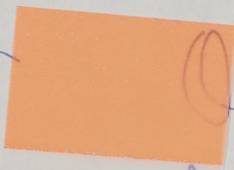


Gov. Gov. threw down the challenge: in the 80 years of his life the african people had been stripped of their voting rights and pushed off the

land. they ~~tried in~~ ~~were being~~ ~~without~~ ~~equal~~  
plagued  
homeless  
malnourished  
all we  
the 21st



Workshop on  
affirmative  
Action  
in P.F.

Quotas: Diff. -  
India (Malaysia  
USA -  
narrowly  
practical  
no practitioners  
reference with lots of  
trees,

remember the funny words imported from  
the USA -- this American thing.

"Affirm. act." we shouted back.  
Gov. Mabe  
It was at a dinner <sup>in PF</sup> after the second day  
of ~~the~~ <sup>the 6th</sup> Workshop org by the ADC Board.

Panel on the subject of AA - <sup>too</sup> with.  
About 100 - Regs, TH's, <sup>educ.</sup> educ.  
gender. Disabled People of SA.

Gov. you threw down the challenge: in the 80 years of his life the african people had been stripped of their voting rights and pushed off the

land. they ~~lived in~~ ~~were being~~ ~~without~~ ~~equal~~ ~~rights~~ ~~were~~

~~plagued by illit.~~ ~~proper schools~~ ~~homelessness~~ ~~and~~ ~~2nd best - a huge~~ ~~maintenance~~ ~~and~~

~~all the way~~ ~~of~~ ~~the cities they had helped~~

~~them~~ ~~to build~~ - he pretended not to remember the funny woods imported from the USA ... this American thing.

Quotas: Diff. -  
India / Malaysia  
USA -  
temporary <sup>narrowly</sup> ~~tailored~~ <sup>practices</sup> ~~no~~ <sup>practices</sup> ~~interference~~ with ~~rights~~ of others,

Gov. "affirm. act." we chanted back.  
Gov. Mabe <sup>in PE</sup>  
It was at a dinner after the second day of ~~the 6th~~ ~~workshop~~ org by the ADC Board.

Ben on the subject of AA - ~~top~~ with.   
About 100 - Regs, TH's, busi, educ,   
gender. Disabled people of SA.

We hear a lot about white fears  
a black aspect, but not much  
about black fears. <sup>She fear that don</sup>  
~~A major worry~~  
for was expressing <sup>was</sup> ~~so~~ that everyone will get the vote -  
and absolutely <sup>nothing</sup> will change,  
or that at most <sup>as a worst</sup> a tiny black elite  
would be incorporated into white society,  
and the millions who had suffered the  
most under apartheid & done the most to  
get it overthrown would be left  
behind. <sup>fundamental</sup> ~~new~~ <sup>govt</sup> would take over <sup>as non-racial</sup> ~~us~~ <sup>instead of whites</sup>  
At the same time, <sup>we know</sup> ~~we know~~ <sup>only authority</sup>  
that many whites who accept that  
there must be change were genuinely  
scared that <sup>mis</sup> inexperienced people in  
~~charge~~ <sup>run</sup> the econ & govt would lead  
to collapse of govt & economy and a  
form of new, non-racial ruin.

The next day on the floor of  
the Workshop, we gave our reply.  
AA has a broad & a narrow meaning.

Broad - all change

4 Principles of re-dist.  
H.Rts.

1) Equal part. F.O. Com.

2) Socy. floor of min. social Rts

Power to the people Socy. Rts  
Com.

3) Regul. equalis. - Relat. - regions

Principles of good govt.  
Soc. of civil society

Reach everybody, all parts

Non-racial, non-sexist, non-elitist

4) AA in narrow sense

Gov. services - balance  
Land integs, search,  
Edu. in-services

Business

Business

Bill of Rights

"Louisiane",  
2, Chemin du Riou Merlet,  
Valbonne 06560,  
France.

2 September 1991

Dear Albie (Sachs),

I have recently finished your book, "Running to Maputo", which you kindly sent to us via Dominique Remy. Thank you very much, and thank you too for sending some of the working papers for the Bill of Rights proposed by the ANC Constitutional Committee. My apologies for not writing to you earlier.

I thought your book was a very personal, tender and brave testimony from someone who had undergone immense trauma and pain - without losing his sense of humour, cf. Hymie Cohen! I hope you are finding time to jog along the beach at Clifton, amongst all your other activities. The latest issue of the UCT News Magazine tells me that you have been appointed an Honorary Professor in their department of Public Law, congratulations!

I have been trying to follow developments in South Africa through the press over here, and it seems to me that change is coming about on all fronts. Most of the papers headlined the developments on the sporting front! As a keen sportsman, you must be pleased, too. The French papers seem to concentrate on what is "local" news, for instance, there was one long piece on the connection of the Frenchman, Mr. Guenon, with the ANC and the Mandela family. I was interested to see that the question of the oil trade cropped up, an area in which I have been involved as you may remember. Otherwise Dominique tells me that she has started receiving her copy of the "Weekly Mail", so she should be better informed.

When Dominique was in Cape Town, she had an amicable lunch at my parents, who have a house in Rosebank. Now, my father has long been involved in Southern African development issues, especially in the rural areas, and I remember from our conversation in Paris that this is one of your major concerns. I would like to suggest that perhaps you would enjoy having lunch, or at least a drink, with him, too! I have let them know of my suggestion, and I have asked my father, Tony, to get in contact with you. I do hope that you can find the time, perhaps an occasion as relaxed as the time we had at Dominique's house in Paris?

Although I would dearly like to discuss with you in more detail the Bill of Rights working document (which has probably changed now), I hope you don't mind if I make one specific and one general comment here. If you have time, perhaps you would kindly send me some updated working papers?

Specifically, under Article 11 I would suggest that there should be included this (short) economic right: "The right of every citizen to buy, sell or hold any currency and in any amount as he/she so wishes."

To my mind the attitude of any government to the question of foreign exchange is key in determining it's attitude to the freedom of that country's people. I think you said yourself that having lived in Maputo there are elements of a controlled economy you could do without - the appearance of "hard currency shops" is probably one of them!

As a general comment, even though Article 1 states that no individual or group shall receive privileges on an arbitrary basis, by making that amorphous animal "the State"

Mr & Mrs A.C. Fleischer  
8 Norfolk Lane, Rosebank  
7700 Cape Town  
RSA Tel. 021-6866985

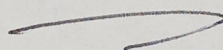
the active agent throughout the whole document, I get the impression that a privileged group could in fact be in the making. It is this group that will have extraordinary powers to order the "reverse" social engineering implicit in the document. The individual citizen appears as a passive agent who "receives" rights. I think there are risks of "moral hazard" if the individual is not aware of limits to his rights nor of their costs. Otherwise I must say that I am very pleased to see that the environment is at last going to be on the agenda.

I enjoyed very much meeting with you in Paris, and should you be over here again, please don't hesitate to get in touch, or indeed please do so if you would like to discuss anything concerning the oil trade.

With my best wishes,

Lance, and Marie-Anne

Lance (Fleischer).



There is no contradiction in traditionalism modernising itself. Shaka and Mosheshwe were both modernists in their time who introduced profound changes in the life of their respective societies.

They are expected ~~not~~ only to be traditional but to lead. Leadership means going forward ~~and~~ backward - taking the best of the future, not just to the past.

Approach to traditional leaders

If they [traditional leaders] should retire from their [option] [a woman within the family] make their [option] [a woman within the family].

Traditionalism should accommodate to and contribute towards unity, non-racialism, and non-sexism.

Non-sexism has been one of the most difficult objectives for many ancient institutions, who

There is no contradiction in traditionalism modernising itself. Shaka and Mosheshwe were both modernists in their time, who introduced profound changes in the life of their respective societies.

They are expected ~~not~~ only to be traditional but to lead. Leadership means going forward not backwards - taking the best of the past into the future, not pushing the present into the past.

If they run for office they should retire from hereditary position [make their option]. [Decision within the family.]

Traditionalism should accommodate to and contribute towards unity, non-racialism, and non-sexism.

Non-sexism has been one of the most difficult objectives for many ancient institutions, who



- ① Defence of democratic power
- ② Utilisation of skill
- ③ ~~Time~~ <sup>to establish</sup> development plans
- ④ Time to train a new generation of cadres to take over administration.

Importance of regions for the homelands people.

Commonality;

Name

Territory

Constitutional Court

Ombudsman

sep. of powers -

Entrench of powers  
Concurrent powers  
~~Legislation~~  
Regul  
equality

Balance between central,  
regul & local govt.

Language rts.

Meaningful part of pol. sys.

sep. constit.

Economic freedom, govt  
inter & econ. sys.

Sub-regions

Diversity lang. cults, relig.

A. A. et al.

Bill / Charter of F.R.s

Self-Det.

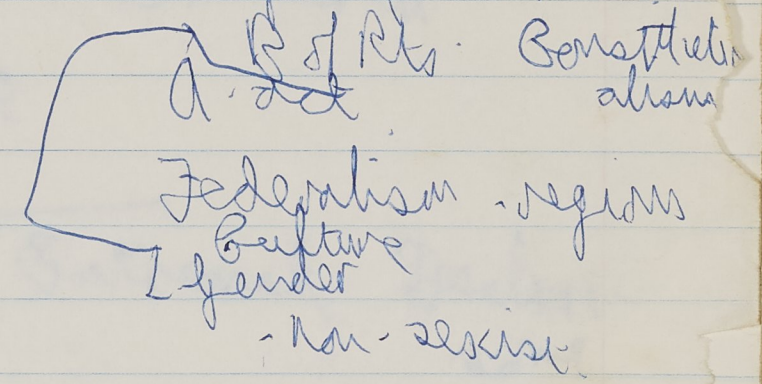
Role Trad Leaders

Trad. leaders are symbols of continuity  
of democracy, which must be  
discontinuity.

There shld be mean. part by  
pol. mins. in a democratic structure  
of govt. without discrim.

Contrib: Non-racial franchise

- full of white



3 so - sorry, suffer, state

3 pi - property, pension & profits

UWC - C Town  
R Asst. R Asst

Sals.

Special

243,000

143,000

250,000 as jobs.

Equip, run cost 25. for div.

Div - 26,000 + 7,000 SA

Admin Sec 14,000

Res A 48,000 15,000

SEM. 5,000

Publics. 9,000

Office. 7,500

Travel 13,000

121,500

22,000

Issues: Demarcation

Criteria

Purpose

Powers

Entrench

Decline-  
some  
flexib.

Revenue

# Trad. leader

Who are? disputes

Concept: Regul. variations Kings  
- need info.

Role: up to them.

Divide <sup>Long been so.</sup>  
Personal power Partistic  
People change

Regemony  
- religious -  
[Not allow  
cultural  
manip. - ambit -  
detract]

Non-vaical.  
Democratic elements.  
relat, style of work.

Headmen.  
Land, pensions maint.  
schools  
[Part of civil society]

Not elected - for life.

Preside for life - dynasty.

Not wanting - controversial figures.

Pop. role: South Africa  
bring in - Not collect  
Nor - assassin.

Constit. monarch  
[many, active]

aspect - useful - Ho of Lords - under attack.

Prevent - becoming instruments of manipulation in conditio of non-vae  
Restore dignity -

Civil society

Cult. rs.

Regul/ local.

Not - not contradict democ. Divide / anti-elect

Enable them to use prestige to contribute to national unity, solve prob

Demarcation

Regs. - doc. final touches - signed text.

10 Regs -

Marbach - Natl/Regul.

Role

Natl - scales. Government - certain. Natl - prevail.

Powers

Written in  
Can't dissolve, take away

Old Prov. Councils.



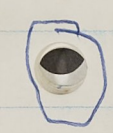
Objective: Develop a dignified and respected role for trad. leaders which enables them to take their place in and make their contribution towards ~~development~~ building a new democ.

S.A. \* It is not a question of (or of traditionalising democracy) democratising the chieftainship, but

or tribalising, as Vorster tried

i.e. of constitutionalising the relationship.

of inserting chieftainship into (and eliminating the tensions between them - democracy) trad. leaders can behave in a democratic way, but the institution can never be democratic in itself. The hereditary principle and the electoral principle can both contribute to the same end, namely good and stable <sup>governments</sup> ~~governments~~ <sup>in the interest of the people,</sup> ~~governments~~ <sup>but</sup> ~~governments~~ <sup>into a single system without doing damage to both.</sup> they cannot be mixed. [ They can be associated but not amalgamated; we ~~cannot~~ insist that ~~chiefs~~ ~~cannot~~ be chosen by democratic



procedure. [Albert Luthuli was elected as a chief and exercised certain powers as such, but he was not a trad. leader, in the true sense.]

\* ~~the~~ In positive terms, it means enabling trad. leaders to recapture the prestige which segregation & apthd. destroyed, and to ~~make~~ use their position to help achieve ~~the~~ ~~objective of~~ ~~creating~~ a united, non-racial, non-sect. dem. S.A.  
In negative terms, it implies preventing the institution of chieftainship from being used to keep the people divided or to advance personal political ambitions.

There is no inherent or inevitable tension between ~~the~~ tradit. leadership and democracy

- ① Defence of democratic power
- ② Utilisation of skills
- ③ ~~Time~~ <sup>to establish</sup> development plans
- ④ Time to train a new generation of cadres to take over administration.

Importance of regions for the homelands people.

Commonality;

Name

Territory

Constitutional Court

Ombudsman

Sep. of powers -

Entrench of powers  
Government powers  
~~Association~~  
Regul  
equality

Balance between central,  
regul & local part.

Language rts.

Meaningful part of pol. mins.

Sep. constit.

Economic freedom, govt  
inter & econ. syst.

Sub-regions

Diversity lang. cults, relig.

A. A. Act

Bill / Charter of F.R.s

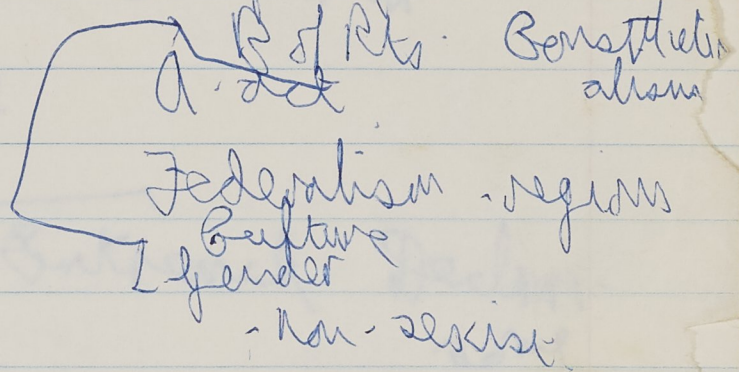
Self-Det.

Role Trad Leaders

Trad. leaders are symbols of continuity  
of democracy, which must be  
of continuity.

There shld be mean. part by  
pol. mins. in a democratic structure  
of govt. without discrim.

Contrib: Non-racial franchise  
- full of white



3 is - early, suff, state  
3 in - property, pension & posts

UWC - Town  
R Asst. R Asst

Sals Special

243,000	Div - 26,000 + 7,000	500
143,000	Admin Sec 14,000	
250,000 as jobs.	<u>Res A</u> 48,000	15,000
	<u>SEM</u> 5,000	
	<u>Publics</u> 8,000	
	<u>Office</u> 7,500	
	<u>Travel</u> 13,000	
		<u>12,500</u>
		<u>22,000</u>

Equip, run cost 25. for div.

Issues: Demarcation

Criteria

Purpose

Powers

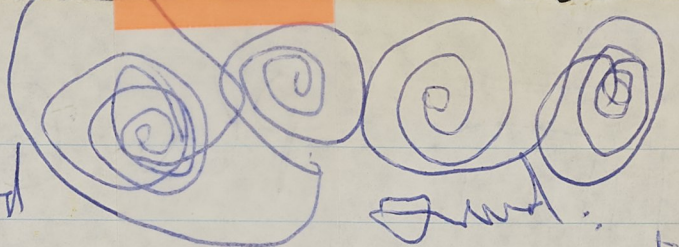
Entrench

Decline-  
some  
flexib.

Revenue



① Violence  
- Peace Accord



fund.  
transient  
not comp.

②. Council matters - Council who

State  
pines  
cm body  
trans  
TRV  
self-det.

Frog  
Arthur

- regular local govt -

③ Fund. its during transit.

Lourens du Plessis

④ TEC  
Funk

armed forces & self  
forces.

⑤ Media Com. / Tel authority  
IMC IFA

Fast

⑥ Ind Elect Com.  
Dennis Dawes

⑦ Repeal of Disor. Leg.  
sub-zones (TRVC).

Plus.

Council meetings 7, 18, 25, 28 May.

Planning Com. in between

See Com work through Pl. Com.

First report by Plan-Com on 14 May.

Plan Box - 18 - 24, 25 May ~~18~~

