

**Joint Introduction to the following submissions by PTNS to CODESA Working Groups 1, 2, 3 & 5**

**Background**

- PTNS (Professional Telematics Networking Services CC) plans by August 1992 to launch a computerized database and networking service for use by the general public, though in the short term more particularly for use by leadership elements wherever they may be and whomever they may represent.
- The service will start a new communications medium, which South Africa is well placed to exploit as a supplementary instrument for democracy.
- Telkom's country-wide electronic networks (such as those known as Easy Access, Beltel and Triple-X) provide an easily-used and very affordable basic access infrastructure.
- The medium will function as a Marketplace to facilitate the matching of Supply and Demand. It is aimed at the commercial market and at the market for public goods and services, increasingly becoming known as "Governance" - the process conducted by both Government and the various associations and networks of Civil Society.

**Proposals**

**That Codesa**

1. Particularly in respect of the assignments of Working Groups 1, 3 & 5, use the PTNS service as soon as possible to assist in its objective of ensuring the widest possible constructive participation by the citizenry,
2. Particularly in respect of the assignments of Working Group 2, carry out its national constitution-making brief in full light of the fact that "the medium is the message", as set out throughout the following, and
3. Having tested the PTNS service as indicated above, consider in due course installing its own facilities using the same or compatible software.

**"The medium is the message"**

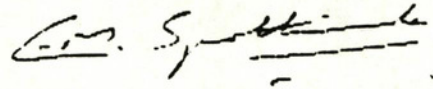
- The medium will be fundamentally democratic both in its accessibility and in its effect: Government by the people, for the people. It will stimulate and facilitate participation in economic and political processes by all responsive and responsible groups and individuals.
- The medium will help articulate and empower the Demand side of the market. A demand orientation is the essence of Democracy.
- The medium will promote and enhance initiative and competence, and will thereby stimulate and facilitate the Supply side. It will unlock wealth-creation and help the balance of power.
- By improving the democratic mechanisms of the market, the medium will help the "free market" control itself, and provide a means for the expression and effecting of social solidarity.

**Realism nonetheless**

It is self-evident that the problems confronting Codesa are immensely complex. The software behind the PTNS service has been designed from its very conception explicitly as a medium to help people simplify complexity together by creating products that help organize our communal lives in congenial ways. A key aim is the support of conflict resolution, for which systematic provision is made.

**Details**

The following submissions expand on the above in a small way. Further details may be obtained from:  
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(C.M.Spottiswoode:) 

2 March 1992

**Submission by PTNS to Codesa Working Groups 3 & 5**

(further to our submissions above)

With respect to Working Group 3's Assignment: "Transitional arrangements / interim government / transitional authority."

and Working Group 5's Assignment: "Time frames and implementation of Codesa's decisions."

**We submit that**

In the event that Codesa accepted our Proposal 1 in our "Joint Introduction" and used the PTNS service as soon as possible (making it available to the public by August this year), and that Codesa followed the spirit of our Proposal 2 in seeing the beneficial impact of the new interactive medium on democracy, the effective separation and balance of powers, and social solidarity,

and considering that our suggestions are so consistent with what we understand to be current thinking at and around Codesa,

then the following process and schedule (without being unduly prescriptive) seem to us to be quite feasible for Codesa to pursue:

1. PTNS is also working towards providing - or hosting a third party providing - an on-line legal information service offering statutes, case law, bills before parliament, new acts, commencement dates, as well as subsidiary legislation and regulations. Since the interactive medium is most appropriate to the entire legislative process, and since this area is now markedly shifting towards Codesa, at least for the moment, and since "the medium is the message" for the process as for the constitution, we submit that Codesa would do well to examine the PTNS database and networking plans as soon as possible, the better to exploit and perhaps influence them.
2. Considering the degree of consensus amongst almost all parties on the basics of a new constitution, and considering the degree to which the new interactive medium would support that consensus as set out in our submission to Working Group 2, we expect that Codesa could soon issue a far-reaching statement of intent on an eventual constitution, and implement a justiciable bill of first generation or civil liberty rights (there being no consensus on how, if at all, second generation or social welfare rights could be included). We believe that this should be possible by the end of 1992 at the latest.
3. We submit that there should be no great expectations of what a new body or Constituent Assembly of any kind might be able to achieve that Codesa in its present form could not. If it is nonetheless deemed that an elected body would give greater legitimacy to the process, then so be it. In either case, we submit that Codesa's or its successor's brief should be confined to overseeing the penultimate and difficult part of the process as described below. The final phase would be the adoption and implementation of a new constitution. This should be possible by mid-1994, which we understand is also roughly the Government's deadline.

(It is not irrelevant to point out that the present writer's book, *Beyond Apartheid*, published in June 1986, made the prediction that the period of fastest growth towards a democratic state would be the period 3 to 8 years from that date - coinciding almost exactly with the 5 years from F.W. de Klerk's becoming President!)

### **The difficult process**

Having reduced the pressure to finalize precise details of our eventual constitution, as indicated in our entire submission, Codesa could use the new interactive medium to stimulate and support the main work *by the entire population*:

The real separation of powers that we need must be based on what in the entire task of "governance" is separable and how. A nation can only discover this in practice and not around a table. Much detailed proposal, experimentation and reference to the people is required.

Our proposed "Supply-side effect" is, we believe, crucial to this process of discovery and invention. And it clearly needs the "Demand-side" articulation and empowerment listed in our Joint Introduction to these submissions.

Without the focussed attention on complex people-reality that only a widely-accessible interactive communication service can mediate, South Africa will not find the appropriate simplifications that comprise a reliable new dispensation.