

MCHCII-62-1-4

LEGAL CONSTITUENCY WORKSHOP

Saturday, November 14, 1992

1:00 p.m.-5:00 p.m.

Co-Chairs: Part I

Gay McDougall, Director, Southern Africa Project, Lawyer's Committee for Civil Rights Under Law, Washington, D.C.

Janice Orr, Chairperson, International Law Section, National Bar Association

Rapporteur: Margaret Burnham, Chair, Fund for a Free South Africa

Objective: To strengthen associations among the represented groups, and to identify concrete methods in which the U.S. legal community can assist the ANC in its realization of Constitutional and governmental objectives. Methods of sharing resources, research, training and consultation in the achievement of these objectives will be discussed. Priority needs identified at the Friday Issues Workshop will be shaped into proposals for implementation by the ANC, with the assistance of U.S. organizations. Concern will be placed on these longer term priorities, as well as immediate priorities, such as international monitoring potential for the abuse of rights during the election process, and during the post-election implementation of constitutional guarantees..

Format: In a roundtable format, discussants will consider issues identified at Friday's Issues Workshop. Discussion will be divided into two parts:

Part I: Access to Justice 1:00.- 3:00 p.m.

Right to Counsel in Civil and Criminal Cases

Restructuring the Judiciary: Pluralism; the Creation of a Constitutional Court

Access to the Bar: Legal Education and the Legal Profession

Co-Chairs: Part II

**--Cheryl I. Harris, Associate Professor, Chicago-Kent Law School,
Co-Chair, National Conference of Black Lawyers**

**--Wilhelm Joseph, Director, Legal Support Unit of Legal Services for
New York City
NGO U.N. Delegate for the National Conference of
Black Lawyers**

Part II: Constitutional Provisions for Basic Freedoms 3:15 p.m.-5:00 p.m.

The Repeal of Repressive Legislation, Defining Constitutional Provisions for Emergency Powers and Providing for the Accountability of Security Forces; protection of the right to the franchise

Constitutional Right to Basic Needs: The Creation of a Right to Employment; Housing, Education

Gender Equality: Implementation of the Rights of Women Under a New Constitution

Elections: One election or two?

One cross on the ballot or two?

~~One~~ ~~two~~ party lists or

One, two or three party lists?

While it would be quite in order for ^{purely} regional parties to be represented in Regional Assemblies, and hence influence the composition of the Senate, it would be extremely unfortunate if the electoral system encouraged the election of such members to the National Assembly. The system of PR already encourages a multiplicity of parties. Purely regional parties would add to the proliferation, and encourage bargaining and

blackmail in the National Assembly
on the basis of short-term parochial
interests.

a). The disadvantages of separate
election dates:

(i) In order for the Senate to be
elected so that the CA can
start functioning