

PAN AFRICANIST CONGRESS (P.A.C.)

CC TE.
ME.



**OF AZANIA
HEADQUARTERS**

**PO BOX 25245
FERREIRASTOWN
2048
SOUTH AFRICA**

**TEL: (011) 8360407/0442
FAX. (011) 8383705**

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REGIONALISATION AND FEDERALISATION

INTRODUCTION

Transition is a three phased process:

Move from the status quo, an in-between state representing the co-existence of new and old elements of the system, and finally the bringing about of a new system, order, institution etc. representing what is normally called change. The management of change, represents the management of transitions. Change itself is a one-step jump. Critical in the management of transition is identification of what should be changed, what should replace changed variables and the rate and intensity with which change as an ultimate outcome of transition should be brought about. It is also important to pay attention to the legitimation imperatives of the new institution, system etc and the elements that are being introduced to replace old ones.

The Azanian situation represents a transition: a decolonisation transition.

The management of this transition is not different from the management of all transitions as spelt out above. The legitimacy issue is crucial. As a decolonisation process, the management of transition should be both democratic as it should be democratising.

The handling of issues covering regionalisation and federalisation call for sober minds. What can be done, by whom and when? What should be the degree of involvement of the citizens of the country?

What should be done to promote a violence - free or tension-free transition?

What will make the transition and its management both democratic and democratising.

REGIONALISATION AND FEDERALISATION

We start from a position of an organic undemocratic and illegitimate state. The decolonisation process is a democratising and legitimising process of this organic state. The critical structuring issues must be premised on TWO alternative approaches:

representing the unit and level of analysis. Does the structuring of a new African state assumed the existence of an organic state or does it assume the existence of many organic states? Regionalisation is a structuring process that assumes that the unit and level of analysis is one organic state.

Federalisation on the other hand either assumes the existence of many states or is a process of creating many states out of the existing organic states. The South African State is an organic unitary state irrespective of Constitutional frauds as represented by so-called independent homelands. So-called independent states represented nothing but domestic colonisation. The so-called independent homelands have been recognised only by the settler colonial South African State: thus making the relationships between their homelands and the South African State truly colonial. A subject colonial nation is never recognised internationally as an independent State: it is the colonising State (colonial state) that has no or little access to international sources of finance. As such, its economic well being is dependant on the colonising state. This indeed has been the experience of the so-called homelands.

There is clearly no argument with respect to the so-called self-governing states.

REGIONALISATION

As part of the management of the transition the regionalisation process should take two phases.

PHASE 1

This phase represents the period between now and the Constituent Assembly Stage. There are a couple of major activities and processes that are involved during this phase:

- (a) Re-incorporation of the TBVC States.
- (b) Restoration of the South African Citizenship to residents of the TBVC States so as to enable them to participate in the coming elections.

- (c) Re-incorporation means essentially transfer from independent status to self-governing Status. This is necessary for two reasons: these states would not like to be incorporated into an apartheid state and secondly it will keep the administrative machinery of these states in tact.
- (d) Re-incorporation of the TBVC states into provinces in which they were before they were declared independent as part of the domestic colonisation process.

This means, therefore, that up to the CA the organic State will be divided in accordance with the existing provinces, that have a long history. No attempt should be allowed to try to divide the country beyond the existing provinces before CA. To do so will be undemocratic, will exacerbate violence and will bring about illegitimate regions which will be a source of future conflicts.

PHASE 2

It will be the CA's responsibility to determine democratically the regions of the country and their powers. This will be done with direct consultation with the Democratic Structures at the grass-roots level. It will be a negotiated process with the people not between and among the unelected elites.

FEDERALISATION

The treatment of the federalisation option would be as follows:

- (a) It should be considered during the CA Constitution - making activities.
- (b) Different parties could use it as part of their political campaigns for election to the new government.

OPTIONS TO DEAL WITH THE DEMAND FROM THE FEDERALIST GROUP

There are two main options that are available to deal with the demands of those who favour a Federal System of government.

OPTION 1

They should be persuaded to acknowledge the democratic right of the citizens of South Africa as a whole to make their views and choices known. The federalists have a democratic right to campaign for what they believe is a right option. Of equal importance is that the citizens of South Africa have a democratic right to demonstrate their choice through the voting of their parties to the CA which would have campaigned among other things, on the nature of the State they preferred.

OPTION 2

A referendum on the process and content of transition could be done at a national level. The question to be posed to the public will be whether or not a form of state should be decided by the Multi-party negotiation forum before the CA or by the CA.

CA AND THE FEDERALISATION ISSUE

The PAC will advocate for Unitary State with regions that will have economic, development and administrative responsibilities and powers. This will be for a period of Ten years. It will be provided in the first constitution drafted by the CA that after ten (10) years a commission will be appointed to look into the issue of Federalisation and to look through consultation with democratic structures within the civil society. A referendum, if needed, will be conducted on this issue.

P. de Lille .