

FROM: The Constitution Committee ANC (SA) <u>LUSAKA</u>	TO: Comrade O.R. Tambo ANC President <u>LUSAKA</u>
DATE: 12th APRIL, 1988.	
subject : <u>CONSTITUTION GUIDELINES AND THE IN-HOUSE SEMINAR.</u>	

Dear Comrade President

The Constitution Committee (ConComm) welcomes the idea and opportunity to discuss the outcome of the In-House Seminar held from the 1st to the 4th March this year. It is our opinion that the papers delivered and the subsequent discussion thereof were of a high standard - hence the need for a follow-up.

The participants were informed that the Guidelines were adopted after a considerable analysis and debate by the NEC and between the NEC and the ConComm. The participants showed an excellent grasp of the objectives of the Movement and the problems we encounter in bringing our struggle to a point where control of our country would be transferred to a people's democracy as is contemplated in the Guidelines.

The seminar succeeded in opening up important avenues and themes for debate and in quenching the immense thirst of the membership for organised discussion of fundamental questions facing the Movement. Of the substantive questions raised, we would like to make the following observations:

- (a) There was general acceptance of the Preamble and the sections on the State, Franchise and National Identity. It was, however, not clear as to how organs of Local People's Power would fit into the scheme.
- (b) The position adopted generally in the Guidelines vis a vis the Chiefs was also accepted.
- (c) After elaborate explanations and the circulation of Cde Albie's paper on The Bill of Rights and the Role of Affirmative Action, there was general acceptance of this section of the Guidelines.
- (d) The topic on the Multi-Party Parliamentary System raised quite a number of questions which were elaborately explained, especially by coupling them with clauses (i) and (k). After a lengthy discussion, the participants accepted the perspectives espoused in this section.

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THE ECONOMY:

Strong reservations, exceptions and criticism were levelled against this section. The failure of the Guidelines to spell out a clear commitment to nationalisation was one of the weaknesses of the document. This was made worse by the complete absence of reference to the theme of the Land Question and Land distribution.

Reference to a mixed economy was viewed as condonation of the continued existence of capitalism in post-apartheid South Africa. This scepticism was allayed when it was pointed out that almost all the People's democracies in Eastern Europe passed through a mixed economy, and that such transitional stage of economic development was a pre-requisite for the development of a People's democracy in post-apartheid South Africa. It was further stressed that only a strong and properly organised Workers' Movement and strong government control could steer the economy towards progressive directions. The formulation in the Guidelines was accepted.

THE LAND QUESTION:

There was general consensus that the land question needed to be directly addressed so as to erase the impression that the ANC was running away from this question and from its historic commitment to restore the land to those who work it.

The seminar felt that the Guidelines ought to assuage the expectations of the oppressed and exploited landless majority who are victims of forced removals by guaranteeing that justice will be done and by pointing the way to dealing with the colossal agro-business which is monopolising vast tracts of land. The Guidelines ought to indicate our determination to combine land reforms with a high output of agricultural foodstuffs and raw materials for industry.

SOCIO-ECONOMIC AND CULTURAL RIGHTS:

The general feeling was that special reference in the Guidelines should have been made to the themes of Education, the Right to Information, Health and the Role of Culture in promoting a common national identity.

(a) Workers' Rights:

There was general acceptance of this section although some participants felt that the workers' right to strike should have been spelt out more bodily.

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(b) Women's Rights:

This section was wholly accepted save that the author of the paper on the Gender Question felt that the struggle against sexism should receive equal treatment, attention and emphasis in the Guidelines with all other forms of discrimination.

FAMILY AND INTERNATIONAL AFFAIRS:

This section was relatively not controversial.

GENERAL SYNOPSIS:

In general, the organisation of the seminar was quite a task for DLCA and ConComm., more so because we received little or no support at all from other departments despite their promise to help. We had problems of duplicating because the D.I.P. Duplicating Section never provided us with personnel, nor were they anywhere to be seen when the duplicating machine gave us problems.

NAT was nowhere to be seen despite several promises before and during the seminar. Effective debate was impeded by late submission of papers for typing and duplication by the respective authors. Save for the paper on Parliamentary and non-Parliamentary Systems of Government and the paper on Local Government Structures which were both submitted a week before the opening of the seminar, only Tony O'Dowd's paper arrived in good time for typing and duplication. About 87% of the papers arrived either a day before or on the actual day of delivery of such papers, while two were received after the seminar and two others are still forthcoming.

Despite these handicaps, we are, however, greatly indebted to the Treasury and the D.I.P. (Radio Freedom) WITHOUT WHOSE unflinching support throughout the seminar our deliberations would not have been a resounding success. It was strongly recommended that more elaborate seminars should be organised on the following issues as soon as possible :

- i. The Land Question
- ii. The Economy and
- iii. Culture.

We kindly entreat the NEC to exert its authority to push the relevant departments to organise these seminars as soon as possible so as to match up with the enthusiasm demonstrated during the In-House seminar.

Ways must be found of placing the Guidelines before the entire membership of the Movement and the democratic Movement inside the country, together with an explanatory document that sets out the background to the drafting of the document of the Guidelines, explaining the basic themes of the text and indicating

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the nature of the consultations with the membership as a whole. We are also convinced that there was general consensus among the participants that the document on Guidelines was skillfully prepared and would inspire more discussion and generally contribute towards mobilisation against apartheid.

The Guidelines will provide the basis for profound debate and will promote unity, deepen the political consciousness and widen the political perspective of our membership while strengthening their conviction in the ultimate victory of our struggle.

We are equally convinced that the surfacing of the PASA Project with UNZA WILL GO A LONG WAY IN FACILITATING THE SMOOTH EXCHANGE OF VIEWS AND INFORMATION BETWEEN THE ANC EXTERNAL MISSION AND THE DEMOCRATIC MOVEMENT AT HOME. PERHAPS THE ORGANISATION OF SEMINARS ON THE ECONOMY, THE LAND QUESTION AND CULTURE WILL GO A LONG WAY TOWARDS REALISING THIS DESIRE.

ALBIE SACHS:

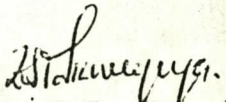
We make no apology for putting into words our sense of shock and outrage at the murderous assault on Albie by the same hand that murdered Dulcie. He was close to us - a dear friend and esteemed colleague whose contribution to the work of our committee and indeed the entire Movement is beyond praise. We wish to condole with you and through you all the devoted members of our great enterprise for the liberation of our country from a tyrant who is evil personified but whose end is certain.

Maatla !!

AMANDLA!!

COMRADELY YOURS

JACK SIMONS
Constitution Committee


Zola S.T. Skweyiya
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" P. Jordan (NEC Secretariat)
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