

PROPOSAL

This is 'my' centre in London, but now working bi-continently. My request is for £ 44,000 (sterling) being the shortfall resulting from Ford Foundation paying about $\frac{1}{3}$ instead of $\frac{1}{2}$ (SIDA - Sweden) pays $\frac{1}{2}$ (The Norwegian govt. helps with small extra side projects)

SOUTH AFRICAN CONSTITUTIONAL RESEARCH PROJECT

Objective

Note: This is not the main project referred to, but the basis for a possible extra one

Conduct research relevant to the elaboration of a non-racial, democratic constitution for South Africa.
Publish monographs setting out the results of such research.

Duration and auspices

The project will run from 1 October 1989 to 30 September 1992 and be housed in the Institute of Commonwealth Studies of the University of London.

Personnel

The team will consist of Dr Albie Sachs (Director), a research assistant and a secretary. In appointing a research assistant consideration will be given to training a South African lawyer.

Background

While working as Director of Research in the Ministry of Justice in Mozambique I used what spare time I had to prepare a booklet entitled Towards a Bill of Rights in a Democratic South Africa. It became clear to me that whereas a vast amount of research was being conducted in various parts of the world with a view to finding solutions that could possibly accommodate the wishes of the dominant minority in South Africa, very little was being done with a view to answering the preoccupations of the rightless majority. In particular, virtually no research at all was being conducted on what appeared to be two fundamental themes - how the mass of the population could be drawn now into the constitutional debate so that when new constitutional documents come to be drawn they have well-informed opinions to contribute; and how to devise schemes of affirmative action relevant to South African conditions to ensure that the huge inequalities created by apartheid will be speedily reduced and eliminated.

PROPOSAL

SIDA is requested to fund half the costs of the Project according to a document to be presented by the Director of the Institute of Commonwealth Studies.

A. L. Sachs

Albie Sachs

Stockholm 23 May 1989

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The object of this research is to attempt to close these gaps. It will deal with the process of constitution-making from a comparative perspective, with special emphasis on the post-colonial period in southern Africa and on how the Union of South Africa and successive constitutions were adopted. It will involve the preparation of monographs on basic themes such as the structure and typologies of modern constitutions, forms of government and electoral systems and the role and significance of Bills of Rights. Finally it will focus on anti-discrimination and affirmative action programmes in various parts of the world with a view to seeing how they could be adapted to South African conditions and help shape the text of a Bill of Rights for a democratic South Africa.

The research will be conducted according to the generally accepted criteria of scientific investigation and debate and the results will be made freely available to all interested persons.

Budget (Provisional estimates in £ sterling) Annual for 3 years.

Salaries

Director	28 000	
Research assistant	13 000	
Secretary	10 000	51 000
Office equipment (first year only)		10 000
Office materials		8 000
Publications support		10 000
Travel		8 000
Accommodation fee		8 000
		<u>95 000</u>

Note: The Director of the Institute of Commonwealth Studies at the University of London has prepared a fully itemised budget based on the above figures and taking into account pension rights and London allowance. This budget was due to be sent to the Ford Foundation in New York, who have agreed to pay half the total amount required.

The Institute of Commonwealth Studies will administer the funds subject to my direction, and provide office space, telephone and post facilities, and space for seminars. The Project will be housed in the Institute but not be subject to its control.