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TRANSKEI'S POSITION ON BOPHUTHATSWANA'S 'RESERVATIONS' TABLED
IN ALL CODESA WORKING GROUPS AND STRUCTURES

Bophuthatswana Government has re-affirmed her refusal to accede to the Declaration of Intent of CODESA. She categorically absolves herself from being bound by any Codesa decisions which are not consistent with her sovereign status. Bophuthatswana is therefore by implication asserting her right to deliberate in our protracted discussions without being bound by any decisions arrived at by consensus. Notwithstanding that by her participation she may negatively influence discussions aimed at reaching consensus in any matter that impacts on the transformation process which seeks to attain a democratic, nonracial, united South Africa.

Bophuthatswana's refusal to sign the Declaration of Intent and her tenacious clinging to the principle of her inviolable sovereign status is fundamentally at variance with the central spirit of the Declaration of Intent to which all but two organizations, parties and administrations have appended their signatures. It is difficult to understand how her participation can advance the cause of CODESA which has set out to find the way forward to a united South Africa of which Bophuthatswana is not poised to be a part.

She unambiguously places herself outside the mainstream of thought, embodied in sufficient consensus by her submission that

"Concerning any ruling at any session of a meeting of CODESA or its working groups, to the effect that "sufficient consensus" is the appropriate measure required for proper decision-making in any particular case, the Bophuthatswana Government places on record that, it specifically reserves the right to dissociate itself from decisions of CODESA taken by "sufficient consensus" where such decisions affect Bophuthatswana."

It is apparent from this position that as far as Bophuthatswana is concerned the fate of that territory and its people is matter for that government to concern itself with and decide on, not CODESA. What then is the rationale behind Bophuthatswana's participation in CODESA?

More often than not in discussions she takes positions which militate against the attainment of sufficient consensus even though she is not necessarily bound by such decisions.

However, she concludes that she is bound by decisions reached together with other participants in CODESA, and commits herself to "implementation thereof" within their "capacity; powers and authority". Provided that we shall not be bound by, nor shall we be obliged to implement any decision of CODESA, if such decision directly or indirectly conflicts with, affects or impinges

on the sovereign independent status or autonomy of Bophuthatswana, or in any way pertains to the incorporation of its territory,".

The whole CODESA exercise is directed at correcting the historical wrong of balkanising South Africa under the apartheid experiment. The Declaration of Intent has laid down basic principles to which parties ~~commit themselves and undertake to~~ work towards the dismantling of apartheid and putting in its place ONE South Africa governed by a democratic ethic. That United South Africa precludes Bophuthatswana as far as that government is concerned.

We love our brothers and sisters in Bophuthatswana. We would have liked to embrace them into the Common South African fold. Alas they demur at such overtures and choose to stay out in the Cold. We in Transkei cannot find any justification for her continued participation in CODESA if that forum is to do its brief smoothly and unhampered. We recommend that, in view of the fact that her presence in the deliberations may in the long run influence them positively, she continues to sit in our deliberations as an observer. Considering that her participation in discussions is a contradiction of her stated position, she is expressly barred from active participation, a situation she has opted for by her own volition. Alternatively, Bophuthatswana should be allowed to participate in CODESA discussions, but her views should not be taken into account when determining Consensus.