

CONSTITUTIONAL PRINCIPLES

We propose that the following general constitutional principles, which build on and clarify principles agreed to in the Declaration of Intent, be enshrined in the new constitution.

1. South Africa will be a united, democratic, non-racial and non-sexist state in which sovereign authority is exercised over the whole of its territory;
2. the Constitution will be the supreme law and will be guarded over by an independent, non-racial, non-sexist and impartial judiciary;
3. there will be a multi-party democracy with the right to form and join political parties and with regular elections on the basis of universal adult suffrage on a common voters roll; each vote shall be of equal value and in general the basic electoral system shall be that of proportional representation;
4. there shall be a separation of power with appropriate checks and balances;

5. the diversity of languages, cultures and religions of the people of South Africa shall be acknowledged;
6. all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees equality of all before the law;
7. within the context of an undivided South Africa, government will function at national, regional and local levels; the appropriate division and decentralisation shall be such as to encourage non-racial, democratic participation and administration at all levels;
8. the Constitution shall enable the application of affirmative action in order to help redress the racial and gender imbalances created by past discrimination.

AFRICAN NATIONAL CONGRESS