

2/4/2/1/10/21



THEME COMMITTEE 2

MEETING: 10/8/95

TAPES: 1-2

CONTENT

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(Tape 1)

Chairperson: We are basically having one item today. You are all welcome. And that is the question of Self-Determination. The report is ready from the Ad Hoc Committee. Just before we get into that, I just want to explain a few things. This meeting was scheduled for two o'clock, but we had to reverse the time from two o'clock to three o'clock. I've been given information that the outcome of members especially the convenor, I think is Mr Breytenbach, was supposed to be here could not be available, and then they had to contact Professor ? who had to re-schedule his time also. I think he was not coming today, I'm not too sure. But he had to re-schedule everything so we were trying to accommodate him so that he should be here at three o'clock because other people couldn't be here to attend this meeting. So the members must not be surprised why the time has been shifted from two o'clock to three o'clock. That is the problem that we had. Well, from the Chair Professor ?, I'm not referring to you, please with an apology. This really disturbs some of the members that once the schedule is set up then some of the people just tend to say at the end of the day that they are not available to attend those meetings. But we thank you that you actually had to re-arrange your things and to be with us this afternoon. That is one thing which I wanted to explain, and secondly you will remember at the last meeting we said we will consider the Minutes which were distributed to us. I will just complete that item and I will request Mr Rabie was supposed to Chair today but I think he's caught up somewhere with other things. I would like to participate on the debate on the Volkstad today, so I have requested Mr Ackerman to come and Chair on our behalf, but that must be endorsed by the members of the Theme Committee simply because Mr Ackerman is not one of the members of the Call Groups or the Co-Chairperson. Do you have anything difficulty with that if Mr Ackerman Chairs. No problem. Mr Ackerman, then you can come and straight away deal with the Minutes and into the program as a whole. Thank you very much.

Chairperson: Ladies and Gentlemen thank you for the confidence in me. As it was Women's Day yesterday I will give the women a rest today and try and see if we can end this meeting at four o'clock. The Minutes is in front of you. There's two sets of Minutes, the one is on 29th May. In your documents you will see that is from page 1 to 11. Any comments on page 1 of the 29th May? Agreed. Page 2. Agreed. Page 3, Page 4, Page 5, 6 and 7. And then on page 8 'til 9, 10 and 11 there's a Motion of No Confidence/Impeachment. Can we accept that as well? Can we have a formal motion to accept the Minutes of 29th May? Mr Mahlangu. Second General Groenewald. Then I put the Minutes of 26th June. It's basically Provincial Government, Block 3. Anything on page 12, page 13, 14, 15, 16, 17, 18, 19. Can we have a formal Mr Mahlangu. Second General Groenewald. Right that puts the Minutes of the previous meeting. Can I ask if there's any other business before we proceed with item No 3 on

the Agenda. Is there any other business that you want to put on the Agenda? Then we close the Agenda as it is. Now we'll come to the report on Self-determination. Hope you all received the report on Self-determination. Everyone satisfied? I think we'll start off giving Professor ? the time to put a report to us, if that will be in order. OK Professor ? you've got the floor.

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Thank you Chair. I'll start off by saying that I obviously appreciate the willingness of the members of the Theme Committee 2 to postpone the start of this meeting by an hour. I'm not quite sure where Professor Breytenbach is at this point, but I know he couldn't be here and I was lecturing until half past two at UCT, so I could only make by now. But we appreciate that. Let me just say by way of introduction of the report that it was compiled initially in draft form by Professor Breytenbach who's the convenor of the Ad Hoc Committee and he faxed it both to myself and to Professor Dries Raadt in Bloemfontein and we both gave him feedback and on a number of occasions and this is the report as you have it. It then brings us to follow the guidelines for writing the Theme Committee reports as set out by the Constitutional Committee and the Management Committee in February of this year, thus being an overview the issues which are germane to this item, submissions from the public etc and then points of contention and non-contention, agreements and disagreements are then the 6th item on page 8. And when I refer to the page references, could I ask you please to look at the top of the page rather than the bottom of the page, so when I say page 8 it's actually page 9 at the bottom, but it's page 8 at the top. Page 8, Item 6, Possible Approaches Relating to Conflicting Provisions. And may I say at the outset that although the guidelines to require the Technical Committees to put forward possible approaches, I certainly through my experience with Theme Committee 1 in this process do so with considerable apprehension from a technical point of view because I think that the line between the technical issue and political issues is very fine in all of these processes and very often what can be written down as technical or put forward as technical approaches can be read in a different light and I'll come to that when I reach that point. If you could start on page 2 then at the top, the first page is merely a contents page with the overview in paragraph 1.2. All of those four points there amount really to an attempt to decode Constitutional Principles 12 and 34. That language in paragraph 1.2 follows the language quite closely which was used in the advertisement asking for input from the public on this matter and it's an attempt to put in plain/simple language what Principles 12 and 34 are about. Then as regards the whole of paragraph 2 and its sub paragraphs the issues. Those are the issues which potentially might be impacted on by this whole question of Self-Determination. There is no necessary impact, but there's a potential impact. What we've tried to do here is to draw attention to all the different parts of the constitution-making enterprise for the Final Constitution which might be impacted upon by this whole question of Self-Determination. So,

in 2.1, the whole question of Self-Determination as fundamental right is not included in Chapter 3 of the current Interim Constitution and the reference here is to... is the Constitutional Principles in the current Constitution and to its section itself. So for example, under 2.2, Citizenship in the Final Constitution may be impacted upon if the argument of both the Volkstad Council and the Conservative Party is accepted that there should be some kind of separate Volkstad citizenship in the future dispensation. Then over the page, page 3 Language, Culture and Community - In this regard perhaps all that need to be added by way of amplification of what stands on the paper is a reminder that in the Volkstad Council's oral submission to the In-House Workshop on 26th June, the Volkstad Council repeatedly stated that their proposals were of course subject to the fundamental rights in Chapter 3, and two of which are dealt with there in Sections 31 and 32, but also Section 3 in relation to languages. In paragraph 2.4 and 2.5 I would just like to draw your attention to something which has been omitted as a result of I think a gremlin which has crept in, but in paragraph 2.4 in the introduction there you will see Self-Determination of the Volkstad as an integral provincial part of South Africa. You see Sections 48, 50, 61 and 62 are relevant, but Section 61 does not appear below there, the text to 61. The text to 61 deals with the issue of the amendment of provincial boundaries and states as follows, and I'll read it to you and that should be incorporated at that point - "Bills affecting the boundaries or the exercise and performance of the powers and functions of the provinces shall be deemed not to be passed by Parliament unless passed separately by both Houses, and in the case of a Bill affecting the boundaries etc of a particular province or provinces only unless also approved by the majority of the senators of the province or provinces in question in the Senate. So the text of Section 61 should properly be added to the report at that point. That's an omission.

?: Can we just make sure? So that's 2.4 and that would come in after Section 50. So that Section 61 should come before Section 62.

Prof ?: That's correct. And in addition on 2.5 although Section 61 has already been dealt with under 2.4, it is in fact also relevant as you've just heard in relation to provincial boundaries under 2.5. So under that heading of Provincial Boundaries it should not only be Section 62 it should be Sections 61 and 62. Then there's nothing else perhaps to add by way of detail or amplification to the report except to draw your attention to paragraphs 2.8 and 2.9. 2.8 which is headed Incrementality is something which wasn't necessarily expressed in that language by any of the parties, but seemed to shine out clearly from the submissions of various of the parties and the idea here is that the notion of Self-Determination is something which could perhaps start in a small way and be built upon but it is an issue which should remain on the table as a part of a continuing debate. And the issues under paragraph 2.8 as well as 2.9 and here I know that Professor Dries Raadt would if he

were here and I'm doing so in that context wish specially to draw your attention to the middle paragraph under 2.9. It's a point which he made in his contribution to the In-House Workshop and he feels very strongly about it and I'll just read it - "In the light hereof many proponents of Self-Determination in their submissions to the Constitutional Assembly pointed out that Principle 34 was included in the 1993 Constitution at a late stage". And members here will all cast their minds back to March 1993. Without amending the rest of the Constitution in any significant way except for the inclusion of Sections 184(a) and (b) providing for the establishment and functions of a Volkstad Council. The interpretation of the list of issues should therefore be seen in this light. And I just draw your attention to that particular point. Then in relation to item 3 or paragraph in the submissions on pages 5 and 6. This is an attempt to put across in very general terms what the submissions from the individuals and from organisations and political parties amount to, and members will appreciate that this is a very summary summary and the more detailed summaries I'm sure have been circulated among you. You have Addendum A to the report which has been tabled today which are the political parties' submissions, in particular the Freedom Front submission, but there are other submissions which were tabled at an earlier stage and these obviously must be taken into account. Then from page 6 onwards, paragraph 4 and then paragraph 5 are attempts to distill points of agreement and points of disagreement. And you will see in 4.1 there are very few non-contentious issues between individuals, organisations and parties. Those who agreed that there should be no Self-Determination are and then an attempt is made to quantify. Those who agreed that the process of seeking solutions to Self-Determination should or could continue. That is really the incrementality point. Those that agree that the process of seeking solutions to Self-Determination/Volkstad should or could continue include the majority of individuals and then the organisations mentioned there. However, they all differ on details. And then paragraphs 4.3.1 and 4.3.2 explore the points of difference even among the point of agreement and over the page paragraph 5 onwards to the top of page 8, you'll see the points of disagreement and what they relate to. Possible forms of Self-Determination, Cultural Councils, Volkstad. The question of members I hope would have noticed in this that it seems that no one is suggesting that the Constitutional Principle 34 or 12 admit of cessation. The notion of cessation does not seem to be on the table according to the Constitutional Principles or the submissions. Although there are clear arguments for partition from both the Afrikaner Freedom Foundation and the Conservative Party. And then finally in paragraph 6 Possible Approaches to Conflicting Positions - The Committee proposes and paragraph (a) is quite obvious the political process continues, but that the Constitutional Assembly should perhaps issue guidelines in this regard. That the constitution-makers adopt an open-ended approach. © the question of the deadline, but this would probably be sorted out in other foray and maybe that's not such an important issue. And (d)

if the deadline is reached without further clarity on the issues concerned the Constitutional Assembly should perhaps consider as an interim measure etc etc. Those are said without prejudice in the words of the Law and they put forward with the utmost respect and apprehension and temerity. Thank you very much.

Chairperson: Thank you Professor. Now colleagues there was as the Professor said a submission by the Freedom Front today. You've got it on your tables as Addendum A. I wonder if we can give General Groenewald five minutes time just to explain the Addendum A so that we can be fully informed what is going on.

Groenewald: Mr Chairman, thank you very much. I would first of all like to apologise to the Theme Committee for the very late submission of this particular proposal. You will however realise that this is a very delicate matter and that there was also a lot of bi-lateral negotiations involved in this particular proposal which certainly has not yet been completed as such. I had hoped that we would of course in block-form first discuss Traditional Authorities and then come to the question of Self-Determination, but as that has been turned around, I think this issue came up a bit before I had anticipated it. Now if we look at the Freedom Front's proposal Chairperson, I don't think we can deal with it in detail today. It is something which I believe everyone should read in their own time, but what is important is that we should realise that the question of Self-Determination has quite a long historical background and that the negotiations before the elections and subsequently has led to several agreements and I do not think all people know exactly what the context of those agreements are and therefore it's necessary, I believe everyone should look at those agreements first of all. The agreements reached before April 1994, the conditions that were stipulated for Self-Determination what requirements had to be met, the unsigned agreement of 21 December 1993 Finding a Peaceful Solution which I believe is a very significant document should also be read in detail. The principles of Self-Determination and the guidelines for the Volkstad Council that brings us to our second problem and that is that we have only seen the first interim report of a Volkstad Council and what is needed is that they should receive direction and indications from this Theme Committee or from the Constitutional Committee on what other points should still be looked at in detail because there's is still a very large area which has not been investigated by the Volkstad Raad. And then we should just point out that there were certain commitments pertaining to Self-Determination which was made both by the ANC and the Nationalist Party and the previous government in both capacities. And only then that then brings us to the formal proposals by the Freedom Front on Self-Determination. Now I think there are three very important facts or bases on which we propose it. The first is the fact that a substantial part of the Afrikaner people is committed to the concept of a Volksraad and sees it as the only way to protect their identity. Now that is a fact which we as a party would have to take into

consideration. The second one is the fact that the Afrikaner people have moved and settled in most parts of South Africa. Thus there is no single geographic area limited in size but acceptable to all parties that can truly conform to the requirements of a Volkstad in which all the aspirations of Afrikaners could be satisfied. Thus besides a small geographic area termed the Volkstad, institutions and mechanisms must therefore be created in most parts of South Africa where Afrikaners live in support of their cultural interests. And lastly that those Afrikaners outside the Volkstad should control their cultural and language right at all three levels of government as provided for in the Constitution. And thus the Freedom Front makes a number of proposals. The first proposal is the question of Cultural Self-Determination at Local Level and you will see there's quite a bit of conformity between our proposal and the proposal by the Nationalist Party. We say that Self-Determination of a cultural nature must be established as a consequence of elected civic or community councils at local level.

?: Could you just give us an idea of which page you're on.

Groenewald: I'm sorry I'm on page 7 below 6 on top of the page. So if we can come back to page 7 then, paragraph 10. These community councils must be the result of voluntary registration of voters within the Afrikaner community and registration for the community council by voters within the Afrikaner community will also be an indication of the support which local communities have for cultural Self-Determination. So there's an in-built measurement of support. Secondly, the community council should be directly elected council and their most important functions should be first of all the promotion of cultural matters such as language media, the performing of individual arts, literature, museums, monuments, libraries and other matters of cultural interests. Secondly mother tongue education at all level. Third basic health care such as welfare services and the care of their elderly and then community polisie. We say it is accepted that these community councils would supplement local authorities which will be responsible for services such as the supply of electricity, the supply of water, refuse removal, roads and local transport. So within a local authority you could therefore have a community council specifically responsible for cultural matters. The community council should be entitled to a reasonable share of national and local revenue and should have the power to raise additional income from members of that specific community. So this proposal is in accordance with both Constitutional Principles 34 and 11. The second one, Cultural Self-Determination at National and Provincial Levels, paragraph 11(2). We propose that the voters registered on the community council voters' roles elect one member for each province to represent the Afrikaner community in the Senate, so this is a modification of the previous proposal which we made on the Senate. Other cultural language groups as defined by the Constitution should also be given the same representation if they so desire. This would mean that for example traditional leaders

should be represented in the Senate to protect the cultural language rights of their community groups and that other cultural language groups also be given representation should they so desire. The representation in the Senate could be on a proportional basis and the minimum number of members for a specific bona fide community within the province required in order to be eligible for representation should also be stipulated. Or else this could become uncontrollable. We say community representation of provincial level could be considered but in the event of a Volkstad being established on a territorial basis, provincial representation would not be required. And that brings us to our third proposal which is Territorial Self-Determination in other words the Volkstad. The Freedom Front accepts the fact that a sovereign Volkstad cannot be achieved at this stage. Because of the nature of a Volkstad a large degree of political autonomy would however be required. The creation of a Volkstad should therefore be seen as a process and those process must be incorporated in the New Constitution. The process should contain the following steps - Step One Acceptance of a concept of territorial Self-Determinate and agreement on the process and very important the conditions and requirements for each successive step so that the whole process is controllable. The Constitution would have to provide for a Constitutional Principle that would replace Constitutional Principle 34. This Constitutional Principle should be formulated in such a way that the relationship thereof with other previous Constitutional Principles is clearer. There must be no uncertainty on the fact that the notion of Self-Determination also includes geographic autonomy. Step Two Negotiating agreement on the initial functions and powers of the Volkstad government. It is accepted by the Freedom Front that the Volkstad will initially be a constituent state and that it would have more or less the same powers as a province, but with the acceptance of a Principle that some province could have more power than others, in other words asymmetry powers. And then Step Three Defining the initial boundaries of a Volkstad. To define the geographic boundaries of a Volkstad within the conditions for Self-Determination set out in paragraph 4 above, the Afrikaner community would ultimately have to constitute the majority of the population within a Volkstad. As a result of this requirement the Volkstad Raad propose the geographic area which we have seen with Pretoria as the core. We feel that the Volkstad Raad has not finalised its report and the proposal on the sensitive issue of boundaries can only be finalised after extensive consultation and negotiation with provincial governments and political parties. Step 4 Deciding on the ultimate future powers of the Volkstad and the time frames within which this will be achieved. Thank you Mr Chair.

(Tape 2)

Could I just perhaps ask... my proposal is Chairperson that the ... and I apologise to the technical experts ... that this report should also be incorporated in its report. I don't think there'll be too many changes and I think we'll have a more comprehensive report to deal with then.

Chairperson: Thank you very much General. Colleagues I think there are three issues at stake. The first issue is that we accept the Addendum as part of the report. Is there any problem with that? No problem. Now the second issue that we don't discuss today this report in detail as the General also said that we must first discuss the report on Traditional Leaders. Is that accepted?

?: No, I don't think he said we need to discuss the Traditional first, but I thought he said he thought we would discuss the Traditional Leaders first, that is why the submission came late.

Chairperson: So that's not important then. OK, then the third issue is that the Committee will just discuss in general the report today and we won't take any decisions and then at a later stage that we will discuss this report then in more detail. Is that accepted then? Then we give the members or parties a chance today to make a few general comments and then we will come back to the report at a later stage. Is that accepted? OK, I'm not going to put page for page. I think we can discuss the report as a whole then. Mr Mahlangu.

Mahlangu: Chairperson, I'm not really getting into the details of the report. I think I will come in at a later stage when some of my colleagues will be getting into the details. But I just want to make a general remark, that's all what I intend doing at the moment. It is really a very complex issue at the present moment dealing with this report and I think many of you will agree with me that there are a few things that we need to look at. I think amongst other things which Principle 34 sets out is that the proponents of the Volkstad or Self-Determination would have to sufficiently prove to the Constitutional Assembly that there is a need for a Self-Determination of Volkstad. Added to that, is that they also have to prove to the CPG that there is a need for a Self-Determination of Volkstad and I think the other aspect which was included correctly so was that all the proponents of the Volkstad or Self-Determination who are participants of the CA will also have a great input in that as the Freedom Front has just said now. Now the difficulty that we have at the present moment, I for an example in particular, to really get into an intense discussion about that, is that we have seen as General Groenewald already said the submission in front of us and I think one would definitely like to get into it very deeply because they are actually proponents of the Volkstad in Self-Determination and we all agree that this is a very sensitive issue and we need to look at it very thoroughly. And furthermore I would support the statement that we would like to see the summary of this Addendum A also being incorporated in the report of the Ad Hoc Committee then it gives a complete picture of the report of the Ad Hoc Committee. Otherwise if it's not indicated in their report it doesn't give a complete picture when for an example if we take a decision now that we forward this to the CC for further discussion, I think I would support that that it be taken on board in regard to the Ad Hoc Committee's report. But beside that I have not at the present

moment seen the report from the CPG in regard to the Self-Determination and Volkstad. I would have thought in my own mind that that would also assist us. If we've had a report from the CPG, like all other reports which we have had in this Theme Committee because we are really dealing with a structure here, and in any structure where they were relevant we requested their input in those structures like the structures on Provincial Government. They did that. The Senate. They did that. I can't remember which others. There are so many. But one would have loved to see a report compiled by the CPG to say we've gone into details with these things, we've listened to people talking to us, we've brought on board the contributions of the proponents of the Self-Determination Volkstad and this is how we've gone about all those things and here is a report. That report be tabled in front of the Theme Committee 2 and we have the chance to discuss that report fully as we did with other reports in comparison with the submissions from the political parties and from the civil society. That report I haven't seen. I am not too sure whether that report is there but I think I went through all my papers and I couldn't see one. You'll understand that there are too many some of them were misplaced but I couldn't get that one. If there's one who has it now, I would definitely like to see that. I don't know but that document could also be taken on board by the Ad Hoc Committees if it is there, but I haven't seen it in the report that it has been incorporated. I'm not too sure. Furthermore, Chairperson, we now in front of us have the report on the Volkstad Council. Now this report says First Interim Report. Now I think Mr Groenewald also mentioned that we don't really know how far should we now take this process simply because if this is the first interim report, for sure one thinks that there is a second interim report that comes, the third, until the 25th report that comes. Now the question that immediately arises is do you then deal with these issues in piece meal or would you like also to see other reports coming and then bring them together all of that and look at the thing holistically and say these are the matters which have been dealt with by the Volkstad Raad in all their reports and the reports from the CPG, submissions from the political parties and the civil society and then from there, then one try to work out as to what it is really that we are trying to talk about. When the whole chicken is put in front of us, then we can try to cut it into pieces. Now we don't have all those reports. We don't know how many reports the Volkstad Raad will be bringing to us, one is not just to show whether they are coming with other three/four reports to us etc. And I'm not too sure at the present moment whether this Theme Committee is really in a position to give direction to the Volkstad Raad Council as to what there is to do. I don't think really that falls within our brief, but if it's well-checked out, if we have that power to do so, then maybe we would recommend that we see other reports which are being prepared by the Volkstad Council. If it's not our brief, maybe then we would say... we would therefore request the relevant body which is the CC or maybe the Management Committee to give a further instruction as to what is

to do with this. Saying that Chairperson, because at the ultimate end we are going to say as a Theme Committee these proposals should now be forwarded to the Constitutional Committee for a debate, but I think they will also need more information, part of which I'm mentioning right now. So I just wanted to raise those few concerns. I've not yet gone deep into the report as I said, but I thought one should make an opening statement that really highlights some of these things which we might be confronted about. Thank you very much Mr Chairperson.

Chairperson: Thank you Mr Mahlangu. Before I give General Groenewald and our technical advisor a chance to respond, is there any other member that Dr Ranschod.

Ranschod: Thank you. I support what Mr Mahlangu has said. I would have appreciated a response from the Volkstad Raad on the deliberations of our In-House Workshop because I think one issue that troubled a number of us was that racial criteria was being used as fundamental to membership of the Volkstad and there is an ongoing debate in this country as to who are Afrikaners, and speaking for myself I did not get convincing responses at the Workshop and I would appreciate an opportunity being afforded to the Volkstad Raad to deal with all the issues that were raised at that Workshop. I'm naturally one who is interested in stability and peace in our country and I agree with Mr Mahlangu that we should give the Volkstad Raad an opportunity to refine its proposals in the light of the inputs that are made. We are not in a position really to take a decision but the reaction of a lot of people is that one is perhaps harking back to an era which has passed. But I think the more positive approach to adopt is to give them an opportunity to come up with a response to the criticisms and to the points which were levelled at our Workshop. I did find it however very interesting when visiting the United States recently that in the case of the Native Americans the Indians who were a conquered people and I don't think the Afrikaners have been conquered as a result of our introducing a democracy in South Africa which is all inclusive, but in the case of the Native Americans I would like to take a little advices to perhaps just look at that situation. I visited the State of New Mexico and in the territories which are under the control of the Native Americans there is a high level of autonomy given to the various tribes and they are recognised as American citizens. There are no problems relating to citizenship, but it is a different situation to the one that we have in South Africa. They were a totally conquered people and what they have... I mean they're less than 1% of the population in the United States. But it would be interesting to just bring in that dimension of a country where you have the melting pot syndrome. Any Native American who wants to leave the reserve and become a fully participant in the American society, is free to do so. His rights are not diminished by being on the reserve as an American citizen. He still has all this rights. But I think that dimension may be an interesting one to look at. I'm not saying that is going to provide

us with an answer, but it's interesting that where you have a democratic country with a melting pot situation that in fact you have institutional arrangements there which do not run counter to democracy. Thank you Mr Chair.

Chairperson: Thank you Dr Ranschod. Any other member who wants to make an input now? General Groenewald.

Groenewald: Chairman, thank you. Thank you for your understanding Mr Mahlangu. I would like to please call on members to read this input of the Freedom Front carefully and specifically I've attached both the accord of 23 April as well as the unsigned accord of December '93 which then form part of the accord. And I think once you have read through this background you can understand how this whole situation developed and I think that's extremely important. I would also say that I know that there are consultations at the highest level at this stage, and therefore Chairperson I would like to please ask the Theme Committee if we could allow the technical experts to then consolidate the reports and certainly it was also, you will see in the accord, provision is made that the Volkstad Raad was to also make representation to the Commission on Provincial Government and I think it's a very important report which we should also be seeing. I don't know how long it will take before this is incorporated. But before we have our next discussion, I'm quite sure that I will be able to make formal proposals and certainly I believe that the ANC and the Nationalist Party would also at that stage be able to make formal proposals on how this matter should be taken forward, but I do believe that it is something which will have to be decided at this stage by the Constitutional Committee or even the Management Committee. Thank you Chairperson.

Chairperson: Thank you General Groenewald. Professor Carter you want to respond?

Carter: Not really, but just to say Sir that from the brief discussion or the brief putting forward the Freedom Front's proposals, they seem imminently able to be incorporated into the report and that's a technical matter, and any other reports that come before us from wherever. We've included everything we've received thus far and anything that comes in the future will have to be incorporated in some or other way.

Chairperson: Thank you Professor. General Groenewald you want to add?

Groenewald: Chairperson, could I perhaps ask the technical experts if they could just very briefly consider what would be required to incorporate the process into the present Constitution? You have mentioned it in your report but we also propose a step by step approach to solving the problem of territorial self-determination and if we could just look at what do we need in the Constitution to keep the door open, I think this would be very important. Thank

you.

?: Mr Chair, I just want to ask on a point of clarity, when the General refers to the present Constitution does he mean the Interim Constitution or the Final. The one we're drafting now.

Chairperson: Well colleagues I think that we are in agreement that we just discuss and can't really go further than what we've said today. Just before I close our discussion, could I just hear from the secretary when will be the next meeting of the Theme Committee.

Secretary: Mr Chairperson, the meeting of the Theme Committee will take place on Monday but there are some developments which arose. Maybe we would like the Theme Committee to help us with a decision in that regard. A report which was supposed to be discussed on Monday which is the report on Traditional Authorities is still not in our hands and the Ad Hoc Committee indicated that they will only be able to give us that report tomorrow. So the members won't be able to get the report before they go home for the weekend.

Chairperson: So we've got a problem in the sense... I wonder if the Call Group won't have a meeting on Monday and that we postpone our meeting from Monday then 'till Tuesday. Will that be sensible?

?: Well it's very difficult to answer a question like that Chair because we have actually not decided as members of the Call Group when can we meet. There are only three of us here but I think we can quickly meet after this meeting and we can let the ? Administration what direction to take and they will notify the members by writing to them and throwing those notices into their pigeon holes.

Chairperson: Will that be acceptable to all the members. The point is that if there's a meeting of the Theme Committee it will have to be on Monday morning as from nine o'clock or ten o'clock and I don't think there will be ample time to give the members a

?: Why can't we have a meeting in the afternoon, if we do have a meeting? Why should we have it in the morning?

Chairperson: Will that be acceptable?

Hendrickse: Could I propose that we as of now arrange our meeting for Monday afternoon at two o'clock. If there are any problems with that once the CC and the Secretariat meet, that they won't be able to accommodate us on Monday afternoon, that a notice then be sent out to cancel the meeting. But as of now, we accept that we meet on Monday afternoon at two o'clock.

Chairperson: That proposal from Mr Hendrickse, is it accepted? Anybody against it? OK, then we'll accept the proposal that you will take note of the fact that we'll have a Theme Committee on Monday

afternoon at two o'clock, if not you'll be notified by Monday morning. The Secretary wants to know what we do with this report. I think we refer the report back to the Call Group and that they decide when we'll discuss the report then in detail. Will that be acceptable?

Hendrickse: Haven't we decided that we'll refer this to the technical committee first so that they incorporate it in their report and it then comes back.

Chairperson: That's right, but the Call Group will in the end decide when it will come back to the Committee. Is that acceptable? Thank you very much for your time and I close this discussion.

TRANSCRIPTION OF THE ADDRESS BY THEME COMMITTEE 2

HELD ON THURSDAY 10 AUGUST 1995