realises that our madam speaker is a woman. If he is got that idea, my brother, you had better draw . . . 20

THE CHAIRMAN: Lady just, hold on, the lady upstairs.

MEMBER FROM THE AUDIENCE: Mr Chairman, Mr Ramaphosa and others. My suggestion for the Constitution is that an amount should be deducted from a person's salary as wages towards a national medical scheme and a national pension scheme, the same as they do in England and in Germany and other European countries. This will help the people and it will also help the taxes, because not so much of the money on the taxes will be used on those schemes and the people 30



would be contributing to their own medical benefits and their own pension schemes in the long run.

THE CHAIRMAN: Thank you very much.

MEMBER FROM THE AUDIENCE: And also getting back to the gentleman with women's rights. I think the ladies should have equal rights to men, especially in the work place because you should be allowed to join a trade union if you want to. We as women are not allowed to join, in my particular firm, we are not allowed to join a trade union because we are threatened with our positions will be made redundant and then being retrenched. 10

THE CHAIRMAN: Thank you very much. Let me say now we have got this gentleman in front here and that lady there. No, no, we have just come from that side. Moet nou nie so wees nie. We will do this side now. All I want to say is it is not only necessary to pose your questions here. You must also please as Cyril Ramaphosa said to us today, people can come, you can phone, you can write and also not only do you need to phone and write, but when we close this meeting now, you will see some of these gentlemen, speak to them personally also. So let's say, let's come to this gentleman here now. Thank you, Sir. 20

MEMBER FROM THE AUDIENCE: Thank you, Mr Chairman, I only have two issues. That is now the question of the monarchies, people like the chiefs. Who strongly feel that they do not need to have a say in the Constitution. If people like Chief Zweletini are given a right to have a say in the Constitution, we may encounter the same problems that have been encountered by Lesotho. Then the other issue I would like to touch is that concerning the members of the Defence Force. It is important that in the region members 30



of the Defence Force . . . (CHANGE-OVER OF TAPES).

THE CHAIRMAN: There is a young lady there that has got her hand up right now, in the middle, just in that row, ja.

MEMBER FROM THE AUDIENCE: Thank you. I would like to put an emphasis on child welfare. Will you please the Department of Pensions and Welfare take a good look at the child welfare, because sometimes the children are left with the father whilst the mother is not doing anything to her, the social workers they don't take any steps. But when it is the mother who is claiming maintenance, the social workers they are all up in arms with the gentlemen. Please take a note of this also, the man also may not have money to support the children, whilst the woman is eating her money and the child is suffering. So please, think about the children. Thank you. 10

THE CHAIRMAN: I think that this session has now proved to be a very profitable session. One can believe that the Constitutional Assembly, we have shown today and proven with the interests that people have that we need to have much, much more of these meetings and longer times for it. 20

Certain people that we must really say thank you to is our interpreter, I think he has done a wonderful job today. Thank you, Sir. And then also we must say thank you to the municipality of Paarl for the use of this hall and all their assistance. And then we must also say thank you very much to KWV for all the lovely drinks they have given us today. And just before, just to put the cherry on the cake, before we go, just before I have our mayor to close our meeting, I think we need to get our friend Cyril Ramaphosa to also come and say thank you to us for the last moment. 30

MR C RAMAPHOSA: Just two words. I just want to express



our deep appreciation for the manner in which all of you have participated in the first launched meeting of the CA process in public. I would like to thank you from the bottom of our hearts because your participation proves that this is a very important aspect of the work that we must continue with throughout the country. And as I expected you did it just as Paarlites can do it, and no one else can do it better than people of Paarl.

Now you raised a number of questions and you made a number of proposals. It is not possible right now to respond to all the questions and also to respond to the proposals. As we said we will forward these to the various theme committees to process. Sitting on the stage there are quite a number of members of the theme committees and some of them are sitting right amongst us here in the hall and they will have noted and will take the comments and the questions that you have made, forward to the Constitutional Assembly. 10

One proposal that I will respond to personally is your request that Mr Kriel must come and see you. I am going to personally go to him and tell him that the people of Paarl wants him to come here. 20

Lastly I just want to speak for one minute about the registration process for the local government elections. As you know we are holding local government elections in October and it is important that all of us must register for those elections. The democratisation process in our country will not be complete unless we have those elections being run on a successful basis, and that means for them to be successful everyone of us must register. The very questions that some of you are raising about education, about the 30



building of schools for handicapped, about jobs, about the rights of farmworkers, about nearly everything that you have mentioned here today, will not be put into practice unless they are done so at the local level, and that means that your local government, which is closest to the people, where democracy really means something, is the level where it must be done and it cannot be done unless you register and participate in those elections.

If you want to stand better chances of making sure that you get jobs and there is free school education, help everyone on the local council, help Mr Kriel, help the National Government, help Mr Mandela and help everyone and go and register for local government elections and vote in October, knowing that you are continuing with the process of democratising our country. Viva local government elections, Viva! 10

AUDIENCE: Viva!

MR C RAMAPHOSA: Viva registration, Viva!

THE MAYOR: Ladies and gentlemen, just a few announcements before we close this meeting. There is one request that the audience remain seated whilst the dignitaries leave the hall. And just as a matter of information, there was also a request when this gathering was planned that none of the National Anthems, we are not going to sing any of those Anthems. That's why you probably don't see any flags here, the new flag, the old flag or any party political flag, because of the delicacy of this process. 20

I want to make use of this opportunity to especially thank Mr Cyril Ramaphosa and Mr Leon Wessels for their presence here today, in having the launch of the 30



Constitutional process campaign here in our town.

I think Cyril was not joking when he spoke about our good wines. As a token of our appreciation we want to thank them on behalf of Council and the people of Paarl and we have got two small gifts here that we want to give on behalf of the people of Paarl. Cyril loves his brandy, so we have given him brandy. I am not sure about Mr Wessels whether you also enjoy brandy, but on behalf of the people from Paarl.

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Ladies and gentlemen, this brings us to the end of our meeting and we hope that these gentlemen have a safe journey back to town. Thank you very much.

MEETING ADJOURNS

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