

MEACU-67-6-3



WORKING GROUP 2 MINUTES 9 MARCH

**MINUTES OF THE SEVENTH MEETING OF WORKING GROUP 2  
(CONSTITUTIONAL PRINCIPLES) HELD AT THE WORLD TRADE CENTRE ON  
MONDAY, 9 MARCH 1992**

**(Adopted at the Working Group 2 Meeting Held on 23/24 March 1992)**

**PRESENT:**

Delegates and advisors (See Addendum A)  
CW Eglin (Chair)  
M Phillips (Secretary)  
R Hartley (Minutes)

**DOCUMENTS DISTRIBUTED:**

1. Draft agenda
2. Draft minutes of the sixth meeting of Working Group 2 held on 9.3.92
3. Ratified minutes of the fifth meeting of Working Group 2 held on 24.2.92 and 25.2.92
4. 9.3.92 Common principles regarding the balance between central, regional and local government agreed to at the meeting of Working Group 2 held on 2 March 1992
5. 9.3.92 Memo to all Working Groups: Letter from Transkei Government regarding SECOSAF
6. 9.3.92 Draft principle on the meaningful participation of political minorities prepared by the Steering Committee for Working Group 2
7. The meaningful participation of minorities: Precis of verbal submission by CW Eglin on behalf of the Democratic Party on 24.2.92
8. Labour Party of SA: The constitutional protection of minorities
9. Transkei government position paper: Meaningful participation of political minorities
10. Inkatha Freedom Party: The principle of the participation of political minorities
11. United People's Front: Meaningful participation of political minorities
12. Solidarity: Meaningful participation of political minorities: Revised submission to Working Group 2
13. 9.3.92 Proposed agreement to be minuted regarding the draft principle on minority political participation

CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

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## 1. Apologies

VR Zietsman	Ciskei Government
MJ Mushasha	Venda Government
Dr Delpont	SA Government (Alternate: Dr Venter)
J Rabie	National Party (Alternate: S Camerer)
SOM Moji	Dikwankwetla Party
Prof Cloete	Ximoko Progressive Party
Chief Ndamase	Transkei Government (Alternate: Prof Koyana)
R Cronje	Bophuthatswana Government

## 2. Ratification of Agenda

2.1 The agenda was ratified with no changes.

## 3. Ratification of Minutes

3.1 The draft minutes of the meeting of 2.3.92 were ratified with no changes.

## 4. Meaningful participation of political minorities

4.1 The following parties made submissions:

4.1.1 Labour Party

4.1.2 Transkei Government

4.1.3 Inkatha Freedom Party

4.1.4 United People's Front

4.2 The Working Group agreed on the following principle regarding the participation of political minorities:

4.2.1 "A new constitution shall provide for effective participation of minority political parties consistent with democracy."

4.2.2 The Working Group agreed on the following formulation with regard to the above principle :

4.2.3 "The principle does not imply or reject:

4.2.3.1 constitutional prescription for the participation of minority political parties in any executive structure of government;

4.2.3.2 simple majoritarianism;

4.2.3.3 veto powers by minority political parties on any issue."



**5. Key Issues to be Addressed**

- 5.1 It was agreed that the Steering Committee will prepare draft principles on the outstanding key issues to be addressed for presentation to future Working Group meetings.

**6. Next Meeting**

- 6.1 The next meeting of Working Group 2 will take place on Monday 23.3.92 from 10h00 to 16h30 and Tuesday 24.3.92 from 9h00 to 15h00.

**7. Any Other Business**

- 7.1 It was noted that 97 submissions had been received by Working Group 2 as of 2.3.92. A copy of each submission, together with an index of the submissions received had been prepared for each member of the Steering Committee. It was also noted that further submissions were still arriving and that these would be compiled for Steering Committee members at an appropriate time.
- 7.2 It was agreed that the Steering Committee would report to the next meeting of Working Group 2 on progress regarding submissions from the general public.



## ADDENDUM A

The following delegates and advisors signed the Attendance Register of Working Group 2 meeting held on 9 March 1992:

Organisation	Delegate/Advisor
African National Congress	C Ramaphosa MV Moosa F Grinwala A Sachs
Bophutatswana Government	SG Mothibe TE Scheepers
Ciskei Government	MC Kashe IJ Smuts J Laubuschagne
Democratic Party	CW Eglin D Worrall AJ Leon D Welsh
Dikwankwetla Party	SOM Moji S Mopeli M Mopeli
Inkatha Freedom Party	N Brits SH Gumede BS Ngubane
Intando Yesizwe Party	SJ Mgidi AP Laka MP Mahlangu IT Mahlangu
Inyandza National Movement	C Albertyn I Lephoko BE Mabuza EN Ginindza
Labour Party	D Lockey IM Richards G Devenish C Nasson
Natal/Transvaal Indian Congresses	Z Yacoob IC Meer F Haysom

National Party	F van Heerden S Camerer I Rautenbach
National People's Party	M Mohanlall S Ismail B Singh H Neerahoo
Solidarity Party	DS Rajah I Omar K Moodley R Arenstein
SA Communist Party	J Slovo B Nzimande N Hoosain E Daniels
SA Government	G Viljoen JT Delport F Venter JHE Basson
Transkei Government	S Holomisa R Nogumla DS Koyana
United People's Front	MC Ramusi KR Malatji RJ Dombo MJ Mahlangu
Venda Government	GM Legege MP Nthabalala A Budeli
Ximoko Progressive Party	EE Ngobeni KR Myakayaka EPP Mhinga J Ackron



5. Do Pty-rt's outweigh other rt's -  
social ideals?

Rent control

Harm to workers / landlord (impl)

Labour rt's

Occup health

Maternity, Poverty schemes

Environmental

Natural resources management

Pty-rt's needs justic. social rt's,  
counterbalancing mechanisms

(Social Charter) <sup>min.</sup> standards].

We have many laws to protect Pty-rt's

6. We look to 5th 14th Amendments,  
and all the headaches & all the  
headache produced.

Life, liberty & security of person.

No substantive due process by judges!!!