

Venda Government

WORKING GROUP 2

GENERAL CONSTITUTIONAL PRINCIPLES

1. NAME OF THE STATE:

We propose that the name of the State be included in the constitution and such name be agreed upon by sufficient general consensus.

2. DEFINITION OF THE NATIONAL TERRITORY:

The Constitution must define the territory objectively in land surveying terms which should comprise the present Republic of South Africa including the TBVC States however, it must exclude Walvis Bay Territory.

3. THE ORGANIZATION OF THE STATE:

Contrary to the present legal position the new constitution of South Africa must embody the characteristics of a constitutional state where the constitution will be the supreme law.

4. SEPARATION OF POWERS:

We proposed that there should be a genuine separation of powers with the necessary checks and balances.

5. ELECTORAL SYSTEM:

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 and each vote shall be of equal value and in general the basic electoral system shall be that of proportional representation.

6. PROTECTION OF FUNDAMENTAL HUMAN RIGHTS:

All shall enjoy universally accepted human rights, freedoms and civil liberties, speech and assembly protected by an entrenched and justiciable Bill of Rights.

7. RECOGNITION OF DIVERSITY:

The diversity of languages, cultures and religion of the people of South Africa shall be acknowledged.

8. STRUCTURAL PRINCIPLES:

We propose the three-tier government in which full legislative and executive functions and authority are conferred on central government and regional and local authorities.

9. THE ROLE OF TRADITIONAL LEADERS:

We propose that the Chiefs who are and still will undoubtedly play the most useful role in South Africa should be accommodated constitutionally at local or municipal level of government.

10. THE JUDICIARY:

There shall be an independent impartial judiciary with the constitutional testing powers.

11. OMBUDSMAN/AUDITOR-GENERAL:

There shall be an ombudsman/Auditor-General appointed by Parliament and only accountable to parliament.

12. LEGAL SYSTEM:

There shall be a legal system that will guarantee equality before the law.

13. NATIONAL SYMBOLS: NATIONAL ARMS, MOTOR, FLAG AND ANTHEM:

Provisions relating to the national symbols are found in almost every constitution of the world and we accordingly move that provision concerning this be written into a new constitution of a democratic, non-racial and non-sexist South Africa.

14. THE PREAMBLE TO OUR CONSTITUTION:

It is constitutionally wise to insert a preamble in a constitution for symbolic and ideological purposes. We accordingly move that our constitution be no exception in this regard.

VENDA GOVERNMENT

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