

NEGOTIATIONS

by Thornhill Branch of the ANC
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Introduction

There is increasing evidence to suggest that the NP has a Hidden Agenda. Two recent examples are the NP's Constitutional Proposals and the Violence that coincided, with the signing of the Peace Accord.

Taking this into account, how do we go forward?

In order to discuss this, we have divided this paper into the following sections:-

- (1) The relevant resolutions on negotiations passed at the July National Conference.
- (2) The "shift" in ANC policy.
- (3) The Peace Accord.
- (4) The Patriotic Front Conference.
- (5) The All Party Conference and its relationship to the Interim Government, the Constituent Assembly and beyond.

- (1) Resolutions on Negotiation passed at the National Conference, July, 1991

There are 23 sections.

Section 16 says:-

"In keeping with the provisions in the Harare and United Nations Declarations, Conference re-affirms the crucial importance of the following steps, which must be taken consequent to removal of all obstacles:

- (a) The convening of the All-Party Congress;
- (b) The installation of an Interim Government;
- (c) The election of a democratic Constituent Assembly;
- (d) The adoption of a democratic constitution and the election of a parliament representative of all the people of South Africa".

Other relevant portions will be quoted under the various headings which follow.

- (2) The "slight shift" in our approach

According to a letter sent to us by our Secretary-General, dated 22 August 1991, re Consultation following Inkathagate,

our region was requested to "finalise the consultation process that the NEC on the 31 July 1991 decided should be embarked upon in all regions regarding the approach we should have to the political process in our country".

Further, regions were asked to discuss:-

- "1. Whether we should still insist that all obstacles should be removed before negotiations commence or that the Government, as the major obstacle which should be removed to be replaced by an Interim Government; and
2. Our future relationship with Inkatha".

Points for discussion

- (1) Do we agree to this "shift"?
- (2) What about the remaining political prisoners?
- (3) What about the remaining exiles?
- (4) If the shift is due to leverage by the state violence, could it lead to a major shift in our policy?

(3) **The National Peace Accord - signed on the 14-09-1991**

Section 14 of the resolution on negotiations says:- "Conference endorses and supports the initiative already taken by church and business organisations to convene a Peace Conference".

The PAC and Azapo were present, but did not sign. And it was boycotted by the right-wing organisations.

However, it was signed by 29 political, state and trade union organisations. The ANC, the NP and Inkatha were main signatories and of note was the participation of the tripartite alliance of the ANC/SACP/COSATU.

Points for discussion

- (1) Was the ANC and its allies correct in signing the Accord?
- (2) What short term gains can we obtain?
- (3) What long term gains can we obtain?

(4) **The Patriotic Front Conference**

It is now to be held in Durban between 24-27th October, 1991. Regarding this, Conference resolution no.23 says:- "Conference resolves that everything should be done to build maximum unity among the forces committed to the perspective of a non-racial, non-sexist democracy and to ensure that such forces act in unity throughout the process of negotiations. In this regard

it resolves that determined efforts are made to establish a front of patriotic forces as soon as possible. All participants in this Patriotic Front shall retain their organisational independence and sovereignty".

Delays were caused by a postponement asked for by the PAC as they wanted it to be a Patriotic Front right from the onset whereas the ANC wanted a Patriotic Conference first.

In this Patriotic Conference it will be mainly the ANC, PAC and Azapo, but church organisations and Trade Unions have also been invited.

Points for Discussion

- (1) Should it be a Conference or Front from the start?
- (2) Should there be joint ventures?
- (5) The All Party, or Multi-Party Conference and its relationship the I.G., C.A. and beyond.

No date has yet been set, but we can expect a similar composition as those who took part in the National Peace Accord.

De Klerk has said "the Government declares its opposition to the idea of an elected Constituent Assembly. It is of the opinion that the negotiation of a new Constitution should be the responsibility of representatives of all political parties which enjoy proven support and are committed to a peaceful and negotiated solution".

And according to Gerrit Viljoen, talking about transitional arrangements, they are hoping that a Multi-Party Conference will agree to the establishment of a negotiating forum which will produce a new constitution.

See paper by Dullah Omar on "strategy of F.W. De Klerk in the Constitution Making Process" (1/8/91)

We see that the NP's strategy will be used to achieve certain fundamental objectives:

1. Majority rule will be impossible, despite one person one vote.
2. It will be difficult or impossible to redress the inequalities caused by many years of the apartheid system.
3. The status quo will be entrenched.
4. To negotiate a constitution prior to elections.
5. De Klerk also wants to remain in control of the transitional process.

The All-Party Conference (Cont.)

"In short, De Klerk's strategy is to ensure that he and his government, not only manage the period of transition, but also determine its eventual outcome.

After the release of the NP's Constitutional Proposals we can clearly see that these predictions were correct, and that the All-Party Conference will be very important.

Points for Discussion

- (1) What do we do to counter the NP's strategy at the All-Party Conference?
- (2) Is holding a Conference by the ANC, on the APC, I.G. and C.A. enough?
- (3) The Freedom Charter and the Harare Declaration should be regarded as non-negotiable.
- (4) What about pressure via the OAU, the Commonwealth and International Community.
- (5) The APC should not draw up a Constitution, only discuss the principles.

Interim Government

See the NWC Discussion document on I.G. which goes into detail about our position.

Please note that De Klerk is saying that the NP's Constitutional Proposals are suggestions for an interim form of rule and not a final constitution.

The danger is that once in place the NP's proposals may be difficult to change. And therefore Interim could become permanent.

Points for discussion

- (1) How do we prevent Interim from becoming permanent?
- (2) How do we prevent co-optation in a super-cabinet as proposed by De Klerk?

CONCLUSION

Negotiations has been called another terrain of struggle.

As the regime masterplan is exposed, our struggle must intensify.

We must not allow our aim of non-racial, non-sexist democracy free of oppression and exploitation - to be subverted.