

Memo.

Define - principles.

Not constit-  
making  
application  
[Democratic]

History  
Function

Pre-empt. How handled

Self-determ.

Genl princs

11. PRINCIPLES AND PROCEDURES FOR ADOPTING CONSTITUTION

PROPOSALS BY THE ANC TO WORKING GROUP TWO

For steering  
Bill - proposal

The ANC proposes that:

1. The constitution be drafted and adopted by a body to be elected according to the principles of universal franchise and a common voters roll.
2. The voting covers the whole of South Africa, including the areas designated as the TBVC states.
3. The system of proportional representation ~~based on party lists~~ be used.
4. The body be called the Constituent Assembly.
5. In order to guarantee that the elections will be free and fair, they be supervised by a broadly-based Interim Government of National Unity, with appropriate international monitoring. *and sovereign*
6. The Constituent Assembly will be bound to respect the general constitutional principles set out in the schedule annexed hereto, and will enshrine them in the constitution.
7. Decisions at the Constituent Assembly will be by a two thirds majority.
8. Functioning within the above framework, the Constituent Assembly will have sovereign powers to draft a new and binding Constitution for South Africa.

COMMENTS

1. On the principle of an elected body:

Even the government has come round to accepting the principle that only an elected body representing the whole South African nation will have the legitimacy to draft a new constitution. Earlier on, they were insisting that it be Codesa or some other self-appointed body that drafted the constitution. Now they say that it should be a Parliament elected according to the principles of universal suffrage. They attempt to lock this body into complicated, compulsory and unacceptable power-sharing arrangements. Nevertheless,

1910

all inclusive,

Attempt consensus - 2/2

Draft

2 assignments:  
Genl principles.

Proceeds a body const  
Decl of Intent +

De-central. Groupings.

Affirm. action

Power sharing

Property etc.

Gen.

W.P.

Noty.

Inkatha.

2nd - connection.

P.R.

$\frac{2}{3}$  maj.