

NATIONAL PEOPLES PARTY

Addendum H^[2]
11.4

Political Legal and Administrative implications of
incorporation of the T.B.V.C. States

Before considering the implications and consequences of incorporation, we have to establish whether we regard the T.B.V.C. States independent or not for this purpose. If we adopt the standpoint of the International Community that the T.B.V.C. States were never independent, and therefore never separated from South Africa, then there is no overt act necessary for incorporation in theory. This viewpoint closes its mind to the realities of the fact that the T.B.V.C. States have been functioning as bona fide independent states and have performed many juristic political and administrative acts that cannot be ignored. The psyche of the nation has accustomed itself to feelings of nationalism and independence in regard to each State concerned. These considerations have to be addressed.

The South African Citizenship Act 44 of 1949 deals with the acquisition loss and resumption of South African Citizenship. The provisions of this Act are in keeping with International standards and the principles of International Law. Restoration of South African Citizenship to the T.B.V.C. States would entail the enactment of clauses in the new constitution to the effect that former citizens of the T.B.V.C. States are now automatically South African Citizens while the National States Citizenship Act 26 of 1970 would have to be repealed to grant complete citizenship to members of the National States. Repeal of various other legislation would be necessary e.g. Promotion of Bantu Self Government Act of 1959.

Formal incorporation would be ~~incorporated~~ effected by a negotiated treaty between South Africa and the TBVC States which desire incorporation. While political incorporation seems to present few problems other than consensus on the part of the participating states. the basis of geographical incorporation and creation of new boundaries will depend on the type of constitution that will be framed for the new South Africa.

It would appear from the recommendations of the South African Law Commission that a strong unitary state with regionalism based not on ethnic divisions, but on a socioeconomic basis is a viable proposition. The fact that South Africa has the problem of geographical cultural and economic diversity will entail a great measure of decentralization of government.

Problems to be addressed :-

1. The type of economic system that should be pursued.
2. Matters arising from economic imbalances e.g. black poverty.
3. Ethnic and Cultural differences between blacks
4. Education ;: particularly the problem of so called disadvantaged students.
5. Socioeconomic rights to be included in a Bill of Rights e.g. health scheme, school feeding scheme.
6. An equitable system of taxation that would effect transfer of wealth and at the same time maintain and encourage productivity.