



INKATHA

Inkatha Freedom Party

Iqembu leNkatha yeNkululeko

WORKING GROUP 2

PRINCIPAL ON THE MEANINGFUL PARTICIPATION OF POLITICAL MINORITIES

We live in a pluralistic society in South Africa. National, linguistic and cultural identities, practices and traditions need to be protected and promoted. Special attention must be given to the needs and aspirations of indigenous peoples.

The meaningful participation of political minorities cannot be dealt with in isolation. Cognisance must be taken of the accommodation of the diversity of languages, cultures and religions; the Bill/Charter of Fundamental Rights; the role of traditional leaders; and self-determination.

Some may argue that recognised constitutional principles such as the separation of powers, the rule of law, the protection of fundamental rights and the supremacy of the constitution are sufficient to ensure the meaningful participation of political minorities, but this is not so. How can we assure the people, of for instance Namaqualand, that one of their own people will represent them in a future government?

A number of principles and mechanisms exist that deal specifically with the participation of political minorities which can be included in the constitution.

1. "The right to form and join political parties."
At present this right is exercised in terms of Act No. 45 of 1979: Electoral Act, 1979, as amended. The majority party in Parliament can therefore, easily change this law to make it virtually impossible for political minorities to form political parties e.g. by changing the number of signatures required to form a political party to a million. This right should therefore be protected in a rigid Constitution.
2. "An electoral system of proportional representation."
From the viewpoint of political minorities in a South African context it would be undesirable to impose any kind of minimum percentage for representation in the legislature e.g. the 5% of the German system. Even if one of the parties in the present House of Delegates

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received all the votes from their identical cultural and linguistic voters, they would not qualify for any representation.

As things stand at present, it is unlikely that more than three political parties will reach such a threshold, thereby effectively eliminating the real political minorities. The outcome of the Namibian elections in 1989, where the bottom line was a sufficient number of voters to win a single seat, also showed that it is unlikely that the above list is not professed to be exhaustive, nor is it suggested that all problems relating to minorities in South Africa will be adequately addressed by providing for meaningful participation of political minorities only.

3. The principle of proportionality to be applied at all levels and in all branches of government.
4. Regional and local autonomy, governed by clearly defined and entrenched legislative and executive powers.
5. A second chamber in the central and regional legislature, where minority interests can be represented.
6. Laws to be passed by both chambers of the legislature.
7. Guaranteed participation of political minorities in parliamentary committees.
8. Guaranteed parliamentary immunities and privileges to members of the legislature.
9. Guaranteed participation of minorities in the work of the Executive, either through ministerial posts or in other ways.
10. Higher percentage vote than bare majority to change laws which predominantly affect minority interests, be they political or otherwise.