

On Non-Central Government Structures

Our commission, accepting that a constitution must correspond to and be a reflection of definite social relations and the stage of social development already attained, does not believe that in looking at this question, the ANC should confine itself to the formed legal structures that must evolve as a result of the revolutionary destruction of apartheid colonialism. We believe that we should go beyond the creation of mere legal structures to replace the structures of the apartheid colonial regime. We believe that the movement must outline and define the democratic organs of self-government envisaged in the Freedom Charter and the SACP Programme. Their place, role and tasks in the entire new socio-political and economic situation should be outlined and defined. Even their composition, bearing in mind that there are currently scores if not hundreds of people who are actively preventing the struggle to bring about the future of people's Republic of South Africa, should be outlined. Because of the current racial and ethnic division of our society and the set up created by the existence of Bantustans and Group Areas, we must also start thinking about how to prevent a situation where people will live and regard themselves as certain racial and ethnic entities with separate and sectional interests. The structures envisaged must reflect the predominantly but not exclusively black democratic state dominated by the working class and peasantry. This implies the necessity of a carefully considered delimitation of boundaries of these local democratic organs of self-government.

Tasks: Some of the tasks of the local structures of self-government could be:-

- a) making of by-laws for local administration which should not be repugnant to the constitution or any law passed by parliament or the national assembly;
- b) implementation of decisions of the central people's assembly;
- c) taking charge of development at the local level and the exploitation of local conditions and natural resources;
- d) provision of services, housing, construction of roads, schools, etc. and provision of cultural and health facilities at the local level;
- e) taking charge of some of the nationalised industries and agriculture and liaising with the other nationalised industries, mines, banks and agriculture not subordinate to them;
- f) controlling of the allowed private sector for the benefit of the people at the local level.

The commission had the opportunity to look at the German Democratic Republic structures of local government as the GDR is another unitary state. In the GDR, in terms of the territorial division of the country there exist elected, representative bodies in the countries, districts, cities and rural communities which are the highest organs of state power and self-government in the territorial units and are answerable and amenable to the people in their own territorial units.

Within the ambit of the laws made by the central organ of people's power, the people's chamber, or the national assembly, these bodies make by-laws, decide on their own responsibility, on all affairs affecting their territorial units and citizens. They, above all, adopt plans for economic, cultural and social development, plans for the development of their own territorial areas and industrial and agricultural estates.

Obviously, the organs of self-government can only perform all their tasks because they have a planned economy, which is envisaged in the programme of the SACP, to which as well we were at liberty to refer for guidance.