

# Constitutional Proposals

## GOVERNOR

The new Natal will be headed by a provincial Governor, appointed by the State President on the advice of the Natal Legislature.

## LAW-MAKING

A law will have to be passed by a two-thirds majority of a Standing Committee (11 out of 15 members) and a simple majority in the First and Second Chambers before it can be signed by the Governor.

In addition, any law affecting the special interests of a minority will need the support of a majority of members (6 out of 10) of the relevant background groups in the Second Chamber.

## THE PROVINCIAL LEGISLATURE

The Legislative (law-making body) will consist of a First Chamber of 100 members and a 50-member Second Chamber. Every adult will have two votes, one for each chamber.

## FIRST CHAMBER

Elections to the First Chamber will be based on proportional representation. This is much fairer than the winner-takes-all Westminster system we have at present, since a party or a group would have representation in the First Chamber in direct proportion to its percentage of electoral support.

## SECOND CHAMBER

The structure of the Second Chamber is unique and the ingenuity with which the universally accepted democratic principle of majority rule has been balanced with the protection of minority rights has won high praise around the world.

Members will represent the following background groups:

- the African background group (10 members)
- the Afrikaans background group (10 members)
- the Asian background group (10 members)
- the English background group (10 members)
- the South African group (10 members)

Voters taking part in a Second Chamber election must belong to the group whose candidate he or she intends voting for. This will not, however, apply to the South African group, which will represent voters who prefer not to vote according to "background".

Any legislation affecting the special language, religious, cultural and other rights of any one of the background groups will need the support of the majority of that group (6 out of 10) before it can become law.

## THE EXECUTIVE

The Provincial Government will be headed by a Prime Minister and a Cabinet of 10. The Prime Minister will be the leader of the party which gains an outright majority in the First Chamber in an election.

Should no party or coalition of parties secure a majority, the Prime Minister would be elected by the First Chamber.

The Prime Minister will have the right to appoint half the Cabinet. The other five members will be elected by an electoral college consisting of the minority parties in both chambers. Each background group represented in the Second Chamber will be guaranteed a seat in the Cabinet.

## STANDING COMMITTEES

Standing Committees will have 15 members and there will be a Standing Committee for each executive portfolio.

Each background group in the Second Chamber will elect one member to each Standing Committee, the remaining 10 members being elected by proportional representation by the First Chamber. No party will be entitled to more than 9 members of a Standing Committee. Every political party in the First Chamber will be entitled to representation on every Standing Committee. All proposed legislation will have to be passed by a more than two-thirds majority of a Standing Committee (11 out of 15). Draft legislation can only be debated in the First Chamber after it has been passed by a Standing Committee.

## CULTURAL COUNCILS

Cultural Councils will protect and promote the religious, language and cultural rights

and interests of the principal segments of the population in the Province. The Councils will be constitutionally entrenched and will have the right to be consulted and kept informed by all branches and levels of government of action taken or intended to be taken which may affect the rights and interests of the groups they represent. Cultural Councils

will be entitled to apply to the Supreme Court for an order pronouncing upon the validity of any legislation not yet signed into law by the Governor. This right will also apply to subordinate laws or executive action which the Council believes would detrimentally affect the cultural interests of the group it represents.

## **BILL OF RIGHTS**

The Bill of Rights forms a cornerstone of the Indaba constitutional proposals. It will be constitutionally entrenched and enforceable against the Governor and all organs of government at provincial level. The Bill of Rights has already been published and widely distributed in Natal/KwaZulu.

# **CENTRAL GOVERNMENT**

## **THE GOVERNOR**

### **CABINET**

**Prime Minister and  
10 ministers**

**50% majority party  
50% minority parties**

## **THE LEGISLATURE**

### **1st Chamber**

100 members  
from 15  
constituencies

### **Standing Committees**

15 members each  
10-1st Chamber  
5-2nd Chamber

### **2nd Chamber**

10 African background group  
10 Afrikaans background group  
10 Asian background group  
10 English background group  
10 South African group

50

## **VOTERS**

**18 years of age resident in Natal and KwaZulu  
2 votes each**

**Footnote:** A Bill of Rights forms part of the Constitution; the Supreme Court has power to enforce the Constitution; Cultural Councils have access to all levels of government and the Supreme Court; an Economic Advisory Council reports to the Cabinet.