

REPUBLIC OF SOUTH AFRICA

JOINT SITTINGS

OF

BOTH HOUSES OF PARLIAMENT



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SECOND SESSION — FIRST PARLIAMENT

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PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

§ The sign * indicates a translation. The sign †, used subsequently in the same speech, indicates the original language.

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 Inkatha Freedom Party = IFP, Freedom Front = FF, Democratic Party = DP,
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Seperepere, <i>Mrs</i> Mittah Selekeyana	ANC	Verwoerd, <i>Ms</i> Melanie	ANC
September, Reginald Kenneth	ANC	Vilakazi, Bavumile Herbert	ANC
Serfontein, Jan Lodewyk Hoek	ANC	Vilakazi, <i>Mrs</i> Jeanette Ntombizodwa ...	IFP
Serote, <i>Dr</i> Mongane Wally	ANC	Vilakazi, Mthunzi Isaac	ANC
Sethema, <i>Mrs</i> Bomo Edna Edith	ANC	Viljoen, <i>Gen</i> Constand Laubscher	FF
Shabangu, <i>Ms</i> Susan	ANC	Viljoen, <i>Mrs</i> Valerie	ANC
Shandu, <i>Mrs</i> Eileen Eidana Nkosi	IFP	Vos, <i>Ms</i> Suzanne Christina	IFP
Shilubana, <i>Mrs</i> Tinyiko Phillia	ANC		
Shope, <i>Mrs</i> Ntiti Gertrude	ANC	Watson, Armiston	NP
Shope, <i>Mrs</i> Ntombi Regan	ANC	Waugh, James Charles Norval	NP

Welgemoed, <i>Dr</i> Peter Johannes	NP	Yengeni, Tony Sithembiso	ANC
Wessels, Leon	NP		
Williams, Abraham	NP	Zitha, Dingaam Amos	ANC
Woods, <i>Dr</i> Gavin Gower	IFP	Zulu, Mcwayizeni Israel	ANC
Wyngaard, Christiaan Allen	NP	Zulu, <i>Prince</i> Nhlahla Elijah.....	IFP
		Zuma, <i>Ms</i> Nkosazana Clarice Dlamini	ANC
Xingwana, <i>Ms</i> Lulama Marythesesa	ANC		



PARLIAMENT

OF THE REPUBLIC OF SOUTH AFRICA



REPUBLIC OF SOUTH AFRICA

DEBATES OF THE JOINT SITTING (HANSARD)

SECOND SESSION—FIRST PARLIAMENT

The sign * indicates a translation. The sign †, used subsequently in the same speech, indicates the original language.

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

1

FRIDAY, 17 FEBRUARY 1995

2

PROCEEDINGS AT JOINT SITTING

Members of the Senate and the National Assembly met in the Chamber of the National Assembly at 11:00.

The President of the Senate took the Chair and requested members to observe a moment of silence for prayers or meditation.

ADDRESS BY PRESIDENT OF THE REPUBLIC

The PRESIDENT OF THE SENATE: Order! It is now a great privilege to call upon the hon the President of the Republic of South Africa to address Parliament. [Applause.]

The PRESIDENT OF THE REPUBLIC: Mr President and Deputy President of the Senate, hon Speaker and Deputy Speaker of the National Assembly, Chairperson and Deputy Chairperson of the Constitutional Assembly, Deputy

Presidents, Ministers and Deputy Ministers, Chief Justice, President of the Constitutional Court, Leaders of the National Defence Force, the Police Service and the Correctional Services, Directors-General and leaders of the Public Service, hon members of Parliament, distinguished guests, ladies and gentlemen, we have gathered in this hallowed Chamber to begin the work of the second session of our democratic Parliament, nine months after its first members were sworn in.

Let me say this from the beginning that the challenges ahead of us require that we move away from spectacle and rhetoric and bend our backs to the serious work ahead of us.

I would like to take this opportunity to extend my sincere appreciation to the leaders of all the parties represented in Parliament, the members of Parliament, the presiding officers, the Whips, the Chairpersons of Committees, the Secretary to Parliament and his staff for the sterling work

that was done from the day that the first democratic and nonracial Parliament convened. Of necessity much of this work had to do with the establishment of our organisational structures and the evolving of a rhythm of work which would enable us to discharge our responsibilities in an effective and efficient manner.

All of us, precisely because we had never sat in any democratic parliament before, had to begin the continuing process of learning how to carry out our functions as people's deputies. We had to educate ourselves in an atmosphere characterised by a critical public focus which did not necessarily allow for the reality of that inexperience.

Undoubtedly, many of us, both in the legislature and in the executive, have made mistakes. But mistakes are an inevitable element of any process of learning. It is always the case that the spectators are better than the players on the field. None of us should therefore feel ashamed of having committed errors. We must, however, learn from these mistakes so that we do indeed improve our performance.

Whatever it is that our critics might have said, we can take pride in the fact that not only did we succeed in establishing our two Houses of Parliament, as required by the Constitution, but we also ensured that they played their role in the governance of our country.

We are pleased that the hon members of both the National Assembly and the Senate have not been satisfied merely to endorse the Bills that have been presented to them. They have participated actively in improving such draft legislation, with the aim of ensuring that our laws are consistent with the glorious vision we share of creating a truly humane and people-centred society.

Of particular importance is the fact that you, the legislators, have worked in a manner consistent with the objective of ensuring that ours should be a parliament of the people. This we have done by opening our proceedings to the public to ensure that the people know what we are doing. We have also opened the doors to the people to address the legislative committees of Parliament directly.

This has been replicated in our provincial legislatures, consistent with our objective of bringing government as close to the people as possible.

We can therefore claim with justification that such legislation as has been approved is representative of the will of the people. It therefore enjoys a degree of legitimacy and enforceability which all previous laws could never have. [Applause.]

Undoubtedly, we must continue to look for ways and means of ensuring that the people as a whole are better informed of what we are doing and are given ever improved capacity to intervene in our proceedings in an informed and purposive manner.

In the recent past, much has been said about corruption among some members of this Parliament and other leading political figures in the country. Many within and without this Chamber and among the mass media have been very keen to condemn and to propel us into precipitate action on the basis of mere allegations. We have resisted this and will continue to do so. We have a responsibility to act on the basis of fact and not allegations, however strident the voice that makes those allegations.

Furthermore, we firmly believe that it is important that we build a society based on justice and fairness. At all times we must guarantee the right of the accused to be heard, without making any concession to a primeval instinct to pillory and burn people at the stake.

As South Africans, with our particular history, we must be extremely careful not to reintroduce the McCarthyist atmosphere which resulted in people being herded into unthinking hordes that sought the blood of anybody who was labelled a communist.

We must also make this clear that we need no educators with regard to the matter of rooting out corruption which we will deal with firmly and unequivocally, whoever may be involved.

We are conscious of the reality that corruption in many forms has deeply infected the fibre of our society. It is not possible to have a society based on a lie and patent injustice as apartheid society was, without this spawning corrupt practices. Precisely because we face the challenge of dealing with systemic corruption we need a dispassionate and systematic approach to the question and not allow ourselves to be stampeded by responses which are not very different from a witch-hunt.

To address another important matter of the day, later this year we will be holding our local government elections to complete the process of establishing the democratic structures which we need to ensure that the people are able to take their destiny into their own hands.

The importance of these popularly elected structures at the local level cannot be overestimated. It is at this level that we must deliver change. It is at this level that the people can most directly participate in making decisions about important matters that affect their daily lives. It is also at this level that we must confront the divisions created by the system of apartheid and grapple with the problems that arise out of the racial and territorial maldistribution of resources and infrastructure that was imposed on the country by this system.

In reality, it is impossible to enter this next and critical stage of the dismantling of the system of apartheid until we have democratically elected structures of government which enjoy a popular mandate to bring about the nonracial, nonsexist and democratic society demanded of us by the Constitution.

I would therefore like to take this opportunity to call on all our people in their millions to take the forthcoming local government elections very seriously.

The immediate task that we must all fulfil is to register as voters. I appeal to all political parties, both those represented in our national and provincial legislatures and those outside these structures, to do everything in their power to mobilise the people to register as voters. This appeal also extends to all other people's organisations and institutions of civil society. They need to use their influence to organise the people to register for and participate in the local government elections.

It is also the obligation of all political organisations that will participate in the local government elections to ensure that we experience no violence or intimidation during the conducting of our election campaigns.

I would also like to take advantage of this occasion to make it very clear to the country as a whole that the Government will not allow anybody to obstruct the process of registration of voters, regardless of the social status of the persons concerned. [Applause.]

It is important to bear in mind that unlike our elections of last year, these elections will be conducted with democratically elected national and provincial governments in place. These governments will not hesitate to use all legitimate force at their disposal to ensure that nobody stands in the way of the people to express their will freely. [Applause.]

I am also pleased to report that whatever the teething problems, the concept and vision of a government of national unity has proved its correctness and viability. It has succeeded in its intentions of ensuring co-operation among our people as a whole, the development of a national consensus around a whole range of important matters, enabling important minority parties to have a real voice in the government of the country and contributing to peace, stability and confidence in the future of our country.

At the national level, we continue to work together in a non-confrontational atmosphere further to elaborate rules, conventions and procedures to ensure that the Government of National Unity functions effectively and to ensure that it is able to address in a balanced way the fact of different parties with different policies and the tensions between the democratic rights of the majority party and the effective participation of the minority parties.

In this regard I should mention that we have agreed with the provincial Premiers that we will share our views on these matters with them and their administrations, to evolve common practices conducive to good government.

Happily, all the major parties have committed themselves to the perspectives contained in the commonly-evolved Reconstruction and Development Programme. This constitutes the firm basis for the continuing co-operation among the various parties inside and outside the Government of National Unity, without which such co-operation would become impossible.

We must, however, also make this point that when all is said and done, as individuals and as parties we belong to the same government. We therefore have a collective responsibility both to participate in the formulation of policy and the elaboration of decisions and to defend, take responsibility for and implement those decisions.

In the period ahead of us we shall therefore insist on the collective responsibility and accountability

ity of everybody concerned as part of a process in which we must all engage, in raising the levels of discipline and responsible action throughout our society.

A few days ago, we were honoured to participate in the moving and historic opening of our Constitutional Court. This is yet another giant step in the transformation of our judicial system and the building of a law-governed society which will protect the fundamental human rights of all our citizens and ensure that the people are not threatened by arbitrary and oppressive rule.

The process of the transformation of the judiciary will continue, among other things, to ensure that it is representative of our society and to enable even the poor to have the ability to obtain legal redress where need arises.

All necessary steps will also be taken to ensure that the judicial system plays its proper role with regard to the important matters of reducing the levels of crime in our society. It must also help to address the legitimate concern of the public that we do not create the situation in which the people begin to feel that criminals and wrongdoers are being favoured while the interests of society are being ignored.

Further progress will also be made this year to establish other institutions that are critical to the construction of the people-centred society to which we are all committed. Among these will be the Human Rights Commission, the Public Protector, the Gender and Youth Commissions, the Inspector-General of Intelligence and the structures that will be created by the pending Open Democracy or Freedom of Information Act.

We are determined to move with all due speed to create and strengthen all the institutions of governance that we have spoken of to deal with the matter of effective and open government.

Once more, we must address a few words to our public servants. Without their dedicated service to the people effective government and public delivery to the population will be impossible. We are committed to the motivation of all public sector workers so that they become a conscious, willing and skilled agent for the transformation of our society according to the objectives spelt out in the Reconstruction and Development Programme.

As part of this process, Cabinet has given instructions to all Ministers to interact continuously with all members of their ministries and departments to brief them about their tasks, to report on progress achieved, to agree on how to overcome obstacles to the process of transformation and generally to be involved in the struggle for change.

We also invited the public sector unions to participate as fully as possible in the budgeting processes so that they make their own contribution to the difficult task of deciding the best possible allocation of the limited resources available to Government.

We are convinced that an adversarial relationship between the Executive and the Administration would impact negatively on the common task which these two institutions share of serving the people of South Africa. Such an outcome must be avoided at all costs.

Accordingly, we have been available and willing to address all matters of concern to the Public Service workers, including questions of salary, promotions, pensions and other issues relevant to working conditions.

It is, however, also important that the Public Service should be willing to join hands with the Government to address other important matters such as the racial and gender imbalances within the service. The Public Service will never be fully acceptable to the people as a whole and can never be truly responsive to the needs of the people unless it is composed in all its ranks in a manner that reflects the composition of our population.

To speed up this process, the Government will continue to implement measures and programmes aiming at ensuring that those who were disadvantaged by apartheid in the past are given the capacity to catch up with those who were given the opportunity to develop and advance themselves in terms of management and other skills. [Applause.]

This is what we mean when we talk of affirmative action programmes. We speak of a human resource development programme which will ensure that all our people, and not merely some, are given the possibility to develop their talents and to contribute to the reconstruction and development of society to the best of their ability.

I therefore call on all our people to refuse to listen to the false prophets who seek to perpetuate the apartheid divisions and imbalances of the past by presenting affirmative action as a programme intended to advantage some and disadvantage others on the basis of colour and race. [Applause.]

It is also appropriate that on this occasion we draw the attention of the country to the actual reality that the Government has extremely limited resources to address the many and urgent needs of our people. We are very keen that this real situation should be communicated to the people as a whole. All of us, especially the leadership of political organisations and civil society, must rid ourselves of the wrong notion that the Government has a big bag full of money. [Laughter.] The Government does not have such riches.

Because we have started the process of changing spending priorities, we do realise that the process of restructuring the Budget so that it is directed towards addressing the needs of the people is no easy matter. This is especially so in the light of the contractual obligations that bind the State, as well as carry-over expenditure which cannot be avoided.

We must all absorb this reality into our thinking in a cold and dispassionate manner. We must not allow ourselves to be seduced into a world of false hopes leading to unrealistic actions based on the wrong assumption that the Government can be coerced into meeting demands that it cannot meet, however justified and legitimate these demands might be.

It is important that we rid ourselves of the culture of entitlement which leads to the expectation that the Government must promptly deliver whatever it is that we demand, a culture which results in some people refusing to meet their obligations such as rent and service payments or engaging in other unacceptable actions such as the forcible occupation of houses.

HON MEMBERS: Hear, hear!

The PRESIDENT: As we have said with regard to the public sector unions, we seek to ensure that the budgeting process is as transparent and as participatory as possible. It is the right of the people to know how much money they have contributed to the finances of the State and how that money is being used. It is their right also not

only to know, but also to contribute their views as to how public funds should be disbursed. That is why such bodies as parliamentary committees and the National Economic Forum have been brought into the budgeting process.

Tomorrow we are launching a very important body—the National Economic Development and Labour Council, Nedlac. This crucial body will bring together representatives of the Government, labour, capital and civil society. This will be one of the institutions on which we will rely in terms of decisions that we must arrive at with regard to the use of public funds and assets.

We trust that the representatives who sit on Nedlac will, in turn, reach out to their own constituencies to inform and involve them in the process of arriving at decisions which bear, among other things, on the disbursement of public funds.

What we have said constitutes a firm undertaking on the part of the Government to ensure a participatory process with regard to public finances. Bearing this in mind, we believe that the Government has a right to expect that the public at large should behave in a responsible manner when it addresses the question of the obligations of the Government in meeting the material expectations of the people.

I would like to address this matter bluntly. The strike action which has been threatened by a few of the public sector unions will not succeed in forcing the Government to make available money for large wage and salary increases.

I say this, being fully aware of, and sympathetic to, the plight of many public sector workers who are, indeed, poorly paid.

I say it precisely because I am aware of the reality that, through no fault of its own, the Government literally does not have the money to meet the demands that are being advanced. Mass action of any kind will not create the resources that the Government does not have and would only serve to subvert the capacity of the Government to serve the people. [Applause.]

I would like to repeat that the Government is committed to entering into a comprehensive three-year agreement with the public sector unions to address all matters of mutual interest, including improved pay packets, particularly for the lowest-paid public sector workers.

In this regard, I would like to extend our sincere appreciation to the leaders and the majority of the public sector unions which have engaged with us in a constructive manner which is sensitive to the needs of the country as a whole. We are ready to work together with these unions to solve the problems which face us together, for the benefit of the workers and society as a whole.

I must also address the question of the attempt by some in our country to introduce anarchy into our society. [Interjections.] I speak of those who engage in such totally unacceptable practices as the murder of police officers, the taking of hostages, riots, looting, the forcible occupation of public buildings, blocking of public highways, vandalism of public and private property, and so on. [Applause.]

Some of those who have initiated and participated in such activities have misread freedom to mean licence. [Applause.] They have misinterpreted popular participation to mean their ability to impose chaos on society. They have wrongly concluded that an elected government of the people is a government that is open to compulsion through acts of anarchy.

Let me therefore make it abundantly clear that this small minority in our midst which wears the mask of anarchy will meet its match in the Government we lead and the masses of the people who put that Government into office. [Applause.]

This they must know—we are not afraid of struggle. We are, after all, a product of confrontation and struggle.

HON MEMBERS: Hear, hear!

The PRESIDENT: In the past we were not defeated by forces more powerful than they. In this instance, we will not be defeated by those whose actions have nothing to do with defending or advancing the cause of the people. [Applause.]

We are certain that the democratic trade union movement will also join hands with us in isolating and defeating the minority which seeks to discredit the trade union movement by engaging in violent activities during the course of strike actions.

Let it therefore be clear to all that the battle against the forces of anarchy and chaos has been

joined. Let no one say that they have not been warned. [Applause.]

In the same vein we must address the question of crime. A situation cannot be tolerated in which our country continues to be engulfed by a crime wave which includes murder, crimes against women and children, drug trafficking, armed robbery, fraud and theft.

We must take the war to the criminals and no longer allow a situation in which we are mere sitting ducks for those in our society who, for whatever reason, are bent on engaging in criminal and antisocial activities. Instructions have therefore already gone out to the Minister for Safety and Security, the national Commissioner of the SA Police Service and the security organs as a whole to take all necessary measures to bring down the levels of crime.

I would also like to take this opportunity of emphasising that the matter of our safety and security is not one that should be left only to the law enforcement organs. For them to succeed, they need the full and active support of all our communities. The police-community forums that have been established are extremely important with regard to reinforcing co-operation between the police and the public. They will also increase the capacity of the country as a whole to deal with the common problem of crime. I would, therefore, like to urge the formation of such forums where they do not exist and the involvement of all opinion-makers in all localities in the processes which are aimed at enhancing the people's safety and security.

The Government is determined to do everything in its power to move speedily towards the formation of the new Police Service. We are very interested in addressing the matter of the earnings and working conditions of all members of the Police Service and in giving this service the necessary means to enable it to discharge its responsibilities as effectively as possible.

In this regard we must also make it clear that the Government is opposed to and has no intention of conducting a witch-hunt against the police as a result of activities arising from orders given to the police by the apartheid regime. We therefore urge every member of the Police Service to get down to the urgent and pressing matter of enhancing the safety and security of the people as a whole.

When we opened Parliament last year, we addressed the issue of racism in the workplace and in our society at large. We continue to be confronted by this problem. People have continued to die as a result of the continuing practice of racism—the latest being a victim of racist resistance to the use of a former White school by Black children. [Interjections.] Those who are responsible for these crimes of racism must be brought to book without delay.

It is clear that insufficient progress has been made in many workplaces and elsewhere in our society in dealing with this cancer. We trust that the Human Rights Commission will help us to deal with this matter firmly and continuously by encouraging the public to report all instances of racism, so that these can be brought to light.

The Government has discussed this matter and is committed to carrying out its constitutional obligation of transforming our country into a nonracial society. A situation cannot be allowed in which anyone acts in a manner which perpetuates the practice of apartheid. Both the Government and the people as a whole share a common obligation to live up to the very purpose of the struggle that millions of people waged, that of ending racism in our country and ensuring the equality of all our people.

One of the most sensitive matters we must address this year is the establishment of the Truth and Reconciliation Commission. We must move towards this as speedily as possible so as to remove all the uncertainties that have been created through the protracted discussion of this issue. The legislature is currently discussing the Bill dealing with this matter and is receiving public submissions. I would like to urge that we achieve speedy progress in this regard.

I would also like to draw the attention of the legislature and the country as a whole to the fact that our purpose in establishing the Truth and Reconciliation Commission is both to obtain the truth and to reinforce the process of reconciliation which our country needs. Nothing we do should lead to the heightening of tensions and the rekindling of the violent political conflicts which we have succeeded so well in bringing under reasonable control. It must also be borne in mind that many of us who suffered quite significantly as a result of apartheid repressions are making no demands which would result in

vengeance against or the persecution of those who might have harmed us or those close to us.

Urgent steps are also required to end the continuing political violence in the province of Kwa-Zulu-Natal. This is both a law enforcement issue and a matter for the political parties and leaders in the province to address. If we claim to be the genuine leaders of our people, it must surely be one of our principal tasks to end the killing, both to save lives and to create the climate of peace and stability which we need to develop the province, which is among the poorest areas in the country. [Applause.]

Progress has been made with regard to the basic challenge of building a better life for all our people. Some of the projects that we announced last year, including the feeding of school children and the provision of free health services to certain sections of our population, have been implemented. We must draw the necessary lessons from our experience in this effort to meet the basic needs of the people. One of these, as we have stated already, is that the Government has very limited resources to address the multiple and urgent needs of our people.

It is therefore critical that we determine a proper set of priorities on which we should focus to effect a visible and sustainable improvement in the lives of the people. It is also important that we do not implement any projects in this regard in an ad hoc manner, but within the context of five-year and other medium and long-term plans and projections.

The Cabinet has discussed this matter and decided on our priorities, which include rural and urban development, human resource development, job creation and health. Detailed interdepartmental work is now going on to elaborate on plans reflecting this focus to ensure that the Government uses, in a rational and effective manner, the limited resources at its disposal. In this regard, the Government will not make any commitments which it cannot meet on a continuous basis.

Compared to the time last year when we had to announce programmes for transformation without detailed preparation of implementable and affordable plans, we are now in the fortunate situation that we are well on the way to finalising detailed plans to meet our firm commitment to build a better life for all South Africans.

Once they are ready, and after the necessary consultation with the elected representatives at both national and provincial levels, the local community structures and the public at large, we are determined to move speedily this year to expedite the process of social transformation and to improve the quality of life of our people, which is required of us in the context of our programme of reconstruction and development. One of the highlights of our national life this year will be when we announce realistic targets with regard to such needs as houses, clean water, primary health care and jobs.

I must repeat that it is our firm intention to set these targets within the parameters of what the Budget can carry, consistent with our objective of ensuring fiscal discipline.

We will be able to achieve this degree of precision because of the significant progress that has been made in the various ministries, both at national and provincial levels. This pertains both to the reorganisation and strengthening of these structures and the elaboration of policies aimed at the fundamental transformation of our country. For this we should salute the Ministers, the Premiers, the Directors-General and other members of the Public Service for the work they have done to increase the capacity of the Government to engage in the process of transformation. [Applause.]

With regard to this critical matter of socio-economic transformation, I would, once again, like to draw attention to the important role that Nedlac will have to play to ensure effective co-ordination and partnership between government, labour, business and community-based organisations. This body will play a critical role in helping to develop the consensus we need around the critical challenges of reconstruction and development, including economic growth, socio-economic improvement and the involvement of all stakeholders in all decision-making processes.

In a sense, Nedlac and other forums in which consensus is being achieved across the social spectrum are crucial powerhouses of our nation-building and reconstruction efforts. They are the engine which cannot be derailed by the whims of individuals or political parties.

As the year begins, there are signs that our economy is beginning to pick up. The Govern-

ment considers it a matter of critical importance that everything should be done to encourage a climate conducive to sustained and high levels of economic growth. We are therefore ready to deal, and have been dealing with all matters that are relevant to this goal, in particular to ensure the creation of an investor-friendly climate. Everything must be done to encourage a significant upward movement in the rate of investment to increase the productive capacity of the economy, to modernise and restructure the economy, to create jobs and to increase our international competitiveness.

With regard to these economic issues, I would also like to emphasise our continuing commitment to fiscal discipline, including the reduction of the Budget deficit, the reduction of the share of the national income that accrues to government and the reorientation of government expenditure away from recurrent disbursements towards investments.

The relevant authorities, including the Reserve Bank, remain seized of the issue of the two-tier exchange rate and the general question of foreign exchange control. These matters will be addressed with the necessary speed and the equally necessary sense of responsibility towards the economy as a whole.

At the same time the Government is working as expeditiously as possible to address the question of the reorganisation of State assets. In this respect, our objective is to ensure that these assets are used in a conscious and consistent manner to address the objectives of the RDP. One of these must surely be to reduce the public debt and therefore the burden of servicing this debt, so that more public funds can be released to address the needs of the people.

This year Parliament will be faced with a heavy load of extremely important legislation that it will have to deal with. The importance of this legislation derives from the fact that it will be transformative in character, aimed at the creation of the social order for which many struggled and sacrificed.

One of these pieces of legislation is the Labour Relations Bill, which represents not only a decisive shift from our adversarial past in labour relations, but also our commitment to a more democratic style of governance. While correctly entrenching the right of workers to resort to

strike action, the Bill places emphasis on conciliation and negotiation of disputes and should contribute significantly to reducing the level of unnecessary industrial action. It will help create greater possibilities for joint action between government, labour and business to build a prosperous and just society.

Similarly, White Papers and legislation will be introduced covering such areas such as education, health, housing, water affairs, safety and security, defence, truth and reconciliation, freedom of information, land affairs, the Public Service, welfare and so on, to say nothing of the 1995-96 Budget.

This will undoubtedly tax the energies of the members and resources of Parliament. However, we will have to ensure that we deal with all this legislation as expeditiously as possible, while also consulting the people as extensively as possible. We should therefore have an exciting session which should inspire all our people as they see their elected representatives create the legislative framework which will mark our continued movement away from the past towards the people-centred society we seek to construct.

We will also have to ensure that the Constitutional Assembly makes progress towards the drafting of the new constitution. It is important that this should be done so that we can have certainty as soon as possible about the constitutional framework within which the country should be governed.

It may be worth repeating that we seek a constitution that is acceptable to the people as a whole. It was for this reason that all those who participated in the drafting of the present Constitution agreed to the concept of special majorities and an entrenched set of principles. As we negotiate the new constitution, it is necessary to bear these observations in mind and conduct ourselves in a manner that ensures that we have as inclusive a process as possible.

It seems necessary that there should be close co-operation and co-ordination between the legislature and the Constitutional Assembly with regard to the issue of consultation with the public, as both these bodies will be seeking to reach as many people as possible during this year. We will have to conduct the processes of public consultation in a manner that is both cost-effective and enables the people genuinely

to contribute to both the legislative and the constitutional debates.

This year, the nations will be observing the related 50th anniversaries of the end of the Second World War and the establishment of the United Nations Organisation. Coming as we do from our own specific past it will be important that we join in the observance of these historic events. Thus should we affirm our own commitment to the vision contained in the Universal Declaration of Human Rights, the United Nations Charter and other important legal instruments and conventions that the United Nations has evolved to deal with the issues of racism, war and peace, human rights and development. Among these conventions, which will be ratified during the course of this parliamentary session, is the very important International Convention on the Rights of the Child. [Applause.]

We might also want to use this occasion to make our contribution to the international debate about the new world order, focusing in particular on such matters as a democratic international political order and universal prosperity, peace and stability—all of which are questions of great relevance to our own continent of Africa. In this regard, the United Nations Social Summit next month and the International Women's Conference in Beijing later in the year will be crucial forums in which we should make our own humble contribution to the effort to create a better world.

In this context, during this year we will pay particular attention to the all-round development and strengthening of our relations with our neighbours in Southern Africa, especially within the context of the SADC.

We are all inspired by the reality of progressive developments in our region during the recent past. These include the successful democratic elections in Malawi, Mozambique, Namibia, Botswana and our own country, the restoration of democracy in Lesotho and the signing of the Angola Peace Agreement. All this augurs well for the future of all our people.

At the same time, we are all aware of the tensions that are building up with regard to population movements within our region. We must treat this matter with all due sensitivity, conscious of the history of our region, including the destruction caused by the policy of aggres-

sion and destabilisation carried out by the previous regime. [Applause.]

In all our actions we must move from the position that the fundamental objective we must pursue is friendship, co-operation and solidarity among the peoples of our region.

We take this opportunity to wish the people of Angola well and once more to convey to them and all their leaders our willingness to contribute whatever we can to assist in the establishment of a permanent peace and the strengthening of the democratic order.

We will continue to make our contribution to the strengthening of the OAU, which remains an important instrument that we all need to address the serious concerns of the peoples of our continent.

We also hope to conclude our negotiations with the European Union as soon as possible to strengthen our economic and other relations with this important group of countries in a manner that does not disadvantage any other country.

In a fortnight will also be established the Joint South Africa-United States Commission, which

will supervise the important process of strengthening the relations between ourselves and the United States of America.

In a few days the Prime Minister of Sweden will arrive in this city. We welcome this visit by the leader of one of the Scandinavian countries, all of which played such an important role in the struggle for the emancipation of all our people. [Applause.] The visit also emphasises the positive manner in which our relations with the rest of the world are developing. It will be followed by other visits, as well as our own to other countries, in the interest of our own development and in the interest of a better world for all people.

This Parliament has, through death, lost some of the best among us. These include Firoza Adam, Thomas Nkobi and Joe Slovo. Let the result of this second session of our democratic Parliament serve as our salute to them and a tribute to their memory. I am certain you will not fail them.

I have the honour to declare the second session of our democratic Parliament open. [Applause.]

The Joint Sitting rose at 12:15.

PROCEEDINGS AT JOINT SITTING

Members of the Senate and the National Assembly assembled in the Chamber of the National Assembly at 14:15.

The President of the Senate took the Chair and requested members to observe a moment of silence for prayers or meditation.

PRESIDENT'S OPENING ADDRESS

(Debate on Subject for Discussion)

The PRESIDENT OF THE SENATE: Order! I call upon the Chairperson of the Constitutional Assembly to speak.

Mr C RAMAPHOSA: Mr President, I am standing here not as the Chairperson of the Constitutional Assembly, but as a member of Parliament.

I should like to thank the President of the Republic for affording all of us the opportunity to respond to his address to the nation. With your words of wisdom, Mr President, you confirmed once again to all South Africans, to all of us sitting here, that you are indeed the master nation-builder. As we say in Sotho, "A hona o tswanang le wena," there is no other like you. "Daar is nie een wat soos u lyk nie." "A kekho o munye o fana nawe." [Interjections.] We are a nation that is proud to have you as our very own first democratically elected President. You make us proud, even in the face of the nations of the world, who are drawn to our country like bees are to a blossoming flower. We thank you for enabling even the Swedish Prime Minister to grace our country with his first ever visit to a democratic South Africa. May you live long, comrade President, and continue to provide us with your tried and tested leadership.

HON MEMBERS: Hear, hear!

Mr C RAMAPHOSA: Through your leadership you have put our country on the road to democratisation, equality for all and development. Your address touched many a sensitive chord in the minds and the hearts of people both here in Parliament and throughout the country.

We in the ANC endorse the sentiments expressed in your address, and proclaim once again that the ANC which you lead is the only true guardian of democracy, freedom and equality in our country.

HON MEMBERS: Hear, hear!

Mr C RAMAPHOSA: The ANC stands at the head of the transformation process in our country. Ours is the responsibility to ensure maximum national consensus. Ours is the task . . . [Interjections.] I am coming to you on that.

Ours is the task to reassure all sections of our country that they do indeed have a common and prosperous destiny—to share in the birth of their country.

The ANC stands head and shoulders above all other political parties represented in Parliament in terms of its commitment to the total and full transformation of our country. [Applause.] We have a clear and creative vision that can be converted into practice. All parties sitting here have accepted that vision, as set out in the RDP. It should not be impossible, therefore, to get all parties to be part of achieving national consensus in which the hon the President is playing a leading role. He leads a Government which has proven that it is sensitive and responsive to the needs of all in society.

We in the ANC applaud the deliberate and constructive moves his Government is taking in improving the lives of our people. The RDP delivery process is still in its formative stages, but the projects he announced last year have already started touching the lives of ordinary people on the ground. It is heartwarming to see what a vital difference the schoolfeeding programme is making in the lives of children in many parts of the country—children who can now learn without hunger pangs.

The letters of gratitude his Government continues to receive from a wide spectrum of people, including poor, White pregnant women who can now go to hospitals and clinics without having to pay, prove once again that his Government is committed to giving all South Africans a better life. [Applause.] Addressing the needs of South Africans with regard to health, education and all other basic matters, must be a national effort. This effort demands a new mind-set, a new

culture of working, a new capacity of uniting around issues which are common to all of us and, yet, one of still being able to deal constructively with differences.

The approach of people like Mrs Olckers in the Western Cape, in the manner in which she handled the schools crisis, militates against the national consensus the President is promoting. Our country has little need for the Olckers of this world, who display a complete lack of compassion in dealing with problems that require sensitivity and understanding.

We take the view that the nation-building project the President is leading will not succeed unless all leaders of Government, and indeed parties as well, at all levels share and march with the destiny of our nation as a whole. We applaud his efforts in making attempts to get parties to work in a non-confrontational atmosphere, and also to work with him in developing further conventions and procedures that will ensure that the Government of National Unity functions effectively in order to address the aspirations of our people. The Government is succeeding in the promotion of co-operation amongst our people as a whole, as a national consensus around a whole range of issues is developed. The President's initiative to get all parties in Parliament to be part of this national consensus is increasing the spirit of patriotism.

General Viljoen's successful mission to Mozambique is an outstanding example of how true South African patriotism can be engendered. [Applause.] We have in the FF a party that is not constantly bickering and trying to score cheap political points, but a party that is prepared, in Parliament and outside Parliament, to work for the good of the country.

We join your call, Mr President, that all parties represented here should work in a purposeful way to ensure that all of us succeed and become part of the vanguard of the progress your Government is making, rather than threatening to leave the Government of National Unity when the Southeaster blows, or standing on the sidelines criticising without offering any viable solutions. All parties must put their shoulders to wheel and make the transformation process in our country succeed. We call on all parties to join the President in the campaigns his Government has announced, rather than sitting here in Parliament and just applauding his speech.

The forthcoming local government elections provide all parties here with the opportunity to give leadership to the country. Every party must be seen and heard encouraging our people to register in every corner of the land. These voices must be heard in the villages, townships, urban areas and everywhere else.

I urge Mr Tony Leon, who recently went to Soweto, not only to emerge from Soweto saying that the registration is a total disaster, but to put forward constructive ideas on how the process can work better. [Applause.] He says that the local government elections are do or die for the DP. We do not know whether or not the DP is still alive, but the local government elections will be do or die for our country as a whole. It is in the interests of the DP too that our transition process should succeed. The DP must therefore be seen as a party that does not just sit on the sidelines criticising and catching the headlines.

This Parliament, as a sovereign institution, is charged with the responsibility of being the true custodian of our interim Constitution. It is therefore the responsibility of all parties here to ensure that our Constitution is implemented in its entirety throughout the country, leaving no area where democratic government does not apply.

The ANC, the IFP, the NP and, indeed, all parties have the responsibility to ensure that no-one stands in the way of the democratic right of our people to choose their representatives at local level. No single party should mobilise any section of our people to prevent them from expressing their democratic will. All of us should spread the message that no-one, be they politicians, intellectuals or chiefs, has the right to mediate democracy on an inch of South African soil. The local government elections must not be used as a political football. They should rather be a game in which all parties should be seen to be playing their best role.

Political parties are, by their very nature, mass organisations and they must therefore begin the mass-mobilisation process of getting our people to register. No party must be seen or heard to be threatening negative or destructive mobilisation either in KwaZulu-Natal, Gauteng or the Western Cape. We should protect the right of our people to participate in mass activity. We thank the President of the Republic for having said over and over again that our people have the

right to participate in mass activity and that they have the right to protest.

At this time everyone in our country is called upon to support the transformation processes that are underway, be they in the implementation of the RDP or in ensuring that the transition process succeeds. The RDP, as a people-driven process, means that our people do indeed have the right to express their views, to protest and to air their grievances. However, we must not allow those who have dubious objectives to capitalise on the grievances of the masses and inject anarchy and destruction into our people's legitimate mass activity.

We must compliment the press for the key role they are playing in their reporting on corruption. We must, however, urge them to be balanced in their reporting and to expose more transparently and more vigorously the more serious acts of corruption that cost our country not thousands, but billions of rands. I am referring here to the corruption in high corporate circles. Our country is descending into a culture of total ungovernability in the corporate world. Tax evasion and avoidance and insider trading are the order of the day. Millions are being milked out of the country on a daily basis.

Our experience is that these matters are never ever effectively reported on. They become the small print in the back page columns of the business pages of newspapers and are never seen on television or heard on radio. These also involve a lot of public money.

We endorse the President's firm opposition to corruption and would urge the Government to make it obligatory for all elected representatives to sign and adhere to a national code of conduct, which should be enforced by an independent body. We need to take bold steps in this regard and not soft-pedal the issue of corruption. We now have those who belonged to the past regime, who were corrupt in quite an astounding way, being the ones who are leading the campaign against some of the people whom they believe are corrupt. [Interjections.]

Our failure to be strict and firm on the question of corruption will erode the success that your Government is achieving, Mr President. There must be discipline, honesty, loyalty and hard work amongst elected representatives, and a national code of conduct which everyone should

sign at national and provincial level will go a long way in ensuring that we get rid of this cancer that is about to set in the land. For the sake of the masses we urge you, Mr President, to set up measures so that we all become more accountable. Our people deserve it and they expect it from us.

I wish to end my response to the President's opening address on a rather sad note. Last night I spoke to one of the relatives of our departed Mr Joe Slovo. She resented the fact that the truth about Ruth First's death is seeping through to us via the Press. She said she would have preferred to hear the truth told to her face, either on a face-to-face basis or through the Truth and Reconciliation Commission. She also said that Mr De Klerk's explanation was not convincing and was therefore unsatisfactory. [Applause.]

What is more disturbing, is to hear that decisions to bomb the ANC offices in London, to kill Ruth First and many others in our country were taken at cabinet level. I would like Mr De Klerk and former Ministers from the previous cabinet to put themselves in the position of Mr Joe Slovo's family. I would like them to imagine what it must have felt like for any member of the Slovo family to have heard that the decision to murder Ruth First was taken at cabinet level.

We would like Mr De Klerk and the Ministers in his former cabinet to come forward and give an explanation. [Interjections.] As they stand here, we would prefer them to begin telling the nation the truth. We should not, as a Parliament or as South Africans, have to rely on *The Observer* in London to find out what actually happened when Ruth First was killed. We deserve to know the truth, and this is Parliament, where the truth should actually be told. Therefore I invite all of them, as they stand up to speak, to begin telling the truth about those people who were killed. [Applause.]

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: Mr President, the hon member Mr Ramaphosa sang the praises of the ANC like a well-trained praise singer. [Interjections.] The script was not all that good, but he sang with enthusiasm. He had praise for almost everyone in the House but the NP, and perhaps in that way he paid us the best compliment. [Interjections.]

We resent the way in which Mr Ramaphosa questioned the integrity of the Executive Deputy President Mr De Klerk, and we shall take this matter up in further debates. [Interjections.]

It is almost one year since the transition to democracy in South Africa. It has been an eventful 10 months. The beginning of this parliamentary session offers us an opportunity to review progress and to consider the way forward.

In his opening address the President set out an agenda that includes many of the concerns the NP has about the road ahead. The main theme of his speech was a call for discipline which was widely applauded. He dealt with a number of important issues in a way which elicited loud applause from the benches of the NP. Those were the issues on which the NP has long been pleading for a firmer stand by the Government and we welcome the clear commitments given by the President on those issues.

However, we are not concerned about the President's agenda. Our concern is with the implementation of that agenda. It is a fine agenda but the question is whether all the constituencies of the ANC will rally behind the President and support the Government of National Unity in implementing these commitments. [Interjections.] About that we have serious doubts.

The ANC is going through a process of change. It is not the same organisation that it was a few years ago. It is changing and as it is changing, the cracks are beginning to show. It is therefore a legitimate concern whether the ANC will be able to deliver on the disciplined approach to which the President committed the Government of National Unity. [Interjections.]

As we all know, the ANC-Cosatu-SACP alliance was formed as a liberation organisation. The glue of a common objective—and a common enemy—kept them together. The movement shared an adherence to socialist doctrine and a centralised, command economy. From that position—that of a socialist-populist movement—the ANC alliance has changed to a socialist party with a clear commitment to a market economy.

These changes are beginning to increase the tensions between various constituencies within the ANC as well as between the members of the different alliances. Cosatu announced last week that both its president and its general secretary

had resigned from the national executive committee of the ANC. Shortly after the President's speech on Friday, in which he strongly advised against strike action by public sector unions, Cosatu reacted with a press release in which it bluntly told the President that it would continue to resort to mass action. That statement is a clear challenge to the President not to take Cosatu for granted.

A stable labour force and sound labour relations will be particularly important in creating what the President called "an investor-friendly climate".

*Investors indicate that their most important concerns regarding South Africa revolve around three factors. Firstly, they are concerned about the monetary, fiscal and economic policy directions of the Government. Investors want certainty. They want an economic environment which encourages confidence and offers certainty. Secondly, there is concern about labour relations. Investors are very concerned about disruptive and unpredictable labour action which might affect their competitiveness as well as their ability to deliver on time. Thirdly, investors require a stable society in which law and order prevail. High levels of criminality not only increase production costs, but also create an unhealthy and unstable business environment.

These are three of the most important problems of potential investors. If we cannot succeed in performing well in each of these areas, we will not get the investments which we need for further job-creation and economic growth.

The President has, on behalf of the Government of National Unity, given undertakings on economic and financial policy. Those undertakings will contribute further to business confidence. That is, however, not enough. Stable labour relations and lower levels of lawlessness and criminality are essential. It was therefore a good thing that the President took a strong stand regarding these matters and emphasised the importance of discipline and responsibility. Cosatu's immediate reaction was, however, not at all reassuring.

†The fact is that we are not a rich country. We have to live within our means. Wealth can be created but it can also be destroyed. [Interjections.] Strikes and mass action, legal as they may be, cannot create more wealth and more re-

sources. What we need right now is a commitment by labour, business and government to give the economy a real chance to recover. No one should embark on any action that will further retard its promising recovery. We need a commitment to work resolutely to improve efficiency, increase productivity and encourage confidence in the future of our country.

What about the support of the SACP? Has it also become a proponent of the market economy, even to the point at which it will support the sale of State assets to reduce debt and thereby promote the implementation of the RDP? These policies are a far cry from a command economy with public ownership that formed the centrepiece of communist ideology.

An HON MEMBER: Marxism!

The MINISTER: Yes, we would like to hear whether hon members like Mr Cronin and Mr Bunting have recently been converted to the new thinking of the ANC. Have they changed their views and become advocates of a market economy or have they remained closet communists, still keeping to their own agenda whatever the President may say? We would like to know and they could provide the answers.

That is the problem with opportunistic alliances. They become untenable. The NP does not seek such alliances. [Interjections.] Opportunistic alliances require that one sacrifices principles and in the process one loses one's credibility.

The SACP has become a political parasite feeding on the ANC. [Interjections.] It keeps quiet about its principles and policies and enjoys the ride with the ANC, or is it taking the ANC for a ride just waiting for the opportune time to strike?

The President made a telling remark about the culture of entitlement. "We should rid ourselves of the culture of entitlement", he said. Mr Ramaphosa dealt with a subject that I would like to deal with briefly. There is a particular form of entitlement that has made its appearance in our society.

An HON MEMBER: You are a 20% party . . .

The MINISTER: Give me a chance. It is claimed that if one is caught with one's hands in the coffers of an institution or trust, one is innocent because of apartheid. [Interjections.]

The PRESIDENT OF THE SENATE: Order!

The MINISTER: This is apparently the view of the Western Cape ANC regarding some of their members. That view is totally indefensible. Enriching oneself in any inappropriate manner by stealing or taking from moneys entrusted to one's care can only be described in one word, and that is corruption. [Interjections.] Corruption, whether in the service of the State in the days of apartheid or in the struggle against apartheid, remains corruption and must be dealt with resolutely and decisively. In the case of elected public representatives the matter is even more serious. Public representatives should be like Caesar's wife, above suspicion.

In his speech, the President also cautioned the media not to declare guilt merely on the basis of untested allegations. That is a sound legal principle that we subscribe to. [Interjections.] However, when it comes to political representatives, we are not merely dealing with a legal process. It is also a matter of public confidence and trust. In such cases the mere weight of the allegations and the prima facie evidence that goes with it, demand that political parties, particularly those in Government, should act swiftly and resolutely to deal with the problem and restore public confidence. [Interjections.]

Public representatives, regardless of which party they belong to, who are regarded with suspicion and mistrust cannot effectively serve the public. [Interjections.] There are critics in the world who regard investment in South Africa not only as an economic risk, but also as a moral risk. We must prove them wrong by acting firmly and correctly. This country must send a clear message to the world on clean and good government. [Interjections.]

The President also dealt with the problem of racism. The NP shares his strong feeling on this matter.

An HON MEMBER: You support that?

The MINISTER: Yes, we support that all forms of racism must be rooted out. It is an evil that cannot be tolerated in our society. The President referred indirectly to the problems at Ruyterwacht. The situation of Ruyterwacht is complex and . . .

HON MEMBERS: No! No!

The MINISTER: Mr President, if that is the form of democracy we are moving into . . . The people are not prepared to tolerate a speaker. [Interjections.]

The PRESIDENT OF THE SENATE: Order! Will the hon the Minister give me a moment?

An HON MEMBER: Sit down!

The PRESIDENT OF THE SENATE: Order! Hansard is finding it very difficult to report some of the very valuable interjections. [Laughter.] I request hon members to use this privilege sparingly. The hon the Minister may continue. [Laughter.]

The MINISTER: I said that the situation at Ruyterwacht is complex and worthy of our attention, should we want to learn how to avoid unfortunate incidents of this nature. [Interjections.]

Ruyterwacht is a low income area. Five years ago it was a White neighbourhood. Today more than 30% of the houses belong to people who are not White. The Ruyterwacht schools, the three of them, were among the first to open their doors to all children. [Interjections.]

It is important to remember that this community has not resisted the fact that Black pupils should utilise school facilities in its neighbourhood—not even today, not even at last night's meeting. [Interjections.] The majority have also expressed themselves strongly against the few individuals who misbehaved and gave expression to racial hatred and antagonism in an unacceptable way. [Interjections.] If you want to make a speech, I suggest you speak to your Whips. [Laughter.] The majority do not approve of such behaviour, and they have said so. [Interjections.]

The confrontation, however, was caused when approximately 3 500 pupils were bussed to a terrain previously used by the Army, and left there without proper supervision. Their undisciplined and unruly behaviour caused havoc in that community. [Interjections.] For a period of two weeks the children moved through the neighbourhood and created the same disorder they did last week on Thursday in the streets of Cape Town. [Interjections.] They were totally undisciplined. A great number of complaints concerning assault, vandalism, theft, public violence, indecency and many other crimes have been

lodged at the local police station, and many others have not been lodged. [Interjections.]

For those who have the nerve to listen, the problem of Ruyterwacht is the problem of any community, however nonracial it may be, which finds the safety and security of its neighbourhood threatened. [Interjections.] Nothing was safe. Old people locked themselves in their houses, because citizens were being assaulted in the streets.

The point is, if we manage the integration of our education or the utilisation of amenities, whatever they may be and wherever they may be in our country, in a way which threatens the safety and security of the people in such a neighbourhood, then the evil seeds of racism will find fertile ground in which to germinate. [Interjections.] If we wish to root out racism and not nourish it, then we must not manage our affairs in a way which creates the kind of flashpoint we have seen in Ruyterwacht.

The theme of this debate, as initiated by the President, is one of civil order and discipline and that is also applicable to the children in the care of the NECC. They must accept responsibility and learn from it. [Interjections.]

*In conclusion, I want to say a few words about the NP's place in current politics. The NP is part of the Government of National Unity, and is going to remain part of the Government of National Unity because it is in the best interest of South Africa for the voice of minorities, the voice of significant minorities, to be heard when important decisions are made.

The old Westminster style of politics—the winner-takes-all formula—is outdated. In the new world order which is developing, new political models are being sought, models in which majorities—but also minorities—have a role to play. The South African experiment with a Government of National Unity can make an important contribution in giving democracy new substance in countries with great cultural and ethnic diversity.

The NP has its own place in politics. There is a distance between us and all the other parties, because we think differently, talk differently, consider other values to be important, have a different ethic and adopt different standpoints. [Interjections.] In recent months the NP has amalgamated the most important spheres of

policy in which we differ from other parties, especially the ANC, in a policy framework. In the course of this debate speakers of the NP are going to put forward standpoints on these spheres of policy and point out the differences between ourselves and the ANC and other parties.

The spheres of policy deal with different subjects. I shall only give a few examples. The question of economic and financial matters deals with the NP's standpoints on private ownership, entrepreneurship, deregulation, privatisation, productivity and so on.

As far as lawlessness and criminality are concerned, the NP is obsessed about lawlessness in our country, and believes that a culture of civil obedience must be created. [Interjections.] Respect must be created for authority and the rights and possessions of other people. The image of a lack of discipline, even, and especially, in the security services is creating great uneasiness among the public. Confidence in the police and their efficiency must be restored. There are other spheres which will be dealt with by speakers. These matters will receive intensive attention in this debate.

In politics when it comes to numbers, the ANC wins. When it comes to policy, the NP wins. [Interjections.]

Mr S P HOLOMISA: Mr President, listening to speakers from the Nationalist Party, I mean the National Party—they keep on changing—one is surprised that the people of South Africa and the world were concerned with the question of the elimination of apartheid for over fifty years. One is surprised to find they are speaking now, as if they had never, at any stage in their lives, believed in the policy of racial superiority. [Interjections.]

By the close of the 1994 parliamentary session I had hoped that by this time this year it would not be necessary for me to speak from this podium on matters pertaining to traditional leadership. Predictability does become monotonous, you know. I had assumed that the Council of Traditional Leaders would have assumed that responsibility and allow me to discharge my duties as an elected ANC member of Parliament. Unfortunately the Government is yet to establish that council.

The interim Constitution backs me up when I submit that our liberation can never be complete and our highest law-making structures can never be complete unless and until the position of the descendants of the original rulers of this country, amakhosi, is regularised and until they take their rightful place in this Parliament.

Now the delay in the establishment of the Council of Traditional Leaders is holding up the work of the Constitutional Assembly. Theme committees, whenever confronted with matters relating to traditional authorities and customs, vis-à-vis the chapter on fundamental rights, have taken to deferring those issues for later consideration. These issues are seen as sensitive and controversial, yet they are a reality which calls for head-on confrontation.

The council will ease this problem for political parties, which, by their nature, have to guard against adapting standpoints which might cost them votes. This Parliament also risks enacting laws which, in terms of the Constitution, ought to be referred to the council before they become law. Most importantly, the council will be the voice of all the traditional leaders throughout South Africa. When it is in place, no more shall there be political parties which claim to be articulating the views and concerns of amakhosi. This will definitely have a wonderfully liberating effect on the spirits of the custodians of our indigenous heritage.

President Mandela has called upon our people to participate in their millions in the forthcoming local government elections. All freedom-loving South African traditional leaders should support that call. The President has often stated in his addresses to the traditional leadership that traditional leadership and democracy are not incompatible. The Western democracy that we are adopting should be no threat to traditional leadership. On the contrary, the election of political representatives to rural local councils should serve to bolster and strengthen the status and the hand of the traditional leaders. In the minds of some, however, the impression is that elected rural local councils will abolish "ubukhosi". Were that to be the case, the spirits and souls of our departed forebears, our kings and "amakhosi", who bore the brunt of the brutality of the wars of dispossession, will never forgive this Government.

In any event, it would be impractical for any structure to function effectively in rural areas without the active involvement of traditional leaders and this tried and tested system of government. The majority of traditional leaders and their communities envisage a system of local government which is made up of "Nkosi" and his subchiefs, plus elected politicians who, in accordance with custom and tradition, are bound to be in the majority. After all, the elected councillors remain the subjects of "iNkosi" and for that reason no legitimate "iNkosi" should fear being deposed by his own people. It goes without saying that the support of "amakhosi" in the process of registration for rural local elections is indispensable to the success of the exercise.

At the moment the President is the authority to send out a clear call from this podium to "amakhosi" of the country, a message which clearly and unambiguously states that our traditional way of life, which is characterised by "Ubuntu"—tolerance and love for one's neighbour, even a stranger—is not jeopardized by the elections. "Amakhosi" look up to the President. Our kings and "amakhosi" are being harassed and ridiculed by people whose agenda does not in any way coincide with the wellbeing of our people. Should it appear to "amakhosi" that their future is at stake, their sorely needed support might not be forthcoming.

The Congress of Traditional Leaders of South Africa, which is representative of the majority of traditional leaders in this country, is at the disposal of this Government and the people. It is prepared to serve our beloved country until we achieve complete liberation and unity.

Dr Z B JIYANE: Mr President, hon members of the House, I rise to highlight the need for all parties in this Assembly to take serious note of the fact that our new democracy is gravely threatened by the tendency of some Ministers to act in bad faith and contemptuously with regard to their counterparts in the provincial governments.

This tendency is more manifest when it comes to the relationship between the Government of National Unity and the province of KwaZulu-Natal in particular. The IFP derives most of its support from the KwaZulu-Natal province. As such we feel gravely insulted when the government of that province is treated with the contempt we have seen, for example, from the

Minister for Safety and Security as well as the Minister of Public Works recently. [Interjections.] How do they expect the IFP to continue participating in the Government of National Unity while the government it leads in KwaZulu-Natal is being undermined by the Government of National Unity and while even at the national level, the IFP itself is being treated as an inconsequential part of the Government of National Unity? [Interjections.]

Lest we forget, we should be reminded that God gave us a miracle in April 1994. [Interjections.]

HON MEMBERS: God? God?

Dr Z B JIYANE: We avoided a possible blood-letting that could have resulted from the non-inclusive elections that we could have had. The relative peace that we have enjoyed up to now is a very precious gift from the Almighty, yet we now seem to be allowing partisanship and human greed to undermine the peace that is now the envy of the whole world. We must come to our senses.

As South Africans, we should heed the wisdom of the words of Rev Martin Luther King who stressed that:

For peace to prevail, human beings ought to do unto others as they would unto them, that in all sense, all life is interrelated, that all men are caught in an inescapable mutuality. I can never be what I ought to be until you are what you ought to be, and you can never be what you ought to be until I am what I ought to be. This is the interrelated structure of reality.

[Interjections.] The IFP feels deeply aggrieved by the partisan manner in which the hon the Minister for Safety and Security, Mr Mufamadi, continues to target IFP-supporting trainees from the Caprivi Strip and the SPUs from the Umlaba Camp for investigation, while bestowing honours upon members of uMkhonto weSizwe and the SDUs among whom are mass murderers, rapists and thieves. [Interjections.]

For the record, let it be known that the IFP is proud of its young men and women who responded to the call to defend leaders and communities that were targeted by the intolerant revolutionaries who are sharing a dream, a dangerous dream for that matter, that the IFP and its supporters could be violently eliminated from the South African body politic.

To use the South African taxpayers' money for a so-called partisan investigation task unit that focuses on investigating IFP trainees whilst disregarding horrendous crimes committed in the ANC camps abroad, and those committed internally, is another example of the now well-known corrupt use of public funds by some ANC officials. [Interjections.]

We know that many IFP trainees are being offered incredible bribes, promises of free homes, cash payments and witness-protection plans in return for telling lies about the IFP leadership. [Interjections.] The aim of this is to embarrass as many IFP leaders as possible so that the ANC can eliminate its biggest political opponent in Black politics. They are playing with fire. The IFP will not take this lying down. [Interjections.] We will resist to the end.

If the Government of National Unity is serious about preserving, and building on, the peace achieved after the April elections, why on earth are some ANC Ministers so partisanly obsessed with the past? It is true that before the elections there was an ugly war which claimed the lives of more than 15 000 people here in our country. However, it is ridiculous and insane indeed to pretend that only the IFP was involved in violence. The IFP resisted the violence directed against it. Otherwise, who killed more than 370 IFP leaders and more than 6 000 IFP supporters?

When is Minister Mufamadi going to investigate the ANC's death squads and hit squads that massacred so many people in KwaZulu-Natal and Gauteng? When are the MK killers who gunned down the Zulus who were marching peacefully past Shell House going to be convicted? [Interjections.] Why did the ANC stop the police who wanted to search for and find the killers who fired shots from Shell House?

Is the IFP being punished because it did not win the majority of votes nationally? That is not how democracy should work. That encourages violence and destroys peace. The double standards must stop, and they must stop now!

Another disturbing incident occurred when the Minister for Safety and Security failed to consult with the KwaZulu-Natal MEC regarding the police who were recently trained in Ulundi. He simply asked Major Dalton, who, by the way, passionately hates the IFP, to commence the investigation of those policemen. There were

about 600 men and women trained there. Those investigators identified fewer than 30 of them as possible criminals. Yet all 600 trainees were publicly insulted as being criminals, and as suffering from Aids and other diseases. [Interjections.] We have never had this insult directed at anybody in any province but KwaZulu-Natal because . . . [Interjections] . . . the crime committed by the people there is that they voted for a Black party other than the party that should rule in the whole of South Africa. [Interjections.]

Of course, I am not surprised that intolerance is everywhere, including here in Parliament. If the Ministry truly sought to maintain the minimum standards the Minister referred to—because that was the excuse—why were the 38 ANC members integrated into the SAPS in KwaZulu-Natal without fingerprints and appropriate qualifications? That was nothing if not another example of the Government of National Unity acting in bad faith in relation to KwaZulu-Natal.

As I have said, acting in bad faith seriously undermines the integrity of the Government of National Unity and the peace that is so fragile and that was a gift from God after the April elections last year. [Interjections.]

An HON MEMBER: Hallelujah!

Dr Z B JIYANE: The IFP has shown ample good faith in the Government of National Unity.

Mr J H MOMBERG: Mr President, on a point of order: Is it permissible for a member to consistently talk about bad faith, and also to accuse a Minister of this Cabinet of speaking and acting in bad faith? [Interjections.]

The PRESIDENT OF THE SENATE: Order! The hon member may continue.

Dr Z B JIYANE: We have done so. The IFP, I say, has manifested ample good faith with regard to the Government of National Unity. We have done so, because we have lost more leaders and dear supporters in the hideous violence that continues to afflict this country.

We as the IFP desperately need peace and reconstruction to succeed. We stand to benefit most from it. We suffered the brunt of the revolutionary onslaught in this country. [Interjections.] We lost more people and members, yet we are made out to be the guilty ones. However, who really killed our people? Who is killing our people now? [Interjections.]

The record speaks for itself. Although the IFP accepted without question the Ministries offered to it by the ANC on a national basis, we should recall how viciously the IFP was denigrated when it gave the ANC control over three Ministries in KwaZulu-Natal. There was intense negotiation afterwards. Although the IFP is the majority party in KwaZulu-Natal, the ANC was given some of the Ministries it demanded.

We did that for the sake of peace. We were not required by the Constitution to do so. We acted in good faith. We did so because we wanted peace to succeed. We did not say to the ANC that they could go wherever they wanted if they did not accept what we gave them.

Our president was told that, among others, the IFP would be given the Ministry of Health. However, the next day we were told that we would not get that Ministry. We did not go around complaining. We did not go around undermining the President of the country. We accepted that that was a decision of the President of the country and we accepted what we were given.

Yet that was not to be the case in KwaZulu-Natal. Hon members will remember that we gave the ANC four chairmanship positions of select committees in KwaZulu-Natal. That was one position more than the constitutionally required total of three. [Interjections.] That, too, was a sign of our good faith in terms of the need to succeed at peace in this country.

We even gave Mr Harry Gwala the position of Deputy Speaker. We were not required to do so in terms of the Constitution. That, too, we did for the peace that we so cherished to succeed. [Interjections.] Yet we were given only one chairmanship position in the Government of National Unity, that of the Select Committee on Public Enterprises, and that was only done after a struggle. We had no input in the selection of the Constitutional Court judges. The list can go on and on.

The IFP has persevered, but there is a limit to the patience of our supporters. For the sake of peace, and the wellbeing of all, all of us should act in good faith and we should respect each other if democracy is to survive and flourish in our beautiful but tortured country, South Africa. [Interjections.]

Members ask, "Wenzani?" [What are you doing?] However, they should remember what happened when they sought to eliminate the IFP from the face of this country. They will see that we shall resist. [Interjections.]

THE PRESIDENT OF THE SENATE: Order! I would like to use this moment to explain the following. A point of order was raised about the allegation of bad faith on the part of a Minister. In the past it has been allowed that a Minister could be accused of a breach of faith. I shall study the Hansard, and if it infers that the hon the Minister was involved in atrocities and, hence, that there was bad faith on his part, the hon member will be asked to withdraw his comment. If the inference is that there was good faith on the part of one party and bad faith on the part of the other party, the allegation seems to me to have been made in a political sense, in which case the member will not be asked to withdraw his comment.

Senator M W MOOSA: Mr President, President of the Republic and hon members, it seems as if Dr Jiyane does not stop with his rhetoric. [Interjections.] What amazes me is that, above all that rhetoric, the simple fact exists of the quite recent reports from the hon Mr Luthuli. [Interjections.] No amount of rhetoric will be able to cover the factual basis on which many of the actions of the Minister for Safety and Security are based and on which future actions will soon be based.

On a more serious note, the issue of corruption and crime has been high on the agenda of most patriotic South Africans. There is a noticeable increase in economic and white-collar crimes, criminal acts conducted during protests, corruption by public personalities, and crimes which have their roots in the socio-economic conditions, after centuries of deprivation and apartheid.

There seems to be a misconception that only the rich and powerful are concerned about crime, because they have the most to lose. Our people in poverty-stricken and homeless communities are as concerned about, and probably more seriously affected by, the disastrous effect that crime has on their lives. The message needs to go out clearly that our Government is not soft on crime, and especially not soft on corruption.

The ANC has the record of being in the forefront of insisting on openness and transparency, on clean government and on the creation of a culture of accountability. The President himself, ANC Ministers, and our members in this Parliament and outside this Parliament, have gone on record that they will serve the people selflessly and with integrity.

The ANC has demanded, long before any of the recent scandalous media reports, that all members of the national and provincial parliaments complete declarations of their earnings, their assets and liabilities, and their interest in any financial activity outside Parliament. All ANC members of Parliament have been compelled to sign a strict code of conduct, and it has been made clear that those who do not do so, or who transgress such a code of conduct, will be severely dealt with by the organisation. [Interjections.]

Our policy has been premised on the necessity to uphold the moral sanctity and value systems of our members and our people.

*An HON MEMBER: Did the Ministers sign it as well?

Senator M W MOOSA: Yes, all the Ministers have signed it.

*An HON MEMBER: Did the Deputy Ministers sign it as well?

Senator M W MOOSA: Yes, the Deputy Ministers too. [Laughter.] I want to ask the hon senator if the NP has done the same.

Public officials have a fiduciary duty to their constituencies, and that fiduciary duty cannot be compromised. Apart from its becoming an illegitimate government, which was the battle cry of the ANC in its struggle against the previous regime, disregard for this fiduciary relationship would also diminish the miracle of the Government of National Unity in the eyes of the international community. There can, therefore, be no misconception that this organisation, the ANC, will not deal severely with the perpetrators of acts of corruption.

What, then, has the recent uproar been all about? It is commendable that the media has reported on acts of corruption, and it deserves credit for that. The question is: To what extent has the media entered the political arena to do the dirty work of party-politicking now that the

"honeymoon" is over? [Interjections.] The media itself embarked on an hysterical response to its own stories, believing its own propaganda, and then tried to elicit the same hysterical response from the Government.

The merits and the thoroughness, or otherwise, of its investigative journalists have been elevated to those of a court of law. The media felt at liberty to pass verdicts in media trials reminiscent of those found in Hollywood. The headline of *The Argus* on the wild parties at the Presidential residence, when headlines more appropriately should have delivered the President's message to the people, bears testimony to this. [Interjections.]

Let us not detract from the important fact that this Government and its Constitution are based on the rule of law. Any allegation of corruption will be considered in a serious light and will be severely dealt with, but not until the due process of law has taken its course, and certainly not in a way which would be unfair and unjust. That was the style of the government of the past, and we leave those who have failed to make the transition to fester in it.

In his address to the nation, the President also dealt extensively with anarchy and crime. Like corruption, the activity of land invasions, forceful occupation of homes, blockades and looting delegitimise our fledgling Government. Patriotic South Africans who honour the democratic process get short-changed by the actions of bands of ill-disciplined people who take the law into their own hands.

It is a fact that our people are in severe need of basic housing, land, jobs and a better income. It would be unnatural if our people were not impatient to see some visible improvement in their living conditions. They have the right to demonstrate this impatience through acceptable means. Their protests have the effect of reminding the Government of the great tasks ahead and they prevent complacency from setting in.

However, there needs to be vigilance on the part of all freedom-loving South Africans against counter-revolutionary behaviour and *agents provocateurs*. Some of the protests in recent times have had the effect of reversing our strides to democracy. We must be cautious not to provoke the response from our detractors that our people

do not deserve the basic rights that we have entrenched in the Bill of Rights.

Hooligans in our midst, who have all too long discredited our struggles, have also not disappeared into thin air. We have developed tried and tested methods of marshalling our people during protests and of identifying troublemakers in order to root them out. We must re-energise these methods and bring back legitimacy to the right to protest and strike.

The Police will only succeed through intensive involvement and leadership from within our communities. Recently, in one of our communities in Gauteng, women marched to the homes of the drug lords and, in a disciplined and organised fashion, took them by their collars to the police station. Word has it that these drug lords refused to leave their cells even after bail had been granted. They had annoyed the women.

However, we need to remark that our courts, the Police Service and Correctional Services have been dealing with criminals in an inefficient way. There have been many complaints that often hardened criminals are released on the payment of a small amount of bail or on parole while petty criminals, who mostly commit crimes due to socio-economic conditions, are effectively denied bail. We need to address this problem.

The solutions to crime rest on a three-pronged strategy. First there is the successful eradication of poverty, which is a medium to long-term strategy dependent on the successful implementation of the RDP. Secondly, we have effective community participation and, in the third place, we have to keep criminals in the net once they have been identified. Much has been said about the first two and I will concentrate on the third aspect.

There is no merit in dogmatically implementing the Bill of Rights. Magistrates argue that they are obliged to grant bail in terms of the new Constitution. That is so, but the Constitution has not eradicated their power of discretion in weighing up the interests of society against the interests of individuals. Magistrates are still obliged to apply their minds to the circumstances of each case when deciding to grant bail or, where good reason exists, to deny it. There is no point in waiting for the Constitutional Court to pronounce its decision on this matter, as it is unlikely that this Court will do so soon, espe-

cially not in cases where good reason may exist to deny bail.

On the other hand, we have found that police investigating officers assume that their work is done after they have made an arrest. Prosecutors are complaining that the police do not appear in court to oppose bail applications and that they later accuse the court of granting bail too readily. Unlike the old days, magistrates will expect some good reasons for the denial of bail. This onus rests on the police.

There is also a need for the police to do proper trial preparation and for the Correctional Services to look at viable rehabilitation programmes. Murderers and rapists should be refused parole until we are convinced that they have been rehabilitated.

When all is said and done, it is left to each one of us here, and to all South Africans, to root out the evils of crime and corruption in earnest and haste. No matter what our political persuasion, this is one aspect in which we stand to lose as a country and as a people.

*Gen C L VILJOEN: Mr President, it is a privilege for me to take part in this debate. I want to speak to the subjects leadership and development, after which I want to turn to stability and the future of our country.

We are under the leadership of Mr Mandela, who is a strong leader with a high degree of internal and external prestige. Mr Mandela has now announced that he will only be available for the first five years, and this brings a new dimension in South Africa to the fore. This limits the time frames for the resolution of conflict and attempts at reconciliation in this country. It is not that Mr Mandela will be indispensable in all respects. We must, however, look at the circumstances prevailing at present, and the background situation that challenges his leadership. I just want to mention four of those circumstances.

Firstly, an insatiable electorate which continues to make severe and very great demands that can never be met. Secondly, a Government of National Unity that is quite fragile, built on the foundation of sand that is power-sharing. Thirdly, the economy, impaired by the revolution and also very difficult to set in motion again. Fourthly, escalating unemployment and the social problems associated with this.

With few years ahead, with the great challenge that I have mentioned here and with the great deal of work that lies ahead, I think the strong leadership of President Mandela must be utilised in the time that lies ahead. President Mandela must provide clear, unequivocal and fearless leadership.

†Sometimes the President will have to be cruel to his own people to be kind to them.

*I should like to address the following request to the President: Lead this country away from the political squabbling that we are engaged in now. Let us cease that. Let us put our ideological wrangling and squabbling behind us so that we can progress. Furthermore, I ask the President to give guidance, to bury apartheid now and to guard against further paralysing ideologies that will once again cripple us and cause us to occupy ourselves with merely talking, without any work being done.

What we need is a new culture, a culture of growth and job creation, a culture of hard work, of productivity. We need a culture of enterprise in this country. This is what the President still must initiate for us during this period. We should therefore be led away from political negativity towards developmental positiveness.

I now want to turn to the second aspect of my speech, namely development. I have just told hon members what we should do. We must develop and stop talking. Furthermore, I would like to say that we in the FF like to practise what we preach. At this point, I would like to boast a little about the Mozambique initiative that our party has set in motion. Yes, our party is critical as an opposition party, but we are constructively involved in anything which is of great value.

This idea of agricultural reconstruction that is taking place and being planned in Mozambique had its origin in the agricultural unions. However, because of its political implications, the FF cleared these political implications with the Government, discussed them with President Mandela and Deputy President Mbeki, and they gave this their blessing. By doing so, President Mandela also paved our way to President Chissano by going to negotiate with that government at the highest level about this very important task.

I would like to thank the President for that now and I would like to tell him that this is a sign of

participatory democracy. This is when a small group is allowed to promote a worthy subject and ultimately receive the credit for it. There are so many advantages related to this matter. There are political advantages for Southern Africa, for South Africa, for Mozambique, political advantages for the relationship between the world and Southern Africa. There are internal political advantages for we Afrikaners as a group. There are endless advantages for, *inter alia*, agricultural development, food, exports, processing, reconstruction of infrastructure and also the development of further tourism. There is also the Southern African possibility of developing a nutrition strategy which will be to the advantage of all the countries.

The possibility of job opportunities exists for our own farmers and for Mozambique, 80% of whose population is dependent on jobs in the agricultural sector. Migration problems, urbanisation in Mozambique, but also migration to South Africa, can be turned around.

There are lessons for us to learn from Mozambique, and the involvement that we put into operation there will also be valuable to us in this respect. I would briefly like to mention three lessons: Firstly, any country without management expertise collapses. This happened in Mozambique shortly after the Frelimo government took over there.

I would like to warn the government by saying that affirmative action, irrespective of how well intended it may be, must be applied in a very cautious and responsible manner. If this leads to the collapse of management expertise, the same will happen to us as happened in Mozambique. The application of socialism in Mozambique—and this is the second lesson—caused agricultural production to fall by 75% within five years. I therefore want to issue a warning that these concepts should be dealt with very carefully by the Government, and particularly the ANC, in their determination of the economic policy.

Even after the affirmative growth was once again set in motion by the Mozambican government, and they moved away from the policy of socialism, it was clearly realised that a management group, an entrepreneurial group, capital and expertise were necessary within the country for growth. That, then, as regards the lessons we can learn from Mozambique.

I would now like to turn to the question of stability and our future. We should be realistic in our expectations as far as the results of this process of radical change are concerned. We cannot expect a model of a completely stable democracy to be established in South Africa for some time to come.

There are too many people who have widely differing perceptions on how the future should look. Furthermore, there are many people and organisations that have their own ideas on the means they are entitled to employ in order to achieve their goals, often in the name of democracy. I am referring to poor discipline, the low morale in the police and security establishments, lawlessness, a lack of work ethic, corruption, banditry such as the taking of hostages, and so on. Members of my community find this unacceptable.

The President's speech and his determination on these matters are reassuring. Certainly, these are good intentions, and we all owe the President our loyal support in his endeavours. May he succeed.

It is of critical importance that this Government, in consultation with all parties, takes firm control of this process, in order to achieve a measure of stability as soon as possible. It is imperative that we all remain committed to achieving these goals together; if we fail to do this, we could easily slide into the type of chaos that will not be conducive to any form of stability that we might hope to achieve.

There are signs that the forces of chaos are lurking beneath the surface. Voices of dissent, disloyalty and defiance are getting louder and louder. We in the FF are concerned about these things. We need to remind hon members that we became partners in this process at a high price, in that we had to lose support in the community we represent. We nevertheless participated in order to avoid chaos, facilitate peace and seek true reconciliation. We place a high premium on the achievement of these ideals. Failure would mean losing out on the strategic alternative to violence for which we opted.

We therefore want to call on all political formations involved in this Parliament to abandon their ideal of making things work for the doubtful advantage of their own party-political positioning. I want to call on the ANC, as the

majority party, to exercise its power in such a way as to make all feel comfortable in this country.

We in the FF believe that at this moment we all need to consolidate in a final effort to secure the future we all want for South Africa. For this purpose I want to attend to a few important aspects which affect our stability.

The first is the Truth and Reconciliation Commission. Let us come to an agreement on a shorter process that will not linger indefinitely and revive those feelings of bitterness and animosity that have constituted the conflicts of the past. Let us get it over and done with. Let us bury the past and stop contaminating the minds of so many people, for reconciliation can only be a reality in the minds of the people.

I sincerely hope that real reconciliation is what the Government has in mind with this legislation, because I cannot understand the reasoning behind it. I sometimes doubt the judgement of the moralists and sentimentalists who are pressing for this mode of action. Are they not suffering from a fixation about their ideals, to the point of fanaticism? Let us rather be pragmatic in dealing with the past because any form of one-sided witch-hunt, which will no doubt turn into a free-for-all mudslinging battle, will be of no use to this country.

The second issue that I would like to mention is that of the IFP's plea for international mediation. We in the FF take the position that all South Africans must first try to solve their differences amongst themselves. [Applause.] However, if international mediation is to bring peace and understanding in the country between these two important groups, let it happen before the entire body is affected by a festering sore which has been left unattended.

We also want to have the issue of Afrikaner self-determination attended to soon. Without in any way prejudicing the report, I wish to make a few brief remarks in this regard. I do not think there can be any doubt that we will invoke Constitutional Principle XXXIV of the Constitution. We cannot accept that the individualistic melting pot of society is the only possible solution for South Africa.

We are at peace with those who want it. However, for us community values are as real as those of the individual. Our sense of solidarity as a

community and our concept of cultural heritage are such that we want to retain the maximum control over our own destiny that is possible in a pluralistic society such as ours. At the same time I want to assure hon members that our demands will be reasonable and based on principles.

Our thinking on the nature of the Volkstaat has developed into what we think is more reasonable to the greater society and more acceptable in view of the needs of the Afrikaner community. Afrikaners are established and distributed across South Africa. They may soon be present in large numbers in development work in a number of African countries such as Mozambique. While we may in the past have had in mind one massive Volkstaat for the Afrikaners, we have studied and accepted the demographic, economic and social realities. We have concluded that we have to think of a Volkstaat in a way that will benefit the maximum number of Afrikaners and society at large.

We therefore see the role of the Afrikaner in a new way, as an essential component of society in Southern Africa. We believe that they have a role to play which is crucial to the future of this continent. This is the role we want to play in the country as well as in the subcontinent. It is for this reason that we are committed to stability and peace.

Our request for self-determination must be seen in this light. We may soon come with exciting proposals to this effect, which may be as unique as the South African situation itself. Our concern is genuine. The role we have described for the Afrikaner is one where retaining our identity will be challenged by sheer numbers. We ask for the issue of self-determination to be speeded up so that we can stop talking about political and ideological issues and start with the real issue, which is development and the creation of job opportunities.

Mr A J LEON: Mr President, I heard a few remarks being made this afternoon and over the weekend about my party. Let me say about the DP after the municipal elections, with reference to a Sunday newspaper report, that we will certainly demand from the Public Works department a bigger lift in the Marks Building in which to hold our future caucus meetings. [Laughter.]

I would like to take the opportunity during this debate to congratulate President Mandela on his

opening address last Friday. At long last he declared war against the malignant forces, unfortunately not those on the back benches over there, which if allowed to roam and wreck unchecked and unheeded, will certainly destroy the hopes, dreams and aspirations of peace-loving, law-abiding and industrious South Africans.

It was a bold speech in which the President set a specific agenda against which the success and the failure of this Government will be judged. This is an act of courage and statesmanship not without risk. However, the President has the authority and certainly the majority to persevere in tackling crime, in eliminating corruption and focusing Government on the urgent national needs of our country. We in the DP intend to be full partners in that quest.

We also join the President in his deeply felt desire to root out the ugly cancer of racism evidenced in the Ruyterwacht incident last week. However, we should pause to remember that for every single Ruyterwacht, there are thousands of miraculous success stories of peaceful integration, ranging as far afield as Ventersdorp and Vredendal. In many ways, halting and imperfect as the process of educational equity remains, we have succeeded better than we dared imagine. We have fared better than affluent countries such as the United States of America succeeded at an equivalent moment in their own history. We must not allow the reactionary forces of racist recidivism to derail our national quest for nonracial democracy to take root.

It is easy to exploit and make political capital out of deeply felt fears of minority communities. It is easy to exploit and pump up minor acts of injustice into major ones and so fritter away our scarce resources on resolving them. It is easy to exploit people's expectations and pretend that there is a legal cure for every wrong or that there is a constitutional remedy for every ill. My party will never be party to such exploitation. We call on other parties in this Chamber to equally to commit themselves.

However, stating the problem, articulating the grievance and calling back the past certainly have their place in an election campaign, but will not contribute one jot or iota to the economic liberation this country requires.

The most frightening paragraph of the Katz Commission of Inquiry into Tax is the fact, blandly stated, that there are only 4,7 million South Africans who today pay personal income tax. This relatively minute band of taxpayers is simply overburdened and underrewarded. Since personal income tax now accounts for 40% of all state revenue, if we do not expand this tax base we are facing an economic catastrophe of unimaginable proportions.

To expand the tax base we need more economically empowered citizens. How do we achieve this? The Government cannot expand the economy; on the contrary, as this House well knows, Government spending consumes economic wealth and drains productivity.

However, what the Government can and must do is to create a framework for productivity, infrastructure and growth. The first area which the Government must address is the creation of a level playing field for fair competition. To do so, the Government has to put its own house in order.

The President told Parliament regarding the question of corruption that we should not allow ourselves to be stampeded by responses not different from a witch-hunt. I would have thought that common decency, if not probity, would have precluded the NP from entering the debate on corruption. But since they have done so, I think it is necessary for me also to join issue on this particular point.

The President criticised the media and parties such as my own for "a keenness to condemn" and to propel the Government into "precipitate action". I think it is necessary, with due respect to the President, to remind him, and more particularly the hon Senator Moosa, that just such an unhappy cord was struck by his predecessor Mr P W Botha who also criticised the media and politicians at the time of the Department of Information scandal when he said on 29 April 1979:

For months now the public has been subjected to an unbridled campaign of insinuation, suspicion, mistrust and disparagement.

That was the view of Mr Botha, and we know precisely how inaccurate it was.

The fact remains that this Government needs to set its face far more decisively against those in its

ranks who practise a pervasive, corrosive type of corruption, those and their relations who look on connections and public office as the road to riches, and those who interfere with fair competition by exploiting their party-political competition.

We have heard today about the ANC code of conduct. Does it actually address these issues? If so, how? If it does, what is the consequence in terms of the daily revelations that we are seeing? [Interjections.]

The President knows who those people in his own ranks are. We know who they are, and the media certainly know who they are. Yet often inaction, drift and passivity seem to be the response. This Parliament has been in session on and off for nearly nine months. Yet there is no code of ethics—not just for members of the ANC, but also for those in the Government—to deal with the potential abuse of power. Surely a party as large as the ANC, and surely a President with the undoubted worldwide authority of Mr Mandela, cannot be held to ransom by half a dozen so-called populists who could decisively derail the creation of a just society based on fairness, openness and honesty.

Where the firm smack of government and authority is most required is, with respect, often within the governing party itself. Sooner rather than later we need a stringent set of principles and guidelines to bind each holder of public office to disallow the holding of financial interests that conflict with the performance of duty, to curb the soliciting or acceptance of gifts of largesse and to safeguard against the use of public office for private gain. It must be strict, it must be compulsory and it must be policed.

Our second contribution to reinventing South Africa's economic prospects is to remind the Government that the notion of jobs in the Government, far from being our salvation, is actually the road to economic ruin. The previous government used the public sector to buy off their electorate, and we are today living with the consequences of that.

Let us consider just one startling example. Our poorest province, Northern Transvaal, spends a staggering 95% of its budget on government salaries or wages for people working for the province. That means a paltry 5% remains for infrastructure, poverty relief and public works.

We have to turn the situation decisively around. It also means promoting investments and savings, not just taxing and spending. Our current gross domestic saving rate of 17% falls way below that of Malaysia, with 38%, and China, with 35%, and those countries, arguably, have equally poor populations, equivalent to our own.

However, we also need to empower and mobilise a new set of entrepreneurs. We need policies to nourish business, especially new business, policies which place the needs of those businesses above the needs of our bureaucracy.

The immense inequality gap between White and Black South Africans, and increasingly between a small and rapidly enriching Black middle class and a burgeoning Black underclass cannot be addressed through pyramid companies, crony-capitalism or even, with respect, the gigantic corporatism envisioned in the new Labour Relations Bill. That is of no help to small business or even, as Mr Ramaphosa will know, to small trade unions.

It is estimated that simply relying on current growth rates of 2.5% to 3% it would take something like 47 years to eliminate poverty by the so-called trickle-down effect. So, far more radical reaction or action is required. We have suggested privatisation, coupled with direct empowerment through a unit trust scheme. We also need a crash course, aided by tax breaks and incentives, to finance adult education, because 46% of our adult Black population is illiterate. They are going to remain perpetually unskilled until we actually encourage and facilitate adult education.

A third and decisive task is that of redirecting each and every sector of our society and Government to the urgency of creating economic growth. My party represents many professional and skilled people, people who, by the nature of their skills, can make a decisive contribution and who, because of such skills, are also relatively mobile.

I am determined to take the President's tough message on crime and lawlessness into those communities and urge them to stay and contribute, not to emigrate and dissipate such scarce resources. However, to do so I also need the help of the Government. It is not an imaginary fear of majority rule, but a real fear of murder, hijacking and mayhem which is causing our country to

lose many of the best and the brightest and the youngest to foreign countries. The President and all of us have to give meaning, content and cash to the war on crime. Then we can keep South Africans where they belong, right here at home in South Africa.

The redirection of resources, of course, should not be an excuse not to address the distortions of the past. Mr Ramaphosa, an accurate reader of newspapers, recently and accurately observed that I was in Soweto. [Laughter.] There I discovered that the entire municipal work force of Soweto, which is meant to look after a population of 2,5 million to 3 million people, consists of exactly 3 700 workers, while neighbouring Johannesburg, with a population of 850 000, has no fewer than 22 000 municipal employees. So quite clearly the first order of our newly democratic municipal administrations would be to rearrange and reallocate those imbalances quite decisively.

However, we need to realise that even with all the help and goodwill in the world, we are ultimately on our own as a country. We need foreign investment as surely as farmers need rain, but we should never forget that the massive amounts of capital we seek move around the globe at the touch of a keyboard on a computer. The foreign capital we require in this country is ruthlessly seeking a return, without regard for race, ideology, sentiment or entitlement. If we do not create the right climate for this investment, not even a hundred foreign heads of state visiting Cape Town will bring it.

To do so we need to rearrange the priorities of Government. Let me just quote one example. We have to get serious about international competitiveness, about marketing our economy abroad. It is through trade that we will earn the foreign exchange that is needed for reconstruction and development. The smart countries of the world realise that the new site of battle is trade and exports. All sectors of the State should be pressed into this war. Yet, in our diplomatic missions abroad we still give priority to political and other areas.

In the United States, our major trading partner, the South African Embassy in Washington has, out of a total transfer staff complement of 36, only two persons who are dedicated to trade. In Germany, our second largest trading partner, only four officials out of 25 are looking after our

trade relations in the capital. We need to turn that around. The DP will take to the people of South Africa the message of economic liberation and empowerment.

These are the ideas which can turn South Africa into the winning nation we desire it to become. That is why we are so determined to succeed. [Applause.]

Dr B L GELDENHUYS: Mr President, the leader of the DP is a brilliant parliamentarian. But, given the fact that he has already signed the death certificate of his party in Soweto, I am not going to elaborate on his contribution. [Laughter.]

The integrity of the leader of the NP is beyond dispute. [Interjections.]

HON MEMBERS: No, no!

Dr B L GELDENHUYS: But, allow me to put a question to the hon member Mr Ramaphosa. Was the decision to plant the Church Street bomb, which killed very many innocent people, taken at the national executive committee level of the ANC? [Interjections.]

HON MEMBERS: No!

***Dr B L GELDENHUYS:** I want to speak briefly to the leader of the FF. If the hon leader is of the opinion that the ANC will give the Afrikaners a Volkstaat on the basis that he wants it, he is going to wait until pigs grow wings. [Laughter.]

†The NP associates itself with the broad content of the opening address. It was anything but a popular speech with a view to appeasing the masses. The hard clampdown on disruptive rent boycotts, strikes and mass action, is highly appreciated. [Interjections.]

On the other hand, the ANC must constantly be reminded of the fact that they are now being confronted with their own creation. [Interjections.] The ANC fathered the wild offspring of rent boycotts, strikes and mass action. [Interjections.] The ANC, in fact, finds itself now very much in the same position as the notorious scientist Dr Frankenstein. I would suggest that all the ANC members take time off and go and watch the movie. It is showing at a theatre here at the Waterfront. [Interjections.] [Laughter.] The creature created by Dr Frankenstein turned out to be a monster with the sole intention of

killing its creator. Eventually Dr Frankenstein had no other choice, but to try to destroy his own creation.

In order to allow South Africa to survive economically, the President would have to follow suit. He would have to destroy the creations of his own party and he would have to do so soon. I wish him more luck than Dr Frankenstein had in this regard.

*The hon the President's commitment to the elimination of corruption is welcomed on all sides. Unfortunately the NP gained the impression that the handling of the Boesak affair was, with all due respect, not satisfactory. The failure to freeze Dr Boesak's appointment until all the relevant investigations have been completed has caused tremendous embarrassment for South Africa in diplomatic circles.

The NP's insistence on the reconsideration of Dr Boesak's appointment does not justify a comparison with McCarthyism either. It was not the NP that launched a witch-hunt. It was a respected Danish church organisation that broached the subject with prima facie evidence. Apart from what may or may not be found by a court of law, it is extremely doubtful whether a controversial figure such as Dr Boesak is suitable for any ambassadorial position.

Another prospective ambassadorial appointment which caused great embarrassment was that of Mr Tom Langley, who has been refused by Portugal according to reports in the press. People were not even refused on these grounds during the time of the so-called apartheid government.

I think that perhaps the hon the President is not being informed correctly as far as Afrikaner politics is concerned. I want to politely remind the hon the President that time and again in every election the NP polled a greater number of Afrikaner votes than the CP, the FF, the AWB, the Koppiekommando and the HNP. Both incidents necessitate greater circumspection as regards the appointment of ambassadors, and perhaps the time has come for the Portfolio Committee on Foreign Affairs to become involved in the process, as is the case in many other countries.

†In the midst of the growing decline in the popularity of world leaders, President Mandela is a welcome exception to the rule, and cogni-

sance should be taken of his comments on international affairs. He has once again, in his speech, committed South Africa to the goals of the United Nations, and the NP endorses this commitment.

The protection of minority rights happens to be high on the agenda of the United Nations. In a recent questionnaire member states were asked to give information as to if and how minority rights were being protected in their constitutions. Information was also requested on the availability of educational institutions catering for the religious and cultural needs of minorities. The NP, of course, with its emphasis on the protection of minority rights, is, under the leadership of Deputy President De Klerk, completely in line with the United Nations' requirements. But whether the ANC with its emphasis on majority rule will pass this test remains to be seen. South Africa can once again be out of step with the rest of the world due to the unwillingness of the ANC to protect minority rights effectively. [Interjections.]

The President also called for the strengthening of ties with the United States of America and the European Union, and the NP welcomes this call. However, it must be pointed out that South Africa's voting against a United Nations resolution, tabled by the United States of America, condemning the violation of human rights in Cuba, was not conducive to sound relations between the two countries, and could have heralded South Africa's second isolation in the international community. "Tell me who your friends are, and I shall tell you who you are", is still very relevant, also in diplomatic circles. We wish the President well in his efforts in leading South Africa to a better future.

*Mr J VAN ECK: Mr President, 30 years ago Dr Boy Geldenhuys and I were both students at Stellenbosch University. I was a young man and he was an older man. However, he was never known for his great intelligence and deep insight. [Laughter.] Unfortunately, 30 years down the line, he has not improved one iota.

†The leader of the DP, Mr Tony Leon, whom I knew when we were still in the DP, is an honest person—honest to the extent that he in fact frequently damaged his own party more than anybody else—and I still respect his honesty. [Laughter.] He says that in actual fact the DP needs a bigger lift. I now offer to build them a

bigger lift. The problem is that even if the whole building were a lift and the whole DP in an enlarged form were inside, they would stand still, because they would not know whether to go up or down. It is a party which does not know which way to go. The size of the lift is not important. Mr Leon's honest "do or die" will be remembered as his last words before the party died. [Laughter.]

On a more serious note, I would like to refer to the attack by the hon Dr Jiyane of the IFP on the Minister for Safety and Security, Mr Sydney Mufamadi. He accused our Minister of acting in bad faith in his dealings with KwaZulu-Natal, specifically regarding the passing-out parade which resulted in a major controversy.

What happened was that the Minister ordered the provincial commissioner to cancel the passing-out parade, because they had refused to fingerprint all the applicants, and because there was a suspicion that 25 or so of the police recruits had criminal records or had other shortcomings that disqualified them from becoming policemen. He refused to obey that instruction issued by the national Minister, but when the new commissioner, Commissioner Fivas, issued the same instruction, namely to cancel the passing-out parade, the provincial commissioner obeyed. Why? It was a political rejection of the national Minister, saying to the national Minister, as the IFP: "We do not accept your authority as the national Minister of the police, but we will obey your new national commissioner." It was, in actual fact, a despicable act of disloyalty to the new head of the Police Force, the Minister, and the new national commissioner.

Also, the hon member Dr Jiyane launched an attack on the Minister because of the investigation into death squads and the alleged existence of those squads in the KwaZulu police. The question has to be asked whether what Mr Luthuli said in *The Weekly Mail* over the weekend—when he admitted to being directly in charge of those death squads that were trained in the Caprivi Strip—was a lie or whether he was speaking the truth. So I think it is time that Dr Jiyane and his party stopped running away from the reality of death squads and the fact that they do exist in the KwaZulu police, and stopped knocking the Minister for Safety and Security, who, I must say, has gone out of his way to be nonconfrontational to all political groupings in South Africa. He has gone out of his way. I have

had testimony of that from various high-ranking policemen, even those who left the Police Force for other reasons.

Allow me, first of all, to thank the President for emphasising in his address on Friday that he and his Government remain firmly committed to totally transforming the apartheid society which we inherited, and that this process will be continued with enthusiasm and responsibility. We in this Chamber, as well as all South Africans out there, are genuinely concerned about the crime and the lawlessness which is growing on a daily basis. We specifically appreciate the fact that our President devoted such a large proportion of his speech to the issue of crime and lawlessness. He said that those elements whose hidden agenda is anarchy, those who murder police officials, those who loot, riot, forcibly occupy public buildings and private homes . . . [Interjections.]

Let me ask Mr Themba Khoza a question. When people's homes were illegally occupied in the Transvaal by squatters, he came out in full support of those illegal squatters. Since when is the IFP in support of illegal action being taken, while the Gauteng government is trying very hard to resolve the conflict? [Interjections.]

You can make as much noise as you like. When the Nats make that noise, ladies and gentlemen, it means that they have been caught out. [Laughter.]

Our President also referred to those who loot, riot, occupy public buildings and private homes, those who block our highways, vandalise public and private property, etc. Our President also issued a very firm and categorical warning to all those people that our Government will join battle against those forces of anarchy and chaos and that we will take the war to the criminals and not allow a situation where we are all mere sitting ducks. He concluded by saying: "Let no one say they have not been warned." I do not think it could be stated more seriously. Our President then continued by stating that he had already issued instructions to our Minister for Safety and Security and the security organs in general to take the steps necessary to bring down the levels of crime. He also stressed, and I quote:

. . . they need the full and active support of all our communities.

If we want to make it possible for our policemen and women to start acting against criminal elements in our society, it is essential that our police service is seen as legitimate by the communities from which these criminal and violent elements come—that means from whatever community. A prerequisite for such action to be taken by our police is therefore the transformation of our apartheid-tainted Police Force, the SAP, into a democratic, nonracial and nonpartisan police service. If the police are to act against, for example, people taking part in a strike, resorting to violence, destruction or whatever, this will only be possible and successful if the community from which they come supports or at least understands and agrees with the action which the police have to take.

The whole process of demilitarisation and civilisation, which is being pursued, will greatly contribute towards making our Police Service more community-friendly. The example set by our new national commissioner in replacing his rank of major general with that of commissioner, and refraining from wearing any police uniform until a new unifying uniform for the police is agreed upon, is indeed to be applauded.

The process of setting up police community forums has indeed been highly successful and has enabled both the community and the police to play their part in normalising previously strained relations. To speed up this process, consideration should be given to making certain of their present functions, not merely advisory, but binding. This will prevent any of these forums running the danger of being labelled by certain people as being merely "toy telephones".

It needs to be stressed that any person or organisation that hinders or slows down this process of transformation of our Police Service will knowingly or unknowingly be aiding the lawless and criminal elements in our society. It is in this context that I want to refer to the Truth and Reconciliation Commission, which is to be set up during 1995. To those of us who have for many years monitored police action in our Black and Coloured communities in particular—and I am one of those—it should be clear that hundreds, if not thousands, of members of the police will have to come forward to testify before the commission. If we are serious about the community accepting our policemen and women, then the truth will have to come out about the various

actions taken by policemen and women against the oppressed communities.

The victims of such actions want to know whether their suspicion all those years that it was the police who killed or tortured their loved ones, was indeed correct. They just want to know whether it was true that it was the police who did it and denied it, and whether it was really them or the third force. It is indeed doubtful whether the South African Police Service will ever truly be accepted by the community unless they go through the process of the Truth and Reconciliation Commission.

In saying this, the following words of our President in his speech last Friday, 17 February, need to be reiterated to every policeman and woman. I quote:

... we must also make it clear that the Government is opposed to, and has no intention to conduct, a witch-hunt against the police as a result of activities arising from orders given to the police by the apartheid regime.

I continue to quote:

Nothing we do should lead to the heightening of tensions and the rekindling of the violent political conflicts which we have succeeded so well in bringing under reasonable control.

He went on to say:

... many of us, who suffered quite significantly as a result of apartheid repression, are making no demands which would result in vengeance against, or persecution of, those who might have harmed us or those close to us.

I must stress those words, because it is necessary that that message reaches every policeperson so that the process can be completed and so that we do not have a situation where, after the Truth and Reconciliation Commission has completed its task, we have revelation upon revelation by the Craig Williamsons and others that can befoul the political temperature and climate in this country for decades to come.

All members of our police services, past and present, should take note of this commitment made by the President of South Africa. It is in the light of this that it is deeply disappointing to read the response to the commission by General Van der Merwe, the former National Police Commissioner.

The submission they made to the Truth and Reconciliation Commission's select committee is a negative one, creating the impression that the police are running away from their past and trying to hide. We have a new National Police Commissioner, and I believe that the Minister and the National Police Commissioner should seriously consider drafting a new submission reflecting the attitude of the new leadership of the SAPS and not the old one. [Time expired.] [Applause.]

Mr C M MAKWETU: Mr President, we in the PAC would like to assure the Government of National Unity that we welcome the wide-ranging and informative address by the hon the President of the Republic on Friday, 17 February 1995.

This address identified the problems confronting our country and the urgent need to attend to them. We would have loved it if the President had given some details as to how these problems were going to be dealt with. In addition, we expected a progress report on the RDP programmes. This omission is disappointing.

In the limited time allotted to us to respond to this important address, we are unable to make the necessary input, except to touch on some of the points raised in the speech.

We welcome the Government's commitment to fighting corruption that seems endemic in our country. We support the Government's stand of taking the war to the criminals. However, it is equally important to realise that we need to address the socio-economic causes of some of these crimes. It is crucial that we deal with the imbalances caused by apartheid. We fully agree with the President that we should move away from spectacle and rhetoric, and bend our backs to the serious work ahead of us.

The PAC fully supports the call for the registration of voters and the holding of local government elections as soon as possible. We feel, indeed, that we have been vindicated, because all along the PAC has maintained that unless we had a voters' roll in our country, we could not boast of democratic elections. For us it is not impossible for the political parties assembled here to urge their followers, and even those not committed to any party, to register as soon as possible. This should be our primary preoccupation.

The PAC is mindful of the fact that this Government has no big bag full of money. No government has. Worse still, this Government has inherited a heavy debt of no less than R200 billion, and to service that debt we have to pay no less than R22,5 billion yearly. Where we are supposed to get that money from, boggles my mind. This will definitely inhibit the growth of our country. The Government needs, therefore, to cut down on big government and the spectre of overgovernance, and create a leaner and more efficient administration. Most of the money must go to building houses, schools, etc.

We welcome, therefore, the formation of Nedlac, a body which, we hope, will assist in the implementation of, and researching for, the RDP. We in the PAC are of the opinion that the RDP is too big a programme to be left in the hands of one ministry.

The PAC also supports the creation of a legislative framework aimed at moving us away from the past towards a people-centred society. The intentions are good, yet the people out there do not understand what this is all about. They would like to see theory mixed with practice. They would like to see fish instead of snakes.

Whilst we agree that our aim should be an all-inclusive process, we should always recognise the fact that our people, through our struggle, fought for a truly liberated South Africa and not to reform apartheid. Today they ask: "If it is said that we have been liberated, from what have we been liberated?" They argue that before 27 April they had no jobs, no food, no houses, no education and no land. Today they say that they still have none of these things. They say daily that their sons and daughters did not die for their brothers and sisters to continue languishing in jail even after liberation.

Bathi benziwe abangcucalazi ezweni labo lokuzalelwa. Bathi ewe bayavuma ukuba kule ndlu bakho nabangeMhlophe, kodwa loo nto ayithethi ukuba sinawo amandla okuqingqa ikamva leli lizwe ngo-hlobo ababenqwena ngalo bona.

Loo nto bayithethiswa yi-interim Constitution esibophe izandla neenyawo phantsi kwee-*Principles* ezingamashumi amathathu anesine. Lo Mgaqo-siseko kuthiwa ngowexeshana bona abawuboni ungowexeshana, kuba nguwo kanye

okrazule eli lizwe laziziqwenga ezilithoba ezin-gathi ziya kuhlala zinjalo naphakade.

Bathi ubutyebi beli lizwe busesezandleni zaba-Mhlope, kwaye kuya kuhlala kunjalo, kuba le interim Constitution ithe umhlaba okwabaMhlophe uya kuhlala unjalo, kuba ne Restitution of Land Rights Act ithetha nge-13%. Seso sijwili ke mntan' enkosi ekufuneka le Ndlu isiqwalasela msinya khona ukuze sikwazi ukuthoboza um-sindo ogqubayo phandle apha; khon' ukuze umntu osisu sithe nca emqolo abe nalo ithemba lokuba kungentsuku zatywala iya kuba kho into esiwa phantsi kwempumlo; khon' ukuze ongenandawo yakulala abe nalo ithemba lokuba kungekudala uya kuba naso isiqwengana somhlaba sokwakhela abantwana bakhe ikhaya.

ILUNGU ELIHLONIPHEKILEYO: Thetha!

Mnu C M MAKWETU: Yona into yokuba sizilahlekise ngokuthi abantu baza kuthi, "Enkosi" kungabekwanga nto ezandleni zabo, masiyilibale leyo. [Kuyahlekwa.] Balitsho phandle elokuba ezo zinto abazifuni nje kuba babezithenjisiwe, bazifuna kuba ziilungelo labo. [Uwele-wele.] Bazibanga kuba izizinto ababezilwela ngalo lonke ixesha ababesilwela inkululeko; Bathi ke kuthiwa kukhululekiwe, kodwa ngathi kubo liphupha. Masiyenze iyeke ukuba liphupha, koko ibe yiyo kanye le nto babeyilwela. [Kuyaqhwatywa.] (Translation of Xhosa paragraphs follows.)

[They say they have been turned into aliens in the land of their birth. They say they realise that in this House there are also people who are not Whites, but that does not mean that we have the power to determine the future of this country in the manner that they had wished for.]

They say this because of the interim Constitution which has tied our hands and feet with the 34 principles. They do not see this Constitution as an interim one, because it has been responsible for tearing this country into nine pieces which seem to be here to stay.

They say the wealth of this country is still in the hands of the Whites and that is where it will remain, because this interim Constitution has proclaimed that the land which is in the hands of the Whites will remain there, because even the Restitution of Land Rights Act refers only to 13% of the land. It is that cry, hon President, which this House needs to address, and address soon, if we hope to be able to quell the anger that

is spreading rapidly out there. In that way the starving person out there will have a glimmer of hope that very soon there will be food on his table, and the homeless person will also be hopeful that very soon he will have a piece of land on which to build a home for his children.

An HON MEMBER: Speak!

Mr C M MAKWETU: We should forget about misleading ourselves into believing that people will say, "Thank you", while nothing has been placed in their hands. [Laughter.] They say quite explicitly that the things they want, they want not only because they have been promised them but also because they are entitled to them. [Interjections.] They demand them, because they fought for them all the time they fought for liberation. They say it is claimed that liberation has been achieved, but to them it is still a dream. Let us work to make it cease to be a dream and become exactly what they fought for. [Applause.]

Senator P K MOTHAGAE: Mr Speaker, President Mandela and members of the House, in my maiden speech in the Senate last year I indicated that the health of a nation is determined by the health of its children and families. I feel obliged to repeat the statement to this Assembly.

South Africa is in a crisis. "Crisis" here implies a new beginning, the choice of a new direction, the attainment of a new insight and a new commitment. We have reached a crossroad in the provision of appropriate medical services to the whole of the South African population, the point that compels us to take new decisions because we are confronted with naked facts that can no longer be disguised by the ideological spectacles through which we have been brainwashed in earlier times to interpret the South African reality.

Last year President Mandela announced projects which included the feeding of school children and the provision of health services to a certain section of our population. These projects have been implemented.

It was unfortunate that the implementation on 1 June 1994 increased the constraints on the already depleted services, more so because we were dealing with newly created provinces that are grossly underfunded—the Eastern Transvaal, the Northern Transvaal and the North West.

The Ministry led by Minister Nkosazana Zuma is working very hard to redress these inequalities. President Mandela indicated last week that the spectators are better than the players on the field. We should, therefore, not feel ashamed of errors committed, but improve on our performance, especially when we consider the image portrayed by the media and certain myopic structures concerning what we are supposed to have delivered within nine months.

The need for massive reform in the provision and delivery of health services in our country is unquestionable. The South African health crisis is exacerbated by the inadequacies of medical services to the majority of the people. These structures are concentrated in the urban areas where the emphasis is placed on specialist rather than on primary health care.

The World Health Organisation, in its famous Alma Ata Declaration of 1978, declared that health was a fundamental human right. The ANC states that access to health care is a basic right and calls for the inclusion of this in the Bill of Rights.

The primary health care approach is the underlying philosophy for the restructuring of the health care system. It embodies the concept of community development, and is based on full community participation in planning, provision, control and monitoring. It aims to reduce inequalities in access to health services, especially in the rural areas and deprived communities.

There is an urgent need to reverse inequalities, particularly with regard to the development of primary health care infrastructures which need to ensure that the people are able to take their destiny into their own hands. The importance of these electoral structures at local level cannot be overestimated. It is at this level that we must deliver changes, and we are going to deliver these changes.

The emphasis in the RDP health priorities is on a primary health care approach. We are getting down to the nuts and bolts of primary health care, and here I refer to the goals of primary health care embodied in the critical elements which will ensure accessibility, availability, affordability, equity and acceptability.

Affordable does not only mean the abolishing of fees for infants and expectant mothers, but also means seeing the patients the day they attend the

clinic, not asking them to return because the queues were too long. Accessibility involves not only time, distance and cost, but also staff behaviour. Staff can alienate patients with arrogance, impatience, disrespectfulness and other insensitive manners of behaviour.

There are many ways of translating these key words into practical terms. A Charter of Patient Rights will be introduced. I am happy to announce that my province, North West, is already working on this. There are challenges to making health care a possibility for millions who are in impoverished rural areas, with little in terms of resources and possessions.

Health care workers are few and have to do with very little. The majority of the population in the rural areas is composed of women and children. The greatest need is maternal and child health care, since mothers and children are the most vulnerable in any social and economic situation. Maternal and perinatal mortality rates are high because of poverty and a poor quality of health care.

Primary health care is the first level of contact of the individual, family and community with the national health system, bringing health as close as possible to where the people live and work, and constitutes the first element of continuing health care processes. The promotion of health and the specific protection of the population is important for sustained economic and social development and contributes to the quality of life. Primary health care is an integral part of a conscious, comprehensive care system. The involvement, in addition to health sectors, of all related aspects of national and community development, in particular education, agriculture, animal husbandry, water, food, housing, the works department and the communications industry are demanded to co-ordinate all these sectors.

Women's health should be understood within a socio-economic context, and not within the narrow context of women's reproductive health. In addition to legislation that guarantees equality, the development of national infrastructures, specifically relating to water and fuel, is an immediate priority. [Time expired.]

*Mr J A RABIE: Mr Speaker, hon President—or may I say Madiba?—I honestly thought the ANC's Achilles heel was going to be that it failed

to deliver on the RDP. However, there would now appear to be other factors.

In the first place there is corruption, secondly, civil disobedience, thirdly, mass action—even in the Defence Force and the Police Service—fourthly, ongoing violence and intimidation, and fifthly, anarchy. I could go on and on. However, it is gladdening to hear the President say that action is going to be taken. This declaration of war against the specified misdeeds is greatly appreciated, by the citizens of the country as well, but just say how and get on with it.

I would like to place violence, especially taxi violence, under scrutiny. This violence is assuming various forms and more frightening proportions by the day. It must all come to an end. The State can help, but it is my considered opinion that the solution lies with the commuters and the general public. They must mobilise themselves or must become mobilised.

In the fifties the residents of Alexandra in Gauteng mobilised themselves in this fashion. They had a feud with Putco and then decided "Azikhwelwa". [We do not ride.] We walk. They walked for days and Putco had to give in. The public has a more serious feud at present against taxi murder and violence. Stand up and say, "Azikhwelwa". We walk until violence has stopped. Then we shall ride again. This must quite simply be done because the violence is now rippling outwards to society, based on revenge with all its destructive and disruptive consequences.

Ever since I gained understanding, I have fought apartheid by means of dialogue and other methods. [Interjections.] The apartheid to which the President referred must not be aimed at the NP of which I am a member. It must be aimed directly at the previous rulers who did not have the common sense to dismantle this diabolical system. Year after year, in the councils in which we served we proclaimed the evils of apartheid from the rooftops. Our point of departure was always that the internal participatory struggle against apartheid was complementary to the external struggle for freedom.

On 31 July 1989 I went to talk to Mr F W de Klerk after he had become the leader of the NP. I felt then that it was all over [*die koeël is deur die kerk*] as far as the apartheid "church" and its "pulpit" were concerned, and that the apartheid

"elder" had been fatally wounded. I asked Mr De Klerk where he would take South Africa if by chance he became President. [Interjections.] He told me where, and the rest is history.

I considered all other party options, but when the NP threw open its membership and leadership structures, I did not hesitate to join it. [Interjections.] Look at what the NP looks like today—and that only two years and nine months after being opened up!

*An HON MEMBER: Twenty per cent!

*Mr J A RABIE: The percentage does not matter. Hence the incessant nagging about apartheid is a misplaced argument. This is being brought up despite the fact that the NP has indisputably declared war on apartheid and stated unequivocally that apartheid in all its evil will never again be allowed to flourish in South Africa. [Interjections.]

I find it all the more disgusting to hear Mr Frank van der Velde condescendingly say that Mr William Bantom of the NP, who is available as mayor of Cape Town, is not representative of those who suffered under apartheid. I congratulate Mr Bantom, who was elected yesterday evening. Where was Mr Van der Velde when we were robbed of the franchise, when we were thrown out of our natural residential areas, including District Six, and when we had to carry our passes? [Interjections.]

*The MINISTER OF TRADE AND INDUSTRY: And who stole that from you, Jac—who?

*Mr J A RABIE: I have just told you that it was the previous NP of which I was not a member. [Interjections.] It seems to me that you do not want to listen.

I want to ask Frank van der Velde whether he participated enthusiastically. Is he home-made or is he imported? He must remember that we are home-made. [Interjections.]

I, like everyone else, know that apartheid created a multitude of nongovernmental organisations. These organisations received tremendous financial support from abroad to assist and support those who were suffering under apartheid. I gain the impression that these lamentations of Jeremiah in regard to apartheid are a strategy to allow the NGOs to continue to derive benefit from foreign donors. However, I now learn that some trustees wrongfully enriched

themselves. The bubble burst for those who could no longer derive any advantage from the money of foreign donors. Then the canaries started to sing.

We know of the Boesak case. He and the ANC dismissed it as malicious propaganda, just as P W Botha used to do. How do things look now? It looks as if the ANC also derived financial gain from that. The regrettable thing about this is that the ANC has not ordered an independent, thorough and transparent investigation into this matter. Now, in turn, we hear of the hon Peter Mokaba, of Deputy Minister Winnie Mandela, of Malebane-Metsing and of the millions which were embezzled in the Transkei. [Interjections.] We can go on and on. [Interjections.]

We and South Africa request the hon the President to appoint a commission of inquiry to investigate the financial affairs of all NGOs, and to establish their bona fides beyond all doubt. On the other hand, the ANC adopted a code of conduct last year. They must apply it. [Interjections.]

Furthermore, this should not merely be seen as a purposeful attempt to maintain law and order, but to restore civil order. Otherwise we shall become a pernicious society which is past redemption. Worse still, the effective administration of the country will be undermined.

Dr TS FARISANI: Mr Speaker, the NP did very poorly in government and they are miserable in opposition. As for the hon Mr Rabie, I think all we can do is to make him a subject of prayer. [Laughter.] He has set himself an impossible task. Trying to make an angel out of the NP and a devil out of the ANC is like trying to fly to heaven in a Cessna aircraft. [Laughter.]

I would love to congratulate Mr Tony Leon. He is a good political decoration. I hope he wins again in 1999, otherwise we shall miss him here in Parliament. [Laughter.]

Thirty years ago, under the cloud of a death sentence, the hon the President declared his vision unequivocally, a vision to which we have stuck all these years and which earned him and South Africa the admiration of the world. In his speech he upheld that vision and, thank God, he has not died. My mother always says: "Nelson Madiba Rolihlahla Mandela, kha vha hule vha nge ndou. A vha ritshileli." [Be as great as the elephant. Live long.]

Some years ago his daughter read a letter he wrote from prison. He concluded by saying he would return and that prophecy has come true. His prophecy has materialised and South Africa and the world are reaping the fruits of his wisdom, a wisdom that came out clearly in his speech.

Thirty years ago the hon the President was found guilty, and South Africa entered a phase of apartheid self-destruction. In 1990 God and the people liberated him, and we entered the phase of mutual reconstruction under the RDP.

The ANC is on the march, the country is marching along, and the leaders of the world and their communities are applauding that march. The hon the President is the acknowledged and uncontested commander-in-chief of that RDP march. It is important to note these things. I know the hon the President knows this but there may be people here who do not know this, and it is not the duty of the church to condemn people for their ignorance. Let us listen to people at grass-roots level and hear what they are saying.

Farmers, especially those who were previously disadvantaged, are saying to the President: "You found us drought stricken, and your nonracial Government gave us drought relief." Mr De Klerk cannot pride himself on having done that, and neither can his predecessors.

Our rural communities are saying: "We were marginalised, and Mandela and the ANC brought us to the centre stage of attention. Oh God, my God, you have heard our prayers." The people are also saying that they were without water, and Mandela gave them some to drink.

Pregnant mothers out there, and children under the age of six, who were neglected by the apartheid regime, are saying: "Mandela and Nkosazana Zuma do not only visit us in hospital with pious words: They give us free treatment, and provide us with primary health care, while the apartheid regime did not even provide us with adequate primary education."

When I meet old men and women out there they all say that Mandela and the ANC found them naked, and gave them pensions of love with which they can now cover their private parts. People were foreigners in their own country, and the hon the President gave them back their citizenship in the country of their birth. This is the best form of RDP, Mandela's RDP, and the

ANC's RDP. I challenge the NP to tell us about the time when they declared Archbishop Tutu's citizenship status as "nondetermined".

People lacked housing. Only the ANC knows the language of housing the people. In Venda the people are now saying: vhana vha RDP; vhana vha Mandela. [The RDP's children; Mandela's children.] Our children are beginning to concentrate on their studies because Mandela has put a soft stone in their stomachs. Let us question the NP in biblical terms: When our children asked for fish, they gave them Bantu education snakes; when they asked for bread they gave them stones; and when they asked for scones they gave them scorpions: Surely these are not exactly the same! [Interjections.]

We visited a prison in Louis Trichardt, and when we were leaving the prisoners and the Black warders said to us: "Mandela has not forgotten us; the ANC is here." We mean business for both political and ordinary prisoners. We do not condone crime, but rather recognise that the rights of even the worst members of our community have to be protected.

The media informs us that the hon the President's health is reasonably good for a man of his age. People celebrate this fact because they love him, and he loves them in return. South Africa loves him because he is the first President to love his people. I hope that in his meetings with his deputies, especially Mr De Klerk, he teaches them how a president can love his people in a concrete manner. [Applause.]

The RDP does not only transform material conditions, but also the hearts of the people, and this is critical when it comes to attitudes. I am happy that the President has made himself the bishop of the people of Ruyterwacht as well; if they listen to his sermons, very soon they will also become human. [Laughter.]

The President has created peace in a proper context in which democracy flourishes. One only has to look at the results of his work. Mr Tony Leon and Dr Mangosuthu Buthelezi and Deputy President De Klerk can agree and even threaten you without the fear of being Robben Islandised, Pollsmoorised and even Victor Versterised. Let them applaud the President because he has given them freedom. [Interjections.]

Finally, the Truth and Reconciliation Commission can only come from the Bible, if people do

not clown around about what I am saying. The Bible says if one tells the truth, then it will set you free. The President has created this atmosphere for people to tell the truth. The Craig Williamsons and the Luthulis of this world are telling the truth and De Klerk will soon join them. We shall be freeing the whole country.

Beyond rhetoric and spectacle the President and the ANC have lived up to the Freedom Charter which states that South Africa belongs to all. We wish that Deputy President De Klerk would go to Ruyterwacht and tell the residents there that South Africa belongs to all, including Ruyterwacht. [Time expired.] [Applause.]

Rev K R MESHOE: Mr Speaker, the sound of "hallelujah" in Parliament is exciting. Instead of putting me off, it turns me on.

The hon the President, Deputy Presidents and hon members, the opening address of our President was very well received by all South Africans. He spoke on a number of issues that are of great concern to the public. His acknowledgement of the mistakes that were made both in the legislature and in the executive, earned him more respect from concerned citizens. He has definitely set an example which must be emulated by all members of this House and the Cabinet.

It was very interesting to hear what the President had to say about the extremely limited resources that the Government has to address the many and urgent needs of our people. He surely has our sympathy. He then went on to say:

All of us, especially the leadership of political organisations and civil society, must rid ourselves of the wrong notion that the Government has a big bag full of money.

He emphasised that the Government does not have such riches.

This is what the ACDP has been saying to people who had unrealistic expectations before the elections. Many expected free houses after the 27 April 1994 elections but never got them. Some of these frustrated people are venting their anger by engaging in unacceptable practises such as looting, riots and the vandalising of public and private properties.

Without trying to justify the wrong they are doing, one may justly ask whether such people were not mislead or deceived. What do people

expect when they are told to vote for a house? They will think that by putting a cross against the name of the one who said "Vote for a home", they will get a free house in exchange. The ACDP wants to call for honesty among politicians. They must stop making impossible promises. It is tantamount to lying which is a sin.

Registration for the local government elections is taking place at a very slow pace because our people are disillusioned. Some even say that they are being used. Some were told or taught that making demands by mass action will produce the desired results. Today they are told that mass action of any kind will not create the resources that the Government does not have. If the poor people were told this fact years ago then they would not have caused the havoc they did during the period prior to the elections.

Because of the rhetoric of some leaders, many believed that the new democratic Government would give them freedom and licence to sin. The days of political rhetoric must come to an end. This is the time to deliver and fulfil promises. This is the time to stop the forces of anarchy in our land and to restore law and order.

The President also said:

Instructions have therefore already gone out to the Minister for Safety and Security, the National Commissioner of the Police Service and the security organs as a whole to take all necessary measures to bring down the levels of crime.

I hope they heard the President well. If they fail to reduce the crime level they must surely be replaced.

We want to live in a free and safe South Africa. According to the SAPS's criminal investigation division more than 300 crime syndicates are currently operational in South Africa. Drug cartels are also operating on a large scale. Is this an indication that the Government of National Unity is failing to clamp down on crime? Criminals must be punished, even if they voted for a government party.

The previous reluctance of some international criminal organisations to operate in South Africa has now been discarded because of the perceived collapse of the SAPS's morale, the declining overall efficiency of law enforcement, the ineffective judiciary, the declining national respect

for law and order and the collapse of border controls in many parts of the country.

I want to conclude with the following words of the President:

We must take the war to the criminals and no longer allow the situation in which we are mere sitting ducks for those in our society who, for whatever reason, are bent on engaging in criminal and anti-social activities.

The President must do all in his power to root out all forms of corruption from society and the Government. A call has been made to establish a national code of conduct that must be signed by all members of Parliament, at national and provincial level. The ACDP will support this call if accountability is not merely limited to finances and assets, but also includes moral accountability. Members of Parliament, as public figures, must lead morally exemplary lives. Accountability must be all-inclusive.

Finally, the ACDP wishes the President a healthy and blessed 1995. May the Lord continue to bless him for all the good work he is doing and for his excellent and exemplary leadership.

The DEPUTY SPEAKER: Order! I now call on Mr Reginald September who will deliver his maiden speech to Parliament.

Mr R K SEPTEMBER: Mr Speaker, allow me in the first instance to congratulate this great man to my right, President Nelson Mandela, and to thank him for his wise leadership of this country of ours.

I believe that one of the most important challenges facing us is that of understanding the need for empowering formerly disadvantaged people—the bulk of the people in this country. We have to consider the reality of life after apartheid. We need to empower people so that they will be able to help themselves and not be dependent upon society—an understanding which needs to be developed by all role-players.

This process needs to be worked through by employers and trade unions—in fact, at all levels of the work force. We will find that to put this into effect it is not enough for those of us who agree, to have a cosy chat. In fact, the most important role-players are no doubt those who supervise the workbench or the office and those who are in what always have been regarded as reserved jobs. Staff participation is the key—the

implementation depends on their endorsement. The entire company or firm needs to be engaged in this process.

As far as affirmative action is concerned, I do not believe that legislation which apportions quotas to different racial groups is the way forward. Having said that, I know of employers who have proudly said that they no longer keep records of the different racial groups employed since, as they put it, this is, after all, the new South Africa. However, it is now that such racial records are absolutely necessary in order to enable us to measure our progress along this new road. There is, in fact, no other way.

Training, of course, is a key component and needs to be monitored with exceptional care. There should be no dragging of feet here. The trainee should not be set up to fail as quite often happens. People need to see that they are moving up the ladder. Above all, let us not be complacent once we have a few dark faces on the board of directors. This has often been advertised rather proudly by some, but it is also seen as being a hollow boast by those who have probed a little more deeply. We need no window-dressing.

We need to explain to those who are afraid of competition that we can no longer keep the door closed to people of colour. The immorality, the inhumanity must be understood, but also the inevitability of serious problems if they try to keep others out either by force or subterfuge. It should be explained that we are on a growth curve, that the tremendous potential of a much bigger market must be outlined for our people.

I shall never forget the problems and the artificial stumbling blocks which I experienced as a boy of sixteen when I tried to get apprenticed into the shoe industry—I am talking about the shoe industry, not anything high up. The department in which I wanted to be employed was the preserve of Whites, who were not particularly efficient, as one can imagine, for the simple reason that there was no competition. They were protected from us.

Let me give you some idea of the culture which we need to overcome. In giving assurances to the White worker in 1955, the then Minister of Labour, none other than Senator Jan de Klerk, in the debate on the Industrial Conciliation Amendment Bill, said in the House, and I quote:

It was also a guarantee that he . . .

That is, the White worker—

... should never be ousted and that intrusion into his field of work should be prevented.

We shall never forget that the Minister of Labour found it necessary to require people of colour to apply for a permit to become a lift operator. Such was the degree of protection for Whites which the NP saw fit to introduce. This gives us some idea of the immensity of the task facing us in trying to reverse the whole process of the right to work. I believe the main burden of trying to explain the need for a change of attitude falls primarily, not to the exception of others but primarily on the shoulders of the NP and the FF.

They need to take this challenge seriously. We are talking about an effective equal opportunities programme. This constituency will need to understand the need to yield—"gee pad"—in encouraging this changing world, then maybe we will get fewer Ruyterwachts.

Our country has achieved constitutional change, change of which we can all be justly proud. For our country this is a constitutional revolution. The prospect of our country now setting out for significant economic and cultural change lies before us. Our people—all of our people—Black, Brown and White, yearn for a new order. We have the possibilities of engineering this road.

In the words of this great friend of South Africa, Prime Minister Carlsson:

Democracy becomes a reality when people have the right to education.

Let us not allow people to force their way into society. Let society open its doors to those who have been sidelined all these years, and we shall see what goodwill will result, what energy will be released. We must, at all costs, give our people hope. We need morale. Ask any army general, ask the hon member Gen Constand Viljoen, and see what his reply will be when we talk about the requirement, the necessity, for morale in the army before it goes into battle.

This duty had been forced and conferred upon us. Let none of us fear this road. In fact, it is not only our own supporters who look up to us for delivery from this poverty, fear, violence, but indeed the whole neighbourhood of Southern Africa has great expectations . . . [Time expired.]

The MINISTER OF CORRECTIONAL SERVICES: Mr Speaker it is generally accepted that politics is the science and the art of deceiving. It is undoubtedly one of the most degrading of all human activities. [Interjections.] It is a result of the dark side of human nature. Those who have a Christian bent tell us that politics is what it is because of human frailty—what is sometimes called sin. However, we are not in a church here, but in Parliament. Parliament, too, would be reduced to a playing ground for demons if we simply made it a theatre for politics.

Fortunately, there is a very strong antidote to politics—democracy. Democracy is itself imperfect. It has many shortcomings. But it is the best we have and the only viable option we can use to operate and function in this country at this time. It is the best option as it has been described as government of the people, for the people and by the people. It is, however, even more than that, because in essence, democracy is for the good of the people.

We have been sent here by millions of people across this nation. They have put their trust in us. They have given us a responsibility to carry out. We in turn are accountable to them. The little voice of politics may tell us many a time that once we are elected, we have the right to do and say as we please. [Interjections.] If we follow that, the road ahead is catastrophic.

An HON MEMBER: Raise that voice!

The MINISTER: A year ago no one had the slightest inkling that we would be sitting here in this Parliament of the Government of National Unity. [Interjections.] The country was torn, it was involved in strife. People were dying across the length and breadth of this country. Do not trivialise it. But in the end common sense prevailed, and all of us participated in the election. In case some of us have forgotten, let me just remind members how common sense finally prevailed . . .

An HON MEMBER: That is your sense! [Interjections.]

The MINISTER: We had reached a deadlock on a whole range of issues. Final wisdom dictated that we invite independent people from outside to come in and help us untangle and solve the problems which faced us. [Interjections.]

International mediation, in case hon members have forgotten, did take place under the very able hand of Prof W A J Okumu of Kenya. But, the issues to be settled were far too many and the time too short. So, international mediation was not completed. It was begun and simply gave us a stage on which to stand and spring forward, on the condition that those issues which were not settled would be taken up soon after the election. [Interjections.]

It was on 19 April 1994 when a solemn agreement was signed by President Mandela, the present Deputy President Mr De Klerk and the Leader of the IFP, Dr Mangosuthu Buthelezi. It was a solemn agreement, and let us make no mistake. It was a passionate commitment that all the outstanding issues on those terms of reference—they were printed in black and white and were distributed across the globe—would be settled soon after the elections. [Interjections.]

We of the IFP in turn went back to our people, who had been told that they would not participate in the elections, and told them that we had entered into an agreement with honourable men, which would be fully carried out after the elections. We told them that it was time to put our full trust and confidence in that agreement and go for the elections. So the elections took place and today we sit here. However, it is now ten months and nothing of substance has happened. [Interjections.]

Every attempt by the IFP to get international mediation going has been met with ridicule, it has been met with disdain and, not surprisingly, with racist arrogance. We stand at a time of great decisions. This agreement which was signed may seem trivial to members, and maybe it is small in the context of the problems which face this country today. Maybe it is small, but the question arises, my dear friends, that if we cannot honour small agreements, what makes us think we will be able to honour big agreements? [Interjections.] It is a daunting question, because whenever we return to our people in the villages and towns and wherever they are, they ask us—because we went back to them last year and said that mediation would continue after the elections—when mediation will take place. [Interjections.]

The DEPUTY SPEAKER: Order! May I please request hon members to listen to the Minister? If members have any points of order they should

raise them, but give the Minister an opportunity to deliver his speech, please.

The MINISTER: Thank you, Mr Deputy President.

The DEPUTY SPEAKER: Order! I was not asking for a promotion. [Laughter.]

The MINISTER: I am always surrounded by the Deputy Presidents, so whenever I hear the word "deputy" I think of the Deputy President.

Our people, poor as they are, humble as they are, educated as they are, rich as they are, want to know from us, members of the IFP who entered into a contract with them last year, when that contract will be carried out. We have now tried to give excuses, we have tried for ten months to tell them that we are still working on this, we have tried for ten months to alleviate the problems which they carry on their backs—to no avail. It is time for a House such as this, for the Government of this country, ie the Government of National Unity, to take the step and move the country forward. There is not much to be done, it is a very simple thing, because we are not trying to design a rocket to land on Mars. It is a simple thing in that we need to do just three things. We need to select international mediators, we need to decide on the venue and we need to decide on the dates. It is as simple as that.

There are three parties to this agreement—all of them represented here. [Interjections.] I think it is important to emphasise that we must not make the mistake of trivialising this issue. We must not play politics with this issue. We must not treat this issue with disdain. The terms of reference were spelled out and agreed upon long before Dr Kissinger and Lord Carrington came to this country. Of course, there were other people who then came afterwards and said they did not accept those terms of reference. We must get away from that kind of arrogance. These terms of reference are available for all to see.

One more thing that needs to be made very, very clear in this Chamber is that King Zwelithini was not part of the agreement, is not part of the agreement and can never be part of the agreement signed on 19 April. [Applause.] Like every citizen of this country, the king has a right to his private opinions, but the matters we are dealing with here are for statesmen and stateswomen. They are not for royalty. That we must make very, very clear. [Interjections.]

It does not help us to confuse the issues. It does not help us to create problems where there are really no problems. It does not help us to dilly-dally. It does not help us to pretend that this issue can be swept under the carpet. It will not go away.

We appeal to all members to use their influence, to exercise their integrity, to put their honesty in the forefront and to make this agreement which was reached and which was celebrated, not only in South Africa, but across the world—even the stock market responded with jubilation—a living reality. It is incumbent upon all of us to make this agreement a living reality. We appeal. We do not set conditions, because it was clearly stated that mediation would take place. It is only a question of “when”. Therefore we appeal to the good sense of all of us and to the goodwill which exists among all parties to remove this issue from the agenda by putting into place the machinery that will make international mediation take place.

We as the IFP have committed ourselves, after we came to the end of the road, when we could no longer make progress, after months and months of deliberating over the same issues. When we called for international mediation, we did not do so because we had a certain result in mind. We simply want the wisdom of independent people from outside. Just as we ask for international investment, we are asking for international investment in intellect to help us to solve this problem. We have never said there must be a particular outcome. We stand by our word that, whatever the outcome of international mediation, it will be acceptable to us and fully implemented for the good of all the people of South Africa.

Mrs A F TAMBO: Mr President of the Senate, Mr Deputy President, President *in absentia*, Madam Speaker, hon members, in making my response to the President's speech, I add my voice to those of many complimenting him on a majestic address to this Assembly.

The President has assessed the mood of the nation. He has pledged Government action on key aspects of national life. His was a speech of consolidation, promising delivery and urging co-operation across the political divide for the good of this nation. He has also drawn our attention to matters that require urgent attention. He has had to talk tough regarding threats to law and order and rampant crime. I compli-

ment the President most warmly on that balanced address to this House last Friday.

I stand today in support of the President in his efforts to draw attention to the plight of women and children in our country. I shall urge the respective honourable Ministries to take steps to translate into action the expressed will of this House with regard to the rights and welfare of women and children in our country.

I wish to preface my remarks by stating what we have together accomplished since we gathered here in May last year. We have started this nation on a new course, we have changed the moral tone of our Government, enabled more openness and frank exchange and we have freed the people of South Africa to become human.

There is national consensus on the principles of the RDP and reconciliation. Since last year, we have set new priorities and we have set women and children, the poor and the vulnerable at the centre of our national policy formation. We seek to mould a society founded on justice and fairness. During this session, we will see the establishment of the Human Rights Commission and the office of the Public Protector.

In this regard, the President rightly highlighted the prevalence of racism in our society. He drew special attention to the confrontations at Ruyterwacht school, and asserted that the Government would not tolerate any form of racism. I wish to add that the right to education of all the children of our country is sacrosanct and that there are no no-go areas for any section of our population, anywhere in this country. The racist element at Ruyterwacht or anywhere else in this country must never be allowed to succeed.

The President announced that the Government of National Unity had agreed to a set of priorities for 1995. This includes rural and urban development, human resources development, job creation and health.

As detailed plans are worked out, the plight and condition of women, the youth and children should take centre stage. They should do so because these sectors of our society constitute by far the majority of our population, because this is the most vulnerable sector of our community and because economic growth would be impossible without drawing on the resources which women, the youth and children offer.

The spectacle of children plying the streets of our cities scantily clad, hungry, begging all and sundry for sustenance must be tackled urgently. Despite all the efforts of the President last year, it appears that juvenile offenders are still being kept in prisons. The nation was rightly outraged when a ten-year-old boy was murdered in custody at a police station in Port Elizabeth last December.

In the continuing political violence, women and children remain the principal victims. The Human Rights Commission's monthly report for December tells us that 32 women were killed, and children constituted 21 of those deaths. Among those who died in police custody was a ten-year-old boy, referred to above, and a 17-year-old youth who died in Heidelberg.

Our freedom has lifted the lid on some of the best-kept family secrets in our country, the abuse of children. Stories of brutality against children, as well as child prostitution, sexual abuse, including incest and sodomy, are now coming out. We can only express horror when innocent mothers have their babies snatched or stolen in our hospitals. We can only applaud the fact that these matters are now coming to light.

In the light of this major concern, it is much to be regretted that the Human Rights Commission's monthly report consistently fails to draw attention to human rights violations against children. Instead, we are treated to a litany of offences on political violence and first-generation human rights violations such as freedom of expression, freedom of association, the right to life, etc.

In the light of the above sorry tale, the President's announcement that South Africa will ratify the International Convention on the Rights of the Child is to be welcomed. However, we would do well to remember that such accession to the treaty brings with it obligations in international and domestic law. I would argue that despite the best efforts of the Government, there remains a lingering, systematic violation of the rights of the child in our country. I trust that the relevant Ministries will bring forward concrete proposals on how the future of our children can be secured.

Finally, let me draw attention to a great deal that was unstated in the President's speech. The President reminded us that this year the fifth World Conference on Women would be held in

Beijing in the People's Republic of China. In the light of the prevalent violence against women, the continuing discrimination against women in the workplace and in taxation, and the cavalier manner in which the courts deal with rape, for example, the establishment of the Gender Commission is urgently required.

The plight of rural women, many of whom are flocking to the cities to eke out a precarious existence, must be taken into account. Land reform and rural development policies must be in place in order to offer jobs and sustenance to women who are the principal economic actors in the rural areas, as well as in the informal sector in our cities.

It is my duty to draw the attention of hon members to the signal duty we have to perform in this House. It is a moral duty of phenomenal proportions. I dare say that our success as a nation, our programmes in the RDP, our legislation to promote a human rights culture, our economic policies and our welfare programmes will be judged, in large measure, by the extent to which women, the youth and children are the focus and the centre of care and attention. I believe that this pioneering Parliament must face the future in that spirit, so that we are never judged harshly by posterity.

I also want to conclude by saying that we need a national health service. We come from impoverished communities, and no other option will do. We are like a people coming out of a war situation, and we must face the truth. [Time expired.]

THE MINISTER OF HOME AFFAIRS: Mr President, hon colleagues in this Chamber, I would like to say that the President of the Republic's address, at the opening of Parliament on Friday, raised important issues which we must address in order to strengthen our still very fragile new democracy. I think that President Mandela has pointed out, with courage, the difficulties and problems which confront us. In doing so, the President has given us guidance, exposing and confronting our problems rather than hiding behind spectacle and rhetoric, as he rightly put it in his address.

Our duty to expose problems and difficulties is part of our commitment to the Government of National Unity. The IFP remains fully committed to making as valuable a contribution as

possible, in the Government of National Unity, towards ensuring the development of South Africa into a true democracy. We must ensure that democracy in our country works at all levels, for democracy is not only about the rule of the majority, but also relies on the role of minorities, and on their capability to provide an effective and constructive political opposition.

Our past has left us not only with a legacy of racial discrimination and inequalities, but also with a legacy of authoritarianism, centralism and government control over all aspects of society in a system which never had an effective democratic opposition. We must now overcome all aspects of this legacy. We must also overcome the legacy of the armed struggle for liberation which made the mistake of accepting what was wrong, for the sake of political necessity, propagating a culture of entitlement, violence and lack of respect for basic human and social values, while condemning democratic opposition put up by organisations such as the IFP which espoused a culture of self-help and self-reliance. [Interjections.] We now seem to be very close to repeating the same mistakes, and I may not, in the circumstances, keep silent.

There is a clear relation between this aspect of the legacy of our past and the problems which the President mentioned on Friday, namely uncontrolled strikes, blind violence, based on disrespect for human life and property, and the unrealistic expectations of very vast segments of our population who have grown to believe that they should rely on the Government rather than on themselves and their communities.

Our democracy must have an opposition which must be adjusted to our special circumstances. Because we have a Government of National Unity, I believe that it is necessary that the voice of the opposition be heard when we denounce the existence of problems and difficulties which trouble our country. It cannot be expected that our participation in the Government of National Unity should force us to stray, as it were, from the path of values and principles to which the IFP is firmly committed. If we voice concerns, my brothers and sisters, we must then not be reminded of our participation in the Government of National Unity, as if this is some kind of blackmail.

In this respect, I often remind myself of the closing paragraph in our statement of belief of the constitution of the IFP which reads:

We believe that it is the inalienable right and duty of the people to stand up at any time to fight for that which is right and against that which is wrong and we believe that this is the fundamental and unchangeable mission statement of the Inkatha Freedom Party.

For this reason I must speak my mind openly in denouncing the fact that there are very serious problems which are troubling the Government of National Unity and broad sections of our population. We must face, and accept, the risk that in voicing our opposition, we could make our participation in the Government of National Unity a political impossibility.

An HON MEMBER: Do not threaten us!

The MINISTER: Take it any way you like! [Laughter.] How long the IFP will stay in the Government of National Unity will not depend on the IFP, for we are firmly committed to participating in it for as long as possible. The decision to leave the Government of National Unity will not be our decision, for we are a political minority committed to an uncompromising and yet loyal opposition.

An HON MEMBER: Are you going to leave . . .

The MINISTER: It will be the ruling majority which, by its conduct, will decide whether the IFP remains in government . . . [Interjections] . . . or, our being what we are, forces us to leave. As the IFP, we will not be a potted plant in the Cabinet of the Government of National Unity. [Interjections.] We plead that our input be heard and accepted and that we all find the strength to do that which is right and not that which is politically attractive or expedient.

The Government of National Unity was, after all, set up as an instrument of consensus between the parties which are participating in it, in the interests of the country as a whole. Of course, we will keep on seeking mandates in this regard from the people, for example at our special conference next week.

As the IFP, we have proved over and over again that we are driven and motivated by our commitment to freedom and not purely by our party-political interests. We fully supported the ANC's

desire to give a central role to Parliament, which President Mandela referred to in his opening address. We supported strengthening the role and functions of the standing committees, even if that re-enforced the majority rule over Parliament at the expense of the consensus rule ostensibly operating at Cabinet level. We also supported the adoption of the ANC's original formulation of the RDP and the Presidential 100-day plan, even if at the time we said that neither of these could work as envisaged by the ANC.

There has been a lot of commentary in the media, which makes it necessary for me to clarify certain issues to this Assembly. As a member of President Mandela's Cabinet I have done my best to carry out what I consider to be the brief of Cabinet, with the assistance of my colleague and deputy Mr Penuel Maduna. We work in close harmony and we put the interests of the people of South Africa above the interests of our respective parties.

There has been a great deal of media coverage on the issue of local government elections. As the Department of Home Affairs, we do not have the responsibility of conducting such local government elections. These elections are the responsibility of provincial governments, under the aegis of the Ministry of Provincial Affairs and Constitutional Development.

As a department, we are responsible for the issuing of identity documents which are essential for people to register for elections. Hundreds of thousands of these identity documents have not been claimed by their owners after the elections of 27 April 1994. People were issued with temporary identity documents for the purpose of those elections and since then they have forgotten to collect their real identity documents. My department has appealed to various traditional leaders to assist us in distributing these documents to their owners.

There are many other people who do not possess identity documents. Last week I had a discussion with the Director-General of Home Affairs and we agreed that our department should organise as many mobile units as possible to go out to the remote rural areas in various parts of the country so as to try and issue the documents to these people. I have had appeals in this regard from the Eastern Cape, the Eastern Transvaal, KwaZulu-Natal and some of the hostels. In other

words, we are doing everything that is required of us as a department to ensure that those who wish to participate in local government elections are not prevented from doing so by any act or omission on the part of the Department of Home Affairs.

In KwaZulu-Natal there have been negotiations between amakhosi and the Minister of Constitutional Development, Mr Roelf Meyer, and his Deputy Minister, Mr Valli Moosa. A delegation of amakhosi came to see them here in Cape Town as long ago as November last year. Documentation placed before them contained proposals about finding a formula for people in traditional areas of amakhosi to participate in the elections. One of the top priorities was the issue of international mediation, which they asked to be expedited in order to enable amakhosi to participate in the forthcoming elections.

An HON MEMBER: That is blackmail!

The MINISTER: Your leader has been involved in the blackmail as well. He signed the agreement. [Laughter.]

There have been conflicting signals about this issue, as the Minister and his Deputy Minister, instead of helping to expedite the matter, are now arguing that there is no nexus between international mediation and local government elections. Many wrong conclusions have been drawn by people in the media, as if these issues are being raised now, all of a sudden, while there is documentary proof that they were raised last year.

No one has discouraged people from registering for participation in these elections. On Sunday some hon members may, for instance, have seen on their television screens that our members in the Gauteng area were being taught how to go about this.

The idea that duress . . . [Interjections.] That hon member should just listen to me. The idea that duress instead of persuasive negotiation can be used to force participation is a recipe for a lot of unnecessary conflict in KwaZulu-Natal. After all, democracy is about persuasion and negotiation. It is not about "might is right". Those who completed matric in 1947 will remember that one character from Gordon Daviot's *Richard of Bordeaux* said:

It is not the possession of power which offends the multitude, but the flaunting of it. You may have the whole earth as your footstool, as long as you refrain from prodding it with your toe.

For decades African people resisted participating in municipal elections that were imposed upon them. Not even the security forces intimidated them into doing so. It is necessary for our people not to be treated with the contempt with which Ministers of the apartheid governments treated them for decades before liberation. Our people resisted this kind of disdain in the past and I do not see what will make them succumb to it now.

This morning I received a telephone call from a very desperate KwaZulu-Natal Minister of Traditional Affairs, Nkosi Ngubane, who told me he was reaching the end of his tether. He had spoken to Minister Roelf Meyer and his deputy and had asked them to respond to a document which they called Annexure A, containing compromise proposals from the amakhosi to enable them to participate in the elections. The Minister stated that neither Minister Meyer nor his deputy, Mr Moosa, had carried out their promise to fax him their response.

THE MINISTER FOR PROVINCIAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT: I did!

THE MINISTER OF HOME AFFAIRS: Therefore, there is a serious problem with respect to the preservation . . . When was this, Mr Meyer?

THE MINISTER FOR PROVINCIAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT: It was last week!

THE MINISTER OF HOME AFFAIRS: No, he telephoned me this morning and said that he had not received it. [Laughter.] There is, therefore, a serious problem with respect to the preservation of the role, function and institution of traditional leaders, which the hon member Mr Holomisa mentioned.

We in the IFP cannot ignore this issue which, in our view, has become the acid test as to whether South Africa will allow pluralism or whether it will become a country based only on one form of social organisation, the westernised one. This is not a KwaZulu-Natal problem; it is a South African problem.

There are many hon members from many parts of the country who know just as well as I do that traditional leaders are administrators of traditional communities and that their role depends on the long-term survival of the indigenous land tenure system. This is probably why there has been no agreement between the Minister and his deputy on the one hand and the amakhosi from KwaZulu-Natal on the other.

As I said before, this is a South African issue rather than a KwaZulu-Natal issue. I was grateful that President Mandela regarded the issue of continued political violence in KwaZulu-Natal as a very serious threat. I had the privilege of discussing this with the President on two occasions on a man-to-man basis, as hon members might recall. I also mentioned in this Assembly that I viewed the continuing political violence in KwaZulu-Natal in a very serious light. [Interjections.] I am not God, unlike that member!

This is not the occasion for apportioning blame. Although the IFP has lost 385 leaders and office bearers and thousands of supporters in this violence, the ANC has also lost their leaders and supporters in this hideous violence. I would like to tell my brothers and sisters here that this is an eyesore to would-be investors, not only in KwaZulu-Natal, but also in South Africa at large. It is urgent that we do all we can to address this ongoing violence which continues to take so many lives.

An unfortunate development which commenced before the elections was the alleged involvement of the army in these assassinations. Last Saturday two of our leaders, Mr Vusumuzi Gabela and Mr Mkhwanazi, were buried in Durban, and it was alleged that the security forces were involved in the assassinations. There have been similar allegations in the Estcourt area, and I have reported all of them to my colleague the Minister of Defence, Mr Joe Modise. Again I was informed just this morning by Inkosi Ngubane that there have been other instances of soldiers terrorising IFP members in the KwaZulu-Natal Midlands.

We also cannot remain silent and passive before the predictable unfolding of a national tragedy which will follow the establishment of the Truth and Reconciliation Commission, which we have opposed because it is an evil institution from which only evil can come. [Interjections.] We say

so being aware that during the conflict of the past the IFP has been a victim amongst all victims.

Members of the ANC have also been killed in this violence, but I know that no respectable truth will emerge from a process driven by the confessions of those who want to escape jail sentences or the pleas of those seeking monetary compensation, and where there are no procedures for cross-examinations and the adversarial verification of statements.

The only truth that would emerge from such a process is one that a witness thinks would please the party in power. The stage has been set to make this Truth and Reconciliation Commission so bad that the McCarthy Commission which President Mandela referred to in his opening address will look like a paragon of tolerance in comparison.

I also wish to refer hon members to another matter. On 22 December 1994 the amakhosi of KwaZulu-Natal met with President Mandela and Deputy President Mbeki. At that meeting they tabled a long list of factual complaints related to actions undertaken or proposed by the central Government which were aimed at undermining the role and status of traditional leaders in KwaZulu-Natal, and the very existence and survival of our kingdom.

The President promised at the time that he would respond to the pleas of the traditional leaders as soon as he had had an opportunity carefully to consider the memorandum they had submitted. Almost two months have gone by and no answer has come from the President.

On the other hand the ANC is heightening its confrontation with traditional leaders in KwaZulu-Natal, having instituted a lawsuit which seeks to invalidate the House of Traditional Leaders in that province, a structure whose aim is to prevent the illegitimate interference of the central Government in the affairs of traditional leaders.

AN HON MEMBER: It is illegal!

The MINISTER: What is amazing is that a member of the Cabinet of KwaZulu-Natal is suing the Premier, Dr Frank Mdlalose. There are many other instances that could be cited to show that the ANC in KwaZulu-Natal has a strategy to destabilise the government of that province, and

create the chaos in the region that the President referred to.

I circulated this memorandum to all members of the Cabinet and to all Deputy Ministers as the matters raised seemed to constitute a serious threat to everything that we are trying to build here. I hope my colleagues in the Cabinet and the Deputy Ministers have received copies of this memorandum because only a handful acknowledged its receipt.

Furthermore, at two meetings of the intergovernmental forum I denounced the process of rationalisation, which in my opinion had given the provinces far less power and autonomy than had been promised and to which they were entitled in terms of the interim Constitution. The Constitution is not being applied in its letter and spirit, and in the end no one will benefit.

The element of greatest concern in all this is that we are endangering the fragile Government of National Unity. We have reached the end of the road as far as the game of delays, gimmicks, deceptions, prevarications and obfuscations is concerned, all of which have characterised decisions concerning international mediation thus far. [Interjections.]

It is clear that even if the ANC and the NP pay lip service in as far as the need to resume international mediation is concerned, both of them have no real intention of honouring the terms of the April 1994 solemn agreement for peace and reconciliation. That agreement was the midwife of our new democracy, for it allowed an all-inclusive election to take place.

Now, with this final breach, one wonders whether that democracy will in fact survive. Let us be blunt on this matter: Honour has been betrayed as far as we in the IFP are concerned. The people of this country were surreptitiously led to believe that they could rely on international mediation to sort out outstanding matters "as soon as possible" after the elections.

This is a matter on which I will not say much before the special general conference of the IFP next week. We will ask the IFP to give us a mandate on whether a betrayal of this magnitude can be swallowed or forgotten. This is a breach of faith and I do not see how anyone who has been betrayed as I have been, can ever take the word of those who have betrayed him.

We will get the mandate of the IFP special conference about any line of action we may wish to take. [Interjections.] Your yelling at me strengthens our resolve that this is the right course. At the end we should not be left with an autocratic majority of one party, which controls decision-making and the development of our society the way the old regime used to.

Unless we have the courage to break away from the horrible legacy of our past, we are doomed to end up resembling those who once oppressed us. We want less central government and less government control at all levels, and we must promote a new culture of freedom and respect and achieve what our President referred to as "bringing government to the people". This means that we must accept that we shall not seize and exercise all power of which the State is capable, whether it be in the legislature, the Cabinet or the constitution-making process.

There is an arrogance which is emerging in many fields, ranging from the privatisation effort to the centralistic implementation of the RDP, from the relations with provinces to the relations with political minorities like the IFP, and from the constitution-making process to the issue of traditional leaders. I therefore appeal to friends and colleagues in this Assembly to heed my early warnings.

Our country cannot afford to let anyone stand alone and isolated in the defending of that which is right. I therefore applaud the address to this Assembly by the President of South Africa last Friday. In this address the President sounded warning bells about certain bad habits which have become a way of life in South Africa. As far as we are concerned, IFP members of Parliament are left with no choice at this extremely critical juncture of our national history. [Interjections.] You have indicated by yelling at us that you reject mediation.

The IFP entered the elections on the basis of the agreement on reconciliation and peace signed by President Mandela, Deputy President De Klerk and myself on 19 April 1994. It was because of the promise of international mediation that our constituency allowed and gave a mandate to the IFP to enter the elections and take seats in the House of Parliament in Cape Town.

With the breach of the agreement on reconciliation and peace, the mandate that our parliamen-

tarians received has exhausted its political viability. We are in a situation of total impasse. Every IFP member of Parliament knows that if it were not for the agreement on peace and reconciliation, we would not be sitting in this House. With the breach of this agreement, our presence here is becoming one of the political impossibilities which I mentioned in my opening remarks today.

Fortunately, a special conference of the IFP has been scheduled to take place on 5 and 6 March and this will allow us to petition our constituencies to verify whether we still have a mandate to participate in parliamentary work and in the Constitutional Assembly, notwithstanding that the agreement on reconciliation and peace has been dishonoured and rejected.

We of the IFP must now seek a new mandate from our constituency and until such a mandate is received, we are in duty bound to suspend our active participation in parliamentary work and in the constitution-making process. We will get a new mandate as to what to do next week at our conference. [Interjections.]

However, because of the responsibility of our offices and our loyalty to the President and the Republic, and in order to avoid any disruption and discontinuance of Government functions, our Ministers shall continue to hold their posts in the hope that our special conference will mandate us to continue our participation in the Government of National Unity. [Interjections.] We also hope that the general political conditions will improve so as to allow our continued participation.

I thank members for strengthening my resolve with their yelling and for this reason I feel that we as members of the IFP should leave this Chamber. [Interjections.]

THE PRESIDENT OF THE SENATE: Order! There is still a quorum present, so we shall continue.

MR S J MACOZOMA: Mr President . . . I mean Mr President of the Senate, Deputy Presidents and fellow members, it is quite a big responsibility to have to speak immediately after what has happened here.

I am reminded of what Benjamin Disraeli said when he was perhaps referring to people such as Mr Gogotya. He said:

If a traveller were informed that such a man was the leader of the House of Commons he might well begin to understand how the Egyptians worshipped an insect.

I want to ask a question. The President in his speech called for leadership in this House. He said that leaders should stand up and take us forward. Where is that leadership? [Interjections.] It is not outside; it is certainly inside, but probably on the right side of the House.

The question that confronts us at this point is what we are going to do about what has just happened. We in the ANC have committed ourselves for almost five years now—six, if one goes back to 1989—to a negotiated settlement in this country. In that process we were called a lot of names by people to our right and people to our left, but we were steadfast. It is largely because of the effort that we put into this endeavour that it is possible for us to be here.

We do not rejoice at the fact that there are people who have walked out of this Chamber today. We believe that the problem they have walked out on would not have arisen in the first place had they not walked out of Codesa. There would not have been a need for any mediation international or local, if people who call themselves politicians and leaders were prepared to sit down with fellow South Africans to resolve issues and stop the obfuscation and the tangentiality that they introduced.

Secondly, it would seem to us that the IFP has forgotten what the issue was that they were complaining about. They are confusing the mechanism with the issue. They are no longer concerned that their problems should be addressed. They are more concerned about the form in which they are to be addressed. It reminds me of the period before the elections. Every time we went to them and said "Let us resolve this particular problem", their response would be: "We are not prepared to talk to you. Your chief must speak to our chief." That is the same kind of mind-set that we are dealing with here today.

However, what we are going to do is to continue in our search for the resolution of the issues that the IFP is unhappy about. As far as we are concerned, the issue of international mediation has not died. There is a committee consisting of the three parties involved. It is true that that committee has certain differences amongst its

members, in terms of interpreting what international mediation means, but there is no indication anywhere that the ANC is reneging on that particular issue.

Therefore, we feel that the action that has been taken by the IFP this afternoon is unfortunate. It is taking this country backwards, and, in fact, many of my colleagues, when I was coming to this podium, were saying that I should ask the hon Chief, the leader of the IFP, what advice he is going to give to his party at the weekend when he puts this matter.

However, I thought I would not do so, because it seems to me that he has already said what he is going to say to them, if hon members were listening carefully. However, what we want to make quite clear is that we are committed to resolving this issue in a most amicable way, and we do not believe that this kind of action is consistent with a search for a solution.

I agree with the hon the Minister of Home Affairs that democracy is not about "might is right" or even "the many are right". What is at issue here, in terms of local government elections, is the setting up of an infrastructure to conduct an election. The fact of the matter is that the IFP-supporting chiefs are not just saying: "We, as chiefs, are not prepared to participate in the elections until the issue of international mediation has been resolved." They are saying that the people who live in the territories that they govern will not participate in the local government elections. So they are not only exercising their own right. They are denying other people the right to vote.

Those two issues need to be separated. I think anybody can say: I, *qua* individual, have no intention of participating in the elections. They are free to do that, but they have no right to say: No individual will participate because there is some international mediation that needs to take place. These are two different issues.

What baffles us, in all of these issues, is that the IFP seem to be standing on their heads at the present time. Last year, what the IFP was saying was that they wanted the king to exercise executive authority in a kingdom. This year they are saying: No, the king must be a constitutional one, but the executive authority must be vested in the chiefs. That is a coup by any name, and I am not too sure whether they have listened to the

language that they are using. They are saying that the chiefs must be in charge and that the king must, for all practical purposes, be put in a political cage somewhere. That, to us, does not seem to be the will of the people, as they seem to be suggesting.

With regard to violence, the President has made it quite clear what our position on violence is, and we welcome the IFP's commitment to the eradication of violence. We are perturbed by the fact that whenever the IFP has to address the issue of violence, it has a memory that has selective retention. They remember some things and forget many things. They forgot the report of the Goldstone Commission. They forgot the statements made by Craig Williamson. They forgot the statements made by Daluxolo Luthuli.

If, in fact, they are approaching this matter from a constructive viewpoint, they need to take into account the total reality and address that total reality rather than seek to demonise one side. If the leader of the IFP was still in this House, I would ask him a specific question and be prepared to give up time for him to answer that question. I would ask him, after having heard the allegations made by Mr Luthuli, what his response to them is. What we have heard is deafening silence from his party.

As a man who throughout the years has professed a nonviolence that bordered on pacifism at certain times, what is the response of the IFP? We would like him to make a very clear statement saying whether Mr Luthuli is telling the truth or lying as regards the allegations that he has made. I think that until that matter is cleared up, we will have to take the views of the IFP on violence with a pinch of salt. In conclusion . . . [Interjections.]

An HON MEMBER: Make it to the start of your speech!

Mr S J MACOZOMA: . . . with regard to the Government of National Unity, we accept without reservation the viewpoint expressed by the Minister of Home Affairs, that the IFP need not be a "potted plant", in the Government of National Unity. We do not need potted plants. We need creative agents in the Government of National Unity. We have no intention, in fact, of putting potted plants in the Government of National Unity.

I was surprised, though, to note in his speech that it seems that certain Ministers in the KwaZulu-Natal province seem to bypass all the constitutional structures and report to him in this Parliament on issues that have nothing to do with his portfolio and nothing to do with this level of government. In effect, the contradiction is that the party that makes the greatest noise about regional autonomy, actually subverts it all the way. In fact, it does not allow its own people to govern a province that they have won. How then are we supposed to believe that they are committed to devolution of power?

With regard to the chaos allegedly caused by the ANC in Natal—for many members of the ANC within this House and beyond—ANC members in the KwaZulu-Natal government have been more than tolerant on many issues. A lot of people are impatient with their tolerance. But we implored them, nonetheless, to continue to act in a constructive way in that province, because we value the lives of human beings. We, however, hope that what has happened this afternoon is not going to lead to increased tension and violence in that province.

Mrs S M CAMERER: Mr President, I must say that I share the sentiments of the previous speaker Mr Macozoma, when he said that he has had a situation thrust upon him in the light of the action of the IFP.

I want to say that in the light of Minister Buthelezi's rash and ill-advised action, we need to place something on record now, and that is that the NP is fully committed to international mediation. We are anxious to facilitate the way forward on this issue. In fact, our leader, Deputy President De Klerk, in June last year, after this agreement had been reached in April, requested that a multiparty committee be formed to take the matter forward to deal with the outstanding issues and to deal with the terms of reference of the mediation. Unfortunately, with the transition being what it is and having its ups and downs, this committee only met in January this year, as Mr Macozoma said. But after three meetings of this committee, we still do not have a list of the outstanding issues from the IFP.

The NP has called for an urgent meeting between the three leaders concerned—President Mandela, Minister Buthelezi and Deputy President De Klerk. We believe that perhaps, in the light

of this crisis, this is the only way to solve the current problem.

We feel that we need to know in very clear terms what the issues are which are to be mediated on. If once again we go to the lengths of obtaining international mediation, we should do so on the basis of what is called, in legal terms, a "stated case". But up to now the IFP has refused to present the country with this stated case. We should try and avoid another instance of absolute national embarrassment such as we suffered when Henry Kissinger and Lord Carrington arrived here last time only to find nothing on the table. We need a stated case on the table. [Interjections.] As I have said we still have no clear picture.

We also believe that the IFP should take the lead in solving this problem. They are the ruling party in KwaZulu-Natal and they must start acting like the leaders in KwaZulu-Natal. Surely, they do not want to sink local government in that province. It is their own turf and we feel that it is really time that they acted like leaders in the true sense of the word. Their action is, as we used to say at school, like cutting off one's nose to spite one's face.

In the few minutes which are left to me, I would like to concentrate on the instances in the President's speech where he specifically refers to the position of women. Firstly, I would like to say that the NP fully supports the President when he warns that the battle against crime and violence against women has been joined. In spite of the legal reforms which were started by the previous government, such as the special rape court and the new restraining order procedures against violent spouses, of which several thousands have been obtained, much more needs to be done. Violence against women is on the increase, as is rape. Nearly 30 000 cases were reported at the end of 1993. This is It is acknowledged to be the tip of the iceberg.

What more can be done? There are many things which can be done. For instance, there are no government-funded shelters for abused and battered women, there are no statistics available on any nongovernmental organisation-funded shelters and inadequate counselling services are available. Female genital mutilation causes shock and horror in the media when it is reported from time to time, but thus far it has received no official attention. I would appeal to the Govern-

ment to put its efforts and money where its mouth is on these issues.

If we look at the administration of justice, there are certain areas which need attention in this regard. Firstly, despite undertakings, there is still only one special rape court and others are desperately needed. If we look at the Western Cape for instance, there is a desperate need to have such a court at Mitchells Plain.

Two other areas also need attention, namely bail and the Parole Board. Women are being murdered and attacked in their homes on a daily basis, often by suspects out on bail or prisoners on parole. Recently the low bail awards for murder suspects have caused a scandal in the Western Cape and another outcry has been caused by the paroling of wife-murderer Di Blasi after serving sixteen months of a four-year jail sentence. Perhaps it is significant that there is not a single woman on the Parole Board, and I believe that the Minister of Justice should look into this matter. I believe that violent crimes such as murder and rape should be targeted as no-parole or minimum-parole crimes.

Secondly, the International Women's Conference in Beijing was referred to by the President. I agree with him that this is a marvellous opportunity to put South Africa's best foot forward. As a member of the management committee of the National Preparatory Committee for Beijing, I would like to make an appeal for us to place greater emphasis on the preparation of the delegation to Beijing. The delegation will represent South Africa's female face and it should be fully representative both on a societal and a political level. It should be sufficiently large and properly funded.

The time has passed when women's delegations and commissions can just be regarded as mere decorations on the cake. I say this in the light of my experience in connection with the ministerial delegation to the preparatory conference in Dakar. There was a lot of ad hocary, shambolic and last-minute arrangements and very little public relations. [Interjections.]

There were reasons for this in that most of the effort was put into the report on the status of women for the Beijing Conference. However, we really have to put our weight behind this delegation to Beijing.

The Dakar delegation was originally intended to be a heavyweight ministerial delegation led by Mr Nzo, Mr Pahad, as well as woman Ministers, Madam Speaker and woman MPs. However, as Dakar approached, this ministerial delegation started shrinking. It was not even properly representative in the end and it seems that money could not be found to fund it, because arrangements were made so late that the key people could not go. All one read about in the newspaper was all the difficulties involved, such as planes taking off late and chaotic conditions in Dakar.

I feel that we have an opportunity to give our delegation a suitable send-off and I would like to believe that we can announce our delegation on 9 August, on Women's Day, so that we give them a proper send-off to Beijing. I would like it to be done that way. [Time expired.] [Applause.]

Mr M C RAMUSI: Mr President, I think the IFP is the one party in the world that does not like strikes. It always feels that if one walks out of a job there must be no pay. May I therefore suggest—I am sure the IFP will second me—that, in view of the fact that they have walked out of a job for no rhyme or reason, they should not be paid. [Applause.]

The Government of National Unity in our new Republic of South Africa was something we were proud of and we continue to be proud of it. We thank Madiba for persuading this country to agree that the ANC should go into a Government of National Unity with other reasonable men and women within the country. Of course, the people we were inviting to join us were supposed to be mature and grown-up. It does not work well if some of them are not up to par. It cannot be helped, but I am sure Madiba and Mbeki, helped by their brother here—I do not know if the President's deputies are here—will look into this matter quickly. [Applause.] They will then come back here, because the ideology of governing a nation like ours by a Government of National Unity was the best gift of God to our people.

It took us only nine months with this kind of government to do what could not be done by others before us—our predecessors—in 300 years. In those 300 years, during which we lived through painful division, strife, conflict, injustice and perpetual war, we were able, as one people and one nation under one God, to pull our

people through to enormous progress. That our people must know about. This then is the audacious meaning and essence of the beauty of our Government of National Unity.

However, these few nine months do not represent our final achievement. It is not the end of our journey, but a mere beginning of a process of the fulfilment of the legitimate dreams and aspirations of our people for freedom, justice and prosperity. Darkness has been replaced by light, by this Government of National Unity.

We now announce some fundamental progress from this illustrious Parliament for our nation to know. The Constitutional Court is in place. [Interjections.] There shall be no more arrests without cause and trials. Our people will no longer be locked up for nothing. As long as the Government of National Unity is in charge, our people will no longer be locked up for nothing and without trial. [Laughter.]

Let our people know that we in this House have already decided to appoint the Public Protector and the Human Rights Commission to look after their immediate needs now and to safeguard the rights of the citizens of the country. The days of arbitrary arrests and trials without crimes are gone and dead. Dead for as long as this Government is in power.

Legislation on water was passed last year. Now our people can drink clean and fresh water anywhere in the rural and urban areas. Our people must drink this water. [Laughter.] There is no longer private water on land that is not our people's land. Water is no longer private, but public, and people must drink it. [Laughter.] We have made a law to that effect in this House.

The Truth and Reconciliation Commission is about to be established and the truth is about to come out. [Interjections.] It will come out right here in South Africa. We will know where our people have gone. We will also know who did what to whom, where, when and how. [Interjections.] The people must be happy out there. They will know where their children have gone and who did what to them, where and why. [Interjections.]

We must inform our people out there that racial discrimination is no longer to be tolerated by our President, this Parliament and this House. No more! We will have to die first. Our children will also have to die first, and their great grandchild-

dren will have to go before anybody else tries that Mickey Mouse stuff. [Applause.] It is gone! We have freed ourselves with our own laws, in our own Houses of Parliament and in our own time. We do not care if anybody does not like it. Our people like it and they enjoy it. [Time expired.] [Applause.]

Senator Dr G W KOORNHOF: Mr President, hon members, it is indeed a privilege to participate in this debate. I will not be tempted to react to the colourful, cheerleader speech of the previous speaker.

There currently exists in South Africa a lack of civil order which manifests itself on many levels. Symptoms of this civil disorder may be found, for example, in elements of our security forces in the country. The average citizen no longer feels safe in his or her home, in the neighbourhood or in the country. People no longer believe that the security forces can protect them. They revert increasingly to self-protection, more illegal guns and revenge attacks. The result of this is an unfortunate snowball effect of violence creating more violence.

Civil disorder is aggravated by the fact that South African society has grown used to civil disobedience. It has become a habit of our society, a habit that has become increasingly difficult to break. An example of this is the continued refusal by communities to pay taxes, levies, etc.

The purpose of my address is to consider how a climate of civil order can be restored, with special emphasis on the security situation in South Africa. The NP believes in, and welcomes, the strong stand that the Government and Mr Mandela, in particular, have taken against anarchy, as well as the instructions issued on how to bring down the levels of crime. We hope that the same enthusiasm for these issues will be demonstrated by the followers and supporters of the ANC, and that all the leaders within the ANC will commit themselves, unconditionally, to this cause.

Many of the security problems in South Africa stem from the climate of civil disorder. We should guard against addressing the symptoms rather than the underlying problems or causes. Civil disorder can no longer be excused on the grounds of apartheid. The ANC has to realise that it can no longer hide behind apartheid. The ANC must bear a great deal of the blame for the

current civil disorder in South Africa. [Interjections.] For many years they have denigrated the Police Service, and inculcated a spirit of non-cooperation, disobedience, ungovernability and violence.

What we see today is, amongst other things, the result of the ANC's policies, attitude and actions of the past. Mass action has been used by the ANC as a tool to exert pressure on the government. This approach has now partially backfired as civil disobedience has now become entrenched in South African society. Mass action is now resorted to on the least provocation by elements even in the police, by nurses, teachers, public servants and prisoners.

We need to endeavour, without delay, to restore civil order and turn about the continued tendency to civil disobedience, otherwise the lack of civil order may eventually result in a return to heavy-handed law enforcement with the resultant negative impact on society.

*The NP says that civil order constitutes responsibility towards the State and towards the citizens of our country. The successful restoration of civil order should, *inter alia*, lead to a decrease in white-collar crime, a decrease in money leaving the country illegally, paying for services, paying of simple fines such as traffic fines, paying of taxes, attending classes at school and university, trade unions obeying rules, people refraining from occupying houses and buildings illegally, people refraining from burning down prisons and schools and assaulting other people, a decrease in the murder of policemen and women and people refraining from taking other people hostage.

Civil order is about loyalty towards the State, about an attitude of playing one's part. It is about the fair treatment of all citizens, access to the Government, a dedication to efficient problem solving in a peaceful way, appropriate and timely action and a sincere interest in the problems of communities as well as individuals. In other words, it entails a climate of mutual respect between the Government, its officials and the citizens.

In conclusion the NP believes that civil order in South Africa should be one of the most important objectives of the Government of National Unity. Civil order in South Africa is one of the NP's points of policy on which we are going to

concentrate. How is it achieved? I do not have the time to discuss all the aspects needed to promote civil order. I shall therefore concentrate on one aspect only, namely security.

A national campaign to cultivate a culture of respect for law and justice, and to mobilise the population in order to break the vicious circle of violence, disobedience and criminality has now become a necessity in this country.

The NP stands for effective policing where the community will come forward and participate, and where the Police Service will be sold to the Republic at grassroots level, even if it is away from the police station. The fire brigade, the traffic police, crisis control and community leaders must be involved. [Interjections.]

†The NP will devote its energy to maintaining the morale of the Police Service at high levels. This includes the revision of current remuneration. [Interjections.] The training of special assistant constables is urgently required. A culture of respect and discipline should be promoted in the Police Service amongst those elements which do not adhere to it at present. The NP supports improved logistical assistance to the Police Service. A climate of civil disobedience and disorder has taken root in South Africa.

I conclude by saying that it will not help to treat the symptoms. We must address the root causes as suggested by the NP. We need urgent and effective steps from the Government's side now.

Senator V M TYOBEKA: Mr President of the Senate, Deputy Presidents of the Republic of South Africa, hon senators and members of Parliament, it is indeed a great occasion for me to be granted this opportunity to speak in this House of Parliament. I wish to congratulate the hon the President of the Republic of South Africa on his excellent opening address of the second session of the democratic Parliament by giving a very detailed state of the nation address.

In support of his address, the President mentioned the provision of housing as part of the RDP. As the ANC, we are saying that there should be more houses. We are aware of the financial constraints. Nevertheless, we are duty bound to see to it that houses are built to accommodate thousands of homeless people, and this is not going to be achieved overnight.

We inherited a huge backlog in housing from the previous government. In Lenasia and other centres, we became conscious of the desperate need for shelter. As the ANC, we are saying that the waiting list for the occupation of those houses should be reviewed with immediate effect, so that they can be occupied and service fees be paid.

What we saw last year was the foundation of delivery. This year, as the President clearly stated, we are to start with delivery. Undoubtedly, a lot has been achieved by the Government of National Unity during the year 1994. This has been referred to by the President in his address as follows:

We are pleased that the honourable members of both the National Assembly and the Senate have not been satisfied merely to endorse the bills that have been presented to them. They have participated actively in improving such draft legislation, with the aim of ensuring that our laws are consistent with the glorious vision we share of creating a truly humane and people-centred society.

The Housing Act has been amended to make provision for the establishment of the Regional Housing Boards in all nine provinces. The Housing Boards are important in the administration of the State housing grants. People should make use of these structures.

I shall not be doing my duty if I do not mention the discriminatory practice with regard to housing subsidies whereby married women in the Public Service are denied housing subsidies. Married women working in other sectors are entitled to those housing subsidies. This is a violation of one of the constitutional principles of fundamental rights, viz equality, and it must be abolished. [Applause.]

It is important for the Government of National Unity to realise that it is necessary for us to work collectively and to be committed to the delivery process. The failure of delivery, to satisfy the needs of our people of South Africa, will be the failure of all of us in the Government of National Unity. The ANC remains committed to a clean, transparent and accountable government. Gone are the days when funds allocated to address the needs of the people were instead used to finance askaris, death squads and components that tried to subvert a true democracy.

Lastly, I would like to respond to the hon Mr De Villiers. If he is at all serious, he should immediately ask his colleagues to respond to the serious allegations by Craig Williamson regarding the alleged complicity by members of the previous government in the perpetration of crimes against innocent people. After all, as he suggests, the mere fact that it has been reported is sufficient to turn the nation's attention to the political figureheads of the past.

As regards the NP's protection of minority interests, that is only because it has such a small constituency which is, in any event, diminishing so swiftly that the NP is now the spokesperson of the minority—a small voice in the wilderness.

Our hon MPs should please not feel offended about the walk-out by the IFP. The Leader of the IFP, Dr Buthelezi, was the last IFP speaker on the list. It is very clear that they wanted to register their contribution first and walk out of this Parliament without listening to all our good ideas. Their commitment has now become questionable. [Applause.]

Mr M S BOOI: Mr President, I wish to congratulate the President of the Republic on the delivery of his speech.

First of all I would like to respond to the IFP's actions here today and make a few points. Is it a crisis or not? Are we going ahead or not? What the previous speaker said just now is confirmation of the fact that there is no crisis in the Government of National Unity. The walk-out by the IFP is no threat to the Government itself.

What about the way in which it was done? We are not sure what it is that Gatsha Buthelezi has left for us to answer. Does walking out of Parliament give him answers to the questions he is asking? As parties we are not all part of international mediation, so why does he ask Parliament these questions and then walk out? That is quite a serious question which all of us have to ask.

Nowhere in the Constitution is it mentioned that this Government is committed to international mediation. His walk-out is therefore not a serious crisis, but it is a question about which he has to sit down, console himself and then return to Parliament.

Another unanswered question is the fact, as we all know, that one does not get paid after 14 days'

absence from Parliament. He should rather make sure that he returns after seven days—it is quite clear that he still needs to be here.

Another reason why this is not really a crisis, is the fact that he has not really been explicit about how we should handle this problem in KwaZulu-Natal, where the IFP is in the majority. Why does he not walk out of the KwaZulu-Natal provincial legislature and then wait for the conference itself? Why that question? If he had still been here, he would have been able to answer us in that regard. However, he has already left and now it is not clear why he does not walk out in KwaZulu-Natal, where at least he is in the majority. He should continue governing with those parties that are there.

Therefore it is quite clear that this is, as yet, not a crisis. He is looking for a public stance and we hope that the media will continue to give him the coverage he needs until he returns to Parliament.

Comrade Deputy President Mbeki, I wish to continue with our business. As far as the members of the Select Committee on Safety and Security are concerned, the speech by the President of the Republic has addressed the most important question to us, namely the violence in our country. The President has declared that we should really deal with this question. We should be able to fight crime together. In the absence of the IFP, however, I wonder if the question of violence will ever be resolved.

We are sure that the violence that we are confronted with is no longer of a political nature. It is a different kind of violence. It is the violence of drug-trafficking. It is the violence of prostitution. It is the violence of armed robbery. It is the violence of fraud and car theft. These are the types of violence which we thought we would be able to address in the presence of the IFP. Now that they have left, I hope that they are not going to take us back to that period again.

The question of how we intend to deal with the violence, is a question of morality to the ANC, the majority party in this Government. We need to spell out how we are prepared to deal with violence, and that is exactly what the President has done. He said it was up to every legislator in this country to begin dealing with the question of violence.

The question is: Does the President have any plans? Does the ANC have any plans? Do we

have policies to address the question of violence? Do we foresee a way of getting out of this type of anarchy? Definitely! However, the mere fact that the President, the leader of the majority party, has challenged all of us to address the question of violence, is of great importance.

We have been able to find the right person to help us. That person is the National Commissioner, who has an outstanding record of interaction and consultation and who is able to understand how to democratise the present security forces. His appointment was an outstanding move, and he is to be congratulated. It would never have come from any other person than Comrade President Mandela. The appointment of a National Commissioner is a good move, because it has contributed to stability.

Consultation is now taking place, and there has been a democratisation of the security forces. In the past the NP failed to understand the importance of this. What the hon member Mr Koornhof has been pleading for here, is a disaster. It is just another ploy. He just wants the security forces to remain on their side. [Laughter.]

The problem with the NP is that it cannot seem to understand that the security forces have to remain nonpartisan. The security forces cannot be committed to only one party. This is exactly what the ANC is trying to avoid. We are not looking for people to stand next to us. That is why we looked around for a person who had the right background, someone who had been part of the security forces. We wanted such a person to lead the forces at this present time. It would be a disaster if members of the present security forces were to belong to a certain party, as was the case under NP rule. That is something which we need to discourage.

There is one other point which we need to discuss. How do we deal with the problem of crime? What is our solution? The policy forums which have been set up in our communities are already growing in popularity, and this is beginning to sink into people's minds. They know that, in the absence of the police, their security and stability will come from those forums. We hope that every member in this House will take cognisance of that.

What the Minister has done in Natal is very important. We have been interacting with the Natal group in the Theme Committee on the

Security Apparatus. They claim that it is a disaster at this minute, but it is not yet a disaster. They have difficulty in explaining to us what type of security force they are talking about. Are they creating a security force in Natal, or are they talking about a centralised security force?

We have always stuck to our guns. We have always argued for a centralised security force. This is what is happening at the moment. We have learned from the experiences of the NP, and we wish to discourage the setting up of pockets of security forces. We are of the opinion that everybody would be accountable in a centralised security force.

The IFP grouping in Natal has attempted to have these issues delegated to the provincial government. We are saying that that is not possible, because it will be a strain on the resources of the country if we continue to use the old method. The apartheid regime proved that that method is not functional. Forces were established in Lebowa, Transkei, etc. None of those forces were able to combat crime.

As far as we are concerned, the security forces should be centralised. That is the only chance we have to combat crime. If that is not possible, it will become clear within the next five years. However, we are very confident that having a centralised security force which will be accountable to the President of this country, will take us a long way forward.

Ms N E MASANGO: Mr President, hon Deputy President Mbeki and my hon leader, Deputy President F W de Klerk, *in absentia*, firstly I would like to remark on the departure of the IFP people.

Every ANC person who spoke after their departure actually expressed distress. This is quite surprising because everybody applauded as they were leaving. It becomes confusing, more especially to the onlooker or the people outside this Chamber, if we applaud even that which is not acceptable. I honestly do not understand why the clapping of hands is getting so out of control. [Applause.] I do not understand it because I am not used to rowdiness. Next time hon members will toyi-toyi in Parliament! "Belaglik!" (Ludicrous) [Interjections.]

All the same, it is an honour for me to take part in this presidential debate. I was particularly impressed with the President's speech, which

was very firm and constructive, more especially when he condemned mass action, which will not milk anything from the coffers of South Africa. This is because all the money that is available has already been allocated in a tight budget.

However, unfortunately the masses out there do not know this, and cannot understand why less than a year ago what was condoned as a positive means to an end is suddenly considered to be wrong. It really subjects the minds of the masses to a turbulent change, does it not? It is, however, of paramount importance at this point in time, and is therefore good.

I would be failing my party, the NP, if I did not mention that in the President's speech on reconstruction and reconciliation the word apartheid was mentioned frequently. Yes, apartheid was a bad system, which is why the NP changed and killed it completely. [Interjections.]

As early as the 1980s the NP's policy changed. It repealed all discriminatory laws, whether they were racist, sexist or inhumane. This was not mere lip service, because the best example of this change was when the President himself walked out of prison, and when my leader Mr F W de Klerk put his own job on the line because this was what South Africa needed.

Mr Mandela was elected to his position by those who believe in him. I know and appreciate that as much as he is our President, he would be failing his party, if he did not say what tickles his constituency, thus the frequent use of the word apartheid.

However, to those South Africans who have foresight, and are genuinely patriotic to this country, such as we in the NP, it is becoming a joke to listen to the constant reference to this word, more especially if one opens one's eyes and appreciates what the NP has achieved, despite the general lawlessness, the dismantling of structures, and the destruction of essential projects. Had it not been for the struggle South Africa would have been far ahead and the RDP would have been much easier to implement. [Interjections.]

An HON MEMBER: Who wrote your speech?

Ms N E MASANGO: I did.

I want to make a special plea to South Africans not to throw out the baby with the bathwater in the future. They should not destroy that which is good in the name of the struggle, or deny the fact that the NP achieved a great deal during its rule, merely because it is politically correct to do so. It does not sit well with the global community, and those who really love this wonderful country which the NP has sacrificed so much to develop. [Interjections.] We in the NP are still working hard, with remarkable contributions and co-operation in the Government of National Unity. I wish all parties would do the same.

As my party's spokesperson for population development I am worried about the health system in this country, because no development can be realised if the responsible Minister does not pull up her socks. It would seem to me and the NP that the Department of Health has suddenly become the Minister's short blanket: When she covers her head, her feet are showing, and when she covers her feet, her head is showing. However, she should not look far for experienced help and efficiency. That can be found in the NP. This is true, because of their achievements in the past. Good progress was made when the NP emphasised basic care at the lowest level of government. We have a good primary health care strategy, which has been drawn up and published by the NP.

An HON MEMBER: Where is Rina Venter?

Ms N E MASANGO: The hon member really misses her and health workers are calling for her. Unfortunately she is nowhere to be found. The hon member is therefore stuck with the Minister.

National Party co-ordinating structures have been created on the regional and national levels for the management of health co-ordinating committees, which involve the community directly in health care. Over and above the normal budget, R38,8 million was obtained by the selling of strategic reserves for the erection of 143 clinics that concentrate on basic health. [Interjections.] I wrote it myself because I am educated. [Laughter.]

Supervisory boards have been set up at academic hospitals to assist with the management of these hospitals, to achieve maximum self-management within the Public Service and to prevent what is

happening in hospitals in Transkei, to name one example. This is also being blamed on apartheid. [Interjections.] I am neither a printer nor a secretary, therefore I did not!

I could go on and on, but I cannot because my time is limited. As a professional nurse I would like to warn the Minister for Health that uncertainty among colleagues in the nursing profession and skilled workers, such as doctors, is growing. The socialist pattern of running the Department of Health, which the Minister is cautiously trying to implement, is definitely going to place South Africa in medical jeopardy. This system slowly does away with private practice and pushes medical practitioners into State hospitals. This will result in all proficient medics resigning to emigrate to better countries and South African will be left with those who will not be good enough.

THE PRESIDENT OF THE SENATE: Order! The hon member's time has expired, but it is not because she has been inaccurate in her address.

*MR A S BEYERS: Mr President, on a point of order: I want to ask you to request the hon member over there to withdraw her words. While the hon member Ms Masango was speaking, she shouted, "The hon member is a sellout". I do not know her name. I can see the hon member. She is looking at me now, and I know which hon member it is. I request you to request her to withdraw it.

*THE PRESIDENT OF THE SENATE: Order! Is the hon member making the point that the word "sellout" is unparliamentary?

*MR A S BEYERS: Mr President, I want to draw your attention to the fact that Madam Speaker ruled on a previous occasion in the National Assembly that the word "sellout" was unparliamentary.

*THE PRESIDENT OF THE SENATE: Order! I would say the word "traitor" was unparliamentary.

†Will the hon member, on a point of explanation, please explain what she intended conveying with the word "sellout", if she uttered the word at all?

MS N N MAPISA-NQAKULA: Mr President, I was referring to the sellout speech which the hon member made in this House. It was such a good sellout speech that I think that the hon member . . .

THE PRESIDENT OF THE SENATE: Order! The hon member was requested to explain and not to make a speech. She has been requested to state whether by "sellout" she meant that the hon member Ms N E Masango was a traitor, and that she was betraying her country.

MS N N MAPISA-NQAKULA: Mr President, I did not say that she was a traitor. What I said was that she made a sellout speech.

THE PRESIDENT OF THE SENATE: Order! That being the case I cannot call upon the hon member to withdraw the word "sellout", because it was not used in the sense of betraying any particular person or group. [Applause.]

MR P I BIKITSHA: Mr President, on a point of order: While Ms Masango was delivering her speech, one of the members over there said "o maaka", which means "jyalieng". Is this term parliamentary, Mr President?

THE PRESIDENT OF THE SENATE: Order! Who said "o maaka?" "Ke mang?" [Who said so?] [Laughter.]

MR P I BIKITSHA: Mr President, the hon member has just left the Chamber. She is the hon member who sits just behind that hon member.

THE PRESIDENT OF THE SENATE: Order! Did any hon member accuse the hon member Ms Masango of being a liar?

HON MEMBERS: No!

MR P I BIKITSHA: Mr President, I would like the hon member to answer, because I distinctly heard her say "o maaka".

THE PRESIDENT OF THE SENATE: Order! Unless such a person comes forward, I will not have anyone to ask to withdraw the remark. [Laughter.]

MR P I BIKITSHA: Mr President, if she will not own up, let it be on her conscience.

The PRESIDENT OF THE SENATE: Order! I cannot allow the hon member to continue unless an hon member admits to having said “o maaka”, which means “you are a liar”.

Mr P I BIKITSHA: Mr President, just let it be on her conscience.

The PRESIDENT OF THE SENATE: Order! Are there any more questions or points of order? If not, business is concluded for the day.

Debate interrupted.

The Joint Sitting adjourned at 18:51.



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

PROCEEDINGS AT JOINT SITTING

Members of the Senate and the National Assembly assembled in the Chamber of the National Assembly at 14:15.

The President of the Senate took the Chair and requested members to observe a moment of silence for prayers or meditation.

PRESIDENT'S OPENING ADDRESS

(Debate on Subject for Discussion resumed)

The MINISTER OF TRANSPORT: Mr President, fellow members of Parliament, one of the questions that has been raised by the address of our President is how we as South Africans can bind ourselves together with a common vision and develop a common will to work together. In that context, of course, it is important that we as elected members of a democratic Parliament ask ourselves whether we are conducting ourselves with that sense of responsibility or whether we are not being overtaken by the need to engage in cheap party politicking.

If the question posed by the NP yesterday was a serious one, namely whether the ANC has the clout to carry out the tasks outlined by our President, then the question ought to be turned around.

How are we all going to work together? That includes all parties in this Parliament, and more particularly those in the Government of National Unity, including the NP. Let me talk about the NP's discipline, because we are faced with the problem of turning around the whole culture. I want us to ask ourselves how deep-seated the problem is of turning around the culture in this country.

When I deal with this question I want hon members to bear with me, and to listen rather than heckle. Hon members should bear with me when I point to the past, because we have to understand the problem we face. We talk about corruption and about the moral decay in this country.

Let us isolate the roots of the problem, because I am part of the problem. The NP has brought me up to be a criminal. [Interjections.] They have

taught me that, if I had to fly to London, even from Lusaka, and I needed a visa to enter London, I should try and get my hands on a forged passport. [Applause.]

They taught me how not to respect the law, because they prostituted the law and divorced it from morality. [Interjections.] They made the law illegitimate. They have made it so not only for the Black community, but for themselves. That is why we are inheriting a lawless society. [Interjections.]

They will agree with me that there is a great danger in this country. They will agree with me that we have to rebuild it while we close the gap between law and morality. We have generally closed it by the transformation to democracy, but we still have to close another gap, namely the relationship between law and legitimacy. One does not establish legitimacy with the heavy hand of the late Mr Vorster.

One closes that gap by getting us all to learn about democracy. Now they need to learn about democracy. Let me tell hon members about my greatest disappointment in the transformation of this country. It is going to be a bitter pill to swallow for all of us sitting in this Chamber who say we are committed to democracy.

In the normal transformation of a democracy through elections, in the normal change of government in any democracy, for example Britain, when an election is announced, the prime minister or executive head of that country follows a particular convention by which the business of government is conducted. That convention is, firstly, not to initiate new policy without consulting the leader of the party most likely to win the forthcoming election. Secondly, one does not initiate major initiatives without taking such leaders into account.

What happened in South Africa? Were those conventions respected and obeyed by those who claimed that they were building a democracy? I know there are people who pore over parliamentary rules. They know when to time, what to do, how to say it and how to swear at one another. Do they know the fundamental conventions of a democracy, however? We in the ANC, once the Constitution was agreed upon, and I personally, expected the former State President to conform

to those rules of democracy. [Interjections.] He did not.

Those hon members should listen, because they are learning something about democracy. [Laughter.] If they heckle, they are closing their ears to learning. Then they are behaving in the way in which racism taught them to behave when a Black man speaks. [Applause.]

I am raising a matter, not in the context of whining about the past, but because we never bother to raise it and because we knew that the outgoing government of this country did not understand that problem. That is why we have a major problem with how to transform even the security forces of this country. It is because the convention which should have led our present President to have the fullest access to what was going on in government at that time, was not adhered to.

We expect the people on the ground to do as our President has said, to roll up their sleeves. They are looking at this House, including how the hecklers are behaving today. They are learning a lesson. In this context some of the greatest challenges that face us and which are the product of a successful transition to a democratic order . . .

Dr P J STEENKAMP: Corruption and inefficiency.

The MINISTER: Including corruption and inefficiency and the toilets which were built in the veld, and including all those who built those toilets and pocketed the money while nothing happened to them, either through your courts or your police. [Laughter.] It includes those who are saying today, "Please do not dig up the past, please do not worry who murdered Goniwe, please do not worry who stabbed not only Griffiths Mxenge, but went on to kill his wife as well." They are saying those questions must not be asked.

I am saying that if we have a common enterprise before us to which all of us have committed ourselves, let us define the problems clearly and ask who is the enemy of the transformation. Then let us understand that enemy. Members should remember that I come from a tradition which did not say Verwoerd personally was the enemy. We said that apartheid was the enemy.

I am asking members to think like that. It may be tough on some, because they can only personalise problems. One of the problems is racism. Another is sexism. We have agreed that we want the reconstruction of our country. We have agreed on the vision of the RDP. We have agreed on a united, nonracial, nonsexist democracy. Still, if we do not understand that racism is a cancer, we will not know how to eliminate it and I invite those on my left—it is peculiar for me in my life to have somebody on my left—to become part of this enterprise.

As I have said, if you are, I will challenge you soon. I am coming. Part of the transformation is to say that we need a programme to eradicate racism consciously. That eradication must take place throughout the spectrum of society, including this Chamber. Merely proclaiming ourselves to be nonracist does not make us nonracist.

I experienced it. When I went to prison as a member of the ANC and uMkhonto weSizwe and the Communist Party, I joined my leaders who were in prison, including the President of the day.

As a person classified as Indian I was fed the same breakfast as the other prisoners. We sat on our haunches on a concrete pathway and ate the same mealie meal porridge from the same plates. However, when it came to the sugar, they doled out a teaspoon of sugar for all African prisoners and they gave Indians and Coloureds a tablespoon.

For two weeks I enjoyed my porridge, but then got up one night and realised with a shock that I was being humiliated by accepting a racist practice, that it was intolerable that we should allow that. It was our President who said to me: "Mac, you are right, but you are approaching the matter the wrong way. If you stand up and fight today the way you want to fight as an angry young man, they will simply remove your tablespoon and make everybody get a teaspoon." Listen to what he taught me. He said: "The problem is different. It is not that you who are classified as Indian or Coloured should forego your tablespoon of sugar, but that every prisoner should get a tablespoon of sugar. So devise your strategy correctly."

I refer to this incident because it was a greater humiliation to me than everything the security branch did to me during 60 days of continuous

torture in 1964, including damaging my neck. [Interjections.] I shall come to the gravy train. That hon member's pension is a case in point. [Interjections.]

Let us recognise racism. One of the hecklers has said that we are committed to that. One of the transformations we are effecting is to make the Public Service representative. I would have liked to have discussed this matter seriously, not in the spirit of heckling. Because of the heckling, let me be sharp and to the point.

Has Deputy President De Klerk as yet appointed to his staff, at a reasonably senior level, a Black person? [Interjections.] I ask the same question of all Ministers in the Government of National Unity. Look around. Those who have not done so, should hang their heads in shame, because they are making it appear as if the transformation of the Public Service is the task of the ANC alone. Thereby they are doing injustice to all future generations of this country. In effect they are saying that they agree with the policy, but they will not implement it themselves. Is that the way they want to build their grandchildren's future? [Applause.]

We want to make material changes to the lives of our people. We consciously want to educate people to respect all cultures, all religions and all languages, yet in that richness of diversity to be bound by a common understanding that every individual is deserving of respect.

I say this with a measure of pain, because my two children, who are today 10 and 12, were born abroad in exile. They were brought up in Zambia, a very poor country. Whenever I came home and asked them about their school and crèche, and about their friends, they would say to me: "Dad, today I met a friend." I would ask: "What is his name?" "John." "What is her name?" "Elizabeth." I would ask: "John who?" They would say to me: "Ag, Dad, just John." I had to reflect on this, because I have grown up poisoned by racism. I consciously have to eradicate it in myself. I was asking for the surname in order to work out whether the child was Black, White, Chinese or green. [Laughter.]

Then, after coming to the country for Operation Vula, I went to Britain where they had relocated. At that stage they were in a British school. I asked them: "Have you made any new friends in Britain?" They would say: "Yes, John Mat-

thews, White boy." They told me this. I asked myself: "What has happened?" Children who grew up in Zambia who were not conscious of colour go to Britain, the leading democratic country, and become aware of colour. [Time expired.]

*The MINISTER FOR PROVINCIAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT: Mr President, it is indeed a privilege to take part in this debate today, because it is the first full-fledged debate after the President's opening address in the new Parliament. The President has given an indication of the Government of National Unity's programme of proceedings for the forthcoming session after a few months of deliberations and business of the new Cabinet.

There is, however, something which I would like to say before I continue with my speech. The hon the Minister of Transport in the first part of his speech left me in some doubt as to whether he was not actually the Minister of Education! [Laughter.] The lecture he delivered here put me in mind of that.

On a more serious note, the hon the Minister of Transport and I are friends. We became friends during the negotiation process, and we need not be ashamed of that, although we sometimes disagree drastically. I would, however, like to agree with what the hon the Minister said. He spoke about the sensitivity which we should show one another and also about the abolition of racism in South Africa. That is true. We all have a responsibility—this applies to all sides of the House and all parties.

The hon the Minister has issued a challenge and asked what our Ministries look like these days. He asked what our departments look like these days. I want to issue an invitation to the hon the Minister. I want to ask that we report to one another again a year from now on how things are. Let us then do this every year. It may be too soon to form a picture of the progress which has been made thus far. A mere nine months have elapsed. Let us test one another a year from now, and every year thereafter. In the long run it is important for us to reflect the balance of South African society in our Ministries and departments. We all have a responsibility in this regard—not only NP Ministers, but also ANC Ministers.

In his speech the President referred to the success of the concept of a government of national unity. Now that more than nine months have elapsed, its relative success can be measured. I agree with the President that this concept is proof that the correct recipe works for South Africa. The minority parties are entitled to claim that they are actively involved in the formulation of policy. At the same time effective government is not being hampered. The Government is functioning within the Cabinet and the Cabinet committees under the chairmanship of the two Deputy Presidents in a manner which creates confidence.

The success thus far involuntarily raises the question whether the task of the Government of National Unity will be completed by the next election. Will circumstances in South Africa not require that this mechanism continue to exist in the longer term? As long as the Government has to accommodate so many different interests, and as long as the Government is going to be vested with the development task which affects all South Africans, there must be a government that represents the broadest possible interests of all South Africans. It is becoming increasingly clear that the enormous task of the Government of National Unity will not be completed before 1999.

†The same vision that gave rise to the development of the concept of a government of national unity might very well still exist four years from now. This vision, according to the President, was:

... ensuring co-operation among our people as a whole ... (and) enabling important minority parties to have a real voice in the government of the country and contributing to peace, stability and confidence in the future of our country.

At present further attention is being given to the development of conventions and procedures required to give expression to the concept of national unity and the goal of consensus.

In this context, it is important that the role of minority parties should be clearly understood and defined. On the one hand, the Government of National Unity concept requires parties to co-operate constructively with the objective to promote national interests. On the other hand, they are competitors, each with their own identity and in their own colours on the same playing

field. This dualistic approach is not unfamiliar in the business world. In South Africa we are again setting a unique example by applying this approach in the political field.

There has to be a good understanding of the fact that parties need to remain competitors. That is, after all, what multiparty democracy requires. If competition does not exist, the country could easily slide into one-party statehood and our newly found democracy would be out of the window. Parties, therefore, have the right to differ, especially minority parties which may even attack their major counterparts. This is an essential and healthy element of democracy. However, this role should always be conducted in such a way that the national interest is kept in mind.

It is in this respect that the NP defines its role as competitor and co-operator in the Government of National Unity. It is also, in this respect, a pity that the IFP have decided to follow a less constructive approach in their parliamentary walkout. Although they remain members of the Government of National Unity, the participation of parties in Parliament is in a certain way an extension of the Government of National Unity concept. The executive and the legislature are not completely divided institutions in our Constitution. Therefore, members of the Government of National Unity certainly have to take responsibility for the way in which their parties participate in the structures of Parliament.

The empty benches in this House today unavoidably remind one of the IFP's walkout at the World Trade Centre and their consequential absence from crucial negotiations on the transitional Constitution. The consequences of the walkout can be dangerous. It will no doubt further inflame tensions and violence in Kwa-Zulu-Natal.

The IFP's reasons for the walkout are everything but convincing. Minister Buthelezi referred to mainly two matters as reasons for the walkout. These were the preservation of the role, functions and institution of traditional leaders in the light of local government elections and the subject of international mediation. As far as the position of traditional leaders is concerned, we have made it very clear in meetings of Amakhosi that two relevant principles need to be adhered to. These are the democratic right of everybody to participate in the October elec-

tions, on the one hand, and on the other hand that the Constitution recognises and protects the role of traditional authorities. The question is how to find the formula to balance the two principles in practice.

Already on 31 January this year we advised Amakhosi to further pursue a particular model between themselves and the Government of KwaZulu-Natal. This matter, of course, needs to be dealt with at the provincial level through proclamation. We confirmed this again on 16 February by fax to Nkosi Ngubane.

Regarding international mediation, it needs to be stated emphatically that the NP has never gone back on the agreement of 19 April last year. It has, in the meantime, endeavoured to find agreement on the terms of reference for such a meeting in order to avoid a repetition of the previous failed attempts at mediation by Messrs Kissinger and Carrington. This, of course, caused quite an embarrassment for the country as a whole at that stage.

Mediation will only make sense if the outstanding issues cannot be resolved between the parties. For this purpose, the outstanding issues need to be defined clearly. That is what we tried to do in the subcommittee that dealt with this matter. After a number of meetings the IFP presented us with some issues related to the issues of the position of the Kingdom of the Zulus. Those, to my mind, should be dealt with between the leaders and in consultation with the King. No issues specifically regarding outstanding constitutional matters were, therefore, identified. To state that such matters were already identified before the elections of last year and that they have remained the same would simply not be correct.

The picture has changed completely since a year ago. The IFP, through its participation in the election, became a majority party in KwaZulu-Natal, and, as the third-largest party in the country, became a member of the Government of National Unity. Particularly as the majority governing party in KwaZulu-Natal, it fulfilled a special role in implementing the Constitution in that province.

Important experience was thus gained. It would now be quite significant to establish to what extent the IFP would like to change the Constitution, compared to their positions of the past. It

may also be established that the differences of the past no longer exist. If they do, the parties may decide how to deal with them. Therefore, to simply embark on a road of international mediation without knowing what the outstanding issues at this stage are, will unavoidably lead to a lack of agreement on the terms of reference.

Of course, the situation now requires cool heads on all sides and a commitment to the reconciliation process that has succeeded so commendably up to now. Walkouts by the IFP, with the ANC gloating afterwards, do not contribute to maintaining the momentum of this process. [Interjections.]

*In his speech the President set out priorities which will require the attention of the Government in the forthcoming year. They include the combating of crime and the meeting of socio-economic needs. These two priorities can indeed be vital to the stability and prosperity of South Africa in the next few years.

With regard to the rendering of services to communities, the local government elections this year are absolutely vital. Essentially these elections are concerned with one thing, namely to establish legitimate authorities which accept responsibility for their communities with regard to the rendering of services.

The vacuum which developed as a result of the non-functioning of authorities, the non-payment of service fees and the consequential lack of services can only be remedied through the establishment of elected authorities. Local communities urgently need this permanent rectification.

†In this context the registration process that is currently under way is of the utmost importance. People who do not register will not vote. That is the message that should be conveyed to every corner of the country. We would like to see participation by all—in cities and in rural areas. I am encouraged by the fact that provincial governments and local transitional structures are themselves launching campaigns to encourage voters to register.

Where obstruction by anybody occurs or people are encouraged not to fulfil their responsibility to register, information should be conveyed to provincial governments and to the Task Group on Local Government Elections, for immediate attention.

Reference has been made to the current low registration pattern. A figure of only 3% is quoted as the current registration percentage nationwide. This, however, should be seen in light of the fact that people tend to think that there is still ample time to register and that people are still uninformed about the process and procedures. Regarding the first one, I believe the penny will eventually drop and people will start to register. If we have to make a count amongst the members of Parliament who are registered at this stage, I believe we might not score better than 3% at this point. On the second one, a national campaign is currently being launched, assisted by a summit to be held on 14 March at which the President will meet leaders of all political parties, representatives of transitional structures and members of central and provincial governments to discuss the relevant issues.

Provincial governments, local structures and political parties should all play a role in removing uncertainty and suspicion about the reason for registration and the question of why people need to vote again this year. Special assistance in completing registration forms should be provided to illiterate people by local structures.

*Another matter to which the President referred was the Truth and Reconciliation Commission. The hon member Mr Ramaphosa also said something about this. The balance and equilibrium for which the President appealed in his opening address should be taken into consideration by everyone. The truth should be determined, and reconciliation should be achieved. Not one or the other, but both.

It is this admonition which should serve as a guideline to everyone taking part in the debate as well as to the Commission when it is established. If this is not done, we will simply see retribution, and the violent political conflicts of the past, which we have recently managed to control so successfully, will again flare up.

For that reason it is a pity that the hon member Mr Ramaphosa did not remember the words which appear in the Constitution and which we all contributed to, namely a need for reparation and not retribution.

Now is not the time to challenge one another as to who must accept responsibility for what happened in the past. This could lead to the

pointing of fingers at one another and cause great tension, which might change a fragile peace into renewed conflict.

It is a pity that admissions and allegations, purported or otherwise, which are now being made by former members of the security forces are creating a distorted image of the role of the security forces in the reform process in recent years.

On the basis of my own insight and knowledge I can testify that important elements in the security forces had already initiated reform and started negotiations long before many politicians thought of this or knew about it. It was this conviction that the top structure of the security forces had even prior to 1990 that led to the conclusion that only political solutions, and not actions by the security forces, would lead to lasting peace.

It must also be said to the credit of the security forces that their share in the maintenance of stability during the transitional phase contributed a great deal to matters progressing smoothly, especially during the last months before the election. In any comparable situation with comparable circumstances, political transitional processes could in a very few cases take place without resistance from the security forces in the form of coups d'état or military take-overs.

Apart from the local government elections, the work of the Constitutional Assembly will be the most important matter on the political agenda this year.

†In this regard, the NP will also seek to contribute on the basis of set guidelines and principles. [Time expired.]

Dr B E NZIMANDE: Mr President, Comrade President, I am rising here today to try, in fact, to take up the challenge that you have put to the political leaders in the KwaZulu-Natal province in particular, on the question of urging them to try and do all in their power to bring an end to the scourge of political violence.

I would like to start by firstly saying and assuring comrade President that in KwaZulu-Natal the ANC is firmly committed to bringing about lasting peace. [Interjections.] War has cost us as the ANC because we thrive best under conditions of peace. We are committed to following

the example and the leadership that he has set in taking this country out of its morass.

I must confess, Comrade President, you probably know that some of us in the leadership of ANC in KwaZulu-Natal, who are young and angry, have been moved by your arguments that we cannot resolve the problems of this country, and least of all political violence, through anger. Instead, we need to undertake a sober analysis of the situation without any bitterness, and come up with solutions that will take the whole country forward. It is this challenge which we also expect the IFP to take up.

Masikhuluma-ke esaselokishini sithi: Comrade Madiba, ngendlela osikhokhela ngayo ngabe sithi 'Uyingwenya. ungulova impela!' [Uhleko.] Wenza njengo 'mthaka'. (*Translation of Zulu paragraph follows.*)

[When we use township language, we say: Comrade Madiba, the way you lead us, you are a real tiger. You are a real man. [Laughter.] You act like a "smart guy".]

The challenge to political parties to end violence in the province comes at a time when that province is sliding down once more and experiencing killings that are threatening to reach the proportions of the pre-election period. Even more disturbing is the resurgence of massacres once more, in which families are completely wiped out in attacks. Not that the killing of individuals is acceptable, but this serves to illustrate the intensity and brutality with which the violence is resurging.

It is estimated by the Human Rights Commission that over the last three months or so, death from political violence in KwaZulu-Natal has increased by no less than 75%.

Another trend now is that the violence also seems to be concentrated around hostels, particularly those hostels where workers have come out in support of the King's call for peace, for example the Glebelands and Dalton hostels around Durban. This seems to be an attempt to undermine these peace efforts and to isolate the King from the people.

We must also treat the reasons for the violence objectively. It is unfortunate that the secretary-general and the president of the IFP only present a one-sided and a biased approach to what is going on in that province, and that must be

corrected. It is a known fact, and we agree, that on the side of the IFP it is the ordinary people, who sometimes do not even know about the bigger scheme of things, who are suffering. Nevertheless, I think that without doing a tit for tat it is important to present the other side of the situation. [Interjections.]

Dr W A ODENDAAL: Why should I believe you?

Dr B E NZIMANDE: I do not need the NP to believe me. Even if they do not believe me, it does not matter. This House must be reminded that the IFP itself has been implicated over a long time in the violence going on in that province. Inkathagate revealed to the country the extent to which the security forces under the NP government secretly funded and sponsored violent activities in KwaZulu-Natal. [Interjections.]

I want to continue where the secretary-general of the ANC left off. The NP still has to tell us the truth. If they are still resisting, we are eagerly awaiting the Eugène de Kock trial. The Goldstone Commission has also come up with evidence showing the extent to which the KZP, for instance, is infested with hit squads. We also do not have to remind this House of the Trust Feed massacre, where the police under the NP government colluded with the IFP to mow down mourners in a night vigil.

This House must also be reminded that the chief commander of the IFP hit squads, Mr Dalixolo Luthuli, is beginning to make some interesting confessions. We believe that some of the recent events are partly explained by the fact that people like Dalixolo Luthuli are coming out. For instance, Mr Luthuli himself said that he was involved in a plot to assassinate the late deputy chairperson of the ANC in Natal Midlands, Comrade Reggie Radebe. We are saying that if the IFP is serious about the ending of violence, it is important that they stand up and deny what Luthuli is saying, or own up and allow the normal processes of law to proceed.

We are also very pleased that the President came out very strongly against all forms of violence. We are saying, as the ANC, and particularly so in KwaZulu-Natal, that the Government of National Unity has a major responsibility to crack down on violence from whatever quarter it comes. It is important that we send the correct signals to the people. Unless we do this, we are

faced with the risk of massive demoralisation among the people, who shall see no difference between the pre-election and post-election periods. It is also time now for the Government of National Unity, which is democratically elected by the people of this country, to stand firm. It cannot continue to be held to ransom by organisations which only want to serve their narrow party-political interests.

As a way forward, we would therefore like to emphasise the question of trying to bring to an end the carnage in that province. Firstly, the question of the integration of the KZP into the South African Police Service becomes important. We would also like to say to the Government of National Unity that KwaZulu-Natal should now be treated as a priority in terms of establishing community policing.

However, in the integration of the SPUs and the SDUs into the community police structure we must, at the same time, ensure that thugs and criminals implicated in the violence are not admitted into those structures.

That is why we are pleased that the Minister and the Commissioner of Police took the step of actually stopping some of the people from graduating from Ulundi, because they have been implicated in the violence. We commit ourselves as the African National Congress to work co-operatively with the security forces to stamp out violence and we call on the IFP to do the same.

We are also saying that we, as the ANC, offer to co-operate with the IFP in dealing with the problems of that province, including the question of dealing with chiefs. We are saying the question of chiefs—their future and their role—cannot be the sole property of a single political party. Therefore, we call upon all our people in the province also to support the initiatives by the king to try and bring about peace in that province.

Noma abanye ozakwethu basazokhuluma ngalendaba yamakhosi, ngithanda kodwa ukuphetha ngayo. Ayikho into eyoqhatha amakhosi nabantu njengokuthi bavimbe abantu ekutheni bavote. Ngesikhathi esingaphambili amakhosi awa, ewiswa yizona lezizinto. Sithi awabe nabantu. Lomthetho-sisekelo wamanje yiwona oyobanika ikusasa elihle. Yiyona ngqikithi esiyokwazi ukuthi sibhekane nayo ukuze sikwazi ukya

phambili kulesifundazwe sakithi saKwaZulu-Natali.

Mongameli Madiba, njengengwenya enye, thina sithi njengombutho KwaZulu-Natali ngenye yezinto lena esizibekaphambi koHulumeni wakho. Uma engazenza, lokhu kuyokwenza ukuthi isimo sibengcono futhi sikwazi nokuqeda lempi esekhaya. (*Translation of Zulu paragraphs follows.*)

[Although my other colleagues are still going to talk about this issue of the chiefs, I would like to conclude by mentioning it. Nothing will cause more friction between the chiefs and their subjects than trying to stop the people from voting. In the old days, chiefs fell because of such things. We say they must go along with the people. The present Constitution is the one that will give them the bright future. This is the problem that we will be able to face in KwaZulu-Natal, so that we can move forward.

President Mandela, like a fellow tiger, this is one of the things that we put in front of your Government. If your Government can solve this, the situation will be better and we will be able to stop the violence at home.]

uSigele Dktl S C CWELE: Mongameli weSigele, Mongameli wezwe, ngizothi qaphu-qaphu nje, kakhulukazi ngithathe lapho kushiye uzakwethu khona, ngigxile kulendaba yamakhosi endabuko nesimo esibona amakhosi akithi endabuko aseziithola asekuso manje. (*Translation of Zulu paragraph follows.*)

[Senator Dktl S C CWELE: Hon President of the Senate, hon President of the Republic, I will say a few words, starting where my hon colleague has left off, stressing this point about the traditional leaders and the state in which they find themselves.]

Historically, the traditional leaders derived their power from the subjects they represented. This power emanated from the legitimacy and support they got from their people.

However, central to that acquisition of power was the balance between the interests they protected versus the interests of the people. When the interests of the chief failed to coincide with the interests of the people the traditional leaders lost the power, because the masses had the choice of either moving away and regrouping elsewhere, or of changing their leaders.

Democracy was central in traditional rule in that people were free to participate in discussions affecting their lives and were capable of replacing those who did not represent their interests.

The question is: Where did it go wrong? I do not need to remind hon members of the defeat by the colonial forces which led to the loss of power by traditional leaders, because they were not representing the interests of their people effectively any more. This was further consolidated by the apartheid system which did not only remove that power, but changed the role of the traditional leaders to that of purely local administrators effecting the apartheid policies.

With apartheid came parties which represented ethnic divisions of our Black communities. These parties were formed to promote ethnicity and to act as indirect rulers.

We, as the ANC, call on our chiefs to move away from this party-political manipulation. We call upon our traditional leaders to lead their people without any political affiliation because this has resulted in the erosion of the dignity of our traditional leaders and of the loyalty of their subjects. For instance, in KwaZulu-Natal today, we find the chiefs fighting their own subjects purely on party-political grounds. We find our chiefs running with G-3s killing their own subjects. This has put them in a mess and they find that they can no longer serve the interests of the community as a whole.

What then is the role which the chiefs can play at the present day and moment? We feel that the chiefs have an important role to play in nation-building and the national unity of our people. Most of their subjects are still very loyal to them and can play a constructive role at this present time in bringing together the people of this country.

The second role is the one of peace, as my colleague mentioned. Because the majority of our people are still loyal to our traditional leaders and they respect their voice whenever it is constructive, the traditional leaders may play a central role in achieving peace, which their subjects need so dearly.

We call upon our chiefs, particularly in KwaZulu-Natal, to rally behind the King's efforts of peace because we believe this will lead to liberation of the chiefs or traditional leaders of KwaZulu-Natal. We do not believe that the G-3s

and the massacres of their own people will liberate them. We also call upon our traditional leaders to start representing the interests of their subjects. The rural areas are the most deprived, the most needy and the most eroded by apartheid.

At present there is no strong voice from the public speaking for the needs of the rural majority. We, the Government, need the co-operation and the leadership of our traditional leaders to start attending to the needs of the poorest of the poor, rural people there. Traditional leaders know very well the needs of our people. They know very well the need for help and basic infrastructure, education, water, electricity, roads, etc. We are prepared to work with the traditional leaders to improve the conditions of their people and their subjects.

Sithi amakhosi angamakhosi ngabantu. Amakhosi makazihlukanise nokuthi adonswe ngekhalo yilabo kanye nezingcelelebana ezifisa ukufeza izinjongo zazo zepolitiki. Amkhosi mawasebenzisane nabantu ukusiza ekubuyiseleni isthunzi samakhosi esahlwithwa yilabo abafika nobandlululo. Amakhosi mawaqale asebenzele abantu bawo ukuze abantu bawo bakwazi ukuwaxhasa njengamakhosi endabuko.

Amakhosi aseNatali kanye namakhosi ezwe lonke awabambisane nabaholi bendabuko ne-Silo, kanye nabanye abaholi abaphezulu bendabuko ukuze kuhlangukwe abantu abahluphekayo basezabelweni kanye nabantu abacindezelwayo eNingizimu Africa. Sithi thina njengoKhongolose sizimisele ukubambisana nawo ukuze senze izimpilo zabantu abahluphekayo zibengcono. (*Translation of Zulu paragraphs follows.*)

[We say chiefs are chiefs because of their subjects. Chiefs must refrain from allowing themselves to be pulled by their noses, by those people and puppets who want to achieve their political ambitions. Chiefs must work hand in hand with the people in order to restore to the chiefs the dignity that was taken away by those who introduced apartheid. Chiefs must start working for their subjects so that they can get support from these people.]

KwaZulu-Natal chiefs and chiefs countrywide must work together with the traditional leaders and the King, together with the other top traditional leaders, so that the poor rural com-

munities and the oppressed people of South Africa can be brought together. We, as the African National Congress, are prepared to work with the chiefs so as to improve the living standards of the poor.]

Dr P W A MULDER: Mr President, we as political parties find ourselves in a new situation after the April elections. The test and challenge for every party today is to what extent that party can adapt to this new situation. The ANC was a liberation movement struggling against the so-called system. Now they are the Government or the so-called system, if one wants to say so. In the speeches and the actions of their followers we can see how they are struggling to grow into this new role.

*The NP, too, are grappling with their new role. We are familiar with tensions within a party caucus, because we ourselves are coming through such a process. Once one begins to issue statements on the healthy debate that is being conducted within the party, and the newspapers begin to write about the left-wing, right-wing, and middle factions, one has problems. I see in the dining room in the afternoons how the poor NP members position themselves to make sure that the wrong conclusions cannot be drawn from the table at which they sit and eat. We see all these symptoms. [Laughter.]

However, I do not intend to fight with the NP this afternoon. The times are too serious for that. [Interjections.] I was merely making an analysis, I was not fighting. [Interjections.] Then we shall have to fight.

Last Monday morning Executive Deputy President Mr De Klerk tried to hide the NP's problems by hitting out at the FF while we were not present to defend ourselves. The FF has made an appeal to Afrikaners in all parties to seek points of contact and to work together in order to achieve certain Afrikaner objectives. Afrikaners in the NP should take cognisance of the fact that their leaders, through Mr De Klerk, have rejected co-operation in relation to these matters.

During the radio programme the hon Executive Deputy President Mr De Klerk asserted that the FF had a credibility crisis because we had received a mandate for a volkstaat and, according to him, no longer spoke about this. That was his charge. He would do well to listen to our

speeches in this Chamber. He should go and look at the work programme of the theme committees in which self-determination and a volkstaat appear, or at our television appearances during which Gen Viljoen explained a thing or two about a volkstaat and self-determination in relation to the Mozambican project.

In politics, however, one cannot have one's bread buttered on both sides. On Saturday, after the NP's unity caucus, Mr De Klerk said the NP could not co-operate with the FF because we believed in a volkstaat. On Monday he said that the FF had a credibility crisis because we no longer believed in a volkstaat. Both cannot be right.

Let us come to the FF, however, and talk about it. We also have to adapt to the new circumstances in South Africa. The present political situation was imposed upon us against our will. One could write thick volumes about how the Afrikaner had ended up in the present difficult situation. Such volumes would not, however, be of any help in assuring the Afrikaner's future position.

We then decided to adopt an approach of constructive involvement. We give praise where it is due, but we also criticise where necessary. Let me give hon members some examples:

Die VF dink dat pres Mandela in sy toespraak die regte stappe aangekondig het deur sterk standpunt in te neem teen weteloosheid, teen misdaad, teen onverantwoordelike stakings en korupsie.

We praised him in public for this, and I should like to repeat this here this afternoon.

However, we also criticised the ANC in relation to the handling of the Boesak incident. Hon members may feel free to read our media statements if they wish. Gen Viljoen's strong standpoint in respect of the Truth Commission is surely also well known. He went to discuss that matter with President Mandela. He held interviews with the hon the Minister of Justice. He gave evidence on it for two hours before the Committee on Justice. Is that kowtowing to the ANC, as the NP asserts? We are trying to obtain the best for the Afrikaners and our supporters within the new realities. That, after all, is the task of a political party.

That is why we are assisting the agricultural unions with their African and Mozambican project. This is assisting Afrikaner farmers who have lost their land. It is preventing agricultural expertise from being lost. It is to the advantage of South Africa, Mozambique and Southern Africa. President Chissano's reaction to Gen Viljoen's visit to him was:

We all agree that the Afrikaner is a respected tribe of Africa.

We even explained to him why the Afrikaner needed a volkstaat in South Africa to enable him to move out in this way towards Mozambique. Without a volkstaat one can go to Australia if one really wants to move out.

People who seek to criticise this, do not understand constructive involvement. I have already said in this House that if the South African ship sinks, we all sink together. For the same reasons the FF believes in Afrikaner self-determination and in a volkstaat, and we say this regularly from the podium.

We believe in this because we believe it is part of the answer to South Africa's problems, part of the attempt to prevent the entire South African ship from sinking with us all on board. Afrikaner self-determination in a volkstaat is not an attempt to escape the realities of the new South Africa. Why, then, would we tackle projects in Mozambique?

Just as the ANC knows its supporters, we know our supporters as well. We know the Afrikaner's history and the forces and powers that shaped his thinking. We are convinced that our policy is the best way of accommodating the Afrikaner and affording him the necessary security so that he can play his rightful role in Southern Africa.

I am an Afrikaner and I am proud of it. I am raising my children in Afrikaans and I am teaching them to be proud of the Afrikaner heroes of the past.

As such an Afrikaner, I, together with the FF, am prepared to assist in making economic growth and development possible in Southern Africa, as with the projects in Mozambique, but on a certain condition. If the price is that I can no longer be an Afrikaner, the price is too high.

When the SABC scales down Afrikaans . . . [Interjections.] That hon member must listen.

When the SABC scales down Afrikaans, my blood boils. If this were done for the sake of a language such as Zulu, which enjoys less television time than Afrikaans, I could still have tried to understand it. However, when this is done for the sake of English, which is an established language, I hear alarm bells ringing. [Interjections.]

After the Anglo-Boer War, Milner believed that he could solve the "Afrikaner problem" by anglicising the Afrikaner in the schools and State institutions. By so doing he hoped to build a new nation in South Africa through the medium of English.

†In 1900 Alfred Milner said:

If ten years hence there are three men of British race to two of Dutch, the country will be safe and prosperous. If there are three of Dutch to two of British, we shall have perpetual difficulty.

He then proceeded to force English down the throats of our people. He did not succeed. The opposite happened. He united the Afrikaners, motivated and strengthened them, and we know the political history from then onwards.

In South Africa today I read and I hear new Milner voices, Black and White. They are afraid to acknowledge the cultural and linguistic diversity of South Africa. They are afraid to admit that it must be accommodated in the new constitution. They believe that the only way to reconciliation and a new loyalty is that of suppressing these differences and rallying around English. For the majority of Afrikaners this is not acceptable and is causing restlessness at this moment, and I am speaking from experience.

Prof Karel Doehring, from the Max Plank Institute in Germany, summarised their research on this, when he said, during a visit last year: "It is clear to us that the nations, peoples and communities of Europe do not mind becoming part of the larger European fruit salad, as long as everyone is allowed to maintain his own identity by remaining either a banana or an orange within that fruit salad." [Laughter.]

*It is along this road that the solution lies. The FF will also make a constructive contribution to this.

Individual human rights are being held out as another solution to the "Afrikaner problem". In

terms of this the Afrikaner's uncertainties and his striving for self-determination will be resolved through democracy and human rights. This viewpoint exists particularly in the relatively homogeneous Western countries. The fact is, however, that the franchise alone is not enough. The Kurds in Turkey, for example, have all these democratic rights. Twenty-two Kurds have even been democratically elected to the Turkish Parliament of 450 members. Yet this is not enough. An escalating struggle for self-determination for the Kurds is assuming serious proportions in Turkey.

The well-known American political scientist, Ted Robert Gurr, recently calculated that in 1993/94 there were no fewer than 70 . . .

***The PRESIDENT OF THE SENATE:** Order! The hon member's time has expired.

***Dr P W A MULDER:** Mr President, I still have two minutes.

***The PRESIDENT OF THE SENATE:** Order! The hon member may continue. I shall talk to the Whips in the meantime and verify how much time he has left.

***Dr P W A MULDER:** Mr President, I should like to have some injury time, because I am working on the basis of seconds. [Interjections.]

He found that no fewer than 70 self-determination conflicts were raging throughout the world; each of them with a cultural or linguistic substructure. There were 28 conflicts in Asia, 23 in Africa, 10 in Europe, six in the Middle East and three in Latin America.

I am not mentioning these figures because I want to be a prophet of doom. I am going to remain in South Africa with my family, but I am merely appealing for us not to be so short-sighted as to ignore these forces in our search for a solution.

†During discussions between the FF and the ANC, one of the ANC leaders referred to 1910 and to how Black people's aspirations were not accommodated then. He then showed how that caused strife and problems in South Africa for the next 80 years. Then he added that we must not make the same mistake today with the Afrikaner and again cause strife and problems for the next 80 years. I think those were wise words.

*I wish to summarise: All parties must adapt under the new circumstances in South Africa. The FF has already grappled with the question of its place and role under these new circumstances. The FF is prepared to assist. That is why we participated in the election and why we are here—hence our approach of constructive involvement. The FF accepts that the Afrikaner is in Africa and is a part of Africa. We must play our role here. That is why we are prepared to go and assist Mozambique, but also to assist South Africa. However, we can only do so if we know what the price is, so that we and our children can remain Afrikaners; for this we require Afrikaner self-determination and a volkstaat. We do not regard this as escapism, but as part of the solution to South Africa's problems. It must be a place of one's own from which one can move outwards to play one's role in the greater South Africa.

The FF believes that a wonderful future awaits South Africa if we address these problems realistically. We then see reconciliation and a fine future for all the peoples of South Africa. We would like to assist with that.

***The PRESIDENT OF THE SENATE:** Order! I think you have now exceeded your injury time.

The MINISTER FOR HEALTH: Mr President, hon President of the Republic and hon members, before I begin my speech I would like to remind the hon member Ms Nana Masango, who talked about the Minister for Health and about social workers, that there is a new Ministry in this Government—that for Welfare and Population Development—under Minister Abe Williams of the NP. Therefore, if anyone wants to talk about social workers, they should direct their comments at him and not at me. [Interjections.]

In his speech on the occasion of the opening of the Second Session of the democratic Parliament, on 17 February 1995, the President said, *inter alia*, that the Government must move speedily to expedite the process of social transformation and the improvement of the quality of life of our people. One of the sectors identified to play a role was that of health.

Health is crucial to the well-being of the nation, the education of our children, increased productivity, and thus to the growth of the economy. Spending on health can be justified on economic grounds. It reduces production losses caused by

worker illness and absence. It increases the enrolment of children in school and makes them better able to learn. It permits the use of natural resources that have been inaccessible because of diseases. For example, if we take malaria into consideration, large parts of Northern Natal and Eastern Transvaal would have been inaccessible if we had not been able to cure this disease. It also frees, for alternate uses, resources that would otherwise have been spent on the treatment of this illness.

There will be little growth in the economy if we do not improve the health status of our people. We must see health as an investment. Is our health service able to fulfill the above as it is organised at present? The health services in this country only work for a few people. Critics have asked me why I am interfering with the health services and why I want to reorganise them, because the health services of this country are working very well and they are the best in the world. I must, unfortunately, answer that there are lots of disparities and inequalities in the system that we have inherited.

I want to take a look at the medical schemes. The latest available figures show that only 19% of South Africans are beneficiaries of the medical schemes. If we are to break that figure down according to racial groups, then 70% of the White, 33% of the Asian, 28% of the Coloured and only 7% of the African population groups are covered by medical aid schemes. It is therefore obvious that for the majority of our people—especially the Black people—a medical scheme is not the answer. Apart from the inherent financial problems that these schemes are experiencing at the moment, most people find them unaffordable.

However, I also want to look at the other disparities that we have inherited. We have inherited an infant mortality rate among Africans that is seven times larger than that among Whites, while it is 2,6 times larger among urban Africans than among the rural ones. We have inherited a life expectancy at birth that is eight to 10 years shorter for Africans than for Whites. We have inherited a TB notification rate in the Coloured community that is 35 times that of Whites. Among Africans we have also inherited malnutrition five times worse than among Whites.

This is an indictment of South Africa, which is one of the few countries that exports food while its citizens go hungry. These disparities are a result of the apartheid policies of the previous government. They are a result of disparities in the allocation of resources. This applies both to financial and human resources.

We can, for example, look at the human resources. If we look at the number of doctors per 100 000 of the population, we see that in Gauteng it is 6:100 000 and in Northern Transvaal it is 2,5:100 000. If we look at the number of nurses, we see that it is 618,4 for Gauteng and 293 for Northern Transvaal. The number of pharmacists in Gauteng is 109:100 000 and 7 in Northern Transvaal. If we look at public health expenditure, we see that it is R381 for Gauteng and R164 for Northern Transvaal. These disparities are, to a very large extent, the result of the previous apartheid homeland policies.

*Mr P W COETZER: Mr President, on a point of order: I apologise for interrupting this particular speaker to raise a point of order. I want to ask whether it is in order that live television interviews are conducted on the public gallery while a debate is being conducted on the floor of the Chamber? One really finds it disturbing. I once again want to apologise to the speaker for interrupting her.

*The PRESIDENT OF THE SENATE: Order! I thank the hon member very much for bringing it to my attention. It is entirely contradictory to the dignity of this Place. I request the service officers to devote attention to this urgently.

†The hon the Minister may continue.

The MINISTER: All these disparities are, to a large extent, the result of the previous apartheid homeland policies. This brief background serves to justify why we should change and reorganise our health services so that they will benefit every person.

The foundation and pillar of our health care should be universal access to primary health care. This should be seen as a basic human right for all people, no matter how poor and no matter how remote the area in which they live. Of course, this should be done while taking into account its affordability and sustainability. It should be done while taking into account efficiency and equity. It should be done while taking

into account urban and rural people, rich and poor, Black and White.

This is why we are exploring national health insurance as one way of reorganising our health services. National health insurance is not a new concept. Many health insurance schemes were introduced after the war, mainly in countries in which the circumstances were comparable to ours today, and even in African countries. This has been explored in Zimbabwe and Ghana. Nigeria has introduced it in four states already. It is nothing new and nothing extraordinary.

In which context should we be doing this? Yesterday some people talked about the miracle of 27 April. Some even called it a gift from God, but I think we should remind ourselves that it was neither a gift nor a miracle. It was the result of a bitter struggle waged by the people of this country. People in this country made sacrifices so that 27 April could happen, so that the dignity of the South African people could be restored and so that the lives of the South African people could be made better. I am glad to say that the dignity of the South African people has been restored. There is no racial discrimination any more—there should not be—and we are all proud to be South Africans. We do not hide our South African passports any longer.

The doors of the international community are open to us, as we are now part of the family of nations. However, what remains is for us to make the lives of our people better. Now if our critics say that we must keep the status quo in health, I am saying that we are not going to do that. What we are prepared to do is to listen to suggestions on how we can provide universal access to primary health care for all our people.

I wish to say that this stability that we all gloat about, and this new-found democracy and dignity that we all talk about, will explode in our faces if we fail to make the lives of our people better. That is what we should be heckling about. How we can make the lives of the people of South Africa better is what we should all be concerned about, and not about trying to maintain the status quo.

The committee that I have set up for the purpose of investigating a national health insurance consists of people from the Department of Finance and the Department of Health, and international and national experts. They are going to explore

how we in this country can make primary health care universally accessible in an affordable and sustainable way. This committee will interact with a lot of people in this country, including parliamentarians, and we hope to get answers by the end of May.

However, at the end of the day it does not matter how this is financed. What is important is that we should be able to provide universal health care to our people.

Mr P J GORDHAN: Mr President, Mr Deputy President, and Comrade President, I wish to look at the place of local government in a democratic South Africa. I wish to quote you Comrade President, in your address last week, when you said that "in reality it was impossible to enter this next critical stage of dismantling the system of apartheid until we had established democratically elected structures of government which enjoyed a popular mandate, to bring about a nonracial, nonsexist and democratic society as demanded of us by the Constitution".

The President went on to say that local government had to deliver change. It will be an opportunity for our people to participate in making decisions that affect their lives. Local government has to help us to overcome the divisions of apartheid amongst our people.

However, today we have two provinces which are gerrymandering and manipulating local government in order to suit party-political purposes. The one is KwaZulu-Natal and the other, to a lesser extent, is the Western Cape.

The question we must ask is to what extent we should allow KwaZulu-Natal to be above the rest of South Africa? To what extent can we as a sovereign Parliament, which has a responsibility to institute democratic structures throughout every inch of the length and breadth of this country, sustain islands of autocracy and, above all, apartheid amongst our people?

What we have in the case of KwaZulu-Natal is a political party which has now begun to shift its policy from federalism, monarchy and autonomy to one of mediation, and more importantly, the isolation and defence of its base in the rural areas of KwaZulu-Natal.

We implore the President to give attention to this situation where local government has become the new terrain of struggle between the IFP and

the rest of South Africa. It is in this context that we also note the President's words in his Opening Address, when he made it very clear to the country as a whole that the Government would not allow anybody to obstruct the process of the registration of voters, regardless of the social status of the persons concerned.

At the moment there are three areas in Natal related to the transition in local government, that are extremely troublesome and require the attention of Parliament and the President.

The first is the manner in which the Local Government Transition Act is being implemented in Natal. The second is the refusal of the chiefs to allow our people to register for voting purposes in the local government elections in the rural areas. What is more important, however, is the independent concept developing in Natal of a new model for local government, particularly rural local government.

Natal is unique in South Africa in another sense as well. It is the only province that has separated local government into urban local government and rural local government. We have an MEC for Local Government and Housing in Natal and an MEC for Traditional Authorities. Nowhere else in the country do we have this. Why this has happened is quite clear from the events of recent times. The implementation of the Local Government Transition Act, in respect of establishing transitional councils, is also instructive in this regard.

In the metropolitan area of Durban, the MEC responsible for local government has had difficulty in getting agreement amongst all the parties on the proclamation to bring into effect the metropolitan council of Durban. The reason that he is having difficulties is that after all parties, including the IFP, agreed upon a metropolitan area and the substructures within this area, the MEC unilaterally excised nine traditional authority areas from the metropolitan area of Durban and refused to include them in the new metropolitan area of Durban.

He has also interfered with various agreements that people in negotiation forums have reached and as a result of this we now have a legal and political impasse in this province, where one of the biggest metropolises in South Africa does not have a transitional metropolitan council. In

addition to this, similar manipulation and interference has taken place in other areas in Natal.

In Port Shepstone, Melmoth and Eshowe, amongst others, traditional authority areas, or areas under the control of traditional authorities, have been excised from the TLC areas arrived at by the negotiating forums in those areas themselves. What we see here is a systematic move to exclude traditional authority from within the transitional local councils and the development of local government in Natal.

Equally problematic is the model that the MEC for Natal, obviously on behalf of his party, has put forward in respect of rural local government. It is unique in the sense that this model they are putting forward separates traditional authority areas from other non-TLC areas and TLC areas. In other words, the rest of South Africa is talking about TLC areas that are basically urban areas, and non-TLC areas. In Natal non-TLC areas are being separated into district councils and traditional authority areas.

Even more problematic is that people living within traditional authority areas will have local government structures that will be created on the basis that these people will directly elect only 50% of the people who sit on that authority. The other 50% will be nominated by traditional leaders. This is a subject which is at the moment under discussion between the Ministry of Constitutional Development and the relevant people in Natal. I thought that it would be important today to point out to Parliament that this is the kind of manipulation that is going on, not to advance democracy, not to advance the participation of our people in decision-making, not to enhance development in our country, which you called for in your address last week, Mr President, but rather to enhance very narrow, chauvinistic party-political agendas.

The other question that arises from these observations, is what is the relationship between the national Government and the provincial governments in South Africa? This is, of course, a big debate between the so-called pro-federalists and others, the unitarists or provincialists. However, one of the observations that we have to make to ourselves is that section 126(3) of the Constitution demands of us as Parliament that we strive towards uniformity and common standards throughout South Africa. It demands of us to review whether the time has come for central

intervention in provinces which are unable to implement national policy.

In other words, if we have a situation in Natal where registration is being blocked, what is central Government going to do to directly intervene in that situation to enable registration to take place? If central Government observes that a particular province, like KwaZulu-Natal, is creating a system of rural local government that is at odds with the principle of democracy and with the contents of the Constitution of this country, it behoves us to ask for central intervention in that particular situation.

Clearly, this situation cannot be allowed to continue. Clearly, we have arrived at a point where we have to start talking about non-negotiables again. Surely our people's right to vote in local government elections is a non-negotiable today. Surely their right to register to vote is a non-negotiable today. Surely it is non-negotiable that the institutions which have been created for political parties to resolve their difficulties—be it the Cabinet, the intergovernmental forums or the Ministers' Councils—should be used to resolve difficulties rather than other disruptive mechanisms.

Today we as a Parliament have the responsibility to ensure that democratic local government structures exist throughout every inch of South Africa. In KwaZulu-Natal we face a formidable challenge, and we trust that, collectively, we will be able to stand steadfastly and to guarantee all people in Natal that they will have the vote like every other individual in South Africa.

Mr P W SAAIMAN: Mr President of the Republic, Deputy President and President of the Senate, we listened with optimism to the President's speech in which he promised that this time strict measures against crime, anarchy and chaos would be introduced. The President has nothing to fear from the NP, because we are continually calling for the stopping of civil disorder. We will support all measures that will stop the escalating crime.

However, the President cannot blame us for being a bit sceptical. The promise to declare war on crime was made before, and very little was done. I refer him to a statement in *The Citizen* of 18 August 1994:

The cliché is out. The Government is soft on crime. The people who are living in high-rate

crime areas threaten to take the law into their own hands now. While everybody else in the country warns of the takeover by crime, lawyers and magistrates warn of the takeover of anarchy.

The President's intentions are sincere, but the members of his team sometimes fail to deliver on his promises. No wonder early in his speech he felt the need to make excuses for those people in his team, especially for those that could not deliver in respect of law and order and discipline.

The irony is that the ANC were highly critical spectators and promised that they would do things better when they took the field, or is it just a matter of underestimating the political bounce of the ball? Previously the excuse was that discipline without freedom is oppression. Now that we have freedom without discipline we have anarchy and chaos.

The NP wants to put it on record that we do not want empty promises any more. [Interjections.] Be tough on crime! Civil discipline and order must be restored. We want law and order now! Those members must feel how we felt when they were outside making these demands. [Interjections.] We expected the wails and ails, because the truth sometimes hurts.

We call on the President to make South Africa safe. The NP is ready and fully committed to the local government elections in October. From early this month NP members have been walking the streets from door to door to do their duty to register voters for the elections, but we found that the promised democracy, human rights and freedom of movement and speech have not arrived yet.

As early as January in our campaign in Khayelitsha an NP member was shot and seriously injured by Sanco members while addressing a meeting on the local government elections. In the township of Leratswana near Darlington in the Free State Sanco members staged a sit-in at the hall where the NP meeting on local government was to take place.

People are told that they must first become members of the ANC before they can be registered.

It seems to me that when the hon the President calls on parties to co-operate, he has more work to do at home first. Is it the old story of no-go

areas as in the old South Africa? The ANC's supporters in its surrogate organisations will again ruin democratic elections.

We cannot leave it to the parties alone to ensure that there is no intimidation. The hon the President's announcements lacked the measures that would be taken to stop intimidation. The "how" seems to be absent in his statements. We cannot pass responsibility off onto others. It is the Government's duty to give orders to the law enforcers to clamp down on intimidation.

Is this not an early indication of the intolerance that we can expect during the election? There is no time to wait. Act swiftly, before small incidents throw us back into a spiral of violence such as we experienced before the April elections.

Mr Cyril Ramaphosa invited suggestions on how to solve the problems of local government elections. I suggest that parties address joint meetings in the troubled areas on a non-party-political basis on subjects like registration, intimidation, tolerance and freedom of campaigning. [Interjections.] Well, when one listens to the reaction, it is clear that the ANC is afraid to face its own people and the world on the subject of democracy. [Interjections.]

What was lacking in the hon the President's speech was how the Government was going to deal with local government debt. We know that local government finances are in chaos primarily because of the culture of nonpayment. Although debts incurred until 28 January 1994 will be written off, we know that most of the people continued not to pay for their services after that and still owe millions of rands. Sanco, as a surrogate member of the ANC, is in disagreement with the ANC on the call for people to pay. They are of the opinion that people should only pay after the elections in October, and in the meantime debts to local authorities are growing.

Expectations among our people are higher now than after the elections. Delivery of houses, water, electricity is expected to take place, and yet they do not know that in most cases they will inherit a bankrupt local government structure.

*Is the hon the President prepared to issue a stern warning this year, just as he did last year? We support him wholeheartedly, just as we did in the past. We have respect for him because he is prepared to be responsible even if he should be

unpopular in his own party and in the Cosatu alliance.

We all know that this year the motor industry, the hospitals, the mines and other institutions will not be able to afford a spate of strikes such we have had in the past. Thousands of job opportunities have already been lost. World attention is focused on us at the beginning of this year. Can the government find a solution to restore stability? [Time expired.]

Mr T S YENGENI: Mr President, hon Comrade President Nelson Mandela, Mr Deputy President F W de Klerk, ladies and gentlemen, dear comrades, I want to thank Comrade President Mandela for the incisive and balanced speech he delivered in Parliament last week. Again in that speech he taught us many important lessons. He taught us to be steadfast on principles, but flexible on tactics. He taught us not to forget our past, but to forgive our enemies. He insisted on stable but throughgoing transformation in our country, without our giving in to any form of anarchy. He continued to teach us, in his speech, to preserve and help enrich our revolutionary morality, which must guide us in ensuring clean and efficient government, and not to tolerate any corruption or under-the-table deals. I therefore pay tribute to the comrade President, wishing him many more years of health and success in all his noble endeavours.

It is astounding, however, and it pains me and many other South Africans severely, that this most important son of the soil does not have a single portrait of himself gracing the walls of Parliament. The people whose portraits are on the walls of Parliament continue to be the old apartheid antiques who have nothing to do with the new South Africa.

Furthermore, not a single police station that I have entered in recent times has a portrait of the President. I am not suggesting that our President is a saint or an angel whose face and name should appear in every Government building or household. I am merely submitting that the apartheid symbols on the walls of Parliament are completely unacceptable, however, and an insult to the integrity and dignity of this House, and that they should be brought down immediately. [Applause.]

The Province of the Western Cape's education is in a mess, thanks to the racist mentality, incom-

petency and irresponsibility of the MEC for Education, Mrs Martha Olckers. [Interjections.] This apartheid Minister is directly responsible for the Ruyterwacht crisis which has led to racial conflict, the destruction of the school and the death of one Black student.

This Minister has completely neglected the African school students in the Western Cape. Can she explain, for example, why, at this time of the year, many African schools have not yet received their textbooks and school desks while the White students are continuing with their education without any problems? [Interjections.]

Furthermore, the education fraternity and the entire democratic movement in the Western Cape have lost all confidence in Mrs Martha Olckers. There is only one way out of this mess, namely that Martha Olckers should resign and a more competent Minister should be appointed in her place. [Interjections.]

The comrade President's sterling leadership and intervention in the integration process was timely and commendable, and his intervention has helped galvanise the process to move even faster. Indeed, the integration process is moving forward, albeit not without hiccups, of course.

What is crucial at this stage of the integration process, especially from the side of the SA National Defence Force and the Defence Ministry is to ensure that the new intakes in the SA National Defence Force are thoroughly prepared for so as to minimise the unnecessary ritual of demonstrations and sit-ins by MK cadres.

The speedy formation of an overseeing integration committee which should comprise people from the Ministry, the SA National Defence Force and the Joint Committee on Defence will further help sort out the hiccups and speed up the integration process.

Last year our committee visited almost all the integration points and the report to Parliament on our committee's observations and recommendations will be tabled soon for discussion and adoption by Parliament. The Joint Standing Committee on Defence unreservedly and strongly supports the position taken by the President and the Minister of Defence on the absolute need for adherence by all members of the Defence Force, without exception, to strict military discipline at all times.

Whilst our committee will undoubtedly continue to monitor the integration process, especially in its second phase, ie the bridging courses, the greater part of our focus this year will be taken up by broader defence issues such as the collective security of our subregion in Southern Africa, possible amendments to the Defence Act, the drafting of the White Paper on defence, the defence budget, the defence review, the export and procurement policy and oversight over the armaments industry which includes the assessment of the report by the Cameron commission of inquiry which is due soon.

Finally, it is patently clear that, with or without a truth commission, the skeletons are tumbling out of the cupboards. This process must continue until all our cupboards are clean. The role of the press is indeed crucial in bringing the skeletons out of the cupboards. The press must continue with its commendable task in this regard. But the press must not do this in a one-sided manner. We want all the skeletons from all sides out of the cupboard.

As comrade President has aptly pointed out, the press must not allow itself to be used for the purposes of a witch-hunt. For example, the press tells us only of the dirt concerning millions of rands of the former Transkeian government. The press is saying nothing . . . [Time expired.]

Senator C E LAUSBERG: Mr President, President of the Republic, members of the Joint Sitting, the ANC is faced with the challenge of delivering the fruits of our newly established democracy in terms of real economic participation and empowerment to the hitherto disenfranchised majority. I second the proposal put forward by Minister Maharaj and the ANC's challenge to the opposition to join us in a proactive attempt on the road forward in this delivery.

Our movement has been geared to finding methods of meeting this challenge even prior to its accession to power in April 1994. And 1995 will be the year for transforming democratically formulated plans into action. This transformation will be felt at the very seat of democracy, in the streets and towns where the economically disenfranchised have languished for years under the harsh rigours of apartheid.

That the ANC has had to pick up the fragments of a shattered and depleted economy, is a matter

of public record and it is therefore imperative that the Public Service now takes up the challenge and joins the Government in becoming an effective instrument of economic transformation and change.

It is a sad statistic of modern government that only 10% of most national budgets filters through to and directly benefits the populations for which they are intended. If, from this, we are to infer that 90% of the budget is spent on government and its perpetuation, it is self-evident that governance has become an increasingly expensive institution to manage and maintain.

In order to bring increased economic benefit and wealth to the people we will thus have to re-examine the scarce available resources and divert increased portions of the Budget to people-oriented programmes.

A burgeoning bureaucracy flourishes at the expense of the very people it is intended to serve. It is thus imperative that continued rationalisation and streamlining of the Public Service remain a priority of economic policy. In this regard, I would call for legislation enhancing the powers of the Public Service Commission to provide a dynamic and relevant Public Service policy which will ensure the transformation of the Public Service into an efficient and effective mechanism for executing government policy.

A further mechanism for maximising the available resources of the country is to upgrade the existing technology and systems of revenue collection. In this regard, the Katz Commission has made significant progress in developing an improved strategy for enhancing the ability of the State to access revenue due to it via taxation.

On the issue of individual taxation it would be immoral and self-defeating to burden the lower-income earners with the cost of social development and redistribution. In this vein, the Joint Standing Committee on Finance in its recently tabled report to Parliament on the Katz Commission rejected proposals for these taxpayers to be further impoverished by an unbalanced and inequitable tax structure.

It is strongly felt in many quarters that a permanent watchdog body or institution should be established to monitor and recommend adjustments to the taxation system on an ongoing basis. A dynamic and variable economy, in the

throes of transformation and adjustment to international markets, will require a tax policy which constantly offsets and balances the benefits of specific tax structures to the State, on the one hand, and the national economy, on the other.

In the latter part of last year, Deputy President Mbeki and the Minister of Finance, Mr Liebenberg, announced a multifaceted plan to underpin the effective management of monetary and fiscal policy. Stringently prioritised budgeting and departmental fund allocation is the cornerstone of a sound economy and the policy must be applied at all levels of the administration from local, through regional, to central Government.

To give effect to this policy it follows that a process of goal-directed Government expenditure is adhered to and supported by improved and refined methods of expenditure control and audit. In this regard the Department of Finance has been explicit and exacting in its implementation of transparent procedures to ensure accountability and the Ministry's ongoing liaison with the relevant parliamentary committees is extremely encouraging.

To lend weight and credence to the prioritisation strategy, I once again call on our Government to review the necessity, real cost-efficiency and indeed the moral acceptability of Armscor, Denel and associated industries. Indeed, with the new budget waiting in the wings, it is my fervent hope that spending on the defence budget has been carefully assessed and not been apportioned at the expense of people-oriented programmes such as the RDP.

The ongoing budget deficit reduction strategy of the Department of Finance and the concomitantly reduced need to service interest charges on loans will go a long way towards restoring the economy to a sound footing.

Increased exports of value-appreciated goods remain one of the surest ways to stimulate economic growth. In this regard the implementation of sound trade and labour policies will ensure South Africa's ability to compete in and penetrate international markets.

Here, the establishment of the National Economic Development and Labour Council will provide a forum for business, labour and the State to formulate a co-ordinated approach to

economic growth, development and long-term prosperity.

Furthermore, I am convinced that this forum will be instrumental in formulating policies which will convert the South African economic environment to one which is attractive to local and international investment and develop the economic capacity to sustain and enrich all the people of our precious new democracy.

Senator R J RADUE: Mr President, I want to say in response to Senator Lausberg that the NP accepts the challenge for pro-active efforts at transformation in the new South Africa.

President Mandela spent considerable time on our judicial system in his Opening Address, and rightly so. Now that we are in a new, free, open, nonracial, democratic society it is necessary and appropriate for all of us to reconsider the image of our judicial system, its judges and other judicial officers.

The ANC have for years, as a result of their experience under apartheid, had the habit of describing judges, magistrates and our judicial system as lacking credibility, "illegitimate", having a tarnished reputation, unrepresentative and even at times as "racist".

The unhappy truth is that, although we have established a new, nonracial, democratic order, there are still academics and ANC politicians, some of whom are in high places, who cannot rid themselves of these habits. They cannot break out of the past and they continue to disparage and denigrate the present judicial system. The term "illegitimate" is still too loosely and too often used.

The new NP has broken with the past. We have dumped the old baggage of apartheid. [Interjections.] We are a new party. The NP of today says that the time has come for all South Africans to change their attitude towards our judges, our magistrates and our judicial system. If we are to live in a constitutional state in which the courts play a critical role, we as ordinary South Africans, as public servants, as academics and as politicians will have to develop a new culture of respect and reverence for our courts and the judicial officers who administer justice in those courts.

The fact that the Supreme Court Bench is still not properly representative of our society is true.

This must be and is being corrected. However, it is also true that, with a few exceptions, our judges have impartially and, at times, courageously administered justice over the years in a bold and fearless manner. They have sought to protect human rights when no bill or culture of human rights even existed. Often they ruled against unjust laws and practices and succeeded in upholding the independence of the judiciary in the most difficult of circumstances. This was so much so that, despite all that happened during those dark years of apartheid, the Supreme Court Bench in South Africa held out a beacon of light and hope and earned the highest respect even of international jurists. Let us pay tribute where tribute is due.

In the spirit of reconciliation and renewal the NP urges all South Africans to develop and to show new and greater respect for our judicial system as a whole. All of us can do so for good reasons. Firstly, we have a new, credible Constitutional Court, described by President Mandela in his Opening Address as "a giant step in the transformation of our judicial system", and indeed so it was.

The eyes of the whole nation are focused on this elevated and immensely powerful arm of our constitutional state. This court bears the awesome responsibility of interpreting the Constitution with its Chapter on Human Rights and, through its decisions, has to set the foundation upon which our new democratic state will function.

Another good reason for developing new respect for our judges and our courts is that the process of transformation has commenced even in the Supreme Court. The Judicial Service Commission has recently recommended the appointment of Justice Hlope to the Western Cape, Justice Tshabalala in the division of the Ciskei, Justice Somyalo, the first attorney ever, in the division of the Transkei and Dr Navi Pillay, who now has an acting appointment in Natal. The fact is that the face of the Supreme Court Bench in South Africa is changing markedly to match the society in which we live. We can no longer say that the Supreme Court is unrepresentative.

Thirdly, the abhorrent racial laws, which our courts were required to apply, have been abolished and it can no longer be alleged that our judges or magistrates administer injustice.

Fourthly, in terms of section 35(3) of the Constitution our courts are now required to apply the spirit, the purport and the objects of Chapter 3 of our Constitution when interpreting any law before them.

The NP's vision is that all South Africans should now perceive the courts and our whole judicial system to be the source of justice, truth, impartiality, fairness and reasonableness, equity and equality. Let us cease to malign our courts with negative criticism. Let us constructively continue to improve the system and let us, in future, give our judicial system the honour it truly deserves.

THE DEPUTY MINISTER FOR INTELLIGENCE SERVICES: Comrade Deputy President of the Senate, comrade President Nelson Mandela, comrade Executive Deputy President Thabo Mbeki, in rising to speak to this House, let me also offer my congratulations to the President for his bold and decisive leadership which was demonstrated over the past nine months.

The President in his address dealt with the cardinal challenges facing our nation and called for decisive actions aimed at the transformation of our country and making it a better place for all. Furthermore, allow me to extend such congratulations to the members of this House and to members of the various provincial governments for the distance we have collectively travelled down the road to democracy in such a short period.

However, we should be constantly aware that there is still much that needs to be done. Since the April elections we have enjoyed the privilege of relative stability in the country. The challenge before us is to translate this into lasting security and thus create favourable conditions for a speedy economic takeoff and for the bringing in of the much-needed foreign investment. Now, more than ever, we must give serious attention to the adoption of a broad national security policy which presupposes the active participation of all Ministries, national and provincial political parties and organs of civil society.

Such a policy should at least be based on the following: The speedy implementation of the RDP to meet the basic needs of our people; the implementation of a programme designed to transform all State structures to meet the above and to produce an environment that prevents

governmental paralysis and social disruption; the implementation of a programme designed to improve the efficiency and effectiveness of the security forces. Such a policy must be based on democracy, peace, stability, development and the urgent implementation of a regional security policy that addresses the security problems of the region, based on mutual respect, co-operation, mutually beneficial trade, development and regional stability. In this regard, an urgent regional summit should be a priority.

Whilst it is accepted that South Africa does not face a military intervention threat to its sovereignty, many other issues and challenges have appeared on its destabilisation agenda. Such issues include organised crime; drug trafficking linked to international cartels; illegal arms trade and arms smuggling; dangers of arms proliferation; money-laundering and other serious economic crimes; rampant corruption; criminal and political violence and an influx of illegal immigrants as a result of regional destabilisation, internal conflict and social dislocation.

Our hope to resolve or contain these challenges lies in our collective effort by the various formations of our young nation and a speedy transformation of the security forces on the basis of loyalty to the new dispensation.

Yet, it needs to be emphasised that the narrow security role must be subordinated to the political initiatives in the search for peaceful solutions.

Turning specifically to the Intelligence Services, let me take this opportunity to inform hon members that the Intelligence Services have long embarked upon that rocky and painful road of transformation. The successes they have recorded to date have been heartening, to say the least.

Sensitive to the country's new political dispensation, we have presented to the citizens of this land a new Intelligence dispensation, as reflected in the different Acts passed by this legislature.

This dispensation was neither a recasting of the old, nor was it more of the same. The new Intelligence Services of this country are precisely that—new, legitimate and representative of all sectors of this country, based on a broader understanding of security that holds that at the centre of the security of the State lies the security of its people, human security.

Let me also say that the different measures of control and accountability provided for in the legislation put our intelligence dispensation among the best-structured in the world in respect of its consistency with democratic values and norms.

It would be worth repeating what we said here last year, ie that never again will the Intelligence Services of this country either view the citizens of this land as the enemies of the State, or keep files on them; never again will the Intelligence Services view political parties as a threat to the security of the State; never again will the Intelligence Services interfere in the internal affairs of political parties; never again will the Intelligence Services be involved in unconstitutional and illegal activities directed against the citizens of this country, simply because they oppose the government of the day.

In respect of access to the information held by the Intelligence Services, the following needs to be said, ie that there shall be no destruction of files or information held by the Intelligence Services to date in respect of the country's history.

However, a policy in respect of the public's access to this information urgently needs to be put in place. This policy must be informed by the wisdom of all interested parties, inclusive of the Government and organs of civil society, consistent with the needs of an open society and sensitive to the interests of our country and the security of the nation. This policy must reflect a sincere effort to find, in real terms, the balance between secrecy and transparency, and must make provision for the declassification of information held by the Intelligence Services.

The matter of existing files will be given priority and tabled at the very first sitting of the National Intelligence Co-ordinating Committee—Nicoc—for discussion.

The Intelligence Services can and must be allowed to make a significant contribution to the security of our people, irrespective of race, class or creed, thereby freeing them from the nightmares of fear and the ravages of want. In this I give hon members my assurance that they will not be found wanting.

However, for them to serve the country silently, and often without praise, they require hon members' support, respect and the necessary

financial resources. We trust that hon members will give them their fullest support in all these matters.

Ms J FERGUSON: Mr Chairperson, Comrade President, hon members, I have a four-year old boy who likes to play fighting games. Witnessing what happened yesterday, it seemed as if very little changes between the age of four and forty for some of the male members of this gathering. [Laughter.] However, as Senator Lausberg alluded, and a very interesting commission on global governance which addressed a few members of Parliament and other leaders of the community two days ago said, hopefully, there will come a time when there would be no more need of governance. However, governments do not particularly like to hear that. So, I will leave that point for a later debate. [Laughter.]

Government's reliance on reports of statistic averages to create a picture of the common man or the common woman is the safety net that hangs beneath our perceptions of the world over which we claim legislative responsibility.

In this debate, I would like to speak on behalf of the uncommon woman, the uncommon man, the outcast, the "outie", the weak link in the chain, the different, the infected, the dying, the lost and those that meet the moral censure of our society.

I was privileged to attend, two days ago, a report from the Commission on Global Government. I am sorry that the address was not delivered to Parliament, but what grabbed my attention was the title "*Our Global Neighbourhood*". Yes, the world as a neighbourhood—our continent, our region, our country, our township, our streets, this Chamber of Parliament—a neighbourhood. It was especially moving to be reminded what an inspiration our South African story has been for our neighbours—how they are watching us. "Please just don't fail," came the plea.

The Government of National Unity represents a revolutionary leap in the definitions of democracy as it has been perceived till now. It is a government that included minority parties in a magnificent gesture of peace and reconciliation. This has stopped the tide of blood that spilled so tragically and unnecessarily throughout the entire southern regions. Those of us most wounded, were the builders of the bridge that spans this nation's Blood River. I think of the

sunset clause that emanated in Comrade Joe Slovo's last rays of his life's light.

We are gathered now in the growing familiarity of this august Chamber—an inspiring leadership, the most inspiring being the most humble: people who have done time in their lives; done time in the school of struggle; learnt the lessons of commitment to the common good, the uncommon good; laid personal dreams, ambitions and family life aside to do this extended national service. This is the spine of this Government, its heartbeat and its mind. This is what we often forget to acknowledge, in all humility—the miracle as the daily drudge of problems and struggles beset us.

We are here representing much more than we can ever imagine, and greater than the sum of all our parts. Let us not forget that awesome responsibility. Let us not become distracted by our differences—our divides, our fences that always need mending, our cattle that stray, our disobedient children and their temper tantrums, our rivers that run dry, our storms of hail and our clouds of locust. Let us not be distracted. There is a beautiful Hassidic saying that says: If not for myself, who will be? If for myself alone, what am I? It is the noble perusal epitomised in the concept of “a better life for all” that resonates beneath our President's address.

In this new year, it has been a time for the renaming of our vision. In the year 1994 we began to reclaim, reconstruct, recreate, reunite, restitute and remember for the common good of all—the common good of this, our neighbour-hood.

However, comrades, as we investigate the metaphor of the neighbourhood, let us take a camera and zoom in close up, on an area of the small link in the chain that is the weak link and therefore, the most deserving of our care and concern.

This lies in the area of the most personal, in the area of the family, in the hidden crevices of the sidewalk of the city, and scaling the fences of our country's borders. These so-called burdens of society—“lumpen” is an unfortunate word some Marxists are keen to use. In our close-up, we find the severely isolated and alienated of society: the uncommon woman, the uncommon child, the statistic with no tears on its face—the 49 women burnt as witches last year in the Northern Transvaal. One woman was a grandmother of 78

years, whose grandson of ten was forced to set the hut in which she was hiding alight. A teenage girl, barely a woman, who finds herself pregnant and desperate and forced to the back-streets where dishwashing liquid or a wire coathanger and R100 will probably not ease her pain. The 28-year-old man who molests one boy, then two, then three and then kills the fourth and the fifth and the sixth and the seventh, and we find that he was molested as a child and he can actually do no better. Where are the neighbours when a girl finds she secretly loves other girls but that love is forbidden and she sinks into a deep depression which numbs most of the years of her life? Where are the neighbours?

Where are the neighbours when a wife finally, after 24 years of abuse, including having to wear a dog collar and be sodomised by her husband, finally shoots him and then gets jailed? Her sentence is likely to be 10 years more than that of a man committing the same crime. Where are the neighbours then?

We place our mentally disturbed in places way out of sight and our criminal youth far away beyond the high walls of reformatories out of the neighbours' way. We ignore the daily needs of our physically handicapped that they require for participation in society because we, the neighbours, are too distracted to notice. [Time expired.]

*Senator Dr P J GOUS: Mr President, I basically want to talk about agriculture in this Chamber today, but I have to say something about the NP and something about the ANC too.

The first point I want to touch on relates to certain remarks the hon member Dr Boy Geldenhuys made here yesterday about the FF. I want to tell him and the NP that the FF does not expect the ANC simply to do something for the FF in a whisk through kind-heartedness. However, I am of the opinion that we shall probably obtain what we want by co-operating with the ANC rather than with the NP. [Interjections.]

†I want to tell the NP today that I respect President Mandela, because he spent nearly 30 years in jail for his own people, and he fought for his own people. While my own Afrikaner people in the NP were in power, they stepped on us and did to us what they also did, at the same time, to some of the Coloured and Black people in this country. [Applause.] [Interjections.]

*The hon the Minister here in front of me says I am lying (lieg).

*The MINISTER OF AGRICULTURE: No, I said that you are confessing (bieg)!

*Senator Dr P J GOUS: I want to tell the hon the Minister of Agriculture his predecessors first asked everyone what their party affiliation was before they were approved for agricultural credit committees or for appointment to the Land Bank. [Interjections.] This is exactly the example which they set for these ANC people. Surely they will follow suit. [Interjections.]

We do not have to plead here for recognition like Dr Boy Geldenhuys did yesterday by saying the ANC people should consider the NP because they represent the majority of Afrikaners.

We shall do our best in the way we can. I briefly want to give the NP the advice that the time for a party led by Whites to take over the government in this country is past. They must realise this. [Applause.] They must realise that they must stop telling the Afrikaner they are going to take over the government, just as they told the Afrikaner they guaranteed public servants that they would keep their posts. That was six, nine or even ten months ago. They said they guaranteed the police generals that they would keep their posts. They said they guaranteed us our own schools and residential areas.

I want to ask them to separate the Afrikaner from the NP so that the Afrikaners can come together in order to find a home (*heimat*) in this country. They must stop fighting that desire of a group of Afrikaners. They must please stop that, for then we can be friends as well.

I now want to address the ANC.

†Dr Zuma referred here to apartheid. She blamed apartheid and said people were dying here and that they were going hungry. It may be so, but there are a lot of other reasons. She may feel very strongly about apartheid. However, I would like her to visit Africa. I have been in certain parts of Africa in the past few months where they have not had apartheid. [Interjections.] No, Dr Zuma is an educated person. She is a medical doctor and should know better. In Africa there are a lot of other reasons why people are dying of hunger and why they are going hungry. They have not had apartheid.

There are a lot of other reasons in Southern Africa. One of them is that we do not co-operate across borders in areas where we can help one another. There are other reasons that I can refer to.

*The next point I want to address the ANC on is that the ideal of the Afrikaner—at least that of a major part of the Afrikaners—of an own volkstaat, an own home (*heimat*), will never disappear, but we shall obtain it through negotiation in a constructive way in the interest of South Africa and the whole Southern Africa. We shall indeed acquire it through negotiation.

†One lesson to learn—I would like to address the ANC in this regard—is that progress in the country can be destroyed, and a political party can be destroyed overnight, if jobs in high positions are going for cronies and for ex-politicians—especially ex-politicians. Learn from the past. If you start to fill the Public Service with your own people who are politically loyal to you, you start destroying the Public Service on that very day.

*I want to touch on a fourth point I think the ANC should seriously think about. I want to read to them from a Bill.

†This Bill actually served before a committee yesterday: The Town and Regional Planners Amendment Bill, 1994. It was accepted by all the members of the committee, and the ANC supported it strongly. Paragraph (c) in the memorandum on the objects of this Bill states the following:

In order to stimulate the free market system it is undesirable that fees should be determined by a Minister.

This is very important:

Each professional person should have the right to negotiate with his or her client in order to agree to a reasonable fee for services rendered.

*However, among the ANC we find Ministers who in public to me seem to be favouring minimum wages.

†They support minimum wages. When it comes to agriculture they get up in public and they say: "These guys claiming and arguing for minimum wages are absolutely right. We should support them."

*How can we on the one hand have the free-market approach from the ANC and their supporting it in Parliament and on the other hand their going to the side of minimum wages? Surely these two do not correspond.

I would like to ask those on the ANC's side something else too. There are people who are bedevilling relations between the farming community and those leaders, like President Mandela, who have gone out of their way to help create good relations, by unnecessary acerbity and with unnecessary destructive statements about the farming community. I kindly ask them to consider themselves in this regard as well.

†I would like to address the Government of National Unity on one point and that is: Let us stop talking about constitutional guarantees. Let us stop talking about the recognition of property rights. Let us start to protect property rights in this country.

Do hon members know what is happening? People come across the border from Lesotho and they raid the farms to the east and the west—it does not matter where—in the Free State.

*We have the situation that stock theft in many parts of this country is taking on such proportions that farmers cannot give away their land any more, let alone sell it. It is also happening to Black farmers, not only White farmers. Let us stop talking about the recognition of property rights. Let us start protecting property rights. Then I will talk to the Government as a whole, not only to the ANC in this regard.

As far as the Africa project is concerned, I would like to dwell on it for a few moments. On the Highveld the drought is today destroying everything we have there. The hon the Minister of Agriculture could inform hon members that we are not going to have enough mealies in this country to feed ourselves this year. South Africa is an agriculturally unfriendly country.

On the economic front doors have opened up for us in the broader Southern African context. However, in our deliberations with these countries we shall have to tread carefully, and that is why it must take place on a structured basis and in co-operation with the Minister of Agriculture and other Ministers.

I would like to present to hon members only two examples with regard to Mozambique. The Pres-

ident in Mozambique talks Shangaan like many of our people in Northern Transvaal talk Shangaan. It is his own people, on both sides of the border, who stay there.

He, along with his cabinet, feels very strongly about matters such as water. We pollute the water on this side. They tell us they get the mess on the other side. They tell us we are over-exploiting the water of the Limpopo and they are not getting sufficient run-off any more, which results in their river salinising from the lower end. They say they feel strongly about this matter and they are going to discuss it at the highest level, and will take it further if they do not get satisfaction.

They also feel very strongly about the one-sided trade balance which is working against them completely. It is currently an amount of R1 billion. We sell to them and they sell nothing back to us. If we move into Southern Africa, we must be sensitive to thorny issues such as these. We must be conscious of the fact that national borders which were drawn artificially perhaps hundreds of years ago, are not true borders which can separate families, and problems such as these will have to be solved if we want real and positive co-operation from the people of these countries.

We can work across these borders if it is done from state to state on governmental level. There are a large number of farmers in this country who are prepared to do their best in the context of Southern Africa because the expertise of this farming community can be utilised there. [Applause.]

ISEKELA LIKANGQONGQOSHE WEZO-LIMO: Sekela-Mongameli wendlu yeZigele, Mongameli weNingizimu Africa, Sekela-Mongameli, malungu ePhalamende ahloniphekileyo, kube yintokozo ngeviki eledlule ukuthola inkulumo kaMongameli ewumhlahlandlela wokuthi yini okufanele siyenze njengomphakathi waseNingizimu Africa, ikakhulukazi thina lapha ePhalamende esikhethwe ngabantu ukuthi sakhe kabusha lelilizwe. Ngenxa yesikhathi ngizothi qaphuqaphu ezintweni ezimbili ezishiwo ngu-Mongameli enkulumeni yakhe.

Okokuqala ngizakubheka indlela ezolimo ezingabamba ngayo iqhaza ekuthuthukiseni umnotho walelizwe nasekwakheni imisebenzi. Okwesibili ngibheke ukuthi ngabe labantu okuyi-

bona abasebenza nabalimi, ikakhulukazi labo abaqhashwe nguHulumeni, sizakwenze njani ukuthi basize ngendlela okuyiyona lapho kufanele sakhe kabusha. Labo ngabasebenzi abaqhashwe nguHulumeni, i'Public Service'. *(Translation of Zulu paragraphs follows.)*

[The DEPUTY MINISTER OF AGRICULTURE: Hon Deputy President of the Senate, hon President of the Republic, hon Deputy President, hon members of Parliament, it was a pleasure to get the speech from the President of the Republic last week which was an outline of what we are supposed to do as the citizens of South Africa, especially we in Parliament, who are elected by the people to build this country. Because of the limited time at my disposal, I will refer briefly to a few things that were said by the President in his speech.

Firstly, I will outline the ways in which agriculture can help economic development in this country, and how it can help to create jobs. Secondly, I will look at how the people who are employed by the State to work with the farmers can productively assist in building the country. These are the people employed by the State, namely the Public Service.]

In the agricultural sector we are looking at how the development of a smallholder farming economy can contribute to the overall economy of the country. It is indeed proven that the sector is a major player in the economy and it marks the second largest earner of foreign exchange. Thus, there are challenges to sustain and even develop this capacity in the medium to long term. In short, it does not only increase the sector's contribution to the economy, but will result in the creation of jobs and impact positively on food security. Various challenges therefore emerge as critical issues to be debated and resolved by us as Government in order to ensure progress.

The development of a smallholder farm economy would require close co-operation between the Government and farmers, strong sectoral linkages between agriculture and industry, and a judicious application of capital, technology and organisation. Let me demonstrate this with some examples.

In research, for instance, the efficient production of agricultural goods, which is our major task, is now being hampered by the recurring drought.

This could, as has already been demonstrated in past years, have a devastating effect on our economy. Yet we need to have a growing economy at the same time. Some of the options require us to look for opportunity in the inter-sectoral linkages and formulate policies that strengthen them.

The accessibility and transfer of appropriate technologies to all new entrants to farming is an important factor in the drive to increase productivity. However, in the light of the changed policy, economic and climatic environment, we need to farm with a difference. I pose the challenge, therefore, for innovation in the research and technology side as a contribution to the development of technological options which will help us cope with the changing climate, and yet maintain higher yields, irrespective of the scale of farming units.

I think that it is important to inform the hon members here that South Africa is in a drought-prone region, and we are continually going to have drought at any and all times of our lives and therefore it should not be a surprise every time this occurs. All we need is to look at how we are going to cope with such a reality in this country. When we say that we need to farm with a difference, it means that we have to look at particular choices of farming systems. That would call for diversification, but it would also call for a southern regional strategy aimed at food security, even though that may have its problems.

Science research has a role to play, but it is quite a costly activity. In South Africa, agricultural science research is driven largely by public resources, a factor which should not fundamentally change. In order to retain the use of public funds, however, in my view they should be allocated to research and development which addresses our immediate priorities, for example in relation to our drought-proneness.

The President referred to transparency in the use of public sector funds, and I concur with that position. Research should be demand-driven. The clients and consumers of the products of research who are also contributors to public funds should be able to know how and where these resources are spent. Furthermore, the private sector can explore cost-sharing partnerships with the Government in order to identify and support research of common interest.

Different line Ministries also can jointly support specific research efforts, as there are a range of cross-sectoral issues addressed through research. In short, the critical issue of State-funded scientific and adaptive research is one which cuts across Ministries and necessitates a co-ordinated approach. However, the starting point involves informing ourselves of the amazing resources that already exist in the country and the potential it has. We do have an Agricultural Research Council. How does the ARC at present offer support to the diverse sector of agriculture that we have? How will it adapt to the needs of the small and emerging farmers in this country? That is a challenge we are going to face.

How are we going to reorientate the available resources we already have? Some of those are within the Government, but some are privately owned by the private sector. Around the issue of resources one may need to look at how finances are allocated in order to support farmers. It is a critical issue and a controversial one, particularly where we have to share the sparse resources that this country has.

Last year we tried to support farmers with production loans. However, one of the difficult challenges we faced was that of the systems of delivery that we still have and that have their own problems. The extent to which one may support the needs of the emerging farmers will be a challenge that this Government will face. It is not only a question of supporting them in production, but also supporting them in accessing or acquiring the land which is a limited resource, as we all know. While emerging farmers have an almost desperate need for resources, they are also faced with financial and production management constraints.

It is therefore critical that the Government and its partners should look at how we can enable our farmers, in particular, to actually be able to manage the resources that they are supposed to utilise. In interpreting the need for fiscal discipline seriously, our approach in agriculture would be to move away from an entitlement approach which perpetuates a dependency relationship between farmers and the Government, the *ndiphe* [begging syndrome]. We know that it is not the choice of the farmers, but it has been inherent in the system.

I think we need to challenge ourselves as to the extent to which we are going to support the

farmers, and the extent to which we can be in partnership with farmers. We will probably have to explore a user-pay system where, for certain services, there will be some costs that the farmers will have to contribute to, and the Government will meet them halfway. It may be a difficult challenge, but it is one of the processes that we have to explore. [Applause.]

*Mr S J SCHOEMAN: Mr President, allow me to refer at the outset to a matter which two speakers spoke about earlier. I am referring to the hon Senator Gous. Not once in all the time I have been in this Place have I ever delivered so immoral a speech as the one which the hon member made here this afternoon. Never in the past has such an immoral standpoint resounded from this podium.

Why do I say that? Surely the hon Senator Gous was a member of the CP when the NP, under the leadership of Deputy President De Klerk, decided to unban the ANC, to release President Mandela and to unban all the organisations. Now he stands here this afternoon and sanctimoniously delivers a speech that prompts me to ask him when he had this Damascus experience, which caused him to change his point of view. Where was the CP? What did the CP do?

Surely the CP left this Chamber when Mr De Klerk delivered his speech. [Interjections.] Surely the CP sat in those seats and denounced as a traitor every NP speaker who stood up and said that we had to negotiate with the ANC, and then they walked out one by one. [Interjections.] Is his memory that short? Where was the hon Senator Gous? What has happened to the hon Senator Gous in the meantime?

*Senator A E VAN NIEKERK: He sat and confessed!

*Mr S J SCHOEMAN: That, I tell you, is absolute nonsense. I only hope his supporters will read this little speech of his carefully.

*An HON MEMBER: There is only one reason—he is born again. [Laughter.]

†Mr S J SCHOEMAN: There is a saying that discipline without freedom can lead to tyranny, but there is also a saying that freedom without discipline can lead to anarchy. [Interjections.] The NP acknowledged that the previous dispensation did not make provision for the freedom of all the people of South Africa.

An HON MEMBER: Apologise for the laws of apartheid!

Mr S J SCHOEMAN: Therefore, under the leadership of Deputy President De Klerk, we freed all the people. The NP freed all the people in this country. [Interjections.] It is true. [Interjections.] It was the result of the guts, the courage, the conviction of Deputy President De Klerk who decided to stand at this podium on 2 February 1990 and make that speech. [Interjections.] It is true. Is it not true? [Interjections.] It is true, thank you. [Applause.] The NP has turned its back on apartheid. [Interjections.]

However, from time to time it seems as if the ANC wants to revive apartheid. [Interjections.] It was an anti-apartheid movement, so they fought against apartheid. I respect the ANC for having fought against apartheid, but we have now arrived in the new South Africa. Accept the fact that we have turned our backs on apartheid. [Interjections.] Ask yourselves the question whether you are fighting a ghost, because you revive apartheid from time to time, when it suits you. [Interjections.]

There is a more serious concern. Many people now lightly refer to racism and they try to build it up as the enemy that is replacing apartheid. We have also turned our backs on racism. [Interjections.] We have also said goodbye to racism. [Interjections.] Yes, whenever racism occurs. We are also against racism. You do not have the sole right to that.

I said that, without freedom, things could have developed into anarchy. We endorse the statements and the position taken by the President of the Republic regarding discipline, because in this country freedom without discipline can develop into anarchy. Therefore, we have strongly endorsed the President's sentiments and statements. However, I am afraid that not all his members agree with him. [Interjections.] In today's *Cape Times* it was reported that: "Some SACP MPs, who preferred not to be identified, were clearly unhappy . . ." with some parts of his speech. I am not sucking this out of my thumb. [Interjections.] I ask those ANC members who disagree, to stand up. Have the courage to stand up here and say it. [Interjections.]

We need to restore civil order here. Some people in this country have, to an extent, developed what I want to call the "grab factor". People

cannot just grab houses, grab land, grab schools and just take them. [Interjections.] It is not in the interests of the country. If we want to build a society where we have civil order, we cannot allow people just to grab things. [Interjections.]

Children must respect their parents and teachers. It will be of no use if we build many schools, but the children do not go there or else do not respect the teachers. Then the teachers will not go to school and they will not teach. In this country we need to restore and develop civil order.

We will assist you and we will be there. [Interjections.] We will have proposals on these issues in order to assist in restoring civil order in South Africa.

The hon the Minister of Transport, Mr Mac Maharaj, unfortunately is not here. He said that we must have a cultural change, and I agree. [Interjections.] Just listen. We must have a change of the culture of nonpayment, of grabbing things and of just entitlement, as the President said in his speech.

We must develop a culture of turning around and asking, "What can I contribute?" rather than, "What can I grab?" It is not in the interest of the country to have that kind of attitude. It cannot contribute to building a better South Africa.

*In conclusion I would like to deal with the constitution-drafting process. When it comes to the Constitutional Principles, there are signs that some ANC members want to do away with them. I am thankful that the President referred to the Constitutional Principles, because they currently form the entrenched framework according to which the new constitution must be written. The Constitutional Principles are of the utmost importance to the NP and we will make sure in the contributions which we make that they are respected.

I just want to highlight a few of these principles, because time does not allow me to speak about them all. In the first place I want to refer to Constitutional Principle IV, which provides that the Constitution, and not Parliament, is the highest authority of the country. [Interjections.] I now hear murmurings that indicate that this must change. We have established a constitutional state. We have implemented a Constitutional Court. We have therefore inserted in that Constitutional Principle that the next constitu-

tion will also be obliged to establish such a constitutional state. I think it is an important facet of the Constitution. It makes it different and better.

Secondly I want to refer to Constitutional Principle XI. This principle provides for the variety of language . . . [Time expired.]

The DEPUTY MINISTER FOR PROVINCIAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT: Mr President, on 19 April 1994 the ANC entered into an agreement with the IFP and the NP in terms of which all parties agreed to bend over backwards in order to allow the IFP to participate in the first democratic election which was a mere eight days away.

In bending over backwards even further, the parties submitted to the IFP demand that international mediation take place after the elections. The ANC was party to this agreement and acknowledges as much. Members would recall that in my speech to the very first meeting of the Constitutional Assembly, I said that the ANC intended to honour that agreement. On numerous occasions the President of the ANC also acknowledged the agreement and made it clear that the ANC had no intention of reneging on that agreement.

It is our view that one cannot separate the importance of implementing the agreement on international mediation from the actual need for it to take place. We are also of the view that in addressing the agreement we should be honour-bound, but also logical, rational and purpose-oriented. It is for this reason that the parties to the agreement appointed a three-person committee to take a closer look at the whole issue. The mediation had to be about something and that something had to be defined.

If there has to be international mediation, or for that matter any mediation, then it has to be about resolving an impasse. An impasse presupposes that there is disagreement on an issue or set of issues. This in turn would presuppose that the parties to the conflict have presented to each other their more detailed positions on the issues at stake.

At the very first meeting of the subcommittee I requested the IFP representative, Dr Mzimela, to outline the issues which the IFP wished to have subjected to international mediation. He responded by requesting me to outline the issues

which the ANC wished to have subjected to international mediation. My response to him was that there were no issues which the ANC wanted to subject to international mediation. We are of the view that South Africans are more than capable of drafting the new constitution on their own.

The truth of the matter is that the world is now looking towards South Africa to learn lessons in conflict resolution. It was only at a later meeting that the IFP representative outlined the following as the issues which they wanted subjected to international mediation.

The boundaries of the Kingdom of KwaZulu. When I asked for clarification, he made reference to the dispute over East Griqualand, the role of the monarch, the right to self-determination as far as the people of KwaZulu are concerned and the constitutional status of the Kingdom of KwaZulu within a united South Africa.

I did not see my way clear to recommending to my party that these issues be subjected to international mediation on four separate counts. Firstly, in January 1995 the Premiers of the Eastern Cape and KwaZulu-Natal entered into an agreement on the establishment of a judicial commission of inquiry as a mechanism to assist in resolving the border dispute between the two provinces.

In fact, the day before the IFP's walkout from Parliament I chaired a meeting here in Cape Town between the two provinces at which details of the judicial commission of inquiry were thrashed out in a rather amicable and friendly manner. Now, for what possible reason on earth should I want this issue to be sent to international mediators? Should I now reject an approach which enjoys the support of the governments of the Eastern Cape and KwaZulu-Natal? We can bend over backwards, but not to the point of becoming completely illogical.

Secondly, since the other three issues deal with the monarch and the monarchy, which political party of the three will speak on behalf of the King and the Kingdom? What on earth gives the IFP the authority or sole right to speak on behalf of the King and the Kingdom? Nothing gives the IFP more rights in this regard than the ANC, which also represents subjects of the King.

Thirdly, the interim Constitution itself already deals with these issues. Section 160(3)(b) says that a provincial constitution may "where applicable, provide for the institution, role, authority and status of a traditional monarch in the province, and shall make such provision for the Zulu Monarch in the case of the province of KwaZulu-Natal". So what more is there to mediate on this question?

Furthermore, Constitutional Principle XXXIV says of the schedule of Constitutional Principles that:

This schedule and the recognition therein of the right of the South African people as a whole to self-determination, shall not be construed as precluding, within the framework of the said right, constitutional provision for a notion of the right to self-determination by any community sharing a common cultural and language heritage, whether in a territorial entity within the Republic or in any other recognised way.

The constitution may give expression to any particular form of self-determination provided there is substantial proven support within the community concerned for such a form of self-determination. This clearly provides a constitutional framework within which any desire for self-determination, if it exists at all, should be pursued as the Freedom Front is doing.

Fourthly, the King himself, it has been reported, sees no need for international mediation to determine his constitutional future. I said in the committee of three that surely this factor cannot be ignored. The IFP representative, the Minister of Correctional Services, responded as follows and I quote him: "The King's views on these matters are irrelevant." I rest my case.

May I conclude by saying that inasmuch as we are not opposed to international mediation, the issue of international mediation is being used as a smokescreen by the IFP. It is part of the IFP's strategy of grievance politics which has been used over the years to mask its real intentions. The IFP is hoping that international mediation will give it a role in the constitution-making process which is far out of proportion to its actual support in South African society as represented by its presence in the Constitutional Assembly. We cannot allow a situation in which international mediation will be used to undermine the

electorate's rejection of the IFP as a major role player in the constitution-making process.

Finally, I am of the view that the IFP first planned the walk-out and then engineered lack of progress on international mediation. I say so because in the subcommittee, the attitude of the Minister of Correctional Services was such that even if the ANC and the NP were overenthusiastic about international mediation, no progress would have been made. The IFP needed a pretext or mere excuse to walk out so as hopefully to precipitate a crisis. [Applause.]

Mr A G EBRAHIM: Hon President of the Senate, hon Deputy President Mbeki, hon Deputy President De Klerk, members of the National Assembly and the Senate, the PAC listened attentively to the important address of President Mandela in which he reviewed the short democratic period in our country.

Eight months, for any administration, is a relatively short time to register outstanding successes or to take into account grave shortcomings. To substantially and fundamentally undo the past and pave the way for comprehensive overall reconstruction, requires a great deal of time.

The President in his address, however, identified certain core problems facing the country. One of these problems he emphasised, was the collective need to rid our society of both politically motivated and criminal violence. The vast majority of our people literally live in fear because senseless murders, armed robberies, hijackings, rape and abuse against men, women and children have become the order of the day in many areas.

Those perpetrating these acts are indeed a minority, but a menacing minority in society. The police-community relations will therefore have to be established and strengthened to weed out these elements.

The strengthening of the law enforcement agencies alone will not effectively end violence in our country. The new democratic dispensation and the establishment of democratic institutions must remove the use of politically motivated violence to achieve political objectives.

As regards continued criminal violence, we must collectively strive to establish an environment that will make it difficult for criminals to operate. After all, criminals are the product of the environment, be it political or socio-economic.

There are approximately 3 million youths in our country, mainly school dropouts, who are at present unemployed and also unemployable. In seriously addressing the grave issue of escalating criminal violence, a programme must urgently be devised to bring the 3 million youths into the mainstream of society.

The PAC proposes that vocational institutions be opened in each of the provinces as a matter of urgency to absorb them. They should be trained as bricklayers, electricians, motor mechanics, painters, etc, so that they can become either self-employed or employable. This will not only reduce the growing crime rate in our country, but also greatly contribute to the much-needed economic growth as well.

The unemployment rate in our country is too high, and that is an understatement. Job creation must be the priority if we are to effectively deal with violence in the country. In this regard the PAC welcomes the formation of the National Economic Development and Labour Council, Nedlac, which will bring together representatives of the Government, labour, capital and civil society.

Economic development with the full participation of the Government, labour and private sector as well as civil society can greatly contribute towards curbing strikes and the growing wage demands that we are faced with.

The President in his address also raised the issue of corruption, because accusations regarding corruption have been made, and in some cases investigations are currently under way. Corruption must be exposed and those involved brought to book. The PAC agrees with President Nelson Mandela that all accusations must be substantiated, and welcomes his administration's commitment to firmly deal with those found guilty.

Corruption is not a new phenomenon in our country—it has been there. However, we now have a new dispensation and a vision for a new South Africa. We must act now to root out corruption. If we allow or condone corruption in any tier of society, we will be guilty of self-destruction. It is relatively easy to corrupt a society, but a difficult task to eradicate such corruption once it becomes endemic. Many of us in exile witnessed this and vowed to learn from the mistakes of our friends abroad.

I want to take this opportunity to thank the Ministry of Justice for at least closing down illegal gambling institutions in our country.

The PAC of Azania is not part of the Government of National Unity. However, from the outset we have committed ourselves to supporting the democratisation process in our country. Hence we agreed that members of Apla and their well-trained commanders be integrated or absorbed into the new South African National Defence Force.

We felt that the military skills and the experience that they acquired in the liberation struggle should be placed at the disposal of the nation. The process, needless to say, has not been easy. Apla members and commanders are now in the SA National Defence Force, but many are still awaiting integration. Apla commanders even had their ranks lowered, but remained there because of their commitment to the smooth transition into the new South Africa. Similarly our hitherto trained security personnel are being integrated into the national security services.

The PAC also submitted a list of candidates for appointment to the civil and foreign services. We took qualifications and experience into account when making the recommendation. Thus far only a few have been considered for the Public Service and none for the foreign service. The PAC appeals to the President to look into these issues. These freedom fighters have demonstrated exemplary discipline and are ready to make their skills and experience available to the nation for the good of the nation.

The PAC welcomes the President's commitment to strengthening regional co-operation and the Organisation for African Unity. With the advent of democracy in South Africa the continent was politically liberated. The continent is now faced with the enormous task of economic liberation. If Africa does not want to be economically marginalised, the African common market should become operational as soon as possible, and we can play an important role in this.

Mr L J MODISENYANE: Mr President of the Senate, hon President of the Republic, hon Deputy Presidents and members of the two Houses, through their popular vote in April 1994 the South African voters have ensured that the South African Parliament reflects the true composition of the South African population. By so

doing they have challenged us as policy-makers and decision-makers to ensure that, among other sectors, the Public Service reflects the true composition of the South African population.

It is edifying to note that in his address to Parliament the President stated that the process of improving the conditions of the disadvantaged was to be sped up. In taking the lead in the implementation of affirmative action, the Government will encourage various employers to change their employment practices with regard to the disadvantaged. They will also implement affirmative action voluntarily. For the sake of those who pretend not to know who the disadvantaged people are, I remind them that the disadvantaged people are both Black men and women, White women and the disabled.

However, there are both genuine and deliberate obstacles in the way of implementing affirmative action. The obstacles are as follows: lack of funds in the Government of National Unity; the deliberate labelling of affirmative action as "reverse discrimination" by "false prophets" as stated in the President's address to Parliament; the diverse interpretations of guaranteed posts in the Public Service as provided for by the interim Constitution; the lack of recognition of skills acquired in nongovernmental organisations; the belief of some Ministers, especially those from opposition parties, that affirmative action is too difficult to implement; and the delay in the changing of old employment practices in departments.

Let me hasten to produce suggestions as to how to solve these problems: Let the Government restructure and reallocate the Budget, however limited it might be, to address the imbalances brought about by apartheid. Let us continue to preach reconciliation to weaken the propaganda of the false prophets. Let us strive to educate them on what affirmative action is and how important it is for our country.

Let us hold workshops so as to have the same interpretation of the guaranteed posts. If the interpretation does not favour the implementation of affirmative action, then we must amend the Constitution. However, if it favours affirmative action, then let us implement it. Let us convince the Public Service Commission and departments to also consider skills acquired from the NGOs when posts are advertised.

Let the ANC Ministers take the lead in implementing affirmative action whilst also interacting with the doubtful Ministers with the purpose of bringing them along with the process. Let departments draw up plans to eradicate old employment practices and implement those plans. In addition to the suggestions I have made, I would like to open the eyes of my colleagues from the NP to the fact that their party has not implemented affirmative action in their listing process. It is therefore questionable that the NP will truly be a party that reflects the true composition of the South African population. It will only have the few chosen Black people within its leadership ranks. Let the NP remember this when they vote for the local government elections.

Finally, we will uphold the principle of affirmative action until we have reached our goal of total transformation of the South African society. "Ya kgaola, ya ya." [It broke loose and it went.] [Applause.]

THE MINISTER OF PUBLIC WORKS: Mr President, hon members, Deputy President Mbeki, Comrade President Mandela's address to Parliament and to the country as a whole last Friday boldly and clearly captured the nature of our problem, the context and areas for sustained action that are required to ensure that we build a people-centred society on the foundations of the Reconstruction and Development Programme, peace and our common security.

Our experience over the past nine months, all the bumps and problems included, has confirmed the ANC alliance opinion in particular that the rigorous implementation of the Reconstruction and Development Programme derives its legitimacy first and foremost from the emphasis it places on the people's needs, desires and involvement. Health, housing, education, jobs, freedom from fear, peaceful and crime-free neighbourhoods are all essential elements of human life that cross all political affiliations.

Comrade President Mandela, your address has also emphasised that our community and our South Africa, the new South Africa, will throw its strength behind a co-operative effort on the active promotion of South Africa first, and not on partisan and individual interests. Trust, and trust between actors, is perhaps the catalyst of the new South Africa. However, trust grows out of the positive and the constructive interaction of

all political actors within the spirit and Constitution of our fledgling democracy at the political level in South Africa, at least, trust between parties in the Government of National Unity, in the hurly-burly of the two Chambers of Parliament and the detailed deliberations of our sovereign Constitutional Assembly.

Unfortunately the IFP does not seem to share that view. They are always suspicious of everything that emanates from the central Government. Right at the moment they are clamouring for more autonomy for the provinces. That sounds more and more like secession. No mention is made by them of the need to balance the scales between national interests and provincial autonomy.

The accusations by Mr Ziba Jiyane against my colleague Comrade Sydney Mufamadi, the Minister for Safety and Security, and me yesterday, referred to the alleged meddling by the centre in the matters of the province, in particular KwaZulu-Natal. We should note that the Government depends, amongst other things, on the capacity to govern. Capacity is therefore assessed, not only by the will to govern, but also by the ability to function within the mutually agreed procedures and processes.

Mr Jiyane of the IFP pours scorn on my current veto of the public works programme in KwaZulu-Natal. The facts of the matter are these. The KwaZulu-Natal IFP MEC for Public Works has not adhered to a number of necessary guidelines. He has not submitted a business plan, established a task team or established adequate accounting procedures.

Furthermore, although they have asked for more money, we have no idea of the Public Works projects they have in mind, if any. Furthermore, they have not attended important meetings of the Ministry, in particular of the National Public Works Task Team, to operationalise the National Public Works programme.

In particular, I would like to indicate that in the circumstances the IFP MEC for KwaZulu-Natal has performed his task, in regard to the administration of the programme there, in a way that does not inspire confidence—for example, their management plan, which was not accepted by business, labour and community organisations that are represented on the regional economic forum in KwaZulu-Natal. That was on 18 Janu-

ary. The technical committee of the regional economic forum requested an urgent meeting with the MEC to resolve these serious concerns that were raised, but to date there has been no response from the MEC.

Part of my brief, as a Minister of the Government, is to be a watchdog over our scarce public money. I am therefore not prepared to authorise funds to provinces which have not fulfilled obligations which were decided on by all of us together. [Applause.] We cannot afford to allocate funds without knowing where, how and for whose benefit they will be used. Without controls we run the risk of fanning the flames of the rampant corruption which comrade President Mandela warned us against on Friday.

In his address on Friday, comrade President Mandela called for the rooting out of corruption in and outside Government. I am happy to announce that my department is well advanced along that path. Police are investigating allegations of theft and bribery against at least 10 officials in my department. The police investigation follows the discovery, by a seven-person team appointed by the department to probe irregularities in the awarding of lucrative State contracts, of widespread corruption in the department. [Applause.] This investigation has my full support, and I will drive it with all the energy at my disposal, particularly in view of the gross neglect of these corrupt practices in the department by previous NP Ministers of Public Works.

In the Pretoria regional office alone overpayments and fraudulent contracts for maintenance have cost taxpayers approximately R3,7 million over a three-year period.

I am therefore committed to transparency, and we are determined to stamp out this corruption. In about ten days' time I will be publicly releasing the findings of a report by a firm of independent auditors, Ernst and Young, which I appointed last year to review all contracts awarded in the past five years.

Comrade President, the contents of this report and its recommendations are very revealing indeed. So let us commit ourselves to stamping out this corruption.

Mnu N J GOGOTYA: Mongameli weSigele, andinakuzixhamla ngabo bakhala bengakabethwa. [Kwahlekwa.] (*Translation of Xhosa paragraph follows.*)

[Mr N J GOGOTYA: Hon President of the Senate, I shall not waste my time on those who scream even before they have been struck. [Laughter]]

On 27 April 1994 we set in motion, and brought to a climax, a process to make everyone a citizen and every citizen a voter. But, beyond the portals of this Chamber lies the real world with real problems. The misery of homelessness, joblessness and insecurity is ticking like a time bomb. [Interjections.]

Every day the plight of these people increases in gravity, and could add up to a long-term disaster. There are promises all round, but there are no premises for people to live in. There is political jargon aplenty, but no job creation. [Interjections.]

The humiliating daily record of the ongoing orgy of crime in this country is stark proof that Mr Mandela was right in declaring war on crime. Victims of crime want to see justice done and perfected in order to create conditions for economic growth and the healing of the wounds of the past. [Interjections.]

Rural development, and urban development, job creation and the reduction of the unacceptably high levels of crime and violence can only be tackled by a government that has its priorities right. [Interjections.] 'Ndiyeza kuwe.' [I am coming to the hon member.]

Here one sees a Government that gets into a frenzy and a crisis . . . [Interjections] 'Sendifikile' [I have come to the hon member] . . . over 11 women. Such a Government will have difficulty in dealing, not only with 11, but with the millions outside there who are without jobs and without homes—and here one sees a Government that creates a crisis over "a gravy train of 11 women" . . . [Interjections.] Some of the women out there are unemployed and have husbands who have no jobs. Their children are sickly and frail and they need attention. [Interjections.]

An HON MEMBER: Sickly from apartheid!

Mr N J GOGOTYA: Yet, people play political games. [Laughter.] The speech by President Mandela was a courageous step in the right direction. But I would like to remind this hon House that a writer by the name of Norman Dixon, in his book *The Psychology of Military*

Incompetence, quotes Ronald Lewin on the disaster at Arnhem as follows:

Naked courage alone that lacks the bodyguard of competent planning, competent intelligence and competent technology cannot succeed.

In other words, good generals such as our President must have good soldiers in order to win the war against crime and against hunger. [Interjections.]

Sikhona-ke isiXhosa, kwabo basaziyo, esithi: 'Isikhuni sizala umlotha'. Madiba, usisikhuni! Kodwa yile milotha ekungqongileyo esenzela ixhala. [Uwele-wele.] (*Translation of Xhosa paragraph follows.*)

[There is a Xhosa idiomatic expression that says, "sneezewood begets ashes" (good parents can have bad offspring). The hon Madiba is the sneezewood! However, it is the ashes around him that worry us. [Interjections.]]

Our standpoint as the NP is that we both accept and welcome the Truth and Reconciliation Commission and will continue to seek a redefinition of present proposals in order to prevent the process from slipping into a Nuremberg Trial situation. If the purpose of this Truth and Reconciliation Commission is "to clothe vengeance in the form of legal procedure", then one should seriously consider the observation of Tom Clark, who was a judge of the Supreme Court of the United States and who had earlier taken part in Nuremberg Trial. In 1966 he said: "I do not think they served any purpose at all."

One cannot help but be dismayed and disappointed at the stance of the hon member Cyril Ramaphosa, who has suddenly appointed himself as the high priest of self-righteousness. He was extraordinarily hypocritical in his posture. [Interjections.] The hon member is aware that the murderers of Western Deep Levels are still free and toying-toying in the ANC. This was a despicable, humiliating murder committed in the presence of thousands of members of the National Union of Mineworkers as well as officials of Cosatu, of which the very man who spoke here was the secretary-general. The Cosatu tortures which culminated in the Gazzeni murders were also committed in the presence of members of Cosatu and the National Union of Mineworkers.

We believe that it is exactly on these grounds that we must guard against the risk of having double moral standards when we address these issues.

[Interjections.] In other words, we believe that what is sauce for the goose must also be sauce for the gander. In other words, when we speak about the Truth and Reconciliation Commission, I think, in all honesty, that the ANC must stop insulting the truth. They must rather refer to it as the half-truth commission.

Ms M P COETZEE: Mr President, hon President of the Republic, hon Deputy Presidents, members, Ministers and senators, I would appreciate it if a rule could be tabled on toying in this Parliament, because we need a model of the people's culture. As a lady said yesterday, the last thing we will do is toyi-toyi. I think that we should at least have a ruling in this Parliament in that regard.

In the light of the President's speech of 17 February 1995, I recognise the plea from our President to us as Ministers, Deputy Ministers and leaders of our various constituencies to avoid violating the Constitution. He asked us to put our backs into the serious work ahead, which is crucial for all the citizens of this country. The work ahead is the local government elections. Local government elections will not be the same as they were in the past under the Group Areas Act. This time local government will be focusing on the needs of the people and the implementation of all decisions relating to the deprived people.

As leaders we must distance ourselves from those who advocate wrong concepts of the Government of National Unity and the Constitution. We are here to make laws which favour our people, and to change certain sections of the Constitutions if need be, for the glorious vision of a truly humane and people-centred society.

The ANC is not to be blamed for not delivering, but rather all of us in this House. [Interjections.] The ANC may be the majority party but it is not the sole governing party as this is a Government of National Unity. Therefore, all parties are to be blamed for failure of implementation, and more especially the NP because they have a double agenda when they go to the locals down there, and I speak from experience. Some of us still have an illusion that a certain group of people can make decisions and exclude the majority. In a democratic country, every person, whether illiterate or educated, is part of the process of deciding their destiny.

Local government is the government of the people for the people which should integrate the divided society into one city, one council and one tax base. All leaders should go out and urge the people to register, no matter what political party they are affiliated to.

Local government will benefit, not those elected, but the actual voters. Integration should not be seen as taking the wealth from the rich to enrich the poor, but as giving the poor a chance to get a better life than two years ago.

We should not interpret some of the constitutional provisions for political gain or to score points, but to implement the national legislation. Section 182 in Chapter 11 of the Constitution provides that traditional leaders—unfortunately, they are not here—should be *ex officio* members of the local government structures. This means guiding and advising the local authorities on issues pertaining to indigenous law. This should be interpreted as having no right to vote in the council meetings. They are acknowledged and respected, but they must not be used for political gain, to score points on political issues or to deprive the majority of decision-making.

Let us as leaders of this House take one step from the President and follow him, because, after all, he is everybody's President. He was democratically elected by Black and White. Traditional leaders and chiefs voted for him. We must make sure that we in the legislature take the responsibility to get each South African registered for the local government elections.

We cannot see the need for international mediation. Is that more important than the killing of mothers, sisters, brothers and children in Kwa-Zulu-Natal? Let us focus on stopping the killings and on getting our people registered for the local government elections. [Applause.]

Senator M L MUSHWANA: Mr President, hon members, I wish to join previous speakers who applauded the hon the President for his outstanding statesmanship, and in particular his speech delivered at the opening of this Parliament.

We in the ANC wish to assure the hon the President of the Republic of South Africa of our unfettered support and loyalty at all relevant times. In his speech the hon the President rightfully referred to the Truth and Reconciliation Commission. I am not so sure whether I

would be able to allay the fears raised by the hon member Mr Gogotya. However, the President emphasised the urgency with which this commission must be established.

It is common cause that the Bill on the promotion of national unity and reconciliation has been tabled in Parliament. Written and oral submissions have been made by members of the public, organisations, institutions as well as certain political parties. The need for reconciliation in South Africa cannot be overemphasised, nor can it be underestimated without any harm being caused to any particular individual.

A matter which is perhaps of grave concern to many is whether or not hearings before the Truth and Reconciliation Commission should be conducted behind closed doors. One other concern which is in the form of a caveat, is whether such hearings before the Truth and Reconciliation Commission, if opened, would not lead to vengeance.

I wish to state that our interim Constitution contains a strong commitment to openness and transparency. It urges all South Africans, in particular the Government, to strive towards an open and democratic society based on freedom and equality. An open society, which we all strive to attain, is one in which important Government decision-making occurs in a transparent manner.

Needless to say, openness enhances the quality of democracy and builds confidence amongst ordinary people that the Government is acting in an accountable and legitimate manner. Most importantly, it signals a break with the past, where the government's decision-making under the apartheid regime was unaccountable and characterised by secrecy.

Some of the fears expressed by those who advocate that hearings be conducted in secrecy are the following: Some fear that if they divulge what they did in the open, that is their previous atrocities in the form of murder, harassment, to name but a few, which were committed during the apartheid regime by the apartheid structures and possibly by the liberation movement, they will be open to revenge.

However, I wish to state that many of our people who suffered under the apartheid regimes know who committed those atrocities and have not taken revenge. There is no visible indication that

they intend doing such a thing. Some are afraid of these hearings being held in public because of personal aggrandisement, loss of pecuniary interest, loss of public office and, possibly, loss of personal integrity and stature. However, the ANC is aware of the sensitivity of this matter and assures the people of South Africa that the final draft of the Bill, that is the Bill on the Truth and Reconciliation Commission, will be in accordance with reason and not emotion.

Our President has correctly stated, and I quote:

I would also like to draw the attention of the legislature and the country as a whole, that our purpose in establishing the Truth and Reconciliation Commission is both to obtain the truth and to reinforce the process of reconciliation which our country needs.

Nothing we do should lead to the heightening of tensions and the rekindling of the violent political conflicts . . .

Therefore, there is no need to fear. This Bill is not intended to be a witch-hunt, but is a Bill which is intended to build reconciliation in South Africa.

Even though we heard Mr Gogotya's warning, it does not mean that we will forget the past harassment. We need to know and the public needs to know what happened in the past.

Sister N Z NCUBE: Mr President, the hon President of the Republic, Deputy President Thabo Mbeki, Senators and hon members, South Africans and the international community all agree that our negotiated settlement is a miracle of this century. President Clinton, the leader of the country which is the maker of world opinion, said in his welcoming speech to our President, and I quote:

The world's peace is said in three words: President Nelson Mandela.

This sentiment was echoed on Monday, 20 February, when this House was addressed by the Swedish Prime Minister. He said that President Nelson Mandela was the most outstanding personality and that South Africa was the most outstanding example of democracy.

South Africa is the mother of all young struggling democracies. This House resounded with applause at the expression of this sentiment. South Africans are proud of you, Madiba! I do hope you are listening wherever you are.

While that may be true, let us also agree that the negotiated settlement did not bring the different negotiating parties to bury their differences and to form one block that would agree on how the country should be governed. In the first phase of the Government of National Unity, this concept became a visible reality on all levels of government: In departmental deliberations, in the National Assembly's select committees, provincial legislatures, the Transitional Metropolitan Councils or Transitional Local Government Councils and even in the CA and its theme committees.

Slowly the elected members are coming to grasp the reality and challenges confronting us. There are many important battles still to be fought so as to guarantee our South African society a workable post-apartheid order. This also confirmed the wisdom that the Government of National Unity was a crucial strategic option to answer the daunting problems and legacies of the apartheid system.

This, however, led us to a very complex settlement that was set in motion by very gifted and visionary leaders, and visionary leaders are very scarce in our world. That led our country to the present settlement.

This year, Parliament should enter the second phase with two motivating forces: Finishing the job by setting up local government structures, and deepening democracy for the delivery of the benefits of the RDP.

What does this challenge entail? This means practically that South Africans are once more preparing themselves for the second phase of their political transition. They are again electing candidates for the local government bodies. It also includes focusing on registration and election education for local governance and education in order to prepare day-to-day local political leaders and their constituencies for full participation in local government structures. We worked just as tirelessly with our communities to educate, to demystify the April 1994 election process, and help in educating millions of our South African first-time voters, and even succeeding in minimising the intended intimidation strategies that were both a foundation and a policy of the apartheid system.

Let us redouble our commitment to complete our liberation struggle for the people's govern-

ment. The cry to bring the Government to our people is loud and clear. We need to ensure that the government is the government of the people for the people.

The need is to develop and build comprehensive integrated strategies and a variety of educational tools and methodology that would assist to set up machinery to network and mobilise the whole country, creating a programme through our various relevant structures, to reach out and work with all our regions' people, NGOs, all political persuasions and religious formations.

There are already serious signals from the chief co-ordinators of this entire process, that the process will be even more complex than the 27 April elections. The success of the local polls depends heavily on the information service mechanisms for dissemination of the necessary information to reach both the advantaged and the disadvantaged communities.

If given a chance, our country's people can do extraordinary things. Nothing can defeat the people's decisive will and collective action. Local government is the key institution for RDP delivery. However, we, as communities, must start to build and stabilise our own communities. We must take responsibility for development in our own communities. The Government will help us, but we should not wait for the Government.

Let us start rebuilding our schools ourselves. Let us get together the civics, churches, students and business enterprises to clean up the schools, to fix them and to ensure that our children attend school.

The South African Defence Force can help us too. [Time expired.]

*Mr P W COETZER: Mr President, I am not going to react directly to the previous speaker. I find it a great pity that the hon Senator Gous is not here in spite of the fact that I extended the parliamentary courtesy to him of telling him that I would be reacting to his speech.

The hon Senator Gous made an effort to adopt a holier-than-thou position by saying that he would rather co-operate with the ANC than with the NP. He argued with us and attempted to enter into an intimate partnership with the ANC.

I just want to take a brief look at where Senator Gous comes from, and I am glad that the hon the

Deputy President Mr Mbeki is here. When we argued in May 1990 and debated indemnity legislation in this Chamber Dr Gous argued against it.

†Dr Gous argued against that Bill. One of the reasons why he argued against that Bill was, amongst others, that it would give indemnity to Mr Mbeki. [Laughter.]

*On that occasion he said, and I quote column 8156 of Monday, 7 May 1990:

Firstly Mbeki is one of the elite Xhosa clique which now wishes to govern every person in the RSA, including the Afrikaner people. Essentially they probably view the negotiating table, which he must now obtain an indemnity in order to sit at, as a continuation of the struggle which has raged between the Xhosas and the Whites since the 19th century.

He said you were a communist who wanted to take over a Christian country. Dr Gous also said of Mr Mbeki:

Secondly he is an advocate and supporter of terrorism. He is a man who enthusiastically justified the ANC policy . . .

After this he made reference to acts of terrorism.

*Senator D V BLOEM: He has been born again.

Mr P W COETZER: It is a pity that . . . [Laughter.] I will get to the conversion, because I have a word for you as well on that.

*Welcome, Dr Gous. [Laughter.]

†I want to urge Deputy President Mbeki to maybe just warn our President that if he has designs to bring the FF into the Government of National Unity—maybe to replace the IFP—he must be very careful, because what did Dr Gous say? What did he say when he still had aspirations of coming to power? I quote from the *Cape Times* of 31 January 1992:

The CP might ban the ANC and the PAC and return Mr Nelson Mandela to jail if it came to power, CP spokesman Dr Piet Gous disclosed yesterday.

[Laughter.]

*Reference has been made to conversion.

*Senator D V BLOEM: He was not converted again. [Laughter.]

*Mr P W COETZER: My colleague Dr Fanus Schoeman wanted to know this afternoon when Dr Gous had had this Damascus experience. However, the question is whether we in this country, and at this stage, can afford to be holier than thou.

†Only one party in this Parliament was willing to admit that it had made mistakes, saying that it would turn its back on the past and start working for a better future.

Mr J H MOMBERG: Have you apologised yet?

Mr P W COETZER: I have apologised, and you know it. It is on record. I apologised when you were still trying to be a candidate for the NP. [Laughter.] You were still fighting for the Group Areas Act then. [Laughter.]

But where does the ANC stand on the question of being holier than thou? I wish to quote the following:

In fact, throughout its existence the movement has presented itself with a holier-than-thou attitude—in sharp contrast to the NP, which was accused of endless mismanagement during its 40-year reign.

[Interjections.]

The ANC's much-vaunted claim to be exclusive custodians of the moral high ground in South African politics is fast fading into a distant memory . . . yet the new Government, which promised a model of high standards, has been in office for less than 11 months.

If we want real reconciliation, and if we really want to build a new future, let us all admit to our mistakes. Let us all admit that we suffer of the human illness that we sometimes fail and that we are not perfect.

Yesterday the Secretary-General of the ANC, the hon Mr Cyril Ramaphosa, stood up here and he also had a holier-than-thou attitude. He said, amongst other things:

The ANC stands head and shoulders above all other political parties represented in Parliament in terms of its commitment to the total and full transformation of our country.

He then referred to the media, saying that they had failed to highlight corruption in other places. He again referred to the Ruth First incident and its sad history. [Interjections.]

Yes, it is a sad part of our history, but one must also remember a young boy who was an athlete and who lost his legs in a landmine explosion on a farm at Komatipoort. Remember the people who are blind today because of a bomb that went off at a Wimpy Bar.

Who was it, in that organisation of which Mr Cyril Ramaphosa is the Secretary-General, that gave those orders? [Interjections.] Come clean! Admit that you have also made mistakes. Maybe then we can build a future. [Interjections.]

Hon members need not listen to me. The quotes I have read to the House—the ones about the ANC losing the moral high ground and about being holier than thou—come from the *Sowetan* of today. These are your own friends! [Interjections.] They come from the *Sowetan*, which was the first institution in this country that started to talk about nation-building.

It started the campaign of nation-building and it is warning the ANC that it is destroying the future of this country. It tells the ANC how it should act when there are allegations of corruption. The *Sowetan* says the following:

Another side issue to this controversy, is that the ANC should be seen to be taking swift and effective action when dealing with the culprits in its midst. Dragging its feet and running support campaigns in the tradition of the comradeship spirit to save those facing serious allegations does not help matters. Instead, it creates the impression that the movement implicitly endorses the unsavoury actions.

Senator D V BLOEM: Gogotya is the writer!

Mr P W COETZER: I hope the *Sowetan* pays him well. [Laughter.]

The fact of the matter is that the *Sowetan* also reports that Mr Willie Sekete was murdered only days after he alleged that R138 million was misused by the Association for Ex-political Prisoners and that he would expose what happened there.

If it were only the ANC that was at stake, we would say: "Braai in julle eie vet. [Stew in your own juice.]"

*However, the fact of the matter is that we share a responsibility.

†*The Argus* says: "Corruption stench abroad could choke off RDP aid." [Interjections.] [Time expired.]

Mr W A HOFMEYR: Mr President, our members who have been in Parliament a while longer than us tell us that when Mr Coetzer comes to the podium to speak, we know that the NP is in trouble and they need to send in a hatchet man. I think his remarks here today prove that to be true—a desperate clutching at straws.

I would like to ask Mr Coetzer whether the things he quoted Senator Gous as saying are not the very same things that he was saying not so very long ago. When was his Damascus experience? We on this side of the House have great appreciation for the fact that the FF, led by Gen Viljoen, has come into the peace process in a constructive way. I think they ought to be complimented for that rather than attacked.

I would also like to point out to Mr Coetzer that of all the political parties in this country, the ANC has indeed been the most open about our mistakes. We have repeatedly said that the Truth and Reconciliation Commission should not be Nuremberg trials. We have said that it should look for the truth and look for it on all sides, including that of the ANC. In fact, the ANC has already had two of its own truth commissions into allegations of misbehaviour in ANC detention camps overseas. [Interjections.] We are fully committed to co-operating with the Truth and Reconciliation Commission.

We also believe, as our President has indicated, that there should be swift and effective action on the question of corruption, but we believe that that action should be just. People should be given the opportunity of putting their cases and action should follow after that.

I want briefly to address the question of crime, as raised by our President in his speech. I think that crime is, indeed, one of the biggest problems facing our country today. As a result of that, people very often seek a glib and quick solution to a problem which actually lies very deeply.

One of those solutions is a chorus, more especially from the party on my left, for the death penalty to be retained. Today I want to speak out against the death penalty.

Firstly, we believe strongly that the death penalty is in violation of our bill of rights, and

certainly in violation of international human rights. We can understand that parties like the NP, with their new-found love for human rights but a total lack of understanding as to what they really are, cannot appreciate and understand that. Not only does it infringe on the right to life that people should have, but it also constitutes a cruel and inhuman punishment that was outlawed by our own Constitution and international human rights instruments as well.

Perhaps the worst aspect about the death penalty is that it is irreversible. When we make a mistake we cannot change such a mistake. For example, over the past 80 years in America there have been no fewer than 23 cases of people who were executed and subsequently found to be not guilty. That number is increasing with the use of DNA fingerprinting and other sophisticated forensic techniques.

Secondly, the death penalty is and has always been an arbitrary penalty. At the end of the day it depends on which judge one gets: Some judges will not give one the death penalty, whilst others will do so much more easily. It also depends on how good one's legal representation is when one goes to court.

However, worse than that is that in a society such as ours the death penalty is racially discriminatory. There are statistics showing that thus far in our country no fewer than 90 Black people have been executed for raping White women, while no single White man has ever been executed for raping a Black woman. [Applause.]

If one looks at the studies done by Prof Van Niekerk in 1982-83, one finds that of the 81 Black men who were convicted for killing Whites, 38 were sentenced to death. On the other hand, if I remember correctly, of the 20 White men who were convicted for killing Blacks in that same period not a single one was sentenced to death.

A favourite argument of those in favour of the death penalty is that it is a deterrent which will deter people from committing murder. No single study done anywhere in the world has ever proved this, and as has been said in the British parliament, if we are expected to vote for the death penalty on the basis that it is a deterrent, then we should at the very least expect to see some convincing evidence that it is a deterrent.

All the evidence shows that long and effective prison sentences, properly enforced, and where

people are not released on parole easily and early, are just as effective in deterring crime. I want to argue that the whole question of raising the death penalty debate diverts us from what is required of us, which is to stop crime in our country.

Mr B P BUNTING: Mr President, colleagues and comrades, the President of the Republic has been striving consistently to use the mechanism of the Government of National Unity to promote consensus among parties in the implementation of the RDP. His rationale has been that we should rather advance slowly, securing agreement across the broadest possible spectrum, than get involved in futile controversies which can only move the ship of State backwards. Let us agree on building houses, providing education and jobs for everybody rather than wasting our energy and resources on confrontation and conflict.

The NP has not been acting in this spirit. Ever since the inauguration of this Parliament last year, leaders of the NP, one after the other, have come to this podium to launch frantic attacks on the ANC-SACP-Cosatu alliance, advancing the most absurd allegations in an attempt to sow suspicion and dissension and to set us quarrelling amongst ourselves.

I can recall the contributions to the anti-communist muck-heap made by Messrs Boy Geldenhuys, Fourie, Saaiman and Deputy President De Klerk himself. Now in this debate, we have had a miserable anti-communist broadside from the Minister of Environmental Affairs and Tourism, Dr De Villiers. He opened his account with a statement which indicates that he does not really know what he is talking about. He said that the ANC-SACP-Cosatu alliance was formed as a liberation alliance which "shared an adherence to socialist doctrine and the centralised, command economy".

This is simply nonsense. The ANC, for example, has never declared adherence to a socialist doctrine nor to a centralised, command economy. The Freedom Charter, adopted in 1955, which the ANC acknowledges as its blueprint for the new South Africa and for which it has fought for the last 40 years, is not a socialist programme. The ANC is a multiclass organisation, and its programme is a multiclass programme. Its ideology is the ideology of liberation, not of socialism or communism.

Dr De Villiers prefers fiction to fact. He says that from being a socialist populist movement, the ANC alliance has changed to a socialist party with a clear commitment to the market economy. How a socialist party can have a clear commitment to the market economy he does not explain, but his definition has the virtue of allowing him to hurl the dreaded word socialist at the head of the ANC, and this he thinks is enough to achieve his purpose.

The change in the character of the ANC alliance, says Dr De Villiers, is increasing the tensions between various constituencies within the ANC, as well as between the members of the different alliances. No doubt this is what Dr De Villiers hopes for. But it will not happen, precisely because it is a broad alliance. There may well be differences of emphasis and even of substance between various elements of the alliance. But experience has shown that the liberation alliance has the resources and the flexibility to settle these differences by reasoned discussion and debate. There is still far more to unite us than to divide us.

Dr De Villiers then gets to the nitty-gritty of his argument. What about the SACP, he asks. Does it also support the market economy? Will it support the sale of State assets to reduce debt and promote the implementation of the RDP? He asks whether members of the SACP like Jeremy Cronin and myself have also become advocates of the market economy, or have we remained closet communists still keeping to our own agenda whatever the President may say. He says that the SACP has become a political parasite feeding on the ANC. He accuses us of enjoying the ride with the ANC and keeping quiet about our principles until we get an opportunity to strike.

The SACP has never kept quiet about its policies and principles but has taken every possible opportunity to explain itself. We have learned some of the lessons of the past. We are ready to adopt some of the features of the market economy which are not inconsistent with equitable social development. We are not opposed to the sale of redundant State assets if it can be shown that this will promote the achievement of the objectives of the RDP. But we still remain committed to a socialist South Africa.

I ask members on my left, why they are so afraid of our ideas. Recently members of all parties in

this House stood in tribute to the late chairperson of our party, Joe Slovo. All could appreciate the value of his contribution to the process of transition. All praised his achievement as Minister of Housing. Some tried to say he was not a true communist, that he had strayed from the fold. However, I would remind members again that he was the elected chairperson of our party and he did what he did according to the doctrines of Marxism-Leninism on which our party is based. He was what he was because of, and not in spite of, his ideology.

Over and over again we have asked our critics to judge us not by their prejudices but by our record during the 74 years since the foundation of our party in 1921. I make the claim that no party has done more to promote the development of a democratic, nonracist and nonsexist South Africa than the SACP. Our members have always stood in the frontline of the struggle. Many have given their lives for the cause.

Anti-communism is, of course, not a new phenomenon, by no means confined to the NP. Karl Marx remarked in 1948 that the spectre of communism was stalking Europe, frightening the bourgeoisie out of its wits. Terrified at the prospect of an egalitarian society, the bourgeoisie of the whole world have been concocting lies about communism and communists ever since, believing that the greater the lie and the more frequently it is repeated, the more likely it is to be believed.

We communists believe that we have a lot to contribute to the new South Africa. We ask Dr De Villiers and others of his ilk not to try to hold up the progress of the country with their anti-communist witch-hunting.

Ms M SMUTS: Mr President, I wish to speak about a mild form of interventionism which is fully compatible with bourgeois liberalism.

The President has called on South Africa to ignore the false prophets who present affirmative action as a programme for the advancement of some races to the detriment of others. We echo that call.

Instead of simply turning the tables, as a new government could have done in a society which has functioned in cycles of conquest and ascendancy, all of us have adopted a constitution which breaks the cycle. It takes a mature approach by enshrining equality and introducing the concept

of affirmative action as a means to the end of equality—not an end in itself.

The question now arises: Is the new South Africa giving effect to that ideal? There are signs that the concept of affirmative action is being used on occasion arbitrarily and incorrectly instead of addressing the underutilisation of existing skills and talents and the development of human resources.

One sometimes gets the impression that affirmative action in the private sector, for example, is less a considered response to the goal of equality than a headlong rush to be politically correct. This has an unfortunate effect on both White men, whose legitimate career expectations should not be unfairly affected if they are competent, and other categories such as Coloured people.

To move beyond the formal sector for a moment, the SABC's combined retirement offer and affirmative action plans announced a few months ago had a particularly unfortunate ring of ethnic cleansing in the way that that package was announced. There is also among some Coloured people a broader sense of alienation of which the President—who is not now here—is, I think, aware. I am not referring only to events in the ANC Youth League in the Western Cape, but to something broader which should concern all of us.

If there is alienation in South Africa today when we are nation-building, then we are doing something wrong. The something we are doing wrong may be affirmative action or the connotations it acquires every time a body such as Sansco announces, as it did yesterday, that every Black student with a Matric exemption must have automatic admission to UCT.

Every time the concept of "disadvantage" is invoked to gain automatic or arbitrary access, its constitutional respectability is eroded. Every time this concept is used to clinch a deal or to eliminate the competition or, worse, simply to make or to get money in the name of the disadvantaged, it falls into disrepute. I think we all have reason to be concerned—those of us who care. I hear strange noises from the left.

All of us who have worked long and hard for what we think of as the right kind of affirmative action, watch with dismay when affirmative

action is incorrectly projected, not just by false prophets, but also by profiteers, sad to say.

It must surely be very hard for a Government which does not have a big bag of money, but which does have an obligation to transform our society, to avoid the pressure for affirmative appointments. One can understand that. However, we do ask that the more arduous task of true transformation and empowerment not be neglected. I want to refer to two specific policy areas which, in my view, deserve attention. They are language and gender. It is not that these issues are not on the agenda, but just that they tend to get stuck there.

As far as language is concerned, I think that many South Africans tend to see our multilingualism as a problem, to be dealt with by according to the languages copious but passive rights.

We are not approaching multilingualism proactively. Perhaps we should do the same as Australia, which sees language as a human and economic resource. We should realise that skills and experience lie hidden in the languages that are neglected or which are not present in certain spheres.

I would like to present two facts from our draft green paper towards the establishment of the Pan South African Language Board. Firstly, it is calculated that almost 80% of the population do not speak either English or Afrikaans well enough to be able to participate in the administration or the economy of this country. Secondly, one of the language projects at UCT calculated that only 30%-35% of people in South Africa have sufficient knowledge of English to understand political discourse and news broadcasts in English.

If one of the proper purposes of affirmative action is the utilisation of resources that have been ignored or excluded as a result of prejudice, the neglected languages are candidates for affirmative action. The fact that language is hardly broached in the White Paper on Education is a cause for extreme concern. The answer is not to teach everyone English or in English, but to develop and advance the neglected languages.

With regard to women I would like to mention that everyone now accepts that without women there can be no development, but the emphasis has been too much on the election and selection

of women to public office. We need to return to empowerment, especially in the light of the conference in Beijing in September.

The fact that ANC women in public office have been embroiled in a dispute for weeks has not helped. It is none of the DP's business if Mrs Mandela wants to take the ANC's Women's League into tourism and the casino business with Mr Sharif, although we have different ideas for political parties. However, we have to say that this is not quite the kind of "road to freedom" for women that we thought we were all working for. We do not want to be the Beijing bunnies. If the ANC's Women's League say that they will plough their profits back into upliftment, again we have to accept that. However, there is something so incongruous about the means and the end that it is a relief to many of us that the 11 women have resigned. We say that we should get back to work and to real affirmative action.

Dr E E JASSAT: Mr President of the Senate, hon Deputy President Mr Thabo Mbeki and members of the National Assembly and the Senate, let me give you the bad news first. There are still a few more speakers on the list after me. I see that you are all tired, and so am I. Therefore the good news is that I shall be very brief. [Interjections.]

On 24 May last year, in his first presidential address to this Parliament, our President announced to us and the world at large the dawn of a new South Africa devoid of its unhappy past. That day he outlined some of the tasks to be undertaken by the Government of National Unity. These included free medical treatment for children under six years and pregnant mothers, compulsory and free education for all children for the first nine years and a nutritional programme. All these projects have been implemented and are making good progress.

Last Friday, 17 February, the President stressed the open nature of this Parliament and said that this Government of National Unity had been able to survive in spite of a few hiccups, including yesterday's. That was the positive side. On the negative side he mentioned that we made mistakes, mistakes we were bound to make as most of us are novices in uncharted waters.

Our President also referred to corruption within and without Parliament and stated that this cancer would be excised with haste and a thor-

oughness unseen and unheard of before. He also said:

We are conscious of the reality that corruption in many forms has deeply infected the fibre of our society. It is not possible to have a society based on a lie and patent injustice as apartheid society was, without this spawning corrupt practices.

This new Government cannot afford any further corruption or sleaze, as already we are the unwilling beneficiaries of past nepotism, favouritism, deception and downright crookedness. We cannot fulfil the hopes, wishes and dreams of a better life for the masses of our people unless crime and corruption are nipped in the bud.

This is absolutely necessary as we are already disadvantaged by the financial burdens that we have inherited, and by the multiplicity of health, educational and welfare structures necessitating excessive expenditure which is compounded by its unfair distributions leading to a distortion in service delivery. Allow me to give a few examples.

With regard to health, we had 14 Ministries of Health in the past. Two out of every 25 Black children die before their first birthday. The infant mortality rate for Blacks is seven and a half times that of Whites. An estimated 2,3 million South Africans suffer from malnutrition. There is one doctor for every 700 people in the metropolitan area, and one for every 1 900 in the rural areas.

As far as education is concerned 30% or more of our people are illiterate. Twenty seven out of every 1 000 Africans attend school, compared to 88 out of every 1 000 non-Africans. Last year, in 1994, 51 out of every 1 000 of the White population were enrolled in tertiary institutions, and only nine out of every 1 000 were Africans.

As far as housing is concerned, between 1,3 million and 3 million national housing units are needed to accommodate 27% of urban dwellers who are at present living in non-permanent structures. The spatial segregation of groups by race within cities has resulted in significant transportation costs amounting to over 10% of their household income. This is the state of affairs in which we find ourselves.

This legacy of the apartheid era, added to crime, corruption and destabilisation, can only impede

our progress towards attaining the goals of reconstruction and development. We cannot hope to attract foreign investment in this country until we can not only assure foreign investors of political stability, but also show them our ability to control financial abuse and mismanagement. We have to provide evidence to the international community that we are a "clean" country by assiduously cultivating a morality of proper and accountable behaviour. If we do this we will be able to sing an old American spiritual which goes: "We will overcome."

*Mr D M BAKKER: Mr President, I should like to react firstly to the contribution of the hon the Minister of Transport, Mr Maharaj. He used a great deal of time and a great many words, *inter alia* to accuse others of racism, but ultimately he himself stepped into the trap of racism by himself making use of race as a criterion for analysis.

†It is a cheap political ploy for him to say that we only differ from him because he is Black. When I look at him, I see a Minister and a competent politician. I do not see an Indian person or a person of colour. However, I also see a member of a communist party, someone who is a self-proclaimed communist, and that is the main reason why I differ with him. [Interjections.]

His contribution contains no vision and no positive policy formulation, but is just gutter politics. It is the type of speech that one will expect from a party's loose cannon backbenchers. His accusation of racism and continued apartheid are just a disguise for his lack of results after occupying his office for more than nine months. One really expected more from someone of his stature and position.

*The hon the President's Opening Address is indeed a framework of noble and dignified ideas. The emphasis which he places on the combating of lawlessness and anarchy is laudable and displays the type of statemanship which is essential at this stage and which could cause our country to reach new heights.

There is very little in his address with which one could seriously differ. The greatest concern arises out of what was not said. It is one thing to give prominence to general ideals and visions, but it is a horse of an entirely colour when these have to be implemented in practice.

†In this contribution, I will, due to time constraints, only deal with the Promotion of Nat-

ional Unity and Reconciliation Bill, which establishes the Truth Commission, and also I will deal with the Youth Commission.

I fully agree with the hon the President's stated purpose of the Truth Commission to obtain the truth and to reinforce the process of reconciliation which our country needs. It is in the interests of our country to remove the uncertainty surrounding the issue and to give reassurances to police that no witch-hunt will be conducted against them.

Unfortunately the impression is created also by other speakers in this debate and by the ANC that the Truth Commission will only deal with those who were responsible for orders given to the police, and that people are only interested in half the truth or part of the truth. This is totally unacceptable and extremely dangerous.

There is just as much interest to know who gave instructions for the Church Street, Wimpy Bar, Krugersdorp and several other bomb attacks. Who gave instructions at Shell House? Where were decisions taken for these gross violations of human rights? Who will deal with the reparation of the damage suffered by these victims?

A part of a truth or half of a truth will not bring about reconciliation but will instead lead to mistrust and even revenge. Our Constitution states:

... there is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for ubuntu but not for victimisation.

To achieve this worthy goal we must ensure an even-handed approach through which the complete truth will be disclosed and people will receive the same treatment as others who already received amnesty. The process must be fair, just and respectable, even if this even-handed approach will mean an extension of the cut-off date referred to in the postamble of the Constitution.

*If it really is our aim not to seek vengeance or retaliation, but rather to achieve reconciliation and reparation, we shall have to ensure that the Truth and Reconciliation Commission is not misused in order to score cheap political points. It is lamentable when leading political figures send out an entirely erroneous impression into the world.

The whole truth always requires that all sides of a matter be revealed, and it is for this reason that the procedures that will be adopted and the mechanisms according to which we should work, are of cardinal importance. These procedures and mechanisms must therefore be thoroughly thrashed out and discussed.

†Lastly, I want to refer to the Youth Commission that the President said will be established this year. This is indeed good news for the youth of our country. However, I would like to remind President Mandela of the speech that he made on 17 September 1993 in which he stated that the possibility of a youth ministry is being investigated and also proposed a youth forum.

In his opening address to Parliament last year he also referred to a Youth Commission. Unfortunately a long period of time elapsed and nothing happened until December 1994 when, suddenly, Deputy President Mbeki, without consulting youth organisations other than maybe the ANC Youth League, organised a youth summit. Interestingly enough this took place shortly before the ANC's congress at which leadership election took place and the support of youth members was very important.

At this youth summit it was proposed and accepted that the Government should facilitate the establishment of a technical committee before the end of January to look into the matter. Nothing came of this.

In his state of the nation address last year, the President stated, and I quote:

The youth of our country are the valued possession of our nation. Without them there can be no future. Their needs are immense and urgent. They are the centre of our Reconstruction and Development Plan.

In the White Paper on the RDP there are only two lousy references to the youth of our country. We in the NP are committed to the establishment of a national youth commission which will not be an expansion of bureaucracy and State intervention, but will be a workable organ whose powers and functions are clearly defined and result-driven for the benefit of the youth in our country. Such a commission should be aimed at promoting unity and finding commonality whilst assessing needs and opportunities. [Time expired.]

Mr S K LOUW: Mr President, President Mandela, Deputy Presidents, comrades, ladies and gentlemen, allow me to add my support to that of previous speakers who congratulated the President on his well-balanced political speech during the opening of the second session of this democratic Parliament. His fatherly attitude, once again, proved to the world that the ANC, which leads the Government of National Unity, remains committed to driving us towards a truly democratic, nonracial system of which all the people of our country will reap the fruits. [Interjections.]

It is through the leadership of our comrade President that this country could rejoin the world of democratic process and maintain a sustainable vision. [Interjections.] The ANC defeated the evil system of apartheid. It cannot entertain any efforts of maintaining racism and ethnicity. It was indeed that racial political philosophy which destroyed and blew up the NP, almost as if a tornado had struck them. [Interjections.]

I need to stress and emphasise that the dramatic walk-out staged by the IFP yesterday was totally uncalled for. [Interjections.]
An HON MEMBER: Voice!

Mr S K LOUW: Their actions proved to the world that they are not patriots, but destroyers. [Interjections.] Such actions are doing much harm to our democratic process and destroying the infant whom we, as members of this democratic Parliament, must nurture. However, I am convinced that the effort they are making to destroy and damage the highly respected image of this Parliament will fail.

*I should like to react to the previous speaker who concentrated on the hon the Minister, Mr Mac Maharaj . . . [Interjections.]

*The PRESIDENT OF THE SENATE: Order! I merely want to draw the attention of hon members to the fact that the speaker is exercising his prerogative to make his speech in the language of his choice. The hon member may proceed.

*Mr S K LOUW: I should like to repudiate what the previous speaker said. There is a saying in Afrikaans to the effect that when the grown-ups speak, the children sit under the table. [Laughter.] When it comes to big-time politics, that hon member's place is under the table. [Laughter.]

He has no business boasting and talking about racism here. He knows as much about communism as the man in the moon does. In the same way that we battled for 48 years to get the NP on the right track, we have a problem with his integrity as a politician. [Interjections.]

They are proclaiming a total misconception. When they talk about communism, one sees a scaremongering story.

*Dr B L GELDENHUYS: You yourself believed that story!

*Mr S K LOUW: I shall speak to that hon member in a moment. [Laughter.] Earlier this week he spoke about Frankensteins. Hon members on this side of the Chamber know precisely where the Frankensteins are. That is what happens in the caucus meetings of the NP. The Frankensteins hang over them. The bodies and photographs of persons such as Ruth First and others who have vanished off the face of the earth haunt them. They try their best to appear on television every day, but only the truth will triumph, because the truth hurts. [Interjections.]

We are now preparing for the local elections. Let me ask those hon members how many inducements they still have to present to the so-called Coloureds. [Applause.] What are they doing now? Last year they were involved in racist attacks in connection with Delft. People were misused and loaded onto lorries flying the ANC flag. We know very well they were the culprits.

There is no doubt that this Ruyterwacht episode is the typical *modus operandi* of that party. [Interjections.] As a matter of fact that has always been the policy of the NP: "Divide and rule". That is what they want. However, if one ascertains how many members there are of the so-called communities in which they polled the votes which brought them here, it is a drop in the ocean.

Let me ask those hon members why they do not have a Black Minister. [Interjections.] It hurts! The truth hurts! [Interjections.] How many thousands of votes did that hon member at the back there, Mr Gogotya, poll to ensure that he got a seat here? Did he ever know that he was entitled to negotiate for a ministerial post for himself? [Interjections.] That hon member, Mr Gogotya, did not know that. He is too stupid! [Interjections.] [Time expired.] [Applause.]

Mr A J GUMEDE: Mr President, hon members, I am glad to have this opportunity to address this august Assembly, especially after having heard the addresses delivered in this Chamber by our President and the Prime Minister of Sweden.

In the limited time at my disposal, I wish to restrict myself to the subject which has occupied my interest and attention ever since the launching of the United Democratic Front in August 1983, after which incidents of political violence manifested themselves.

Allow me to quote extensively from the address delivered by our President at the opening of the current session of this Parliament.

Nothing we do should lead to the heightening of tensions and the rekindling of the violent political conflicts which we have succeeded so well in bringing under reasonable control.

This must also be borne in mind, that many of us, who suffered quite significantly as a result of apartheid repression, are making no demands which would result in vengeance against or persecution of those who might have harmed us or those close to us.

Urgent steps are also required to end the continuing political violence in the province of KwaZulu-Natal. This is both a law-enforcement issue and a matter for the political parties and leaders in the province to address.

If we claim to be genuine leaders of our people, it must surely be one of our principal tasks to end the killing, both to save lives and to create the climate of peace and stability which we need to develop the province, which is amongst the poorest in our country.

From the address delivered by the Minister of Home Affairs I would like to quote this excerpt:

I was grateful that President Mandela regarded the issue of continued political violence in KwaZulu-Natal as a very serious threat. I had the privilege of discussing this with the President on two occasions on a man-to-man basis, as hon members might recall. I also mentioned in this Assembly that I viewed the continuing political violence in KwaZulu-Natal in a very serious light.

Although the IFP has lost 385 leaders and office-bearers and thousands of supporters in this violence, the ANC has also lost some leaders and supporters in this hideous vio-

lence. This is an eyesore to would-be investors, not only in KwaZulu-Natal, but in South Africa at large.

It is urgent that we should all do something to address this continuing violence which is consuming so many lives.

Indeed, only those who have no desire that all our people, White and Black, young and old, rich and poor, should live in a peaceful and stable society in which a programme of reconstruction and development can be meaningfully implemented, will contradict the President's statement that nothing we do should lead to the heightening of tensions and the rekindling of violent conflicts which we have succeeded so well in bringing under control.

We witnessed, however, the walk-out of the IFP from Parliament yesterday. Can anyone claim that this has not led to the heightening of tensions and the possibility of rekindling violent conflict in KwaZulu-Natal? Those of us who have endured and survived the tensions and stress created by political violence over the years endorse the President's call that urgent steps are required to end the continuing political violence in the province of KwaZulu-Natal, from which I come, and that it is not only a law enforcement issue but also a matter for the political leaders in the province and the country to address.

Can we claim to be genuine leaders of our people if we do not accept that one of our principal tasks is to end the killing, both to save lives and to create the climate of peace and stability which is a *sine qua non* for the Reconstruction and Development Programme to produce the desired results?

That is the challenge facing us in KwaZulu-Natal in particular, and in South Africa generally. [Applause.]

MR L D CHUENYANE: Mr President and hon colleagues, I am not going to waste my time over Mr S K Louw's attempts to divide the NP and bring racism into the party. The NP is solid! Apartheid is dead! [Laughter.] I am a vanguard against apartheid, and it will never come back into the NP. [Interjections.]

The President gave an overview of the challenges facing us in the current session of Parliament. Naturally, they were specifically intended to cover the multiple tasks facing our country, but

very little attention was given to the Department of Public Works, about which I am more concerned.

Questions were asked during the recess and these are the questions which I am going to ask the House. Specifically, I would like to highlight features and elements contained in the report on public works prepared by the National Economic Forum in June 1994. Central to the report are four top priorities which I think everyone of us is aware of. They are to create, rehabilitate and maintain physical assets which serve to meet the basic needs of the poor communities and to promote broader economic activity. These are from the paper which was prepared by the Public Works Department and are the things which we are supposed to be delivering, especially the Minister of Public Works.

Secondly, to reduce unemployment through the creation of productive jobs, avoiding the creation of dependency and indigence, commonly associated with anti-poverty and welfare programmes and to educate and train those on the programme as means of economic empowerment. I will come to that.

Thirdly, to build the capacity of communities to manage their own affairs, strengthening local government and other institutions, and generating sustainable economic development.

My question to the Minister of Public Works is related to the above-mentioned priorities. I would like to ask the Minister of Public Works about the state of creating and rehabilitating and maintaining physical assets which serve to meet the basic needs of the poor people and promote broader economic activities. What has been done in that particular area? To what extent has he succeeded? What problems is the Minister facing in regard to the creation of jobs to reduce unemployment, avoiding the creation of dependence and indigence commonly associated with anti-poverty programmes? Now this . . . [Interjections.] I must not forget to look at the time. [Interjections.]

On the fourth point, before my time expires, I want to know what educational programmes the Public Works Department has instituted to educate and train those on the programme as a means of economic empowerment. The problem is not delivering, but the skills—skills are not being transferred. It has been documented here

by the Minister of Public Works that people are being confronted and always come for help. What, then, is the problem? It is the skill to write a business plan and what they want to implement. [Interjections.]

I would like to know from the Minister whether he has created a model for building a community capacity to manage their own affairs, strengthening local government and other institutions and generating sustainable economic development. [Interjections.]

My hon colleagues might talk, pass remarks, but what I am saying is reality. We have to transfer those skills and all of us are responsible for that. It does not take a lot to transfer skills. When we talk about programmes, we are talking about giving people the skills so that they are ready when the time comes for delivering, which is now, and which we have not done yet. [Interjections.] Clearly, we are aware that there are major impediments in the way of delivering skills.

The PRESIDENT OF THE SENATE: Order! Does the hon member wish to ask a question or raise a point of order?

Mr M W MFEBE: Mr President, I would like to know if the hon member is prepared to answer a question.

Mr L D CHUENYANE: I will take a question after finishing my speech. [Interjections.]

Mr M W MFEBE: Thank you, I will wait. [Interjections.]

The PRESIDENT OF THE SENATE: Order! But then the hon member must please leave enough time to respond to the question.

Mr L D CHUENYANE: I will do so if I have enough time. [Interjections.] The problems that are faced by the PWV, if any, have everything to do with the lack of skills. My research indicates that one is often confronted . . . [Interjections.]

An HON MEMBER: What research?

Mr L D CHUENYANE: One is confronted by people asking for assistance, but clearly lacking the skills required to prepare a business plan. I want to ask the Minister if there are any workshops and seminars which have been designed to help these people. Do hon members know of any seminars and workshops which have been put in place? Why does nobody know about them? [Interjections.] Granted, I realise that we are all going through a learning process. However, that does not detract from the fact that the PWV is important.

The PRESIDENT OF THE SENATE: Order! The hon member's time has expired.

An HON MEMBER: Take the question!

Mr L D CHUENYANE: I cannot. I do not have the time.

The PRESIDENT OF THE SENATE: Order! For the sake of the debate, I am prepared to allow the hon member a few seconds to take a question.

Mr M W MFEBE: Mr President, with specific reference to what the hon member said about the NP being the vanguard of apartheid, how many NPs are here? We hear about the new NP and the NP which is still the vanguard of apartheid. Can the hon member tell us to which NP he belongs?

Mr L D CHUENYANE: There is only one NP, the NP that the hon member sees sitting on the left. That is the new NP. There is no other NP! [Applause.] [Interjections.] Have a good day!

The PRESIDENT OF THE SENATE: Order! I have to announce that the bells will be rung tomorrow at 14:10 for the National Assembly alone. They have business to attend to. The bells will be rung for a second time at 14:20 when the senators will be invited to join the National Assembly.

Debate interrupted.

The Joint Sitting adjourned at 19:02.

PROCEEDINGS AT JOINT SITTING

Members of the Senate and the National Assembly assembled in the Chamber of the National Assembly at 14:25.

The President of the Senate took the Chair and requested members to observe a moment of silence for prayers or meditation.

PRESIDENT'S OPENING ADDRESS

(Debate on Subject for Discussion resumed)

The EXECUTIVE DEPUTY PRESIDENT (Mr F W de Klerk): Mr President, before reacting to the general debate thus far, you will allow me a few remarks about the IFP's walk-out and the reasons advanced for that. Firstly, I find it a pity that Minister Buthelezi, according to Sapa of today, rejects my call for a meeting between him, President Mandela and myself. Only through discussion and negotiation, I believe, can the situation be resolved. It is a situation which was created without any prior effort to raise the matter with me.

Secondly, the NP regards itself as bound to its agreement on the issue of mediation. We stand ready to perform and to give effect to that agreement, as we did to the original agreement which included not only mediation, but calling the previous Parliament together before the election specifically to amend the Constitution in order to accommodate the terms of the agreement which was then reached.

We insist, however, that clarification of the terms of reference must receive precedence at this stage. To this Dr Buthelezi agreed by accepting the need for a multiparty committee to discuss exactly that. We want to avoid the fiasco in which a previous mediation effort had resulted.

Thirdly, our proposal for a meeting is not a ploy or games, as Dr Buthelezi has called it according to Sapa, but really the only sensible thing to do. Our parties were making progress in the talks about the terms of reference. The NP says let us be sensible and talk, not through the Press, but with each other. We owe it to the country and to all our people. [Interjections.]

The NP welcomes the general trend of the hon the President's opening address. His emphasis on the necessity to talk less and work harder, his strong stand against corruption and anarchy, his commitment to economic growth and fiscal discipline, his promise of effective law enforcement, his insistence on responsible behaviour from trade unions and employees—and many other issues—were all good news. It almost sounded like the election manifesto of the NP in 1994! [Laughter.]

The fact that broad consensus prevails on so many important issues within the Government of National Unity augurs well for the future. The NP is proud of the role that we are playing to help to form and direct this consensus.

As the debate progressed, however, a number of speakers on the ANC side marred the President's speech. His own party too often left him in the lurch. Instead of supporting him strongly, many ANC speakers wandered off in other directions. The most popular of these wanderings was NP and FW-bashing. The latter surprisingly by two of the most prominent frontbenchers of the ANC.

Mr Cyril Ramaphosa delivered a disappointing speech. We expected from him a definitive speech on the constitution-making process. He has a great deal to explain in that regard. But what did we get? A typical political speech that would be more suitable at an ANC rally. Some of the nuances of his speech, however, were significant.

He first covered his back by delivering a poetic multilingual eulogy of the President. Shortly afterwards he began to substitute his own interpretation of the President's words.

The President made a plea for responsible behaviour with regard to mass and trade union action. It is reflected in the following quote from his speech:

Mass action of any kind will not create resources that the government does not have and would only serve to subvert the capacity of government to serve the people.

This and the other statements about order, anarchy, mass action and preventing chaos were interpreted by Mr Ramaphosa as follows:

We thank the President of the Republic for having said over and over again that our people have the right to participate in mass activity and that they have the right to protest.

And the President's emphasis on the RDP as the commonly-evolved Reconstruction and Development Programme in Mr Ramaphosa's mouth simply became the ANC masterplan which all other parties had obligingly succumbed to.

The hon the President said that order must now prevail and mass action which harms the country must come to an end. Mr Ramaphosa said that the ANC would continue with mass action and protest.

The President acknowledged the truth that the RDP did not belong to the ANC only. It is a commonly-evolved programme in which we are all participating in deciding how it is drawn up, in exactly what will be done, and in where the priorities will lie. Mr Ramaphosa turned the RDP into a party-political football in a way which can only disturb co-operation in this regard.

And then came the vicious attack regarding the late Ruth First and related matters. Knowing full well that I have categorically disassociated myself from any involvement in any decision to murder anybody; knowing full well that I have repeatedly given the assurance that there had never been any decision taken at any meeting in which I had ever participated to commit any crime such as murder, Mr Ramaphosa nevertheless tried to implicate me and some of my colleagues.

I reject Mr Ramaphosa's insinuations with the contempt which they deserve. [Interjections.] Craig Williamson did not say that I or the cabinet as such or the State Security Council had been involved. It is a distortion to represent it in such a way.

This brings me to the theme which I actually want to discuss today. We must now begin to put the past behind us and really start to work for the future.

*Our country has come through a prolonged period of conflict and violence, bitterness and reproach. During that time our people became estranged. Deep divides of mistrust placed us in battlelines opposite one another. As a nation, we were on the edge of a precipice.

History will tell how we stepped back from that precipice, how we made peace and how we saved this country from a destructive struggle. It will describe and evaluate the role which President Mandela and I, together with other leaders—it was not only the two of us—played.

The heroic deed of the whole of the South African nation to stand up and take one another's hands on the road to building a nation and reconciliation, in spite of the conflict and bitterness of the past, will always be a credit to our country and its people.

However, what shall history say of the period after 27 April 1994? We who are gathered here, are at present providing an answer to that question. We are the political leaders of all South Africans and our handling of the burning questions which we deal with daily will determine whether it is a story of growing reconciliation and success or whether it will be a tale of failure and renewed clashes and struggle. What we are doing now will determine whether history will say that after 27 April we once again became bogged down in vicious debates on the past, on apartheid and who did what, or whether it will say that we rose above our differences of the past and co-operated to bring long-term peace and stability in our country.

If we really want to succeed, if we really want to be victorious, it is essential that we deal with a few burning questions correctly now. I cannot elaborate on all of these in the limited time at my disposal. The hon President Mandela listed most of these in his speech. Speakers on this side have already discussed many of these, matters such as economic growth, job creation, the necessity for a successful Reconstruction and Development Programme, the effective fight against crime and various other important matters.

I should like to state here today that the NP is enthusiastic in its search for solutions to these matters. We are fervent and enthusiastic in our support for the RDP. We want it to succeed. We welcome the progress we are making with the Government of National Unity in the development of a policy framework which can ensure a better life for everyone, which can restore order and authority. We shall continue to make our total contributions, which are already making a great difference, within the Government of National Unity. The country can rely on us.

However, central to the challenges facing us is one important matter on which I should like to focus. This is the question: How do we deal with the complexity of the composition of our population on the road ahead?

†We have already made the most important choices with regard to this question as to how we are going to deal with the tremendous complexity of our nation. We have done so almost unanimously. We have come out against racism, apartheid and discrimination. We have come out for reconciliation, nation-building, equal opportunities, affirmative action and the elimination of all forms of discrimination. And within the Government of National Unity we are working diligently on plans to transform all of this into reality, to turn these fine sentiments into visible change, with tangible improvement to the lives of all our people, right down to grass-roots level.

However, all these plans have to be implemented within a framework of realities that cannot be changed—the reality of our cultural and language diversity, the reality of minorities with their fears and their aspirations, the reality of regional interests, and I could continue adding to the list. These realities will never disappear. In the new South Africa we will have to deal with them constructively and creatively if we wish to assure the success of true reconciliation.

At present we are not succeeding very well in every respect. We are not running away from the facts. White, Brown and Indian minorities are deeply concerned about a number of important issues, including education and the effects of affirmative action.

In Zulu circles internecine conflicts often result in murder and killing. Rural Black South Africans feel neglected. Some provinces are in grave difficulties, and in some instances chaos looms. The NP insists that the Government of National Unity should act swiftly and effectively in allaying these fears and anxieties.

One can compare the case of a human being to that of our nation. If one's stomach or head or feet hurt, it has a negative effect on the whole body. Similarly, if any part of our population is injured or feels threatened, this will have a negative effect on the whole nation. In particular, we have to convince minorities, in an effective manner, that they will not be discrimi-

nated against in the new South Africa. Mere words of reassurance are not good enough.

There is great appreciation for the sensitivity that President Mandela is showing in this regard. He often goes out of his way to reassure those who are concerned. He did this once again in his speech to Parliament. However, his good work is being undone, time and again, sometimes by statements made by some of his Ministers, and if it is not they, then it is the hon Gill Marcus or someone else. [Interjections.] [Applause.]

The result is that the Public Service is in turmoil and is losing skills and expertise at a rate that the country cannot afford. The result is the emigration of highly qualified South Africans. Doctors, dentists, auditors, jurists and business people continue to emigrate. I think that if one went to a doctor in Canada or Australia, there is a 50% chance that he or she would be a trained South African doctor. [Interjections.] The "brain drain" continues and our country is losing skills without which we cannot make a success of the new South Africa.

We cannot run away from the fact that in some communities racial tension is slowly on the rise again. What, then, is the answer? Without doubt, it is not to fall back on race or colour as the basis for the organisation of our society. We must never again make race or colour the basis for offering security to anybody.

We must build continuously on our new South African nation and a nonracial society. Mr Maharaj need neither convince nor try to correct us on this issue. We are as committed as he is to ensuring that this country will become a truly nonracial country. [Interjections.]

By the way, since I became Deputy President, 11 appointments of people of colour have been made in my office. [Interjections.] However, there is one thing I do not do. I do not fire loyal public servants who have served me well and who are doing a sterling job. I do not upset their career security.

Therefore, we are as committed as anyone to ensuring that this becomes a truly nonracial country. I believe, however, that while we are doing this we have to guarantee two things. Firstly, affirmative action must be managed in such a manner that it will not result in discrimination against members of minority groups. Career opportunities should be ensured in a fair

and balanced manner, in terms of both employment and promotional policies.

I am not one of the false prophets to whom the hon the President referred, trying to shoot them down. My party and I are fully supportive of the need for affirmative action. However, we say that this must be done in a balanced way, at the same time adhering to the other important principle in our Bill of Rights, namely that there shall not be, in this country, discrimination on the basis of race or colour. We have to marry in balance these two demands of our Constitution.

The second aspect that I regard as necessary is that in the implementation of the transitional Constitution, and in the writing of our new constitution, we should ensure that minorities are effectively protected against all forms of discrimination and dominance.

*To state it positively, we should create space so that our cultural diversity may flourish. We should implement all the principles of our bill of rights in a balanced manner and not grant some priority over others. We should find a formula to manage the complexity of our population in a meaningful manner.

Hon members may verify this, but in most of the countries suffering from civil war and political violence at present, disregard or suppression of minority groups lie at the root of the problem—whether these be cultural, religious or racial minorities. It happens in numerous countries where there has never been apartheid. It may also happen in South Africa, if we do not find a solution.

The fact that the NP insists that minorities should be protected against intimidation and discrimination should not be interpreted as hidden racism. In our book, race does not enter into it. We are not concerned with Black and White, but with cultural and language groups. We are concerned with religious minorities. We are concerned with economically definable minorities. We are, in fact, accusing some members of the ANC that they are too often paying only lipservice to non-racism while they are still bogged down by racially orientated thoughts and actions. The NP is concerned with the protection of minority groups in a true, non-racial South Africa.

During the weeks and months ahead we shall be putting forward proposals concerning this matter. What is needed, is a basic understanding

between the main role players. That understanding should state that we are all serious when we say that we shall henceforth, and in our constitution, protect minority groups against discrimination and domination, but in such ways that the will of the majority shall not be ignored or frustrated. This is an understanding that we are all in favour of a situation where everyone wins and do not wish to fall back in a system where the winner takes all.

I ask the hon president Mandela to give his opinion on such a permanent understanding. If he reacts positively, it will form the basis for growing confidence and successful negotiations on the way ahead.

What is more, it will also form the basis for true reconciliation. Where that true reconciliation already exists, it will strengthen that basis greatly.

†When we were invited by the Council for Christian Churches here in the Western Cape to attend a service on Monday, two of the pastors addressing us quoted a very telling text from the Bible. It came from Ezekiel 36: 26, and read as follows: "I will give you a new heart and put a new spirit in you; I will remove from you your heart of stone and give you a heart of flesh."

What we need in order to have true reconciliation are hearts of flesh. We need to rip out our hearts of stone, to finally break with the bitterness of the past, and to join hands with open minds to address the challenges of the future. [Applause.]

THE MINISTER OF WATER AFFAIRS AND FORESTRY: Mr President, the President of the Republic, dames en here, ladies and gentlemen, molweni maqabane [I greet you comrades]. The President's address, which this House may need to be reminded is what it is debating, stressed the importance of delivery in this the second year of a democratic South Africa. This in my view is the crucial and immediate task that lies ahead. We must convert words into deeds, into tangible all-inclusive programmes to address the divisions and imbalances we inherited from the apartheid era.

The President urged us to "move away from the spectacle of rhetoric and bend our backs to the serious task ahead of us". I appeal to the House to take this presidential advice seriously. Let us now do the job, and, above all, deliver. The

opening address was an almost austere challenge to the nation made by our President in his leadership capacity.

The response of this House has not been in keeping with the President's spirit of seriousness, gravity, dignity and nonpartisanship. There has been the use of exaggerated and inflammatory language, including an extraordinary phrase yesterday, from someone who should have known better, referring to ethnic cleansing to describe measures of affirmative action.

By devaluing words we devalue the horrors that are being perpetrated around us. There has been much partisanship, destructive of the needs of the hour and of the tone set by the President. This is a moment for leadership, but—I regret to have to say this—the previous speaker, Deputy President De Klerk, spoke more in the tone used at an NP rally at Kempton Park, rather than giving the leadership that we require! [Interjections.]

Rather than giving us a response to what the President said, and making a reciprocating gesture in the nonpartisan way of the President, we had the language of anxiety, and of playing on people's fears. He reminded me in relation to affirmative action—which he supports, and has supported in Germany, Britain and elsewhere, like a refrain—of the lady of easy virtue who prays in the church and says “God, make me virtuous, but not today”! [Laughter.]

In principle, he is in favour of affirmative action, but in practice neither he nor the party which he represents has put before the Cabinet or anywhere else a coherent and systematic programme of how we can undo the legacy of the past. This is a serious matter. There is no point in denying the application of affirmative action in the inflammatory way that we heard, without putting forward proposals of how we can do it in an orderly way.

In the same way they are playing on the whims, fancies and genuine anxieties of minorities, in such a way that what we are talking about is maintaining minority privileges, whether it is in the Public Service, in jobs, land, farming or in water rights. We have to grapple with this. The nation expects a dignified response from our leaders.

There were very few signs of this, too, when the leader of the IFP and his followers simply withdrew from Parliament en masse. This is a

crushing disappointment in the light of what has to be done so urgently in our country. It struck a discordant note in our national politics. It came at a time when the Government of National Unity has been and is working well. All sides have to make concessions so as to make the process work. The benefits have been so palpable and clear.

The RDP has, as Mr De Klerk said, been agreed upon and the prospects for the future look good. There is room for improvement. Cabinet Ministers from all sides have had to learn, as the President has said, a new way of working and to accept collective responsibility for decisions taken in the Government of National Unity. Some may find this difficult and are propelled willy-nilly into new roles in the process.

Take the example of our Minister of the wilds, Dawie de Villiers. He is a quiet, agreeable man, whose behaviour causes few ripples. This week, however, he suddenly emerged as a Tarzan of the environment, swinging from the trees of political controversy and uttering Tarzan's distinctive, hoarse cry. [Applause.] His colleagues in his own party applaud his transformation from Jane to Tarzan, and supportive scribes in the *Die Burger* are moved to exclaim: “Tackle him Dawie, tackle him low.” In fact, it was a high tackle and he should have been sent off, because he protested too much. [Laughter.]

Is not his plea for understanding the behaviour at Ruyterwacht, a form of support for such behaviour? The answer to such equivocation is not only that we should exorcise and banish racism in every way and in every part of our lives, but that our experience should enable us to be at the forefront of global initiatives to end racism and to play a proactive role internationally. But first we must get it right at home. To get it right we cannot speak in coded language. We must be quite clear and forthright in our opposition to this virus, this cancer, which has been destroying our society.

The combined wisdom of trained and detached minds, those who know about what is happening here, such as diplomats from overseas and foreign intelligence agencies, is that our new democratic statehood has made a remarkably good start. The Cabinet secretariat has, in a recent memorandum, found as a matter of verifiable fact, that there were only three issues on which the Government of National Unity had

different positions. It found "remarkably few instances of sharp party-political divisions in the Cabinet".

This is why the IFP withdrawal is inexplicable and unrelated to the national mood and what has been happening in the Cabinet. Was it, as a newspaper suggested yesterday, "an essay in political grandstanding, trying to coincide with the presence in Cape Town of the international media attending the opening of Parliament"?

I fear that the IFP's move was in the nature of a spectacle, a dramatic move designed to grab the limelight. If this is the case, then this is a sorry spectacle, a childish reaction, akin to that of a small boy who wants to spoil other children's games.

When the Minister of Home Affairs accepted a post in the Government of National Unity, he accepted the obligation that went with it. He accepted the need to work together to bring peace and prosperity to our beloved country. But he cannot pick and choose when he will support a particular approach and when he will call on his followers to abandon their parliamentary duties.

If the IFP's continued membership of the Government of National Unity and Parliament were to be placed on approval by its participants, this would trivialise the very institutions that stand between peace and chaos in South Africa.

Parliament is the venue for the resolution of disputes. Parliament is the place where we must thrash out all 109 points in his address which are tendentious and inaccurate, as has been pointed out by Deputy Minister Valli Moosa and Minister Roelf Meyer. This is the place where the real contestation must take place—not sulking in Ulundi or a semi-detached presence in the Cabinet. [Interjections.]

The result of the IFP's manoeuvres is to confuse the public and to satisfy all those, both inside and outside the country, who believe that an African state is incapable of governing itself responsibly. Already the prophets of doom and gloom are wondering whether we can ever be trusted to produce a stable and reliable government. Is this really what the IFP wants?

For the Government of National Unity to function, its participants must observe certain basic rules of behaviour. Orderly government cannot be subject to one form of guerrilla attack or

another conducted by its vital components. Let us hope, let us pray, let us beseech the IFP leadership to come to their senses soon and lead their followers back into this Chamber, copying the example of the grand old Duke of York:

The Grand old Duke of York

He had ten thousand men.

He marched them up to the top of the hill

And he marched them down again.

[Laughter.] History in South Africa demands that this is the valley, that this is the place—not the top of the mountain—where the IFP should be. Let us therefore hope that the IFP will respond to our President's earnest appeal, as he put it, "to bend our backs to the serious task ahead of us". Let us also hope that we will be selective about what we choose from the extraordinary 22 points that the President made. Let us not be partisan about what we choose. We stand behind every one of the propositions that he put before us, not because one particular tendency is conducive to our position, to our electoral fortunes or to our immediate sectarian interests. We stand behind every part of it.

I want to refer, in particular—and this is the basis of my intervention—to the President's strong words on the question of corruption. If members on my side of the House were surprised by the vehemence of Minister De Villiers and other NP members, it is only because they have no right to make moral judgements.

It is correct, as Mr De Klerk says: Let us put the past behind us. But the past governs the present. It is perfectly understandable that the NP, with its record of the abuse of human rights and corruption, should resort to the strategy of attack as the best available form of defence. [Interjections.] This is particularly so when former security operatives are detailing how, on State Security orders, they made bombs with which to murder people. A chamber of horrors is being opened up almost daily. The extent of the stealing, cheating, lying, embezzling and worse that occurred during the discredited period is slowly being revealed in ever-growing chapters day by day.

Dr B L GELDENHUYS: What about the ANC?

The MINISTER: I am coming to that. Boy, I was waiting for that! I come to that with relish! [Laughter.] It would be demeaning if the ANC were to compare itself, in any way, with that tarnished era of apartheid. We shall certainly not

lower ourselves to that level. Our morality has always been of a higher order.

Suffice it to say, particularly with regard to the years from 1948 to the early 1990s, that those years were marked by the creation of an all-pervading culture of corruption that knew few parallels. The corruption of apartheid led the way, with its exclusive arrangements for people with a White face and membership of the Broederbond and for compliant stooges from other communities. But this was accompanied by other corruption, which infected the whole fabric of society.

Seriously, if we are to deal with corruption, we must know what we have inherited. So-called white-collar corruption and other dubious activities reached Everest-like peaks in the private sector, including, for instance, the following: money gained and positions arrived at through sanctions-busting, a legacy that affects nearly every aspect of our social life, insider-trading on the Stock Exchange, corrupt awarding of contracts and quotas, non-disclosure of directors' massive rewards, the unfair share options offered, the brazen fleecing of millions of investors, huge currency swindles, payment of huge salaries out of line with skill, ability and job definition, and ongoing mercenary activities, destabilising entire countries in the region, and much more. In the previous era, illegitimate personal gain and plummeting public and international morality went hand in hand. Now, ironically, the attack is focused on the ANC.

For decades members of the ANC and of other liberation movements fought selflessly for the freedoms that we have attained. They sacrificed their families, their livelihoods, their personal freedom and even their lives for what they believed in. In the meantime, the NP was making the laws which deprived others in these ways—and enriched themselves in the process. Now it is the ANC that stands accused.

Yet it was the previous government that ran the country on a system which was not only evil and murderous, but also immensely corrupt. Business cronies were paid millions to build toilets in wastelands where there was never any housing. Millions of rands were poured into the homelands to establish vast cesspools of corruption in which anything was allowed, provided a facade of stability could fool the world into believing that separate development was a real goal of the

repressive apartheid state. This is what we in the Government have inherited.

An HON MEMBER: Talk about the future.

The MINISTER: I shall come to that.

It should be admitted that temptations are laid in our path every step of the way. It takes a quiet word sometimes, not the stridency of a rally. It takes resoluteness not to succumb to ways of doing things which have become the norm. It takes courage not to succumb to ways that have become the pervasive norm in our society in which old pals are promoted, business is offered to some people in exchange for favours and commission on deals changes hands.

I do not claim that we in the ANC are all angels. [Interjections.] One cannot fight a war of liberation entirely under the Marques of Queensberry rules, though I should say that we tried to promote the humanitarian rules of war and governed our personal relations in ways that members would not understand, ways that were never accepted by the former government. However, now we in the ANC are answerable. This House, the entire body of public representatives, should answer to a wider constituency. We must be bound by higher standards of conduct than those which governed our predecessors.

Any of our members who acquiesce in the endemic corruption in civic and Government structures should be treated accordingly. I address my remarks to you, my brothers and sisters. We should cure the problems the previous order has left us, and not become part of that system which we inherited. Fundamentally this is about what we are as a national movement.

Corruption is corrosive. Once it gains root in society, it destroys the basis of society and destabilises the democratic order. It is both an ethical and a practical issue. Corruption skews and disables the mechanisms on which societies rely for the public good. Those who use office for money are taking food from children's stomachs.

Corruption impedes the Government's ability to deliver. It is therefore essentially a reconstruction and development issue. That is why we should move away from the inherited culture of corruption. It is unseemly in the extreme for any member of today's Cabinet to be seen, actively or by default, championing the cause of yesterday's culprits. If the present Government is

bound by the acts of the previous regime, as it is by law, the entire truth about past corruption within and outside the State apparatus should come out. There should therefore be no abuse of office for personal gain or, as the ANC's code of conduct lays down, no elected member shall use his or her position to court or demand any form of favour.

It follows from the President's attitude that in cases in which allegations of wrongdoing are shown to be true the most stringent measures should be taken against perpetrators, whoever they are. This would be in stark contrast to the previous order, in which little or nothing was done about corruption and in which matters were allowed to slide. [Interjections.]

I address my remarks to my brothers and sisters on my right-hand side. There should be scrupulous adherence to the code of conduct that exists for elected members of the ANC, including provisions governing the declaration of assets and gifts for Cabinet Ministers, resignation from directorships and the placing of shares and properties in blind trusts.

Furthermore, we must have a code of conduct for all elected representatives both in the Senate and in the National Assembly. We must have an enforceable code of conduct for the Public Service, senior public servants and members of the boards of parastatals. A code of conduct is necessary because of the strategic positions the chairpersons of standing committees occupy. Special machinery must be set up. We must now embrace the Public Protector, whom we are about to appoint. We must embrace the Auditor-General who must scrutinise the conduct of all members of Parliament.

Special systems must be set up to ensure that gifts and patronage, in whatever form, are declared. Categories of disclosure, such as income, land-holding and spouses' contributions must be rigorously defined. We must also believe that contributions to political parties should be disclosed—especially as we move towards State funding to political parties—in such a way as to prevent paymasters from influencing policy.

Therefore we are grappling with the past. The past governs the present. We are trying to deal with these horrors. At the same time we must ensure that no form of corruption must come back today. Let us all, each and every one of us,

commit ourselves to answering the President's call to action. The call to action which is best summarised as power to the people. Amandla! [Applause.]

The MINISTER OF TRADE AND INDUSTRY: Mr President, Comrade President of the Republic, hon members and senators, I wish to join those who have thanked our President for a tone-setting address which was simultaneously warm, measured, inspirational and full of vision. I listened to that speech with pride, Comrade President, because it is demonstrable of a history and an unbroken tradition within the ANC.

In 1911, the late Pixley ka Isaka Seme wrote:

We are the last among all the nations of the earth to discover the priceless jewels of co-operation, and for this reason, the great gifts of civilisation are least known among us today. I repeat, co-operation is the key and the watchword which opens the door, the everlasting door which leads to progress and all national success. The greatest success shall come when man shall have learnt to co-operate, not only with his own kith and kin but with all peoples and all life.

Eighty-four years have elapsed since Pixley Seme wrote these words in his motivation for the establishment of a national movement for the people in this country. It took 83 years for apartheid South Africa to discover the priceless jewels of co-operation. Today we are here.

However, the great gifts of civilisation that Seme wrote of still remain least known amongst us today. Why else are 12 million South Africans still without access to running water and 18 million South Africans still without electricity, despite the fact that we have surplus generating capacity—in fact, as a country, we generate 60% of the continent's electricity? Why else is there still no public transport infrastructure in place? Why else are one in every five South Africans families still without permanent shelter? Why else did we fare worst out of 41 countries measured for human resources development by the world competitiveness report? Indeed, why else do we feature ninety-third on the United Nations development programme's human development indicators for countries? Why else but the fact that these great gifts of civilisation are still unknown to us.

Inequality in South Africa remains the biggest single threat to peace. No hollow incantation of "But we have done away with apartheid; remember 2 February 1990" can argue against the cold reality of empirical evidence. Those who chant that apartheid is dead are truly, as the President said in his address, the false prophets. The only reason why anybody would believe a lie is that they have not heeded the words of Pixle Seme, urging us to co-operate with all peoples and with all life and not merely with our own kith and kin.

Deputy President Mr De Klerk has said they have chosen against racism, against apartheid and against discrimination. I am encouraged by those words, but I need to know that that is not a mere shroud to retain the status quo of inequality in South Africa. [Interjections.] That apartheid was never merely a set of obnoxious laws, that indeed it permeates all of our society and remains alive and well cannot and should not any longer be in dispute. We can only address the problem if we recognise its existence. It will not disappear of its own accord. It requires vision, determination and a clear programme to deal with it. It also requires consistency.

The NP in this House has condemned Inkatha for having walked out, but the NP in the Cape Town City Council has walked out because it could not get the seats that it wanted. [Applause.] The NP has condemned the occupation of houses in general, but the NP is supporting the occupation of houses in Lenasia Extension 13 this very day. [Interjections.] It requires consistency.

Until such time as we have democratised local government and have tackled the inequalities head-on, we will not have adequately redeemed that pledge, which our forebears made, that we will provide a better life for all South Africans.

Top of the list, in dealing with the problem, has to be affirmative action. Let the NP continue to rail against it—and I heard the Deputy President saying that the NP supports affirmative action. In response to the President's speech on Friday, the NP statement—and I hope the hon member Marthinus Van Schalkwyk is here because the statement was issued in his name—criticised the President for raising the question of affirmative action. [Interjections.] We do not want duplicity. We want consistency. [Interjections.]

Let the NP continue to rail against it. They cannot—and we will not allow them to—stand in the way of history. The more they whinge, the more they expose their racist impudicity. In the implementation of affirmative action we need to be sure that we ourselves—those of us on this side of the House—define the rules, because we understand the issues.

The cynics choose to have one or two Black faces in high places, people without real responsibility, and they call it affirmative action. I have even seen that in some parties in the House but that is another issue. They also use their version of affirmative action to engender fears and racism amongst the oppressed. The President's message is abundantly clear—that all our people who were disadvantaged by apartheid should benefit from affirmative action.

I want to address a special message to that community whence I come, that grouping that the NP chose to label Coloured. We have nothing to fear and everything to gain from affirmative action. We are of a community which has never even owned the corner shops in the group areas set aside for us. We are a people of workers who have been shunted around under the Group Areas Act. We are a people who have been trodden upon by apartheid. We will not be undermined by affirmative action. Our people will benefit from affirmative action, providing we define the rules ourselves. [Interjections.] We cannot allow the NP or its cohorts to scare us from the gains that we as a community have struggled for. [Interjections.]

Let the NP howl against affirmative action as they are doing now! [Interjections.] In the Department of Trade and Industry, despite what Deputy President De Klerk says about public servants, we have already embarked on a programme of affirmative action.

Senator C ACKERMANN: [Inaudible.]

The MINISTER: Senator Ackermann, are you the person on whom they conducted an EEG and found straight parallel lines without kinks? [Laughter.]

That programme, Deputy President, is being shaped even as we sit here. The programme is being implemented with the full support of everybody in the department. We have the Black Management Forum as our consultants, and they have been welcomed by all those public servants

we found in that department. [Interjections.] They are eager to participate. They are eager to be liberated from the narrowness of the past. Some of these people have never related to people of colour as equals or as superiors. It has always been the top-down relationship to gardeners and other people who work in the kitchen. For the first time they feel liberated and want to participate in the process.

I want to appeal to all departments to pursue the same route. I also want to appeal, especially, to the party on the left of the House here. Let us not stand in the way of that important process of psychological liberation that White Afrikaners need to go through in the House by railing against affirmative action, because that is the net result of what you are doing. [Interjections.]

I also want to touch briefly on the issue of entitlement. Yes, entitlement is evident in people who choose to forcibly occupy houses and who blatantly refuse to pay rent and service charges. However, it is equally evident amongst industrialists who expect us to collect taxes and then pay it over to them as a General Export Incentive Scheme, which cost the country around R2 billion this year.

The culture of entitlement is certainly also evident amongst farmers. I am sorry that my colleague, Minister Kraai van Niekerk, is not here this afternoon. That culture of entitlement is present amongst farmers who stand with begging bowls for subsidies, relief, and if I heard Senator Gous correctly, cheap Land Bank money if they belong to particular political parties—all of which has been collected as taxes. It is this very scheme which was entrenched to enrich individuals and which, in fact, has denied the Government the right to deliver social goods and services where they are most required. That is as much a culture of entitlement as those who do not pay rent and service charges.

This culture of entitlement is also present in this House, in people who seek to permanently entrench transitional arrangements, who seek to rail against democracy, and who seek to maintain their lifestyles regardless of the will of the people. I heard Deputy President De Klerk amongst those this afternoon pleading for a continuation of transitional arrangements, regardless of the will of the people. [Interjections.]

It is therefore important that the process of constitution-making proceeds. Let the people speak. We cannot allow this culture of entitlement to proceed behind the veil of the protection of minority rights. It is not minority rights, but at best the vested interests of those who have been the beneficiaries of apartheid, and that is what we have to put an end to. [Interjections.]

We have heard in this House from the hon Tarzan, as I believe he is called now, that the NP has policies which distinguish it from other parties. [Laughter.] Now, the hon Minister Dawie de Villiers had his initial training as a dominee and I must, therefore, refer to the Bible and ask him the following: Why my brother have you hidden your light under a bushel? God will judge you for that. That is what the Bible taught me. [Laughter.] If you have those policies, where have they been hidden all these years? [Laughter.]

I also want him to explain his party's manifesto, and I have read the manifesto which the Deputy President Mr De Klerk referred to, which declares the NP to be a party which believes in a free market. However, this very party comes to us and asks us to support their constituency in fixing prices against consumers in the Meat Board, the Dairy Board, the Banana Board, the Coffee Board, the Chicory Board, the Rooibos Tea Board, and the Agricultural Marketing Boards. They want to fix prices in fundamental contradiction with their declared policy of a free market. Therefore, we must ask the NP today if they do really exist. Have they got any cohesion at all? I have not heard the hon Andrew Fourie—perhaps he is not allowed to come here and state what he really feels. Have they got any future? They remain to this day a party without a vision, without a plan and without the faintest understanding of democracy. They are the people of yesterday.

Mr M C J VAN SCHALKWYK: Mr President, a very interesting dynamic played itself out here on the floor of Parliament during President Mandela's opening speech on Friday. It must be the first opening speech of Parliament which received as much applause from the opposition as it did from the President's own party. The ANC applauded the hon the President's view of affirmative action, local elections and one or two other issues. The NP and some of the other parties in this House applauded the hon the President's tough stand on crime, the anarchy that we see on

our streets during protest marches and strikes and his view on fiscal discipline and the Budget deficit.

The incident this morning at the St Alban's Prison, where arms were smuggled in and one warder was shot and another taken prisoner, will be the President's first opportunity to illustrate that his speech on Friday was not just lip-service. The interesting thing was the silence in the ANC benches when the President announced his tough stand on crime and anarchy. After a while some ANC members started to applaud, but very unsure of themselves. Later a few more joined in but the vast majority just sat stone-faced. The truth is that the ANC is a party whose leadership is increasingly accepting policy positions of the NP, while the bulk of its rank and file are still caught up in outdated policies. [Interjections.] In the rank and file, there are, however, a small number of brave people willing to applaud their President in public when he takes a courageous stand on issues which are right for South Africa.

The reality is that the NP and the ANC represent two different political and economic philosophies. The NP is the party of a free market with a social conscience; the party which believes in traditional and religious values; the party which believes that the individual is more important than the State; that the individual should be as self-reliant as possible; that criminals should be punished and that violent criminals should be taken off our streets and incarcerated. We believe that the death penalty should be brought back in certain circumscribed instances. The NP believes in parental involvement in choice of schools. We believe in a strong national defence sustained by a motivated, well-trained and disciplined Defence Force.

What is the framework of the ANC's political and economic philosophy? The ANC is a party which believes that the State should provide the cure for all society's ills. They believe that the State must enforce their brand of affirmative action even if it creates a new version of apartheid and even in the way people insure themselves against health risks. Sometimes they create the impression that they believe the State can even enforce economic growth. They somehow seem to believe that the country can be taxed into economic growth. The ANC creates the impression that the rights of criminals are often more important than the rights of those who have been victimised. They create the impres-

sion that parental involvement and parental choice in schools are expendable principles. It seems as if mediocrity is replacing excellence as the goal towards which we are teaching our children to strive.

The ANC sometimes creates the impression that our security force's prime objective is not to form a strong national defence but an employment bureau characterised by weak discipline. Some ANC members seem to think that placating violent criminals is the wise thing to do, while ordinary South Africans continue to suffer, day after day, at the hands of those people who are intent on destroying the very fabric of our society.

The internal divisions of the ANC are becoming a soap opera playing itself out night after night on television. I am quite sure it will get a higher popularity rating than "*Loving*" and "*The Bold and the Beautiful*" combined. The hatred, the envy and the personal vendettas and intrigues make these other soap operas look like censored copies with an age restriction. There must be many ANC members who cannot condone this kind of behaviour and cannot be comfortable in a party that is fast becoming the disappointment of their supporters.

If I compare these two political and economic philosophies, and taking into account the mixed reaction that President Mandela received from his own benches when he took a tough stand on crime, anarchy and fiscal discipline, the NP says: "Let us repeal section 43(b) of our Constitution". After the NP caucus meeting on Saturday, Mr De Klerk indicated that the NP is in principle in favour of reconsidering the clause preventing MPs and Senators from crossing the floor. Mr De Klerk said the right of elected representatives to regroup across party-political lines should be entrenched and that section 43(b) should be replaced with a measure providing for some mobility.

It is clear that most political parties, especially the ANC, are like Egyptian mummies with all the cracks and contradictions preserved and bandaged over. [Interjections.] The ANC is a socialist party doing its best to transform itself into a social democratic party. We hope it succeeds for the sake of democracy, but in that process it will discover that it is impossible to keep its entire present power base intact.

*There are different styles in which parties in this Parliament oppose the ANC. The NP has some points of contact with some of these parties, which we would like to develop. We cannot always agree with the way in which they oppose, however.

There is the DP's style, for example. This is the style which says that they are only interested in newspaper headlines, even if their noise produces no results and even if it does not lead to an increase in votes. Even when one announces one's own early funeral, and one later realises one's mistake, one tries to explain it to one's supporters as simply a wake-up call.

Then there is the FF. They are hoping, by praising the ANC as much as possible and quietly setting the trap for a volkstaat, to take in the ANC. They believe that if they continue to praise the ANC for long enough and lay it on like one layer of sweet icing sugar on top of another, the ANC will give them their volkstaat on a silver platter one fine day. The supporters of this strategy believe that the ANC will like their praises so much that they will quietly change their minds, and this week it seems as if the DP has also adopted that strategy in this debate.

The strategy of the IFP is very simple. One sails ahead peacefully all on one's own, and the moment one realises no-one is taking any notice of one, one explodes.

As far as the NP is concerned, we spell out clearly what we stand for and where we differ with the ANC, and then we propose alternatives. We state openly that we shall co-operate in order to reach compromises in the interest of the country, but we are also compete with the ANC by clearly stating our differences and offering opposition.

†The scrapping of section 43(b) will also bring new dynamics to opposition politics in South Africa. We should now enable people who belong together to group together in political parties of their choice. In this regard, we will continue to strengthen the NP as the only centre-right party with a sound political philosophy and policy to act as a counterbalance to the ANC. When we say this, we do not regard the ANC as an enemy. We regard them as a very necessary and worthy political opponent. As with all successful democracies, we have to ensure a healthy tension and debate between the

two philosophies represented by the NP and the ANC. We trust that the ANC approach this in the same way.

Of course there are some areas on which we agree and compromise is possible. We have demonstrated our willingness to put South Africa's interest first and to compromise and co-operate in the Government of National Unity, sometimes to the detriment of our own party. Because we are patriots, and because we so deeply want South Africa to succeed, we have been willing to pay that price, but the survival of a vibrant democracy and the prevention of a one-party dominant state must now be high on all our agendas.

THE MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION: Mr President, members of Parliament, ladies and gentlemen, I wish to thank the President of the Republic for his inspiring and thought-provoking speech at the opening of Parliament. In his speech he touched on a number of matters of deep concern and relevance to the Public Service. I specifically wish to address myself to those issues of concern to the Public Service.

In the first instance, I would like to share with the President of the Republic his appreciation for the sterling work done by public servants in bringing the goals of the Government of National Unity to fruition. Although we sometimes tend to take our professional and dedicated Public Service for granted, we should not forget that only 10 months ago our country faced the real possibility of a collapse in the rendering of essential services with the prospect of the large-scale disruption of the whole of society.

With the help of the TEC and the guidance of the Public Service Commission, individual public servants and the Public Service unions, we have averted a possible crisis and achieved a relatively smooth transitional process. We can, therefore, look back on our successes, not with a sense of complacency, but rather with relief and thankfulness. In a relatively short period we have clearly been able to identify which functions or aspects of functions need to be performed at national and provincial level.

All provincial legislatures, with the exception of Gauteng, have established their respective Provincial Service Commissions, and Directors-General of provinces have been appointed. The

Gauteng administration is at present finalising the process of appointing its Provincial Service Commission.

Plans are afoot by the Public Service Commission to organise a seminar for all Provincial Service Commissions with a view to empowering and orientating them to the new Constitution. A workshop will be organised by the Commission, with the assistance of the ILO and the Canadian International Development Research Centre, to expose the Provincial Service Commissions to international experience in the area of Public Service administration.

My Ministry has almost completed the organisational rationalisation of the Public Service with the unification of the diverse structures of the 11 former Public Services of the Republic of South Africa, the TBVC states and the self-governing territories. Most public servants, with certain exceptions, have been absorbed into the Public Service, and the same terms and conditions of service now apply to all of them. There is parity in remuneration in the Public Service throughout South Africa. This process was facilitated by the proclamation of a revised Public Service Act by the President on 3 June 1994, followed in quick succession by a revised Public Service Labour Relations Act, Public Service regulations and Public Service staff code. These particular pieces of legislation will require revision as the process of rationalisation continues. They were necessary steps in ensuring stability during transition.

Departments and provincial administrations are now faced with the difficult task of aligning their objectives and harnessing their resources in support of the objectives of the RDP and the priorities of the Government of National Unity. All indications are, however, that the massive ship of State has irreversibly changed its course, focusing on the delivery of quality services to all citizens, and aiming at improving the plight of those who were previously disadvantaged. All departments are expected to fill the empty posts that exist, that is from the 11 000 applications.

I would like to move away from my prepared speech to answer some of Deputy President De Klerk's accusations, especially on affirmative action. It is a pity that it is he, the leader of the NP, who asked these questions.

First of all, affirmative action is constitutionally entrenched and cannot be changed. [Interjec-

tions.] The NP should know that. Secondly, the Cabinet has agreed on measures on how to implement affirmative action. Thirdly, the unions within the Public Service agreed in the bargaining chamber on the way in which affirmative action has to be implemented. It is a pity, therefore, that Deputy President De Klerk tried to inflame the tensions within the Public Service on this issue.

It is an issue which is central to the continuation of stability in this country. It was a sacrifice on the part of the ANC. Reconciliation is a two-way street. We did guarantee the jobs of all public servants in the Constitution, the majority of whom, at managerial level, are White. That could not have been done without satisfying the needs of the Black community in this country. Reconciliation has to be seen to be taking place on both sides, not only as the White community expecting us to go out of our way all the time.

We are part and parcel of South Africa. We are not going to start doing now whatever the NP wants us to do. I think Deputy President De Klerk should abide by what has been accepted by the people and in the Constitution and not use the implementation of the Constitution to achieve his party political and personal ambitions. [Interjections.] I think the people of this country deserve a little better from him. He is supposed to be the leader of the NP and one of the Deputy Presidents of this country and we expect a little more responsibility from him. [Interjections.]

The President referred to the current initiative of involving the Public Service unions in the budgetary process and addressing all matters which are of concern to them, including questions on salaries, promotions, pensions and other issues relevant to the working conditions in the Public Service. This initiative is very important in view of the dual responsibility of the State as an employer and, at the same time, as a provider of services.

I am pleased to confirm that despite our limited ability to grant salary increases and other improvements in service benefits, the indication is that a new spirit of co-operation and participation is emerging between the representatives of the State as an employer and those of the employee organisations within the chamber of the Public Service bargaining council at central level. As part of our ideal to actively engage

public servants in the process of co-determination and of worker participation in the management of the State machinery, the employee organisations are taking part in a joint task-team effort to look into all issues regarding conditions of service, including the improvement of salaries and wages, within the framework of a three-year plan.

Apart from the main task team, eight subtask teams have been established to look into, firstly, strategies for narrowing the wage gap; secondly, reviewing the grading system; thirdly, paying allowances; fourthly, providing fringe benefits; fifthly, deciding on the process to be followed in determining an improvement plan; sixthly, determining a basis for the distribution of funds between the educators and the public sector; seventhly, identifying all disparities and discriminatory practices; and, lastly, making proposals on the upward mobility of public servants.

The main task team and four of its subtask teams met for the first time from 14 to 17 February. During these meetings a foundation was laid for a process of co-operation which is expected to lead to the fundamental transformation of the personnel system in the Public Service.

In the meantime the central bargaining chamber has decided to refer all matters with financial implications to the task team for consideration, thus averting the need for industrial action. This is indeed a very positive development, not only for the Public Service, but also for the country as a whole.

I have requested the Swedish and British governments, as well as the ILO, to assist the task team by providing them with technical expertise in order for them to produce a high-quality report as soon as possible. It is also important for our task team to have exposure to different systems as they exist internationally. This will assist greatly in developing an internationally comparative view of public sector programmes.

I need to emphasise that co-operation with the employer organisation is not limited to salaries and other conditions of service. It also extends to issues such as affirmative action and labour relations, unlike what Deputy President De Klerk was saying here today.

Regarding affirmative action, the President mentioned the necessity of continuing to implement measures and programmes aimed at ensuring

that those who were disadvantaged by apartheid are given the opportunity to develop their skills and actively participate in the management of public affairs. A policy framework which will ensure that the constitutional objective of a broadly representative Public Service . . . [Time expired.]

Mr D H M GIBSON: Mr President, I had intended ignoring the NP today, as a party which is eminently to be ignored. [Interjections.] However, the rather limp-wristed little jab which the hon Mr Van Schalkwyk aimed in our direction leads me just to say one or two words to him. He represents a party which has a past, and because of that past it has no future. As long as the NP clings to its name and to its identity, it does not matter how sincerely they proclaim their change of heart and mind, and the fact that they no longer believe in racism and want a nonracial South Africa. The trouble is that everybody else in this Chamber and everybody in South Africa who does not support them, remembers their past. [Interjections.]

The most encouraging aspect of the President's speech was his firm commitment to the fight against crime. It now remains for him and his Ministers, and for the Government departments concerned, to prove that they really mean to tackle crime and criminals. Words are welcome, but actions and deeds will have an overwhelmingly positive impact on all levels of our society.

It is perhaps necessary to tell the House briefly that to be firmly against crime is not some sort of right-wing aberration. On the contrary, fighting against the causes of crime and against crime itself is one of the foremost agenda items of liberal democrats. It should also be one of the top priorities of the Government. This is so because we cannot sit idly by and see poverty, suffering, deprivation, hunger, joblessness and homelessness, all of which are prime causes of the social conditions which lead to crime. Those causes have to be removed.

If the RDP succeeds, I predict that the improvement in the lives of our people will lead inevitably to less crime and less violence, but I also predict that if we cannot and do not curb crime and violence the RDP will surely fail. The consequences of this will weigh most heavily upon the poorest people in South Africa.

Some people think that it is the educated, the skilled, the middle class who suffer the most from the spiralling crime rate. Of course those people suffer. It frightens them. It makes them fear for their children and their property, and undermines their confidence in our future. Some of them talk of leaving and taking with them their skills, their taxes, their buying power and the jobs which they create.

The truth is, however, that it is the poorest of the poor who suffer the most, because poor people have no burglar bars, high walls, security guards, insurance cover or medical aid. The theft of a few rand from a poor person may mean hunger and anguish for a poor family.

If we are to reduce the crime rate in South Africa and give to our people the safety and security which is their right, we need a sophisticated and multipronged approach. A rave about crime statistics gets us absolutely nowhere. This Parliament has to commit itself to eradicating crime and the causes of crime. Some of the steps are already being taken while others must follow.

Firstly, the RDP seeks to ensure a better life for all. The DP supports this and urges a policy of economic liberation and empowerment precisely because this tackles the social causes of crime at their root, and it could make an enormous contribution to eradicating poverty by targeted, purposeful steps to enable people to uplift themselves.

The second step is to build up the image, effectiveness and success rate of the police by winning the support and co-operation of the population. There is a very alarming slide in morale in the Police Force. Of course, this leads to resignations and retirements. Of course we have to reform the Police Force, but we also have to get to the stage at which we can have stability in that Force, because if we expect them to protect us, people like us have to be loyal to them and have to support them.

The third step is to supplement the police muscle by using the members of the SA National Defence Force in the interim to help with patrols and create a safety and security presence in every suburb and township in South Africa.

The fourth step is to involve the community in a system of community and local policing which will make people proud and supportive of their local police and the "bobby on the beat".

The fifth step is to promote the prestige and authority of our judicial system by seeing to it that the community has reason to look up to all of those who are in authority.

The sixth step is to demonstrate that our courts are not soft and powerless, but that they have the authority to refuse bail to certain accused, that they can impose appropriate sentences and that punishment cannot be watered down and cancelled out by an approach towards prisoners which elevates the rights of the prisoners above those of the community and above the interests of justice.

I have introduced a private member's Bill this week which seeks to address some of these issues. I do not want to debate it now. It is an attempt at putting a constructive proposal on the table, because the DP is absolutely determined that it is going to play a constructive role in South Africa, not only by criticising and questioning, but by putting forward policies and alternatives.

We want the Government of National Unity to succeed. We want the RDP to work. We want a better life for all in South Africa. By eradicating crime and the causes of crime, all of this becomes possible. [Time expired.] [Applause.]

THE DEPUTY MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: Mr President, hon President Mandela, hon members of this House, hon senators, I rise in support of the hon the President's opening address, which has covered a wide range of issues.

Some of the issues raised by the hon the President compel us to visit our past. Therefore there is no doubt that items such as those related to the Truth and Reconciliation Commission and the anticorruption drive will compel the Government of National Unity to draw up terms of reference which will delve deeper into our past years, especially with regard to corruption-related cases. I am coming to that later.

I therefore welcome the stand taken by President Mandela, ie the promotion of ethics of good governance, or to use his exact words, "the country to be placed on a moral footing". In fact, such a crusade of clean government would continue the work which we started in the then government of Transkei, which led to the establishment of the Harms Commission in South Africa, whose findings were criticised by many in this country, including the media. However,

Transkei continued to prosecute those who were allegedly involved in corruption-related cases. This included former politicians and public servants.

Records in the Transkei courts would confirm that we batted well during our innings until we were told, technically, to leave the crease on 27 April 1994. I am therefore happy that our new umpire, President Mandela, is calling on us to continue batting on this important matter.

As at April 1994, according to Transkei's court records, out of 936 reported corruption-related cases in our courts 516 were either disposed of or pending and 420 cases were still outstanding. I have no doubt in my mind that the then corruption committee which was established in Transkei and was composed of South African and Transkeian legal experts, will welcome this statement by our President. It will lead to the finalisation of the pending cases, especially in the area of foreign exchange.

Let me address myself to the issues which I raised last week, namely the corruption of the NP government when it was in power. [Interjections.] Last week I promised South Africans that I would table facts and figures on how the NP government had used taxpayers' money in a corrupt way to achieve their nefarious objectives. I hope that the NP's Mr Clean, Mr Maree, is here and that he will assist us in confirming or denying these self-explanatory reports on how the cruel and corrupt State Security Council of P W Botha, F W de Klerk and others mismanaged the affairs of this country over the years.

Perhaps, after I have made this report, this Parliament will resolve to approach the question of corruption holistically and not in a piecemeal manner. [Interjections.] That member is making a noise there and I am going to speak about people of his colour very soon. [Applause.]

I have no doubt in my mind that when the findings of the commission of inquiry are tabled, all South Africans will agree that the mother of all corruption, mismanagement and violence was the apartheid government.

Briefly, the corruption of the NP government is as follows: Firstly, documents in my possession detail the use of hundreds of millions of rands of State funds in waging the dirty tricks campaign during the financial years from 1986 to 1994. Funds were budgeted, but it is not clear from

documents as well as bank statements who the recipients of the money were. Various financial institutions were used to hold the government money. Money was withdrawn—bank statements confirm this—but it is not clear to whom it was paid. Perhaps the NP leadership in this House will tell us. [Interjections.]

Documents in my possession prove emphatically and clearly that the NP had stooped so low in its mismanagement style that even churches were being used for nefarious purposes. In one of these documents—I would like the hon the Minister of Environmental Affairs and Tourism to assist me in translating from Afrikaans if he agrees to do so—the main objective is stated as follows—members must listen carefully—"Om die UDF met geweld uit gemeenskappe te verwyder deur kleur-teen-kleur-beginsel . . ."

In English this means to use force to eliminate the UDF from the communities by using the colour-against-colour principle, ie the concept of Black-on-Black-violence. For the first time we have established that this was in the files approved by the State Security Council which was headed by P W Botha, with former President De Klerk also a member of that State Security Council. [Interjections.]

The NP government denied that they were behind the so-called Black-on-Black violence. The question remains: How many Blacks were killed between 1987 and 1994 as a result of this policy sponsored by P W Botha and De Klerk's State Security Council? This objective is contained in the Project Vallex file, the reference number of which is 328/5/2 Vallex of 1987/88.

Can Deputy President De Klerk tell us why, for example, he had to authorise the payment of R1,3 million to Col De Kock, a policeman, who was made a millionaire overnight? Is that fair? What was he hiding?

Between 1986 and 1992 the NP government spent about R50 million on Operation Anchor and Operation Kampong. Today the former State President Mr De Klerk must explain why they budgeted a large sum of money for the then Coloured members of Parliament, which was paid through military intelligence, as reflected in the memorandum approving the expenditure, signed on 25 March 1986 by Gen Geldenhuys and Vice-Admiral Putter. The file reference for this memorandum is AM1/KO/328/6/3 Anchor.

It must be noted that Deputy President De Klerk and some of his friends in the present Cabinet were members of the State Security Council which sanctioned projects of this nature.

The question is: Who of the present Coloured members of the NP in this House were recipients of the said money? Can the NP leadership account for this expenditure? Can we now confirm why certain Coloured parliamentarians defected from the LPSA and joined the NP? [Interjections.]

If Mr De Klerk denies the expenditure of the amounts for the various dirty tricks projects, I would like to remind him of Project Kampong, Project Pippa, Project Kalmoes, Project Lambert, Project Vallex, Project Lactone, Project Lion Life and Resource Corporation and Project Christian Life Centre. The list is long. It goes on and on and on. The said projects were managed by the then SADF. Their aim was to target the Black areas with a view to carrying out their military operations in the Black townships and rural areas.

These projects also give a detailed insight into the amounts expended through church front organisations, and how Christianity was corrupted and abused for political gain amongst Blacks and Coloureds by the former NP government. It cannot be denied that these projects, which were undertaken by military intelligence, have resulted in political gain for the NP government among Black and Coloured communities. Do Mr Maree and his leader now have anything to say? I doubt that very much! The Government of National Unity needs to appoint a judicial commission of inquiry to look into these allegations, because there will be many more to follow.

Allow me to refer more specifically to Mr De Klerk, Executive Deputy President of the Government of National Unity, regarding a related matter. The story is as follows: Firstly, substantial commissions were claimed from the former NP government relating to financial deals done. From papers and documents in my possession, it would appear as though there was a cover-up. The amount involved is \$2,6 billion.

Those papers also contain information on gold sales. In the light of the recent reports in various newspapers regarding the fraudulent removal of the country's assets, ie gold and foreign money, I wonder, Mr President, if the time has not come

for a full financial inquiry. According to my notes, Deputy President De Klerk is fully aware of these transactions. I hope that when the time comes for this inquiry, he will give his full co-operation and support.

In a newspaper published in London some time ago, a journalist by the name of Mr R N Johnson alleged that approximately \$850 million of the IMF loan stayed briefly in South Africa, and was then transferred out of the country. Is that true, Mr De Klerk?

In the light of the above, we should now investigate all foreign loans, whether repaid or not, starting from January 1983 onwards. It would not be difficult to investigate worldwide, as South Africa is now a member of the international bodies. Certain persons living overseas are willing to give details on secret funding, bank accounts and the people involved in this. Investigations overseas of people like Dr William Fourie, who is believed to have worked for the Department of Development Aid which built countless toilets in this country, Messrs Nico Botha and Chris le Roux, formerly from the treasury department, have appeared in documents from overseas in relation to strange banks and companies. Papers supplied will give the names of these companies and banks.

Mr President, full details will only be supplied when a team of experts, credible and acceptable enough, has been assembled to prepare a full financial commission of inquiry. Until then . . . [Interjections.] I must not be disturbed. Such a commission would also assist us in offloading the approximately R220 billion debt we have inherited from the previous government. We cannot continue to service a debt whose details are hidden from us, especially Cabinet Ministers and parliamentary committees on finance. [Interjections.] I am sure that if we unload the said debt, we would get to know more about the then NP government's corruption.

Mr N J GOGOTYA: What about the corruption in the Transkei?

The DEPUTY MINISTER: Can I reply to that hon member?

Mr N J GOGOTYA: Yes, Sir!

The DEPUTY MINISTER: The corruption in Transkei, which that hon member is alleging, will be addressed when a commission of inquiry has

been constituted. [Interjections.] The President has already agreed to do that.

Let me now turn to Mr Maree.

Mr N J GOGOTYA: No, turn to Gogotya! [Interjections.]

The DEPUTY MINISTER: Mr Maree of the NP, who is believed to be a Broederbond member, lied during the last days of the parliamentary session here in 1994 when he said that I was earning about R900 000 and received a car subsidy. The Holomisa side of the story is as follows.

Firstly, my annual basic salary, as at April 1994, was R266 784 per annum, which was equal to the salary received then by any Director-General in the Transkei government. I never took or paid myself the basic salary of my predecessors. Secondly, I received a tax-deductible allowance of R31 000 per annum for serving on the military council. I did not have any car subsidy scheme. I used one of the refurbished old Mercedes-Benz cars of K D Matanzima's Cabinet. Now, the same car is being used by Prof Mayatula, the finance MEC in the Eastern Cape. I did not have or use any housing subsidy scheme provided for government employees. Although I had access to the TDF Medical Aid Scheme, I decided against using the said scheme. I did not even occupy one of those posh Ministerial houses, but remained in the same house I had occupied since 1981.

Mr Maree's concern about our taking over the government in 1987 does not worry Holomisa. The reasons were cited—among them a R2 million bribe by Mr Sol Kerzner for exclusive gambling rights, which was divided among or shared by 13 cabinet ministers and ex-State President, Paramount Chief K D Matanzima, on the instructions of the then Prime Minister, Chief George Matanzima.

The former TDF members, including myself, are not apologetic about the stand we took. If Mr Maree is not satisfied with our position either, I am afraid he can go and jump in the lake. [Applause.]

The well-known Sol Kerzner saga, if not solved by the Eastern Cape government, is set to haunt the present Government of National Unity for many years to come. [Applause.]

Mr C G NIEHAUS: Mr President, Comrade President of the Republic and hon members, among the pictures that I treasured in the photograph album which I kept in my prison cell was the picture of a laughing little girl of six years old, holding her mother's hand. The girl's name was Katrijn and her mother was Jeanette Schoon. It was sent to me by friends shortly after they had died—blown to pieces while Katrijn was opening a parcel. A few days ago, when Craig Williamson revealed that he had been involved in sending that bomb, as well as the one that killed Ruth First, I could again see that picture of Jeanette and Katrijn vividly in front of me. Craig Williamson has said that he committed these terrible atrocities under orders from senior politicians.

Other allegations have been made that the former State Security Council gave orders for murder and mayhem to be inflicted on the people of our country. Senior members of the previous NP government—such as Minister Pik Botha and Deputy President De Klerk—again today vigorously denied that they were at all involved in any atrocities. However, we do know that fingers were pointed very strongly at the involvement of the SSC during the inquest into the death of Matthew Goniwe. We also know that Deputy President De Klerk, Minister Botha and other senior leaders in the NP were at critical times members of that infamous council.

Minister Botha, in his previous capacity as Minister of Foreign Affairs, promised the British authorities that eight South Africans who were involved in criminal activities in the UK would be extradited, but he never kept that promise. Now, almost on a daily basis, we are beginning to hear more about the previous government's illegal international arms deals, murders and bomb attacks on ANC offices in London and elsewhere. We must invariably ask ourselves who were the agents of the previous government who killed Dulcie September in Paris, and at what level did they receive their orders? What does Minister Botha know about all of this? To what extent were some of those hon members in these front benches to my left also involved?

But let us also turn, for a moment, to the empty benches over there. It is a pity that one cannot ask the IFP, and the Minister of Home Affairs personally, about the very serious allegations made by Mr Luthuli about the orders that he and others received to kill political opponents of the IFP. Then, of course, there is also the current trial of Eugene de Kock. One wonders whether

the peculiar walk-out by the IFP was not an attempt to create a smokescreen so as to distract our attention from the real issues.

One wonders if that is the reason why these people are so opposed to the Truth and Reconciliation Commission. The public needs to know the answers to these and other questions, and no one must be under any illusion about our determination to make sure that they get those answers.

Whenever one refers to these matters, one can feel the tension building up, and almost immediately there are counter-allegations being shouted. I know very well that there are those in this House and outside who simply want to close their eyes and wish that all of this would go away.

However, the fact that these issues are emotionally explosive cannot absolve us from our duty to address them. We will fail to do so only at the peril of reconciliation in our country. We may not ignore those who died. We dare not deny those who have been tortured and their families the full recognition and respect that they deserve.

An HON MEMBER: And in Quatro!

Mr C G NIEHAUS: The names of the victims cannot be wiped out as if one is simply wiping chalk off a blackboard. Those names are written in blood in the hearts and minds of our people. The Afrikaner people who still remember those who died in the British concentration camps should know this better than anyone else.

I am not making these comments as a cheap threat. I am not making them to score political points, but rather because it is the duty . . . [Interjections.] If hon members listened, they would hear what I want to say. I am making these comments because it is the duty of all those in this House—the ANC, the NP, the DP, the PAC and the ACDP—as elected representatives of the public, to ensure that our political, ethical and moral track records are put to the public in such a manner that no person can deny the past.

In this regard, and here I want . . .

An HON MEMBER: Will the speaker own up as well?

Mr C G NIEHAUS: Exactly. I wish to answer that remark about Quatro here. In this regard it must be noted that the promotion of national

unity and reconciliation legislation applies exactly the same criteria to all of us. It was our President who very clearly came out and acknowledged the mistakes that were made. We are still waiting for such an acknowledgement from Deputy President De Klerk.

We politicians easily, and so often for our own political expediency, talk about reconciliation. However, to truly bring a deeply divided society such as ours to the point of reconciliation, we need a transparent process and a public acknowledgement of past mistakes.

*Dr Bingle, clergyman and friend of Deputy President De Klerk—I am glad that he has just arrived here—recently spoke of the personal struggle that the Deputy President went through before the courageous steps that he announced on 2 February 1990, precisely because it was such a great and dangerous step in his own community.

Because he approaches the issue from the perspective of a former oppressor and one favoured by apartheid, he feels hurt because it was not enough. Because he and his party still approach politics from that perspective, there are still frequent attempts to retain the unfair privileges that Whites obtained under apartheid. That is why he is uncomfortable with affirmative action, why he actually interrupted his holiday at Hermanus to release a statement in support of Model C schools and why Minister De Villiers yesterday attempted to defend the events at Ruyterwacht.

As important as 2 February was, it could not simply draw a line through the heinousness of our apartheid past. The victim of the apartheid years wants recognition and humility from him. Many of our Afrikaner people are also still suffering under the psychological yoke of apartheid, are confused and are seeking leadership. If one contemplates this for a moment, one finds that this situation and the demands it is making are not really as unreasonable as they apparently appear to him and his colleagues.

He is known as a deeply religious person and therefore I have no doubt that he has confronted himself many times with the basic steps of humility, confession and forgiveness which precede the achievement of true reconciliation in the Christian faith, as in all the other great religions in the world as well.

Today he faces the biggest challenge of his life. He is no longer the State President, and the path of humility taken to reach reconciliation will bring little honour and will even entail humiliation. However, that is where the true test of leadership lies, namely in the subordination of one's own honour to the interests of one's country and one's people.

To my right sit President Mandela and the leaders of the ANC. The President clearly outlined the priorities for this year in his Opening Address. With regard to the Truth and Reconciliation Commission, President Mandela made it clear that it was not concerned with vengeance. It is about truth. It is about the attainment of reconciliation.

As a senior leader in the Government of National Unity the hon Deputy President Mr De Klerk can make an extremely important contribution. To now begin, like Lot's wife, to look back instead of moving into the promised land, to complain about affirmative action, to complain about Model C schools, to look back at the burning ruins of Sodom and Gomorrah, is like being a pillar of salt at a time when our country needs leaders with the courage of Moses. [Applause.]

Senator Maj Gen P H GROENEWALD: Mr President, in his address to Parliament the President of South Africa left no doubt in my mind that he was determined to prevent anarchy in our society. The President also made it clear that the battle against the forces of anarchy and chaos, had been joined. Let no one say that they have not been warned. It is quite obvious that the President knows that the first and most important function of government is the security and safety of the people. Freedom and prosperity require stability.

The President must be lauded for this bold step and in this regard he has the full support of the FF. He has shown true leadership by also accepting responsibility for the unpleasant tasks which leaders are often called upon to do. But there is a problem, Mr President. The question not yet asked is is it possible to bring crime down to acceptable levels and to prevent anarchy and chaos?

It is relatively easy to make the decision, but someone must do the job. In South Africa there is only one institution which by law has the

responsibility to maintain safety and security and that is the SAPS. If the SAPS cannot do the job, then the President's promises and intentions will mean nothing.

Let us review the following facts to determine the SAPS's capability to do what the President expects it to do. We know that the SAPS has not been able to prevent the increase of crime. We know that we do not have enough people and police to patrol the streets not only in the townships, but throughout the country.

We do not have enough police officials to prevent rioting, looting and vandalism. The increase in crime is therefore an indication that the police service does not at present have the capability or the will to prevent chaos or to bring crime down to acceptable levels. If they have the capability, why then does the SAPS not do what it is supposed to do?

It therefore follows that the second question to be asked is whether this is not because the morale of the police service is low. Even if there are enough police officials and even if they are equipped with the best equipment available, if they lack motivation and morale, they will be unable to do the job. Never in its entire history has the police service experienced such low morale. We must determine why the morale of the SAPS is at an all-time low.

While seeking an answer to this question, I came across some very disturbing facts. Let us look at some of the conditions under which police officials must do what the President and Parliament ask them to do.

In the period 1 January to 30 November 1994 16 374 cases of murder, 28 342 cases of rape, 2 261 cases of crimes against children, 40 743 cases of drug offences, 62 310 cases of armed robbery and 641 000 cases of theft were reported. We know that this is only the tip of the iceberg.

In combating crime over the period 1 January to 31 December 1994 241 SAPS members were murdered, another 457 members died of other causes, 1 375 members were declared medically unfit and 5 891 police officials left the service. SAPS members have been working under these conditions for a very long time. Did hon members know that during the period September 1984 to October 1989—a five-year period—4 450 police vehicles were destroyed in riots and 1 131 private houses of policemen were burned down?

Has there ever been a police service anywhere in the world that has had to work under more difficult and dangerous conditions? Yet, whereas any other police service would have disintegrated, these members of the SAPS made the April 1994 elections possible. They also apprehended those responsible for bombs and sabotage within a matter of days without asking what the colour of their skins or their political persuasions were.

They were not the people who went on strike for higher salaries. They did not take officers hostage, nor did they riot, loot and vandalise public and private property. They remained loyal to the Government.

*The third question to be asked is how these loyal members of the police service were rewarded for their loyalty.

The indemnity of 3 500 members has either been revoked or is not being recognised. We know there were members of the Force who as individuals committed crimes and broke the law. This happens in any organisation and such people must certainly be punished. We know that members of the Force received instructions to perform certain acts that were not part of their duties. Must they, however, be punished because they carried out instructions? Must they be punished for being loyal to the government of the day? Are such actions going to increase the morale of the SAPS?

Approximately 2 500 members of the old Security Police were called in and told that their jobs were no longer safe and that they had to reapply for their positions. Then they were called in again and told that their posts would only be reconsidered after the October election. Is such a step going to increase the morale? They are still being misrepresented as an instrument of apartheid and oppression, especially by the ANC, and even by their own Minister. Are such actions going to increase the morale of the SAPS?

They are not praised for their loyalty or dedication. They have to hear day in and day out that they are unacceptable to certain sections of the population. Nobody comforts their widows and children when police officers die in the performance of their duties. Are they not just cannon fodder in this political struggle? Are these actions going to increase the morale of our policemen and women?

Can we expect them to risk their lives for people who hate them? Can we expect them to work longer hours for totally unacceptable salaries. Can we honestly expect them to make further sacrifices to prevent chaos and combat crime?

Over the past few months, I made it my task to have contact with police officers at grassroots level and to talk to them about their working conditions. I was shocked to experience the conditions of these people and to find that despite all this they are still sincerely trying to perform their duties to the best of their ability.

They would like to carry out the instructions of the hon the President, but I am afraid they are not going to be prepared for very much longer to be trampled on, to give and get nothing in return, to neglect their families, to be spat at and humiliated. I appeal to the hon the President to look after the interests of the police officers. If he does not do so, it will not be possible to combat crime and chaos in our country. These policemen will then be forced to look after their own interests. I appeal to hon members of both Houses to be more sensitive to the morale of the policemen and women, and not to drag them into the political arena.

A civilised country is recognised by the way in which its police officers are selected, trained, utilised and treated. We are expected to treat our own police officers according to modern and civilised norms. We are also expected to treat our men and women in uniform with respect and friendliness. We are also expected to say thank you now and then.

Mr J H MOMBERG: Mr President of the Senate, Mr President of the Republic and colleagues, it is a great honour and privilege to take part in this debate. I want to congratulate our President on the great statesmanlike speech that he made on Friday.

We on this side of the House are proud to be part of the ANC-led Government of National Unity. In this mixed-up world of today the President has become a beacon of hope and is undisputedly the greatest leader in the world today. I would like to thank him for just being Madiba.

*During March 1990 I delivered a speech in the House of Assembly in which I apologised for apartheid. Among other things I said that anyone who had worked for the NP over the years and supported them, is as guilty of the deeds of

apartheid as someone who actually committed them.

During the speech the NP, seated on my right in those days, raged as if possessed and thereafter christened me "Jammer Jannie". I am mentioning these facts because I am going to talk about that speech again today. Before I come to that, I would just like to say the following.

I have known the hon the Deputy President Mr De Klerk since 1972. When I differ from him today, it is based on principle and not on anything personal. He has always treated me with the greatest decency, even when fellow Afrikaners cursed my wife and I at night after we had joined the ANC.

Mr Jac Rabie yesterday said it was the old NP which committed the crimes and the new NP which abolished apartheid. However, the problem is that the NP's actions today differ not a jot or tittle from those of the old NP. [Interjections.] The problem lies with Mr De Klerk who does not give guidance to the members of his caucus with regard to confessing about apartheid. The farthest he has gone was to give a luke-warm apology for apartheid. He has not yet stood up and said that on behalf of the NP and all its members he would like to confess today before God and the people that apartheid was evil.

†Apartheid was evil.

*If Mr De Klerk can do that, he would immediately prevent all the nasty things happening now from taking place again. There are people like those at Ruyterwacht who think that apartheid can still be continued through devious means. [Interjections.]

Because the leader of the NP does not set an example by a true confession, Nationalists are still practising apartheid or racism. I would like to differ drastically from my colleague Dr Dawie de Villiers as far as the events at Ruyterwacht are concerned. One cannot afford such blatant racism as that at Ruyterwacht. Dr De Villiers should rather see to it that Mr Hernus Kriel fires Mrs Martha Olckers. Her performance on *Newsline* on Sunday was shocking, to say the least. However, what can one expect from an NP minister if her leader-in-chief does not provide guidance to her?

Mr De Klerk must look back on the misdeeds of the party for which he was a member of Parlia-

ment since 1972, and a Cabinet member since 1975. He was not an ordinary party member like me. He was in the inner circle of the NP. How does he feel when he hears of the death of Ruth First, Jeanette and Katrijn Schoon, David Webster, Rick Turner, Neil Aggett, Dr and Mrs Ribeiro, Matthew Goniwe, Steve Biko and many others? These people all died during the time he was a Cabinet member.

We know that the years of P W Botha's government were malicious years. We know that the years of P W Botha's government were the most perilous since the demise of Nazi Germany. [Interjections.] Is it possible that P W Botha approved these plans alone? Did the policemen, soldiers and spies who planned and executed these murders, do so on their own, or did the politicians higher up condone them? Even if no political functionary approved them, the disclosure of these crimes ought to affect each Nationalist and they ought to go on their knees before the people and say they are sorry for the malignancy of apartheid.

I do not wish to talk much about Mr Pik Botha because I do not know whether he still belongs to the NP. Maybe he has left with the IFP because he has not yet been in Parliament this week. However, this morning on the radio he said . . .

*Senator S D FISHER: Jannie, you were a rightwing member of the party!

*Mr J H MOMBERG: That hon member should rather keep quiet! Allow me to tell hon members about Senator Fisher—the one who is making so much noise here in front. [Interjections.] In 1989 Senator Fisher stood for the Labour Party in Mitchells Plain where there are 800 000 voters. Let me tell hon members what the result was. Senator Fisher set the South African record for the lowest voting percentage ever. He received 1,93% there. [Laughter.] [Interjections.]

*Senator S D FISHER: What about 1994?

*Mr J H MOMBERG: He did not stand in 1994. He was on a list, the moron! [Interjections.]

Mr Botha said on the radio this morning, with his little white hands folded, that he played no part in these crimes.

*Senator A J WILLIAMS: Mr President, on a point of order . . .

*Mr J H MOMBERG: Mr President, I withdraw the word "moron".

Mr Botha said that he played no part in the crimes of apartheid, as he never would have approved such malicious acts. Mr Botha was part of a malicious system for 46 years.

†When Mr Jac Rabie says that the evils of apartheid were the work of the old NP and that the new NP abolished apartheid, he is very wrong. The problem is that Mr De Klerk admitted that they never had a Damascus-like experience. Until they have such a blinding experience and realise that apartheid was evil, the NP will never come to grips with its past. [Interjections.]

*In 1992 the same party which is now making so much noise here on my left-hand side kicked Jan van Eck out of the House of Assembly for making assertions which now appear to be true. He went without a salary for almost six months! [Interjections.] Are they apologising to him now? There is a deathly silence here on my left-hand side. [Interjections.]

†In 1945 the Second World War came to an end. Germany was down and out. It hit rock bottom. However, the Germans were quick to admit the crimes of the past and apologise for them. Today Germany is a flourishing nation, back in the bosom of the world.

The NP has yet to admit that it is morally at rock bottom and has yet to apologise for apartheid. The White Afrikaner must admit that he has lost the struggle. He must fight back by admitting the sins of apartheid.

I would like to pose a question to the NP. Is it possible that the NP's eagerness to take part in the Government of National Unity is because they regard it as the best way to cover up the sins of apartheid? The problem with the NP is that despite all its rhetoric, it has not changed one bit. It is still trying to hide the past under the carpet.

Yesterday, Mr Piet Coetzer in his speech tried to equate the death of ANC activists with the Church Street bombing, the Wimpy Bar bombing or the landmine injuries on the border farms. Of course all deaths are hideous. Of course all maimings are to be condemned, but the NP loses sight of one fact. The NP government killed and maimed ANC activists in their ruthless fight against patriotic people chased out of their

country of birth. The Church Street bombing and others were carried out by people who were made outcasts in their own country for no other reason than the fact that they wanted equal rights in the country of their birth.

The NP must tell this House once and for all. Are they sorry for the crimes committed in the name of apartheid? Do they wake up at night with a feeling of guilt stabbing like a knife in their chest? Asking forgiveness liberates one from this feeling of guilt. That is why I can do my work proudly in this House as a member of the ANC. [Applause.]

Mr D W MAKHANYA: Mr Chairman, I am pleased to follow on the hon member from my right. There are two things common to us. I was once a member of the ANC. I respected what they stood for at that time, and therefore I cannot talk about it here. I expected the hon member, as a former member of the NP, not to go back in time and launch a tirade against them, because he will go back to them again. I am told that he battled in vain for a position, but never got one. [Interjections.]

I stand up, on this side of the House, to support the Presidential address on 17 February. The President's address had quite a number of highlights, one of which was: Mass action cannot create resources which the Government does not have. From that I draw the following inference. Industrial action cannot create the resources which management does not have. This I support.

Time and again, about a year or so ago, the President said to the then State President that ending violence rested entirely with him, meaning the State President, but he did not advise him what to do in order to end such violence. It is against this background that I appeal to the President to assist KwaZulu-Natal in ending violence. This violence is a threat to the survival of South Africa as a whole.

People in the violence-torn rural areas see the following, coupled with others, as causes of violence. Firstly there is the ANC-IFP conflict. Conflict existed between the two groups before the elections. After the elections, both groups became part of a whole—the Government of National Unity. To what extent was this defined and disseminated to the people at this level? This ignorance is contributing to the unrest taking

place in the area. Both parties are to blame for this.

Then there is the institutionalisation of conflict. It is assumed that politics was institutionalised in these areas, but it is doubtful if conflict was, as it was clearly institutionalised in a traditional manner. People in these areas understand that if there is misunderstanding between the tribesmen, one resorts to the following mechanism.

Uye uthinte umndeni uma kukhona ukungezwani. Uma lowo mndeni ungavumelani, uya enduneni. Uma induna ihluleka, uye uhambe uye enkosini. Lowo umgudu owazekayo, ovumela ukuthi ukungezwani kuvele obala, kubekwe enkundleni ukuze kukhulunywe ngako. (*Translation of Zulu paragraph follows.*)

[You first contact the family members if there is a dispute. If that family cannot resolve the matter, it is then referred to the induna. If the induna fails, the chief will then take over. That is a known procedure, the one that can resolve the disputes by putting them on the table.]

It is therefore against the background of this noninstitutionalisation of conflict in a political institution that people resort to arms.

Then there is the question of the Third Force. Allegations that there is a third force in this area are being made by the affected groups. This alleged force is none other than the peace structures themselves. [Interjections.] In an attempt to justify their existence, the peace structures are a source of the killings and the unrest in these areas. [Interjections.] It is alleged that, to protect their take-home pay, they are causing unrest in these areas. They initiate meetings and shortly after such meetings killings and the burning of houses take place.

Kwenzeka kanjalo lokho. Abantu bakubona kanjalo ukuthi baye babizelwe emhlanganweni lapho kuthiwa kuyokwenziwa khona uxolo, bese kuthi emva kwalokho lababantu abagququzelele umhlangano kube yibona abenza udweshu ngoba befuna ukuthi kungaphumi umbele emlonjeni. Babukeka kanjalo—njengabantu abathi badala uxolo. (*Translation of Zulu paragraph follows.*)

[This is how it happens. People have realised that they are called to the meetings on the pretext that peace is being sought, and suddenly these people who initiated such meetings will cause

unrest to protect their take-home pay. This is how they are looked at—as people who say they are peacemakers.]

It is all the above-mentioned and many others who are responsible for the unrest in KwaZulu-Natal. As for proposed solutions, in Mpumalanga in KwaZulu-Natal the ANC and IFP have defined the nature of their relationship. As a result, these killings do not occur any more. [Interjections.] Even peace structures, if there are any, are manned by interested followers from the IFP and the ANC, hence the situation is manageable.

Peace structures must be done away with and replaced by members of Parliament who must be deployed to these areas to fulfil the functions of the peace structures. After all, we have a surplus in terms of what Parliament requires. There are 490 of us. In a soccer match, 22 players are needed to make up the teams so that they can demonstrate their skills and enjoy the game. Just imagine how it would be if such a game was to be played by 44 players. This is precisely what is happening here. This is how we are perceived by our local supporters. [Interjections.]

Mr M RAMGOBIN: Mr Chairman, the Deputy President, members of Parliament, comrades, ladies and gentlemen, I regret that I was going to direct these remarks to our President, Nelson Mandela. Unfortunately, he is not here.

To mark the 50th anniversary of the birth of the United Nations, we in South Africa have a special role and a perspective, which, I believe, is our own. Emerging, as we do from the ravages of apartheid, we in South Africa are mindful that the United Nation itself emerged from the ravages of the last World War. In our celebrations, in which the President, Comrade Nelson Mandela, has urged us to participate, we will further entrench the universal ethos and declaration of human rights. But more than this, with the universally acclaimed profile of our President we must ensure that we persuade our people to move away from the narrow grooves and tunnelled visions into thoughts and deeds of broader issues affecting humanity as a whole.

It is in this context that I choose to focus on our role and perspective in and on the Indian Ocean Rim. For centuries, the history of the Indian Ocean was one of trade rivalries and armed struggle among certain powers. Military alliances

were forged. These dominated the region, by drawing in racist South Africa and Australia on both flanks of the ocean.

Democratic South Africa must ensure, by taking the lead, that this never happens again. It is in our interest and the interest of the world to change this course to one of co-operation and peaceful coexistence. Co-operation and peaceful coexistence demand that mere security and trade are not the only factors to be considered.

The devastation of Mozambique was in the interest of racist South Africa. The Dhlakama and Savimbi options were racist South Africa's policy options. Whilst all those were in place, South Africa's trade in the Indian Ocean Rim exceeded a billion rands in 1994 and its Asia trade profile was to the tune of R27 billion in 1994. Good, and this is good for all of us in South Africa. However, our task and duties go beyond this.

We in South Africa are now politically free, the nations of Africa are politically free. However, what the vast majority of those of us on the African continent, and we in particular, now need and demand are freedom from hunger and disease, freedom from illiteracy and homelessness and freedom from loneliness and alienation. It is against this background that the resolution adopted by the General Assembly of the United Nations declaring the Indian Ocean Rim a zone of peace must be viewed by us.

We are aware of the impending talks in Mauritius on the Indian Ocean Rim. I am glad that the hon the Minister of Foreign Affairs is here. I personally have a passion. Our delegates must be empowered and mandated to ensure that they resist any moves which will consider only trade and defence strategies. They will have to consider mechanisms and processes, and enter into bilateral arrangements, if need be, and multilateral arrangements for the advancement of our regional interests. There must be conventions in respect of the protection of the environment in tandem with international initiatives, if any. The question of water conservation and additions to it, especially in the African context, must be a regional responsibility. These consultations, among others, must run concurrently with the considerations of trade and security as our foreign policy determinants.

With special reference to our own southern region, a region so identifiable with our struggle against apartheid, we have an added responsibility. Common decency demands that we begin as a matter of policy joint undertakings in disease co-management and control, joint initiatives and exchanges in population control and the management and monitoring of our natural resources to the mutual benefit of all us in the region.

We must resist, in Mauritius next month, the temptation to raise another edifice of a new system of military alliance to replace what is and what was. For far too long we were, and still are, conscious that the Indian Ocean Rim was considered by the same powers as dominant for shaping world politics. The geopolitical manoeuvrings of the past must be thrown onto the dung heap of history. We must mobilise our strengths and intellect to transform our raw materials, mineral resources and human resources into another kind of reconstruction and development. Our region holds more than two thirds of the world's oil reserves, 60% of uranium, almost 50% of gold and almost 98% of the world's supply of diamonds, and to boot more than 25% of the world's population.

The problems facing the region until now were in most ways either transplanted from outside or they became rooted in external interference. Of course, we acknowledge that in many instances our region was torn by internal strife and cleavages, but most of them were legacies of the colonial past. Indeed, we are less homogenous in respect of cultural, economic and ideological foundations. We are several and distinct civilisations. But all of us share a common historical experience of colonial rule which induced a common reaction to several international issues relating to colonialism and racialism. Aspirations for economic development and social progress are also common to us.

It is all these factors that will facilitate Mauritius to lay the foundations for us to evolve into a distinct community. And if this community has to endure, then it is incumbent on us all, especially South Africans, to evolve our own security system in the full knowledge that we have a duty to keep the region free from nuclear threats of any kind. I believe it is common cause among us all that the Savimbi and Dhlakama options were disastrous not only to the people of Angola and Mozambique, but also to the moral fibre of South Africans who made this possible.

It is here again that we need to heed the shadow of oncoming events. It is not farfetched in geopolitical manoeuvrings for the KwaZulu-Natal seabelt to be used to destabilise the new democratic South Africa under the leadership of the ANC. The call for self-determination and autonomy for KwaZulu-Natal and scant respect for the Government of National Unity and the integrity of South Africa are indications of the Savimbi option already in our midst. For the sake of South Africa, the Southern African region and the stability of the Indian Ocean Rim, we must resist this with all our might. Otherwise our role in the international community to celebrate the Universal Declaration of Human Rights will remain deficient.

In conclusion, for us in the ANC, we have a credo, an unwritten credo, and it is my prayer and hope that it becomes the credo for all South Africans. In today's capacity for rapid intercommunications and a growing consciousness of the oneness of all humanity, we recognise that our national aspirations must not be inconsistent with the progressive aspirations of other nations. Although our world is replete with ethnicity, racism, intolerance and bigotry of all kinds, we have a common understanding that South Africa cannot stand in isolation and remain unaffected by what is going on in other parts of the world.

We did and will continue to range ourselves with the progressive forces of the world, the kind of progressive force that our own President Nelson Mandela is a walking symbol of. We in the ANC would like to persuade all South Africans to get out of narrow nationalism and sects. Join us in our thoughts about the futility of irrational associations. Understand with us that the world has grown more compact, that different and diverse parts have come together and are interdependent. Share with us the belief that the world is a single inseparable whole. Believe with us that each part influences and is being influenced by the other.

Having said this, we in the ANC are mindful of a curious, but significant fact. In spite of all human progress, scientific and social, racialism, religious bigotry, calls to . . . [Time expired.]

THE MINISTER OF PUBLIC ENTERPRISES: Mr Chairman, my friends on the left seem to have the mistaken idea that I have sleepless nights. I do not, and I want Mr Gogotya to know that, in no uncertain terms. [Interjections.]

I want to say that in this very House we have been talking about the whole issue of the Truth and Reconciliation Commission, and we have been talking about the whole issue—as hon members are whispering—of corruption. There are many kinds of corruption, one which has financial implications, and others in terms of which truth can be distorted.

Before I start with what I want to say, let me state that I have been silent for too long, and I now want to put the record straight. During my 86 days in government, I made certain statements. One of these statements was that the hon Deputy President of the Senate had a place in Transkei. Another statement I made during my rule was that I was tired of prescriptive politics, and another statement was that, instead of talking about the ANC from a distance, it was high time we sat with the ANC around a table and discussed our future.

Those statements sent out wrong vibes, and a meeting—give me some water because I want to talk—was set up in Port Elizabeth between the late Craig Duli of our military intelligence services in Transkei and someone from the military intelligence of South Africa. It was asked in that meeting how long we were going to keep this communist who was now the prime minister of Transkei. That is what happened.

When Chief George Matanzima gave my daughter a bursary, I made that public knowledge in Transkei. However, when that was done, that fact was used, for the simple reason that at that time my brother Nsikayezwe Sigcau, Mzolisi Mabhude and others had, with my permission, gone to Lusaka to consult with the ANC. What Craig Duli said, when the coup was staged, was that the military was proud to have staged that coup because they were getting rid of a communist. The truth must be spoken! I have been silent for too long! [Interjections.]

If hon members remember very well, why, when Mangope was overthrown, did people come to his rescue? Why when the Transkei coup was about to be staged, was there a military presence around Qumra not to come to the assistance of Stella Sigcau, but to watch, just in case the Pondos came to fight.

When people relate incidents in future, the truth—that is all I am saying—must not be corrupted. It must be told as it was. I have always

stood firm, and am proud of the fact that when I was part of the Matanzima regime—one can open any Hansard and see that—there never was a day on which I spoke against the ANC.

Secondly, I want it to be known today that it is good when people change midway, and we can always embrace them as part of the party. My question is: Why, on that memorable day, was one of the very people who was supposed to have shared in the money busy at all the post offices, making sure that there was no way I could communicate with anybody who was on my side? Why was that person, a former president of Transkei, part and parcel of the group of people helping with the coup if the coup was taking place for the reasons put forward, and if it was not to make sure that the running of Transkei by a communist would not stop within 86 days. I end my story there. The rest will be put before the Truth and Reconciliation Commission.

I now address myself to the hon President *in absentia*—because I even revere the seat in which he sits—because I want to comment on the speech he made which dealt with some of the thorny issues in this country.

Firstly, I want to condemn an act in the Northern Cape which is one of the very poor areas in South Africa. Alexkor is conducting its diamond mining in this area. The boats there were set adrift by saboteurs who did not think about the fact that the people living there had no other way of making a living. They rely entirely on the 30% which is ploughed back into the community by Alexkor. This act, which has put the clock back as far as the lives of those people are concerned, is regrettable and deserves to be condemned.

When talking about Alexkor, and about the whole diamond industry, I want hon members of this House to think seriously about what we do with some of our wealth and how we market some of our precious stones. We must think seriously about a review of how we market diamonds, in particular. What happens is that South Africa produces the bags of gems. Because a monopoly in marketing was given to one company, what happens in the international community is that quality gems such as those from Alexkor are just mixed and packed with other low-quality gems. What we get is very little return for what is something of good quality from South Africa. Companies which have been given the monopoly in the past of dealing with some of

our products must be scrutinised so that such monopolies become a thing of the past.

Again, because of the manner in which we market our products, the people in the Northern Cape are sitting with a very well-equipped factory, but there is nothing to be done by that factory for the simple reason that we do not beneficiate our own products in South Africa. That does not only apply to diamonds, but it applies to a number of our raw materials. [Time expired.]

THE MINISTER FOR GENERAL SERVICES: Mr Chairman, it is a privilege to follow on the Minister of Public Enterprises. It is clear that she not only has a strong and constructive contribution to make in Government, but that she also has a contribution to make so that we can understand our past better.

The President's opening address to Parliament was generally well received. Not only did it deal with a broad range of subjects, but it also contained a lot to satisfy us—as far as words can satisfy—on many of the burning issues of the moment. The President's speech strengthened confidence and reiterated the progress that we have made towards reconciliation. It substantially touched on the common consensus that exists in Government and among our people on many issues. A word of congratulation to the President is thus not out of place.

A proper analysis of our situation, however, does not only consist of an understanding of the issues on which we share a common view. For the good of the country, and for the good of democracy, we also need to understand and define the issues on which we differ. I would like to use the time at my disposal to focus on just that.

Naturally, one can mention the more obvious issues on which we differ. The NP's view on having the death penalty as part of our penal code in limited circumstances, as opposed to the ANC's abolitionist view, and the NP's opposition to abortion on demand, as opposed to the ANC's stance in favour of abortion are the more common, although important, examples that are often mentioned. However, we have to look at the more fundamental differences. We have to examine the soul of the ANC, as opposed to that of the NP.

Since the election the buzz-word has been, and quite correctly so, nation-building. After years of polarisation and virtual civil war, nation-building has to be our priority. People who get tired of this process after only a couple of months show a lack of understanding for the depth of the problem. For many years to come nation-building should remain a top priority. It is thus a positive and encouraging signal that virtually all political parties place nation-building high up on their priority lists. The only exception is the White right which, in a more selfish manner, seeks to serve only the interests of a small section of the community.

Can we thus comfort ourselves in the fact that all parties are seeking to build a new nation? Comforting though that may be, the issue is much more complicated than that. What does a political party understand by nation-building and, even more important, how do they seek to achieve it? It is here that we face the crux of the matter.

Nation-building is not a single concept. There are different ways to achieve it, with vastly different methods to follow. This is where we start to touch on the souls of the different parties. In its simplest form, there are three ways of achieving nation-building. This was most aptly described some time ago by a colleague of mine, the hon Mr Jaco Maree.

Firstly, there is the melting-pot theory. All the ingredients necessary to form the new nation are thrown into the same pot. The ideal is that in the end nobody should recognise the original ingredients. Something completely new and equal should have been created. South Africa should consist of new beings only recognisable as South Africans. Beware the one who dares to maintain a differentiating feature such as language, culture or religion. He or she becomes the opponent of the nation.

This experiment has to some extent been tried in the USA to create an American nation. It left many scars of failure and newly-created hatred and polarisation. It is a dangerous theory. Those people who are propagating a single official language for South Africa tend to think in terms of the melting-pot theory: Throw eleven official language in a pot and *voilà*, English appears as the only official language! Many proponents of the melting-pot theory are on the benches of the ANC.

A second theory of nation-building is the dominance model. According to this method one first has to determine who the dominant group is. The new nation is then created by forcing the minorities to become like the dominant group. One finds oneself in favour only if one acts, speaks, dresses and thinks like the majority. The norm of what is right and what should be done is determined only by the majority.

This need not be done through force, as it is often very subtle. It is regarded as out of fashion for one not to act, dress, speak or think like the dominant group. In its most aggressive form it leads to ethnic cleansing, similar to what we have witnessed in Rwanda and Bosnia. Tolerance, accommodation and consensus do not exist in these extreme forms.

The last method of nation-building has as its point of departure that there are many different communities, ideologies, languages, religions and cultures, sharing certain common views and commitments with each other. Instead of concentrating excessively on the differences, a nation is then built on the common values that they share. They never attempt to destroy or discriminate against that on which they differ, but rather attempt to enlarge the pool of issues on which they agree. However, this method remains sensitive directly or indirectly, with regard to respecting the different constituent parts of the nation without allowing for any form of racism or discrimination.

I would like to argue that the lastmentioned represents the NP's view on nation-building, while the ANC, or at least parts of that party, reflect adherence to the dominance model in their thinking on nation-building.

May I hasten to say that the NP of 40 years ago completely overemphasised the differences and tried to institutionalise them without realising and building on the enormous potential of shared values. In the last decade, and especially under our present leadership, the common values of all South Africans have become the cornerstone of NP policies.

However, real understanding and appreciation for common values can only exist if one remains sensitive to and accommodating of the different parts that form the nation. Thus, a nation will only function successfully if one allows and accommodates, not only in empty words, room

for individual and group characteristics. The right to mother-tongue education, respect for other languages, enough room to express one's own culture, for instance on radio and television, and the right to one's own community life without any racism, are all characteristics of our outlook.

It is also in this context that the NP believe in federalism and subsidiarity as good methods of accommodating the diversity of South Africa in one undivided nation. Unfortunately in the views and actions of many ANC members and followers there seems to be an inclination towards a dominance model of nation-building; an "only-we-are-right" approach, and "if you do like us then that is fine".

They loosely talk of the "people", but their people means the ANC. "We must consult the people" becomes a different way of saying that the ANC shall decide. Minority views tend to have only nuisance value, and if people do not toe the line this is regarded as undemocratic. Intimidation sometimes becomes an instrument of forcing one's way.

If this way of thinking, which is sometimes so visible, more especially in the lower ranks of the ANC leadership, persists, then nation-building will not succeed in South Africa. [Time expired.]

THE DEPUTY MINISTER FOR WELFARE:
Mr Chairman, the President of the Republic *in absentia*, the Deputy Presidents, comrades, colleagues and friends, I stand before you today with a responsibility.

The main function of the Ministry of Social Welfare and Population Development, in the Government of National Unity in general, is not so much to keep people on welfare or dole, but to facilitate the targeting of the RDP project at the really needy, the poor.

It sets out to bring back into the fold of mainstream living those who have been marginalised and aims to direct them to appropriate services provided by key human resource development departments such as Labour and Education, human resource care departments such as Health, including our own basic services and pensions, and human resources placement such as Labour and Public Works. The goal is to implement the delivery of services for the many South Africans who are unable to take care of themselves and who are the most vulnerable in

society—women, children, the aged, the disabled, to mention only some.

In the reconstruction and development document, we promised the people of this country that we would deliver change and combat poverty. Since the President delivered his speech on Friday, we have heard from the left many accusations as to who carries this responsibility. From the left we had a qualified association with the responsibility of delivery. Accusations were levelled regarding the role of the dominant party, which they so comfortably tend to refer to as the majority party, as though there is no co-governmental and governance responsibility.

We as a Government made into Government policy a programme to attack poverty through sustainable development. We all promised the people of this country that our anti-poverty strategy would be three-legged. It will be resting on employment and job creation, through educating and training our people, particularly the unskilled, uneducated, unemployed and marginalised. Finally, it should create a social security safety net, below which we will not allow any South African to fall.

Our anti-poverty, pro-development, pro-people and equity policy, I am convinced, is not a disjointed effort launched by individual departments independently. It is a co-ordinated strategy in which, for example, Welfare identifies the truly needy, Education and Labour train these people and Public Works gives them public jobs to ensure that they are ready to take jobs in the private sector.

This idea is not new in this country and we know it can work. The left can tell us that for many poor Whites of the 1930-s this system did work. Members should bear in mind that I am referring to the left of the House, not the left in the political spectrum.

In an effort to meet the reconstruction and development goals of the Ministry of Social Welfare—members should please note that I am not referring to social welfare, but the reconstruction and development goals of the Ministry—we are tuned to meeting the challenges put forward by the RDP policy.

We all have to accept that welfare has to change drastically in terms of philosophy and service delivery. [Interjections.] The hon member will get his turn later. I am sure that we will allow

room for questions. We are hence proposing a system of developmental social welfare based on developing people, channelling them to the right services and making them independent, not Government liabilities.

We know that the Department of Public Works is making every effort to target the poor of this country for its programme. However, we should also be conscious of the fact that in terms of the RDP the Department of Social Welfare can provide the best methods of targeting the really needy. By the way, some of them are already being supported in one way or another by the Department of Social Welfare. We should therefore be looking at co-operating with other departments to ensure that our money is spent on welfare recipients and that those receiving training are relocated.

The Department of Public Works and ourselves are intending to enter into discussions on the process of integrated services for the truly needy of this country. We also hope that channels will be established for the Department of Welfare to become a feeder and selection mechanism for our new Education and Training Programme. This is not a pipe dream and should not be, but a challenge we should set for ourselves when we propose an integrated development system. This system implies that Education and Welfare will co-operate and not segment people's problems and services.

Poor people need education to escape from poverty. If welfare does not supply a feeder service for an education development programme, education may well continue to provide services for the not so needy. Like many other countries, such as the USA and Britain, we may well wonder why our antipoverty programmes never worked if we do not organise this correctly.

I have referred to the development of mental and social welfare, not as though it is another government hand-out to the poor to placate them for one thing or another, but to attain the goals that we as the Government set out in the RDP, which requires a fundamental change in the way social welfare services are perceived, planned and delivered. The development of social welfare focuses on helping poor persons and those in need move out of poverty towards a better life. It focuses on the delivery of community services to

help build effective community systems and not have people dependent on the State.

The development of social welfare seeks to eradicate corruption, whether systematic or incidental, in the delivery of services. These are all indications that we need to work hard to remove all forms of corruption that may prevent public money from reaching the poor and needy people for whom it is intended. This we pledge to do.

As the Ministry of Welfare and Population Development we have recently experienced labour action related to the working conditions of our key professionals in the welfare area. Unfortunately someone on the left incorrectly attributed that to the Minister for Health. Our key professionals in the welfare area and our social workers have major and genuine concerns with regard to their working conditions.

We should accept that owing to low salaries and insecurity regarding the transformation process, the morale is indeed low amongst welfare personnel, especially amongst social workers who serve our communities whilst receiving poor salaries. However, we should also accept that the conditions under which they work are a direct result of how we organised our services, focusing more on a clerical type of service than on development, confining social and welfare workers to a particular form.

The development of social welfare will have to focus more on building the capacity of communities. Once we have made a shift in policy, the sector itself will be treated very differently and its service needs will be taken seriously.

Work has just begun on the White Paper. Some of the reconstruction priorities and challenges for 1995 focus on building consensus about the mission, vision, policy and priorities of the welfare sector. This will be achieved through the publication of a draft White Paper in June 1995 in which we will be looking at the reallocation of resources in order to address disparities in social services and facilities. The exact figures are not available, but it is estimated that well over 50% of the social service component of the budget still reaches largely privileged communities.

We also have to look at, amongst other things, restructuring the partnership between the Government, stakeholders and a socially equitable, financially viable, structurally efficient and effective system, the re-orientation of personnel

towards development approaches and the development of our human resource potential.

We should also be sensitive within welfare, noting the fact that senior positions in the Public Service, including welfare, are largely occupied by men and White males in particular. Black social workers do not feature prominently in senior social management positions. Hence, when the President said that the Public Service would never be acceptable to the people as a whole and that it could never be representative if it were not transformed, I saw this as a message that we should take welfare matters seriously. I am sure that we shall take cognisance of that. There is also a need to look at the amalgamation of services. This can be facilitated at provincial level as well.

I would like to close by saying that, when looking at all these matters and in an effort to meet these challenges, 1995 is the year of bending over backwards in order to do so. I want to quote a proverb which originated in Africa. Members will have to bear with my pronunciation. *Le-lilizwe kasiliphiwanga ngabazali bethu. Silibolekwe ngabantwana bethu.* [This land was not left to us by our parents, but we are borrowing it from our children.] As members of this Parliament and of the executive, we should never forget this when we are presented with the challenge to deliver.

Having said that, we should also remember that if we would like to ensure that we leave to our children what we have borrowed from them in the true sense, we should deal with the past appropriately. I dedicate this speech to Joe Qabi, a comrade who was my mentor in earlier years. He was assassinated on 30 July 1981. [Interjections.] We shall talk about him again in the Truth and Reconciliation Commission. [Time expired.] [Applause.]

Mr N N KEKANA: Mr President, allow me to respond to an unwarranted and cheap shot at the Deputy President by the hon member Dirk Bakker in yesterday's debate. In his capacity as the president of the NP Youth Action, Mr Dirk Bakker attended a Consultative Youth Summit convened by the Deputy President Mr Thabo Mbeki on 9 December 1994.

The summit was convened for the following reason, and I quote Thabo Mbeki's keynote address:

The main purpose of this summit is to solicit views of the youth of our country on what mechanism of governance should the Government put in place in order to ensure youth participation in its own empowerment and development. These are the views which will then be put before Government.

The Consultative Youth Summit was attended by 46 national youth organisations, 15 national Ministries and seven provincial representatives. The summit resolved, among other things, to establish a broad representative technical team to do the practical work of co-ordinating the process towards the formation of the National Youth Commission, as proposed in the President's opening address delivered in May last year.

The NP sent four delegates, led by Mr Bakker, to this summit. The IFP Youth Brigade was even more overrepresented, with five delegates. The ANC Youth League sent four delegates. I am surprised that this summit could be dismissed by Mr Bakker as a Youth League affair and as electioneering by the Deputy President Mr Mbeki. Maybe the ANC Youth League did their homework before the summit better than the NP youth did. Mr Bakker did not even make a contribution in any of the debates at which I was present. I am actually surprised that he attacked the ANC Youth League and the Deputy President yesterday for hijacking the Youth Commission.

I propose that this Parliament make an input into this process of establishing the Youth Commission. Parliament should establish an ad hoc committee along the same lines as the ad hoc committee on the Gender Commission. This will ensure that Parliament makes an input into the process of setting up the National Youth Commission. Parliament will not be bombarded and misled by Mr Bakker, whose statements are distorted and based on hearsay, if this ad hoc committee is established. We must admit that the rallying of young people has begun through this whole process of the Consultative Summit as organised by the Deputy President on 9 December. I shall now return to my speech.

A constitutional court in Colombia, last year, ruled that it is legal to possess small amounts of cocaine, heroin and other related drugs. Colombia is the worst example of a country held to ransom by criminals. Many other countries are

experiencing similar problems of a crime wave that is out of control. While conditions in our country have not reached those proportions yet, we are nevertheless overrun with criminals.

Our President led the way in his address to the nation on Friday. He said that we must take war to the criminals. Indeed, the morality of any society is reflected primarily by the level of public wrongs committed in that society. Calls have been made in this Parliament for effective policing to be instituted as a matter of urgency. A plan to reform the police administration is under way. A brand new police force will contribute greatly to combating crime. But, this police safety and security agency must develop strong ties with the community.

To eliminate the legacy of apartheid in the police force is one of our major challenges in this Government. Gone are the days of "skop and donner" policing. Links with the community will build confidence and change the negative attitudes built by the apartheid system. An important player in this community-police partnership is the youth, at both the organised and unorganised levels.

According to Central Statistical Service statistics for the financial year 1990-91, 95 398 young people between the ages of seven and 21 were convicted of serious offences. Today, more than 100 youths are committing offences ranging from murder to violent robberies. The root cause of this abnormal level of youth involvement in crime in this country lies in the high levels of unemployment, drug abuse and other social ills within our society, including violence and homelessness.

We need a national strategy for crime prevention to which the youth will make a significant input. If we are to succeed in fighting crime, a local intensive anticrime campaign is absolutely necessary. The 1985 and 1986 experiences of our communities' being involved in anticrime campaigns, mainly through street patrols, could assist in the development of this policing approach. The neighbourhood watch experience can also enrich this strategy. We must urge the new Commissioner of Police to organise an all-inclusive anticrime conference to implement our resolve to stop criminals.

The second aspect in this regard is that we need to improve our justice system. A youth justice

policy and a youth rehabilitation and re-education system must be introduced. Laws against crime are usually retributive, and less time and effort is spent on preventative methods of combating crime. There is no merit in a retaliatory and brutal approach to criminals. Public wrongs cannot be corrected by excessive and primitive punishment such as the death penalty.

We often prosecute and jail very young offenders who commit petty crimes, such as stealing bicycles, with hardened criminals. Gangsters run prisons. A petty criminal emerges from prison with a vengeful attitude towards society. The circle of crime and punishment continues with no end in sight. Youths who are first-time offenders must be kept in youth offender centres for reorientation. These centres should be built in many parts of our country and they should provide the young offenders with life skills and vocational guidance. Reformatory and re-education methods should be applied.

In the same regard, a witness protection programme is necessary because, more often than not, criminals intimidate witnesses from testifying. This gives the impression that these marauding criminals are above the law because of their revenge attacks on witnesses and complainants. The Human Rights Commission and the Public Protector will further build up public confidence in the justice system.

Let us echo our President when he said: "Clear the jails of all children". The envisaged Youth Commission has a mammoth task ahead. We must move swiftly to establish this important institution. The onus, however, rests on youth organisations to engage the youth in sports, entertainment and other social activities.

Education remains the key to the development of young people. The Minister of Education has taken a bold step to address the concerns of the democratic student movement led by Sansco and Cosas. Institutions of learning and culture must be open to all. The youth must be kept off the streets where they are being exploited by drug lords and gang leaders.

Mrs P DE LILLE: Mr President, before I start I would just like to say that today I have seen what medicine works for the NP.

*They are very quiet after the medicine that Gen Bantu Holomisa gave them. The truth hurts, does it not?

†We commend the President for his tireless efforts, over the past year, in regard to affairs of State. We are also concerned about the problems he has had with his troubled eyesight, and the sympathy of the nation is with him.

The hallmark of democracy is an unshackled media. The slightest allegation that the media are engaged in a witch-hunt against people in high places who are allegedly involved in corruption can be seen as a veiled threat to investigative journalism and freedom of the press.

The use of the adjective "McCarthyism" is unwarranted and unfortunate. Dare we castigate highly respected NGOs, our friends of yesterday, for being concerned about how their aid is being abused by persons who were in positions of trust?

In the case of Mr Boesak, ought we, the Government, not to have initiated our own investigations, instead of leaving the matter to Danchurch Aid? We believe that in a society born out of a cesspool of corruption, our vigilance must be unfailing in order to prevent this nation from sinking into a morass of moral degradation.

Our remarks, let me add, apply equally to the captains of industry who have illegally exported billions of rands from South Africa. We want clean government and honest business entrepreneurship.

Our President, Comrade Mandela, is pleased that we are working together. We are working together in a nonconfrontational atmosphere. However, the fact remains that if "nonconfrontational" means that we slow down on social objectives, delaying building houses, creating jobs, feeding the hungry, educating our youth and providing land to the landless, the confidence of the dispossessed will disappear like a drop of water on a hot brick.

We must make sure that in the new constitution there is provision for the right of every citizen to access to land, and that the ownership of the land must become reflective of our society. The support of the masses of our country for the RDP will not endure if there is no delivery on the promises made at the last election.

We regret, also, that the President did not mention the crisis in education. The lack of planning for the intake of new pupils, in regard

to which no fees are to be paid, is astonishing. Parents want to know exactly who is entitled to free and compulsory education and up to what standard.

Hon members saw, on Sunday night on national television, the disastrous spectacle of more lies from Minister Olckers in the case of the Western Cape. It was really a painful experience for me to be part of the panel, and we could not finish the programme and give the people of the Western Cape an answer to the education crisis.

In conclusion . . .

Mr N J GOGOTYA: How can she conclude? She has not even started.

Mrs P DE LILLE: In conclusion, I want to say to hon Deputy President De Klerk that it is not good enough to say that we should put the past behind us. He must play a more prominent role to show his followers how to do it.

I have never heard him appealing to his supporters to accept the change. Instead, the NP is constantly fighting for minority rights for the privileged few. [Interjections.] How much money did Mr Gogotya receive to be in the NP benches today? He must answer that for us! [Interjections.] [Applause.]

The PRESIDENT OF THE SENATE: Order! [Interjections.] Order! [Interjections.] Order! I have observed that the hon member Mrs Patricia de Lille is still smiling, otherwise she would have been contravening the Standing Rules, which state that no member is allowed to threaten another member. She has been doing so smilingly, however, and therefore I rule that she did not contravene that Standing Rule. [Laughter.]

Mr J W MAREE: Mr President, on a point of order: The previous speaker referred to a Minister in another legislature, and called her a liar in referring to an occasion when they appeared on television together, and said that that Minister had told a blatant lie. I would like to know what ruling the Chair would give in this House if somebody referred to a member of a legislature in one of the provinces as being a liar. [Interjections.]

The PRESIDENT OF THE SENATE: Order! The Standing Rules that apply here are very clear, namely that one member should not use derogatory language in respect of another member. That Rule is very clear, and therefore the

ordinary laws of the land would apply, as in the case of, for instance, defamation. But then again, privilege prevails here, of course. Therefore it seems to me that the concern of the hon member is perhaps one that cannot be addressed at the moment. [Interjections.]

I would really like to ask members to observe the dignity of debate, also in respect of politicians outside Parliament. I think in that manner we can only encourage a better understanding and better co-operation between institutions.

Ms D P JANA: Mr President and hon members, the opening address of our hon President was, not surprisingly, in conformity with the expectations one would have of a true leader and a great statesperson.

The hon the President's message must provoke our conscience, especially in this forum, to ask what the collective responsibility is which we have as South Africans today. What is our commitment in implementing reconstruction and development within the State parameters and in our daily life?

What concerns me is that there is a lack of commitment by certain sectors of our society to engage in the transformation of our society. The RDP is a collective responsibility of all South Africans and its success depends on the concerted efforts of all sectors of our society. It appears as if we are living in different worlds of actors and spectators, and those sitting on the fence are only too eager to criticise and count failures. If the RDP is not progressing as swiftly and effectively as designed, then we should collectively accept responsibility. Fundamentally we need to involve everyone to become, directly or indirectly, a part of the process of reconstruction and development.

What does this require? It requires that all of us engage meaningfully in the transformation of our society. It will mean that we will have to grant certain privileges to those who were deprived in the old order. It will mean that many of us will have to give up certain benefits and privileges. It means that we will have to make a sacrifice. Ultimately the RDP is aimed at reshaping a new type of society in which crime and corruption can not only be controlled and corrected, but the causes which lead people to commit crimes and unlawfully enrich themselves are removed.

There is a perception in various communities that crime is out of control and that we are on the brink of anarchy. It is true crime is high in our society. It may not be worse than before, but it is certainly more visible and it is a common factor which is hurting many sectors of our society. Our President seriously addressed this—the information is quite familiar to all of us.

Many speakers have advocated a tough approach towards crime and deviance. We are not achieving anything new in South Africa with this approach. Apartheid adopted this tough approach against those outside the formal, accepted behaviour. I suggest that we need a more extensive and sophisticated approach. We need to change the socio-economic conditions for the masses of people in our country. Much has already been said about this, so I will move on.

We need to bring about changes in the judicial system. I propose that we make a serious commitment to develop a comprehensive criminal justice system which will embody all areas and which will not only help reduce crime, but also eradicate the causes. It will require that we engage in a process of reviewing our Criminal Procedure Act and that we codify common-law crimes into a single document as it happens in other jurisdictions of Roman-Dutch law, and that we bring together a comprehensive reform of the judiciary in terms of human resources and also in terms of the form in which it is constituted. We need to have community participation in courts and in policing.

The reform of police and correctional services must also be included in this process. There is a need to create a culture of law-abiding citizens. Research at many universities in our country has shown that there is a lack of respect of state law in particular communities as a result of apartheid repression. I propose that we engage in programmes to educate and create awareness and understanding that the law is there to be respected and they should be aimed at everyone in our society.

And yes, we do need to adopt a tough approach to deal with offenders. Law must be enforced effectively and with promptitude. There is also a need to re-examine our correctional service with special emphasis on rehabilitation and reintegration of offenders in our society. In this way, I believe that we can create a new way of thinking

and a new way of living, based on the principle of sharing and caring. [Applause.]

Dr M E TSHABALALA: Mr President, I welcome the opportunity to contribute to this debate. In his opening address, the President of the Republic spoke of the need to "bend our backs to the serious work ahead of us". As I believe our discussions have shown, that work takes many forms, from the drive to increase economic growth to the task of drawing up the final constitution which will enshrine justice for all South Africans. I would like to focus my own comments on the yardstick by which our progress will be judged—improving the quality of life of all the people of this country.

We have come a long way in the nine months since the first Assembly sat. The ANC, at the head of the Government of National Unity, has made great strides in the restructuring of our political and social systems and civil society. Much lies ahead of us, not only in the practical terms of development, but in ensuring that we communicate effectively with the broader electorate outside this Chamber.

Our message, as the hon the President of the Republic made clear, is one of fairness to all, but firmness with those who would disrupt the progress we seek to make. Citizenship in the new South Africa is a two-way street, bringing new rights, but also responsibilities. Our financial resources are limited. There is indeed "no big bag of money". This is not a statement of despondency but of reality. The Government has made it clear that it intends to invest in people, an investment for both individual opportunity and national prosperity.

I wish to raise an issue of concern to all those who are striving for a more equitable society, namely women's health, and in particular reproductive health. I highlight this because I believe it to be pivotal to the task of improving the lives and wellbeing of South Africans. Numerous studies have shown that promoting and enhancing the health of women can serve as a major catalyst for development and economic growth. Nowhere is that of greater relevance than in South Africa, where women are now emerging from decades of systematic oppression.

As in other areas, we have already made great strides. The Minister of Health has delivered on the promise of free health care for pregnant

women and children under six, as well as implementing the nutritional feeding scheme. Ad hoc committees have been established to examine the Abortion and Sterilisation Act, as well as gender equality. As we heard on Friday commissions for human rights and gender equality are to be set up in the coming months. These will make a further valuable contribution to progress in this area. We also welcome the resolution on the establishment of the ad hoc committee on ratification of children's rights as this will have an impact particularly on female children.

South African delegations have played a key role at both the UN Population and Development Conference in Cairo and at the Dakar Conference. Recent months have also seen the welcome establishment of permanent offices in this country by the WHO, the UNDP, the UNFPA and Unicef, agencies which have played a crucial role in enhancing the health and wellbeing of women.

As the President noted, it is fifty years since the adoption of the UN Charter, an historic moment which, amongst other things, marked the beginning of the modern era of rights in relation to women's rights and women's health. These rights were enshrined in the 1979 Convention on the Elimination of all Forms of Discrimination against Women. Through this convention, UN members assume the legal duty to eliminate all forms of discrimination against women in civil, political, economic, social and cultural areas, including health care and reproductive health.

South Africa has emerged from the international wilderness. As we take our true place in the family of nations, the women's convention and other legal instruments can guide us in providing our people with the basic rights and services they are entitled to expect. We urge the Government to facilitate the ratification of the women's convention.

The question of reproductive health is of paramount importance as we pursue our own development strategy within the broader international framework. Access to high quality reproductive health services should be seen as a fundamental right in our society. Such services are central to the empowerment of women and have a crucial role to play in improving the quality of life of all people.

We need to be quite clear, when talking about reproductive health, that we aim to promote the

broadest possible approach wherein physical, mental and social wellbeing are fostered at all stages of a woman's life. Reproductive health refers to all aspects of wellbeing, in relation to the reproductive system and processes within a lifespan perspective. It encompasses fertility, infertility and the enjoyment of good sexual health, without fear of disease or unwanted pregnancies.

This approach must include the provision of education for both sexes around the issues of sexual health, sexuality and gender. Information and counselling should be available to all in order to enable them to take informed decisions. Adequate health care services must be offered to those affected by sexually transmitted diseases, including HIV and Aids, and all other ailments of the reproductive system such as cancer of the cervix and infertility.

Within the work environment, women's health is affected in special ways which, in the main, are determined by gender differences which define the role and functions women fulfil. Pregnant women should receive high-quality prenatal and postnatal care, as well as having adequate, flexible provision made for childbirth.

A further essential element in any meaningful strategy for reproductive health is the legal provision of safe abortion services. I freely acknowledge that the abortion issue raises ethical difficulties for many people. All views must be heard, and that particular debate deserves, and will receive, more time than we have at our disposal now. We need to discuss the issues openly.

Comprehensive, accessible and confidential family planning services must be provided, extending the right of women and men to make free choices about their own fertility. It is important, however, to emphasise that the case for legal abortion services rests simply on the right of women to exercise their own conscience, and the obligation on the part of the State to protect its own citizens. Abortion should only be the last service in the long list I have already outlined.

At the same time, today South African women are faced with a situation which is both anachronistic and injurious to their health. Existing laws restrict women when they have to decide when and whether to have children. Furthermore, the practical application of those laws has, for too

long, been racially biased. Prohibitive laws do not prevent abortion, as both time and wide international experience have proved. What we do know, however, is that the costs of this practice are enormous. Botched abortions can cause infertility and immense psychological trauma and can lead to increases in maternal morbidity and mortality.

In financial terms the cost to the State of treating complications arising from backstreet abortions is exorbitant and should be viewed alongside the funding required for improved services. Two thirds of the world's women now have access to legal abortion services, and it is time we stepped into line with that. The present state of abortion laws in this country is a betrayal of all women and has created a hidden epidemic which we can no longer afford.

As we embark upon this second session of a democratic Parliament, the challenge ahead of us, as legislators, and all South Africans is a great one. President Mandela has laid down a clear framework for meeting that challenge and for the development of dynamic policies needed to take us further down the road to harmony and prosperity. We are making giant strides in turning the freedom of the ballot box into a better life for all our people, and we intend to continue doing so.

*Senator A J WILLIAMS: Mr President, it was heartening to note that in his speech, the President of the Republic touched on issues that have been receiving attention from the NP over a long period of time. I praise the President for that. It serves as evidence of the success of the process of cross-pollination that is taking place in the Government of National Unity.

I want to say to Mr Ramaphosa that the hon leader of the NP's integrity is above suspicion. Why is he looking for him behind the door? There is an Afrikaans expression that says if one stands behind the door, then one searches for others there too, meaning that one judges others by oneself. Consider the Douglas Report and those maimed by the struggle.

A person who looked for our leader behind the door was Dr Boesak. Less than a year ago, he repeated this rhyme *ad nauseam* at various ANC rallies: "F W is a . . .", and who was standing behind the door himself the whole time?

The Minister of Trade and Industry says apartheid is not dead. I can understand that the hon the Minister will not and cannot accept that apartheid is dead, because apartheid so favoured the ANC that some of the worst deeds and corruption were hidden behind apartheid. Why does the ANC so frequently make itself guilty of desecration of the grave? Why can the late apartheid not be left in peace? Has the late apartheid not caused enough heartache and sorrow?

The time has come for the ANC to break free from the past, so that we can all work together on the future.

*Mr J H MOMBERG: I cannot hear!

*Senator A J WILLIAMS: That hon member enjoyed the fruits of apartheid. [Interjections.] The time has come for us to work together. We invited those hon members to the funeral of apartheid, but they were too busy with the struggle. Now what kind of organisation struggles against a corpse? [Interjections.]

The NP condemns all forms of racial discrimination. Was it not precisely the NP of Deputy President F W de Klerk that removed all the discriminatory laws so that Rev Hendrickse and Minister Abe Williams could swim unhindered on King's Beach? [Laughter.]

The death of the poor child in Ruyterwacht cannot simply be attributed to racism without taking the other factors into account as well, because that would be wrong.

From 30 January to 13 February, while the students were at the school, there were no signs of violence. [Interjections.] The first incidence of violence broke out on 14 February when students were allegedly guilty of gross misconduct. This protest against such unacceptable social behaviour, against whomsoever, would have erupted in any community.

The time has come for the ANC to request its organisations such as the National Education Co-ordination Committee (NECC) not to misuse our children for cheap political gain.

Is it true that the ANC cannot flourish unless there is a crisis of some sort? If there is no a crisis, then a crisis is created. [Interjections.] Then the ANC sponges on that crisis as if on a host. [Interjections.] Members of the ANC then os-

tensibly jump in like great saviours to resolve the crisis. [Interjections.]

The people of South Africa have been aware of that sort of thing for a long time now. If we really care for our children, we must guard against the creation of a situation in which the world receives the impression that our children are by nature vandals, thugs, plunderers, tyrants and that they have no sense of values. We must prevent the creation of those kinds of situations at all times.

The guilty party in the Ruyterwacht saga . . .

*An HON MEMBER: Hallelujah!

*Senator A J WILLIAMS: Whenever the truth comes to the fore, then it is always "Hallelujah"! The guilty party in the Ruyterwacht saga is none other than the NECC, which abused our children. What on earth are 4 000 pupils doing at a school that can only accommodate 500? [Interjections.]

The NP believes that every pupil has the right to receive effective tuition. Four thousand pupils at a school for 500 pupils will never lead to effective tuition. It will indeed lead to chaos and a potentially violent situation. That is why it is now time for us to ensure that our children return from a culture of mass action, boycott action and toyi-toying to a culture of tuition and study. [Interjections.] I know this teacher from the Free State agrees with me! [Interjections.]

It is an educational fact that children require discipline. We must not allow this requirement to be left unfulfilled.

Is it pure coincidence that problems in education reach a crisis before an election, particularly in the Western Cape? Is it official ANC policy to elevate education to a crisis in an attempt to score extra points? This tendency boomeranged in the Western Cape in 1993. Just ask colleagues Randall and Shepard. It is again going to boomerang against the ANC in 1995. [Interjections.]

If there is one thing which parents of different political parties oppose, it is the abuse of children. The abuse of children must be regarded as a crime.

The occupation of buildings is assuming alarming proportions. The occupation of the office of the Western Cape Premier here in the city on 16 February this year was reprehensible, particu-

larly because people gained admission to those offices under false pretences.

Last Thursday, 16 February, education offices in Port Elizabeth were occupied by approximately 50 Cosas members. Fifteen members of the education crisis management committee were held hostage. On Friday, 17 February 1995 . . .

*Mr J H MOMBERG: In 1955?

*Senator A J WILLIAMS: In 1995, Jannie. You are listening carefully.

On that day the education offices in Worcester were occupied by unemployed teachers. These people are seeking "jobs, jobs, jobs"! That is surely what was advertised at one stage like a kind of fruit on lampposts. Whatever the contributory causes of these occupations may be, this state of affairs may no longer be tolerated. This will stop if decisive action is taken against these people.

It is worrying that corruption is again rampant in education. It is particularly our female teaching staff and children that are most severely affected here. Schoolgirls can obtain examination question papers if they will just—to put it mildly—go out with Sir for one evening. This disgusting tendency reared its head in 1994 during the final examinations in the Northern Cape Province.

I know of a specific case in the Western Cape in which female teaching staff are complaining that they are exposed to victimisation, sex, sexism, discrimination and verbal abuse, amongst other things. These are surely the most serious crimes against women and children. This sort of conduct is disgraceful in the democratic South Africa. [Time expired.]

Mr Y I CARRIM: Mr President, comrades and colleagues, all the parties in this House, and a very wide cross-section of South African society have firmly committed themselves to the RDP. In fact, South Africa's income inequality is among the worst in the world and it has been acknowledged that democracy in this country will not survive unless these inequalities are significantly reduced.

This national consensus on reducing these inequalities and developing our country as a whole constitutes an important foundation for the new constitution. Crucially, it must also reflect itself in the debate about the form which the South African state should take. Essentially, the ques-

tion is to what extent South Africa should be unitary or a federal state. Of course, neither of these two models exists in a pure form anywhere in the world. They are better understood as part of a continuum, with the unitary at one end and the federal at the other. We basically have to establish where, along this continuum, South Africa should be.

It is clear that our need to reduce urgently social inequalities and develop the country as a whole requires a relatively strong central state, with reasonably strong provincial and local governments. The proper implementation of the RDP requires that while there will be autonomy for provincial and local governments, the Central Government will ultimately have overriding powers.

The RDP is a national initiative. It is a national plan. It therefore requires a national effort. Provincial autonomy cannot be allowed, except to the extent that it does not undermine the fulfilment of the RDP, but in fact facilitates it.

Why does the RDP require a relatively strong central State? Why would federalism undermine the RDP? In the limited time at my disposal I will focus on five key reasons among the many others that one could cite.

Firstly, given the extreme and widespread nature of poverty in this country, a coherent national plan for development is required. Apartheid distorted the country as a whole, and its legacy therefore has to be tackled as a whole, and not in an ad hoc, piecemeal and haphazard manner. It is this concern that quintessentially underlies the approach of the RDP.

However, it must be stressed that the RDP does not constitute a centralised, commandist approach to development. It allows considerable scope for provincial and local approaches to be developed according to specific conditions. These variations, however, must be within the broad overall national framework of the RDP.

Secondly, there are huge inequalities between the provinces. Gauteng, for example, produces two-thirds of the country's wealth. Clearly resources would have to be distributed from the richer to the poorer provinces. This will simply not be possible without a relatively strong co-ordinating central State.

It is ironic therefore that the IFP should be pushing for maximum autonomy for KwaZulu-Natal, as it is one of the provinces that has the most to lose in the absence of a relatively strong central State effecting redistributive policies. The IFP constantly complains that it is not getting a big enough share of the country's wealth. It wants the country's wealth but refuses to be an integral part of the country.

Thirdly, strong provinces with developed provincial identities will inevitably be competitive in a way that does not serve development goals. Competition is not necessarily bad, of course, but unhealthy competition certainly is. At this critical stage in our country's transformation we can do without unnecessary competition. On the other hand, productive competition between provinces will certainly occur within a state with a relatively strong central government and reasonably developed provinces.

Fourthly, the duplication of institutions and bureaucracies encouraged by federalism will severely militate against the effective and efficient implementation of the RDP. Not only would it be very costly, but it would make for a very messy bureaucratic tangle.

Finally, international support for development in South Africa is obviously important. A relatively strong united South Africa will be in a much better position to negotiate favourable terms for international assistance than divided and competitive provinces.

In conclusion, it must be emphasised that a strong central government does not preclude the existence of strong, thriving, democratically-elected provincial and local governments. In fact, given the conditions in South Africa, relatively strong national, provincial and local governments are crucial, even though the Central Government must ultimately have overriding powers. There is no future for the provinces or the country as a whole without the RDP. We are therefore all enjoined to work together in ensuring the maximum fulfilment of the RDP.

Senator T G G MASHAMBA: Mr President, Senator A J Williams from the NP has interfered with my speech. I would have liked to have started differently but I feel I should begin with the question of education, as I am deeply involved in the activities of the NECC. In so doing, I wish to start off by paying tribute to

Abram Tiro, Steve Biko, Matthew Goniwe, Fort Calata, Sicelo Mhlawuli, Nogwera Malepe and many others who had to die in order to bring sense into the heads of members of the NP.

Having said this, I must say that when one talks about the education system, we must understand that under the reign of the NP many of us were subjected to brainwashing, indoctrination, lies and distortions. The lying and distortions, unfortunately, continue.

In this respect I would like to point out one or two things. First, it is a lie that the NP released Comrade Mandela and other comrades from prison. The people who released Comrade Mandela and others were those who laid down their lives for the struggle. De Klerk and his people were forced by events to perform the formal ritual of opening the doors of the prison. If this was the case, then they could have done so before we lost our comrades.

Secondly, it is a lie to characterise the ANC as simply an anti-apartheid organisation. The ANC predates apartheid. I will, however, come back to this point. It is also a lie to want to accuse our President of having created a Frankenstein's monster. This monster, if it is a monster at all, is a product of the NP.

The spectre of European mercantilism and free enterprise marketeering spread its tentacles over Africa and all Third World countries. It resulted in conquest, dispossession, impoverishment, subjection and the enslavement of the people of the Third World for the private interests of Europe.

The ANC was built on the foundation of the heroic struggles led by our people against colonisation and conquest. Comrade Mandela is the leader of that constituency. We are now told by the NP that we must kill the poor, the dispossessed, the unemployed, because they are a nuisance. This will not happen. The NP has for the past 48 years tried to oppress us and has failed to do so. That is why we are here today.

The NP and Deputy President De Klerk have disappointed me. Comrade Mandela took a leadership position and told us that we, the poor, the oppressed and the dispossessed, must be disciplined in our quest for liberation. I expected Deputy President De Klerk, in turn, to turn to his historical allies, namely those with big capital and the means in this country. If one were to go

Mr A S BEYERS: Mr President, during recent months we have seen a different African National Congress. [Interjections.] We have seen the real ANC. Yes, still a fighting ANC fighting their first and foremost enemy, the NP, but also an ANC fighting themselves. We have seen Mrs Mandela fighting the Government for failing the people. We have seen the same lady fighting Mrs Tambo and her nine brave comrades.

We have seen Bantu Holomisa fighting President Mandela, and today we have seen Stella Sigcau fighting Bantu Holomisa. [Interjections.] We have seen Rocky fighting Popo, and Popo allegedly planning to murder Rocky. So, the ANC has problems up North, not only in Gauteng, but also in the province of "Popoteng". [Laughter.]

We have seen foreign donors of the ANC fighting the ANC recipients, and former detainees fighting their ANC administrators who do not know what happened to R138 million in trust funds. We have seen their young lion, Peter Mokaba, fighting transparency, while paying himself a minister's salary from trust funds on top of his parliamentary salary. [Interjections.]

We have also seen their hero, Allan Boesak, fighting the truth while trying to blame it all on apartheid. He says the struggle was the reason he paid himself a quarter of a million rands per year from funds that were given to him to be kept in trust for poor children. [Interjections.]

From all this, a different ANC emerged. An ANC different from the glorious freedom fighting organisation on the moral high ground. We saw the real ANC. An ANC standing naked before the entire nation, and what an awful picture it is. We see the image of the ANC that can best be described by two notions: corruption and obsession with power.

*The ANC's obsession with power is nowhere better illustrated than by their insistence that minority representation in the executive come to an end. It is also illustrated by their general intolerance toward realistic ideas to constitutionally establish minority protection and to take into account the reality of our cultural diversity.

The NP's commitment to minority protection is well known, as is our commitment to attempt to make space in the constitutional negotiations for the definite need of cultural groups for institutions to promote their own unique interests. Due to time restraints I should like to limit myself to

an urgent appeal to President Mandela to convince his party to end their intolerance towards minority interests, in the interest of South Africa as a whole.

†The NP's commitment to multiparty representation in all structures of government, including the national, provincial and municipal executives, flows from our principled conviction that the interests of the entire nation and most specifically the interests of minority groups, such as being represented by political minorities, can best be served by a system which establishes participation by all major parties at each level of government. [Interjections.]

There is no doubt in my mind that the miracle of relative stability which characterised our transformation thus far, was made possible by the national settlement that was based on participatory government. Therefore, the system of multiparty government is a cornerstone on which national reconciliation was built. Without minority representation in the executive, our process of reconciliation will fall. To think that this process of reconciliation will be completed within the next two or four years is simply not realistic.

Now the ANC wants to abolish the very cornerstone on which our process of reconciliation is being built. Minority representation in the executive of the State is just as important as minority representation in the legislative process, because it is in government that the day-to-day running of the country is determined. [Interjections.] It is there, in government, that the views of at least important political minorities have to be heard. [Interjections.]

*Mr P C CRONJÉ: Mr President, may I ask the hon member a question?

*The PRESIDENT OF THE SENATE: Order! Is the hon member prepared to answer a question?

*Mr A S BEYERS: Mr President, I will answer his question if I still have time after my speech.

*The PRESIDENT OF THE SENATE: Order! The hon member is not prepared to answer a question. The hon member Mr Beyers may continue.

Mr A S BEYERS: The concept and the establishment of the Government of National Unity was, and still is, the most important guarantee of

stability and hope for the future. This concept plays a major role in the creation of a climate of trust in our political ability, which is imperative for our own business community in order to get our economy going again.

President Mandela himself constantly refers to this system when he travels abroad. Without minority representation in the executive, South Africa will be delivered to a system of "winner takes all". Such a system is a blueprint for majority domination through a one-party State. [Interjections.]

How the IFP, the DP and the FF managed to support the ANC standpoint on this winner-takes-all policy is difficult to understand. [Interjections.] The stand of the DP, in particular, is depressing. For the past five years at least they have claimed that the NP took over their policy of power-sharing, and suddenly, within a few days, they have rejected their own policy and have traded it in for the ANC's policy of "winner takes all".

I want to conclude by saying that today the NP is the only party standing in the way of the ANC's policy of majority-party domination. [Interjections.]

Ms R S MOMPATI: Mr President, I would like to start by just making one remark to Mr Beyers. I am a little disappointed, but I am not surprised. He has to speak that way. After all, he was a member of the CP. He became a member of the Volksunie. Today he is a member of the NP. [Interjections.] [Applause.] So, in fact, he is not sure of what he believes in. The ANC is a party that has stood the test of time. [Applause.]

I would like to begin by thanking our President for his address. In his address, Comrade President Mandela threw down a challenge at us. He was referring to our performance. He said that the yardstick that we shall be judged by is: Are we, through our endeavours here, creating the basis for bettering the lives of all South Africans? Our response to that will, of course, be different, because we have the NP, we have the ANC, we have the IFP, etc. The fact is that what is so easy to declare may not be as easy to achieve. To those on my left-hand side I would like to say just one thing: Do more; stop talking.

The interim Constitution provides for the establishment of a Commission for Gender Equality. The promotion of gender equality refers to the

achievement of actual political, social and economic equality for women at all levels—in government, in policy, in law reform, in public institutions and in private spheres.

In his opening address, the President pointed out that important institutions which are anchors to the construction of the people-centred society, will be established this year. These are, amongst others, the Human Rights Commission, the Public Protector, the Gender and Youth Commissions, etc. Our society has been plagued by inequalities, racial and other discrimination, which were re-enforced by law. Of all these, gender stood out, thus creating a situation where it became acceptable to enforce these inequalities by different means. Such means cover economic pressure, violence and physical coercion and other things.

I therefore propose to confine myself very briefly to the Gender Commission. Needless to say the advocacy of women's rights does not warrant a battle of the sexes or discrimination against men. In fact, it should not even be exclusively a women's issue, but a social one that should be higher on the reconstruction and development agenda, and indeed on every agenda of government structures. On that basis, the Gender Commission should be seen as an institution which will spearhead and correct social imbalances, a mechanism that offers a guarantee against socio-political injustices.

The President mentioned one approach, amongst others, namely that the Public Service should join hands with the Government to address racial and gender imbalances within the service. Furthermore, it should be composed in a manner that reflects the composition of our population. All levels of government, public or statutory bodies, authorities, and the private sector must play a role in the creation and advancement of a women's rights culture. For instance, the one view that was enunciated was that university law faculties should consider including women's rights in their curriculum. Legal aid clinics should be included in their department, as well as women's rights clinics. The University of Western Cape already has one, although it is not yet developed. Street law clinics should also include women's rights in their education programmes. Community outreach projects should also deal with women's rights.

The aforementioned structures do not exhaust the list. There are many others in place and that can still be set up. It is through such structures that we can ensure that matters that form the basis of our discussions here in Parliament and in other forums are implemented and reach our people on the ground, which is where we must deliver change. We must promote and encourage education and training on gender issues. We as the Government must lead.

I would like to make an observation. Those who joined the NP in April last year. . . . [Interjections.]

Senator C ACKERMANN: When are you going to join us?

Ms R S MOMPATI: Those who joined that party last year seem to make the biggest noise in protecting or defending those who have been members for a very long time. [Interjections.]

HON MEMBERS: Gogotya! Gogotya! Gogotya!

Ms R S MOMPATI: I just want to ask Mr Gogotya one thing. Why, Mr Gogotya, why? What do they owe you? What are you protecting? Mr Gogotya, I have some advice for you. Go to the Truth and Reconciliation Commission and exorcise yourself. Go and get your peace of mind. Perhaps then you will sit here and listen. [Applause.]

Mr N G SHOPE: Mr President, colleagues, we commend the President on his all-embracing and well thought-out address to the nation. It laid out all the achievements of the past year and the setbacks we suffered. It gave direction on how the Government of National Unity should deal with any circumstance which seek to derail our hard-won goals. We wish him great success in his difficult but challenging task.

President Mandela emphasised the urgent need to increase the productive capacity of our economy and to restructure and modernise it so that it lives up to international standards. To do this, we need the support of the nations of the world and the co-operation of the African continent, especially the Southern African region. Just as we relied upon the support of the international community in the fight against apartheid, we rely now more than ever before on their co-operation and experience as we embark on a massive RDP for our country.

In mobilising their masses to support our struggle against apartheid, the African leaders used to say that no country in Africa could claim to be free until South Africa was liberated. This is true because they need our help. This is a duty we have no option but to carry out.

It is in this regard, therefore, that we appreciate the step taken by the hon Constand Viljoen, leader of the FF, to extend the RDP to Mozambique. [Interjections.] This should be seen in the light of alleviating poverty and hunger. It is also in line with Deputy President Thabo Mbeki's call that South Africans should help by developing the neighbouring countries and creating jobs for them in their own countries, as this will discourage the inflow of what we refer to as illegal immigrants, meaning our brothers and sisters who come to South Africa to look for work.

In agriculture, for instance, there are a number of developing and developed countries abroad with a climate which is similar to ours. We need to study their scientific and modern methods in this field. The use of natural fertilisers and poison-free chemicals in these countries will be very useful to us if we are to reach the level of international competition and still retain a healthy nation.

At a recent international conference of disabled people, to which a delegation was sent from South Africa, much was to be learned from the experiences of the disabled people from other countries. They are trained and facilities are made available to them to do a lot for themselves and to run their own households. This is the experience and the co-operation we need from the international community.

Back home we sought the co-operation of the Gauteng province to establish a day centre for disabled children who come from the squatter areas on the outskirts of Soweto. These are the children who die before they reach the age of five. Children who cannot go to disabled children's homes for lack of funds for their treatment. Their mothers, who know no other life but to be marginalised, are helped to develop the skills which will empower them to be self-reliant and contribute to the economy of the country. This we feel is one way of putting into practice the RDP to transform the Department of Welfare and Population Development from one that relies solely on handouts to one that is productive.

We are proud that South Africa has ratified the Convention on the Rights of the Child. We will look to the steering committee of the national plan of action for South African children and the RDP Minister to assist us to put this convention into practice. This is a duty we have no other choice but to fulfil. [Applause.]

Miss N KONDLO: Mr President, hon members and comrades, I rise to contribute and respond to the challenging and inspiring, as well as nation-building, speech made by the hon the President, Comrade Mandela, who has always been and will always be a living example of struggle for the attainment of freedom, justice, peace and democracy in our country and the world over.

In his speech, the hon the President spoke of the determination of the Government to move towards the formation of a new Police Service as well as the interest of the Government in addressing the matter of the earning and working conditions of all members of the South African Police Service. The objective being to ensure that the Police Service is able to discharge its responsibilities as effectively as possible.

As a Government faced with the challenge of bettering the lives of our people, we need to operate in a peaceful and stable society, brought about by such a service, as no development and reconstruction can take place without security and stability. The problems that still exist within this service need urgent attention to ensure that we gain our vision of the envisaged Police Service which will be professional, impartial, efficient, respected and owned by our society at large.

The problems that I am referring to here are the gaps in salaries between junior and senior officers and also between Black and White officers—95% of officers are White and only 5% are Black in a service that is predominantly Black. At present 80% of resources in the form of police stations and cars are in White areas where, comparatively speaking, crime is less. Therefore, this means that decentralisation of such resources becomes imperative and urgent.

Racism within the Police Force is still practised. This must come to an end, as it is unacceptable and unconstitutional. Linked to this is the issue of labour relations and the increasing role of unions within the Police Service. Furthermore, if the Police Service is an essential service there is a

need to define whether or not police officers should go on strike.

In an endeavour to seek solutions to these issues of importance, one needs to say that the new Police Act should provide sufficient and effective mechanisms to address concerns, grievances and problems which affect the Police Service. As it seeks to do so, this will ensure that police services, which are the cornerstone and key to the success of our society, are rendered in a professional, efficient and accountable manner.

I wish to say that it is interesting to know that there are different interpretations and perceptions around the Truth and Reconciliation Commission. Understandably so, but let all those who deliberately distort what it means be assured that there will always be only one meaning of the word "truth", and that is the truth. I suppose the guilty are afraid.

Xa ndigqibezela President, kuyacaca ngentetho zamany'amalungu apha ukuba umnqwazi uyakufitter uyawunxiba, kuba balala bavuka bezibona besePalamente yabantu, ethe yakhona ngenxa yokuphalala kwegazi labantu. Mhlawumbi kufanele bazibuze into yokuba bavela phi, besiya phi, iyintoni iinjongo zabo. (*Translation of Xhosa paragraph follows.*)

[In conclusion, hon President, it is clear from the previous hon members' speeches that if the cap fits, one should wear it, because they went to sleep and when they woke up they found themselves in the parliament of the people which came into existence because of the people's blood that was shed. Perhaps they should ask themselves where they came from, where they are going and what their aims are.]

*The DEPUTY MINISTER OF JUSTICE: Mr President, I do not think that there is a single law-abiding citizen in South Africa who does not support the hon the President and who does not want to take him seriously regarding his strong admonition about the high level of crime and lawlessness afflicting our country.

At its federal congress earlier this year the NP again declared war on crime and criminals. We therefore also welcome the President's declaration of war last Friday during the opening of Parliament. We look forward to co-operation in this alliance.

However, this declaration of war is creating a problem for the ANC. At grassroots level those members of the ANC who are still permeated with the indoctrination of civil disobedience which is a breeding ground for criminality and lawlessness, are expressing their dissatisfaction with the leadership of the President. Perhaps he does not know that. We also find the same attitude in this Chamber, especially when one sees that the ANC Ministers consider it beneath their dignity to attend this debate to the very end. [Interjections.] In the same way they also scorn this call for serious action. [Interjections.]

The NP will nevertheless strive to create a law-abiding community in South Africa. We will also watch the ANC very closely to see whether they are able to change the attitude towards the law in a positive manner or whether they are merely going to be sleeping partners in this struggle in order to get their names recorded in the annals, but in reality are going leave the fight to the NP.

†In his speech in this debate, the hon the Minister of Transport said that there should be a closing of the gap between law and legitimacy if we are to succeed with the commitment to combating crime. Presumably legitimacy refers to the laws being legitimate. I must remind the ANC that it was a fulfilled precondition for the negotiated new and democratic dispensation that all offensive laws be removed from the Statute Book. I cannot, for the life of me, see how laws against murder, rape, assault, fraud and theft can be seen or experienced in any way as not enjoying legitimacy. If we are to have a civilised society and a safe environment within which to live, the legitimacy of universally accepted and acknowledged laws should not be challenged. Rather, we should apply them relentlessly and cultivate a respect for them. Therefore there is no need to close the gap, because there is no gap to close. [Interjections.]

We in the NP are tenaciously committed, in our endeavours, to reducing the level of crime, criminality and violence because we have faith in the future and believe in the wonderful potential of our country. So seriously do we view the situation that we have recommitted ourselves to capital punishment as the only effective deter-

rent for would-be murderers of innocent and law-abiding victims.

We acknowledge that the Constitutional Court is at present considering the constitutionality of the death penalty, measured against the entrenched Bill of Rights of our Constitution. This should, however, not comfort politicians, as they are not thereby absolved of their responsibility to adhere to, and to give effect to, legitimate demands of voters who entrusted us with this grave responsibility.

We in the NP care about the victims of hideous crimes which call for the severest form of punishment. During the argument in the present Constitutional Court case, the hon Judge Didcott pointed out that he could not see why the court should have to pay attention to public opinion, however strong it may be, which may be ill-informed or even based on a fallacious belief. However, he went on to make this very important observation. He said that paying attention to public opinion was the job of the legislature. The NP in this legislature is prepared—and is not afraid—to heed the demands of the masses of our people out there in this serious matter, and the ANC should not shy away from its responsibility. If it is not prepared to listen to the constituents, the ANC should come clean and tell its supporters. We care for the people who voted for us, and we even care for those who voted for the ANC and who experience the trauma of violence and crime daily.

We feel for the people who mourn at open graves, for families who have lost a much-needed breadwinner, for children who have lost elderly and, sometimes, frail parents.

We make no secret of the fact that we side with the victims and their families and friends. We cannot respect criminals who have no respect for life and the right to life. It is not our intention to make a mockery of the entrenched right by having respect for, or siding with, those who do not have any respect for the law, by not promoting the meting out of punishment commensurate with the crime committed. We would make ourselves guilty of having no respect for the right to life, for which we all say we have a high regard. We, in the NP, will not fall into this trap.

The Sowetan, in an editorial column as recently

as 20 February 1995, acknowledged the result of a scientific research study showing that 63% of all South Africans want the death penalty to remain in our law. The paper went on to stress that the inherent problem of abolishing the death penalty was that the abolitionists cared more for the criminal than for the victim. This is how the ANC is being seen, and the NP would not want to be part of it.

The law as it stands in our Statute Book states that the severe sentence can only be imposed when it is the only appropriate sentence, and even then, the sentence of each person sentenced to death shall also be considered by the Appellate Division. Our leader-in-chief, Deputy President De Klerk, is on record as having said that he was in favour of all the inmates on Death Row

being reprieved, and that the death penalty should only be imposed for future serious crimes committed.

If what we advocate is accepted, the President's statement of "Let no one say they have not been warned" will have meaning. I also wish to stress that the exodus of skilled policemen from the South African Police Service does not bode well for this war. Without law enforcement, manpower and skills, we have no hope of even matching our opponents. The ANC must, therefore, guard against this war becoming only a war of words. Such a war we cannot afford.

Debate interrupted.

The Joint Sitting adjourned at 19:07.



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

PROCEEDINGS AT JOINT SITTING

Members of the Senate and the National Assembly assembled in the Chamber of the National Assembly at 10:03.

The President of the Senate took the Chair and requested members to observe a moment of silence for prayers or meditation.

PRESIDENT'S OPENING ADDRESS

(Debate on Subject for Discussion resumed)

The PRESIDENT OF THE SENATE: Order! Is the first speaker on the speakers' list ready to start his speech? [Interjections.] Order! Does Dr Jacobsz wish to make his speech? [Interjections.] Order! I shall now again give the first speaker on the list an opportunity to move to the podium.

Dr I M CACHALIA: Mr President, comrades, ladies and gentlemen, I will restrict my remarks to the basic constitutional values which I hope we will all embrace. I do so in the conviction that normative considerations are integral to the design of political institutions.

In the words of Mr Justice Mohamed:

The constitution of a nation is not a simple statute which mechanically defines the structures of government and the relations between the government and the governed. It is a mirror reflecting the national soul, the identification of the ideals and aspirations of a nation and the articulation of values bonding its people and disciplining its government.

The final constitution should aspire to embody the universal, to express the ideal and to ennoble humanity.

However, it should also respond to our specific history and context, to our divided past and history of racial discrimination. It should thus endeavour both to liberate and to reconcile.

What, then, are the values that should bind us as a political community? Can we develop the shared conception of a legitimate political order? I will discuss these questions in relation to three apparently conflicting sets of political values—national unity and diversity, equality and liberty, and majority rule and minority rights.

Firstly, with regard to national unity and diversity, we should reject the equating of nation and race and political sovereignty with cultural affiliation. We should consider our society, not as a conglomeration of discrete, quasi-nations, each with unique ambitions to control territory and political power, but as a national community of human beings deserving of concern, respect and consideration.

The new constitution should emphasise what we have in common with each other above the infinity of differences. However, the constitution should also recognise the ways in which individuals are culturally connected. In the words of Pallo Jordan:

... owing to the diverse origins of the South African population, there are and will continue to be cultural expressions of this diversity—through the arts, in language, religious practice and other cultural usages. The democratic State cannot, however, seek to legislate on such matters ... We will give legal protection to those who wish to give expression to their cultural uniqueness, provided that this does not entail attempts to conscript others to such efforts against their will. We see no reason why diversity should be opposed to unity.

Equal citizenship, free association and toleration may, however, not be sufficient in every instance. Our commitment to cultural integrity may sometimes require positive accommodation of diversity. We should therefore envision ourselves as a nation with multicultural commitments.

Secondly I would like to deal with equality and liberty. Apartheid created both racial inequality and tyranny. The constitution should therefore entrench, as foundational, commitments to equality and individual liberty. Equality and liberty are not, at root, opposed values. However, there is also a necessary tension between them that arises as soon as one views equality from a social point of view.

We need to respond, not only to the history of State repressive action, but also to the history of structural inequality and social injustice. The constitution should therefore:

... give preferential weight to improvements in the lives of those who are worse off as against adding to the advantages of those who are better off.

As Thomas Nagel has written:

The alleviation of misery, ignorance and powerlessness, and the elevation of most of our fellow human beings to a minimally decent standard of existence, seem overwhelmingly important, and the first requirement of any social and political arrangements would seem to be their likelihood of contributing to this goal.

The substantive claims of equality and the demands of individuality will sometimes conflict. The constitution should entrench both these values in a dynamic equilibrium.

Thirdly, I would like to deal with majority rule and minority rights. These are often presented as conflicting values, but are they? How can one be committed to equality and not to majority rule? The rule of decision-making is simply an expression of a commitment to the equal weighting of individual preferences and to the equal worth of the members of the community. But equally, how can one be a democrat and be opposed to the rights of political minorities to oppose policies they disagree with and to seek to become tomorrow's majority? The rights of political process should therefore be guaranteed. [Time expired.]

*Dr F P JACOBSZ: Mr President, I would like to associate myself with all those hon members who have paid tribute to the hon the President for the general tenor of his speech. I am also convinced, if we can achieve everything which the hon the President has mentioned there, that South Africa will become a progressive and prosperous country, a country in which the quality and standard of living of the entire population will improve.

†In listening to the speeches yesterday, I also came to the conclusion that some of the speeches made by the Ministers lacked that constructive, forward-looking approach that the President had. There were three speeches which were very interesting as far as I was concerned. I do not have the time to analyse all the details, but a few comments would probably be in place.

If I may, I will start off with the hon the Minister, Kader Asmal. I have listened to him very often.

However, listening to him again yesterday, I found that when it came to certain subjects, he was either in very deep water or lost in the forest. [Laughter.] It was after yesterday that I was convinced that he was now to become the high priest of morality, because he handed down to us about 20 commandments of: "Thou shall not ...".

I am sure that these were all conjured up in his fertile mind while he was sitting in his ivory tower. In fact, this sort of armchair philosophy, which he expounded yesterday, is very typical, as far as I am concerned, of an academic whose knowledge about the real world of business is limited to what he has read in textbooks. [Interjections.]

May I also say, with apologies to Harald Paken-dorf, that he was very good with words, but short on experience, knowledge and understanding of the practical world of business. [Interjections.]

I was also very interested to listen to certain of the comments made by the hon the Minister, Trevor Manuel. He made some very startling statements yesterday about control boards and the fact that a number of requests were received from the NP about price control and price increases, which is not the case. However, what he did not mention is the number of assistance schemes which are of tremendous benefit to many Black, Coloured and Indian farmers, which are all sponsored by some of these control boards.

I have been in the industry for about 35 years. [Interjections.] The hon the Minister is only a few years older than that. So, I think that it is my place to give him some advice. [Laughter.] My advice to him would be that he should stop flying around the world, and spend more time in his office and find out what is going on in his department. [Interjections.]

This hon Minister should stop making rabble-raising speeches, like he did yesterday, and rather tell us what the Department of Trade and Industry is going to do to achieve the objectives that were outlined by the hon the President. [Interjections.]

I also listened to the hon Deputy Minister Holomisa. [Interjections.] I heard him telling us about all the government's dirty tricks and corruption. I also have news for him. The Auditor-General has been requested to investi-

and representative of the people of South Africa owing to its policies, courage, heroism and organisational strength.

Who can deny that on numerous occasions the ANC has demonstrated the capacity to give purposeful direction and guidance to the creative impulses and energy of our people? Practice is the criterion of truth. Proceeding from the history and practice of the ANC, I am supremely confident that the ANC will rise to the challenge of mobilising the people, both Black and White, to implement the programmes and projects of the RDP. I am not so sure that the NP has the capacity or the will to mobilise its ever-dwindling constituency to do the same. [Interjections.] That political grasshopping maverick, the hon member Andries Beyers, castigated the ANC for its supposed inner conflicts, tensions and disunity. In our history the ANC has had to deal with inner conflicts, tensions and disunity. Again, if one judges us objectively, one finds that the ANC was not only able to deal with problems, but also emerged stronger. Unfortunately for the NP, we shall do so again and again, and emerge ever stronger.

On the other hand, the NP has always emerged weaker following schisms in its ranks. One does not need to gaze into a crystal ball to know that in the coming years the NP will fail to grow. They talk of the new NP, but they are still divided along the lines of "verkrampes" and "verligtes". Perhaps, in the very near future, hon members Beyers, Geldenhuys and others will tell us the truth about the conflicts, tensions and dissensions within the NP. Will they tell us why their number-one hit man, the hon member Mr Fourie, was prevented from participating in this debate? Is it because he and his faction are at odds with the policies and leader of the NP? [Interjections.]

When the members of the NP speak in ignorance about the ANC, I am reminded of a line by the poet Alexander Pope—I know these hon members do not know anything about poetry—and I am dedicating this line to them when they speak about the ANC. Listen very carefully to what Alexander Pope said, and I quote him: "A little learning is a dangerous thing." [Applause.]

Dr N E K KUZWAYO: Mr President, hon President of the Republic *in absentia*, his deputies, ladies and gentlemen, I hope that the message we heard this morning from somebody

who represents the public out there will reach us and that we will take heed of it. I am thinking of none other than the Minister of Finance, Mr Liebenberg.

The field of education for African children has been riddled with endless challenges for generations. Some of those were traumatic and very devastating for that young, growing population. The change to Bantu Education, for the community and the school population, in particular, brought with it the untold frustration of an inferior type of education forced on them at a higher level of schooling through the use of Afrikaans as a medium of instruction. The response of the students to that negative type of inferior education, compounded by poor, congested classrooms, became doubly negative when the authorities turned a deaf ear to their pleas for a better type of education.

For the sake of Mr Bekker, I would like to say that that started a long struggle between the students and their families, and with the NP government. It is that struggle which led to the deaths of thousands of young school-going African children who responded with force to such treatment, thus infuriating the apartheid government all the more.

Gradually the school population in that community lost interest in schooling and coined slogans such as "Liberation before education", and finally, the culture of learning was lost to many young people as a result of that Bantu education system. That early history marked the beginning of violence in the country between the South African Police and the African youth in schools in the Soweto and Vaal-complex areas, violence which later spread to other parts of the country.

In recent years violence against African youth has become a way of life in places such as Natal and Zululand where many young people have been murdered in Kombis on their way to and from school. Similarly, many young people were caught in the crossfire of violence on the East Rand as well. The situation degenerated into students attacking other students, and students attacking their teachers, something that has come as a shock to all sane, thinking people of South Africa.

It is against this background that the President, in his recent parliamentary address, reiterated the importance of ensuring that all children of

this country—all children, regardless of the colour of their skin—be afforded the opportunity to receive sound education, particularly those who have been denied that opportunity in the past because of the legacy of the discriminatory laws of apartheid.

His very challenging statement comes at a time when the school population in the African community, in particular, seems to be responding favourably and with determination to his call, and that of many other leaders in this community, to go back to school in order to prepare themselves to take their rightful place in the affairs of their country. Such a response in 1995 is marked by thousands of children of all age groups in the African community seeking registration at existing schools in their communities. Those who do not find accommodation there, make attempts to find used schools, sometimes doing so at great odds, and at great risk of being refused entry into those premises by those in power, and receiving very harsh and violent responses from members of the community in which the school is located. Ruyterwacht is a clear, recent example of this.

It is to be regretted that at a time when the President of this country is appealing to the country for peace and reconciliation, and is himself demonstrating peace and reconciliation after a quarter of a century of great suffering in his imprisonment . . . [Time expired.]

Mr L LOUW: Mr President, the FF is part of this new political dispensation because we have not permitted emotion to dominate our understanding of the prevailing realities. Thereby we have proved that we are prepared to give South Africa a new beginning—a second chance, so to speak—in that we do not seek conflict, but want, by constructive engagement, to help build a better South Africa. Ours is a young party, but we have a proud record of honesty in our intentions and in the manner in which we conduct politics.

*Of course it makes me wonder whether that may be the reason why Deputy President De Klerk refuses to consider any alliance with the FF. He knows we do not carry hidden agendas. His uncalled-for announcement about the NP's non-cooperation with the FF does not bother us because we would not even consider working with his crumbling party. [Interjections.] He is sparing himself and his party the embarrassment

of the FF rejecting with contempt any vague suggestion that we should work with them, because we do not want to lose our pride.

I would like to say something about education, especially in the light of the recent upheavals in the Cape and also with reference to numerous problems elsewhere in the country. With the creation of the new political dispensation in South Africa, it is to be expected that worrying issues of the past will receive preferential attention. The FF acknowledges the education crisis in the disadvantaged communities and we are prepared to help positively to solve the problems. The FF wants to be part of the solution for education and not part of the problem. However, we want to give a severe warning that unilateral actions by the Government will definitely not advance co-operation.

†In his opening address the hon the President of the Republic emphasised the need for discipline and order in this land. I want to associate myself with his sentiments and call for order and discipline in education. We dare not allow a criminal element in our midst to undermine the education of our children. We cannot permit the financial resources that we are investing in education to be dissipated or wasted.

*The events at Ruyterwacht last week had a ripple effect throughout the country. I am not going to deny that there were individual cases of racism during the conflict at Ruyterwacht, and the FF condemns that in the strongest terms. However, there are two lessons of greater importance to be learnt from what happened at Ruyterwacht. The first lesson is that the American method of "bussing", which was not even successful in America, is definitely not a solution to the present education crisis in the disadvantaged communities. On the contrary, this method will only lead to more conflict and chaos, as was shown in this case. The second lesson is that it is unacceptable to make decisions about a community which affect them directly without consulting the community in the decision-making process. This can only lead to more conflict.

During the negotiations we heard a lot about the NP's famous—and now already notorious—checks and balances which they were ostensibly going to build into the new Constitution. But now I read in *The Citizen* of 16 January of this year under the headline "FW warns of serious

education problems" that Mr De Klerk says the following, and I quote:

The National Party as a participant in the Government of National Unity received certain assurances with regard to a balanced application of all education principles as contained in the constitution.

"In the light of the latest developments I will personally become involved to ensure that those undertakings are honoured," Mr De Klerk said.

I think the hon the Deputy President must tell this House and the thousands of worried parents out there what these guarantees are which he received and from whom he received them. Are these guarantees just as empty a shell as the checks and balances that were presented by him and his party to the voters? The question now arises which conditions we set for a new education dispensation in South Africa.

Firstly, we say that a school system in any state system should be aimed at the maximal development of the full potential of every child, so that the child can pull his weight in the community as a mature and functioning human being. In the second place, the human being is a being who becomes educated and is dependent on education. Included among the most basic human rights of the child, namely the right to life, is the right to education. The child's education is taken care of by his primary educators, his parents, and his secondary educators, namely the school. The school therefore essentially has an educating function and in the execution thereof there can or should not be any deviation from the education which is performed in the household and in the community.

In the third place, the school system must make provision for the natural diversity of various communities, so that the school can serve the community in which it is situated. It is only along this route that there can be any implementation of the need to harmonise the educational endeavour between parental home and school.

Finally, a school system in the future education dispensation must be a realisable strategy that can satisfy the scientific demands of the education phenomenon. It must also contain advantages which will make it possible for the State to offer quality and need-satisfying education to all children.

There has lately been a lot of commotion with regard to mother-tongue instruction. The mother tongue is of the utmost importance to the Freedom Front when it comes to the medium through which our children are instructed. No child can receive decent and proper education and training in a language which he or she does not understand. That is why we say that the right of the parent and the child to be instructed in the language of the parent's choice, within the community context and with emphasis on mother-tongue instruction, is of fundamental importance.

It is internationally accepted that the school is the centre and source of the culture and meaningful survival of a people. The most important component of a people's own culture is education. We therefore want to state very clearly that an own mother-tongue and culture-bound instruction is non-negotiable. Surely we ask nothing strange when we demand this. This is exactly in agreement with Constitutional Principle XI which says:

The diversity of language and culture shall be acknowledged and protected, and conditions for their promotion shall be encouraged.

I conclude. Teaching and education represent the areas in which we, through co-operation and reconciliation, can make South Africa succeed, or in which it can become a pitiful failure. Even though we in the Freedom Front are worried about the South African ship's voyage ahead, the FF will not in the least assume an attitude of aloofness based on the point of departure that the ship is going to sink after all. On behalf of the Afrikaners the FF has a positive role to play in the education and the constitutional future of this country. We shall continue to play this role as long as it may be necessary.

Senator S P GROVÉ: Mr President, in his opening address to Parliament the President of the Republic, *inter alia*, referred to rural and urban development, job creation and health as some of the priorities of the Government. I wish to focus on the role which the conservation of the environment has to play in sustainable development, job creation and health.

Life is multidimensional. At the core of sustainable development lies economic growth, the state of the environment and the quality of human life. Each of these dimensions is essential

for the others to exist and I wish to discuss each one briefly.

Firstly, there is economic growth. We are all in agreement that we need strong economic growth in order to deliver on the RDP. However, strong economic growth brings with it big factories, huge cities, massive urbanisation and—most of all—an enormous drain on our natural resources. It also causes huge amounts of waste and it consumes trees, water and rivers. If left unchecked, it pollutes everything in sight—air, water, rivers, food, animals and also the land itself. It therefore stands to reason that we should do everything in our power to prevent pollution and to preserve the environment if we want sustainable development and economic growth.

Secondly, we look at the state of the environment. The environment is in a very sorry state of affairs at present. We easily point to our national parks and game reserves to use them as an index to measure the quality of the environment. This is a false argument. A healthy environment has more to do with the conditions under which people live than with game reserves.

Our rivers are polluted, some beyond acceptable levels, while others barely flow. We plant huge exotic plantations in some of the most critical catchment areas of our rivers, reducing massive rivers to small streams. We develop housing schemes and other industrial developments in places that result in the destruction of wetlands. We even allow mining in wetlands and give the opportunity to international companies to rape our mineral wealth.

One of the legacies of apartheid is the enormous deprivation of the environment in the former homelands. Overgrazing, soil erosion, and the destruction of the indigenous forestry are all caused by overpopulation and in some places people are desperately keeping themselves alive without any infrastructure or jobs. On top of that, huge refuse dumps were created next to Black townships, and were never properly managed. Millions of people live in the most unhygienic conditions imaginable, and the infant mortality rate amongst Black children bears testimony to this.

Thirdly, the quality of human life: This is a highly subjective aspect which has to do with faith, freedom of the spirit, happiness and self-fulfil-

ment. To achieve this we not only need a healthy environment, but also places to live in where the air and the rivers are clean, where there are birds and animals in the wetlands and plains, and even around our cities and townships. We also need game reserves and wilderness areas to which we can escape to recharge our spiritual batteries.

However, these places should be accessible and affordable to all our people, and not be White islands of wealth in a sea of Black poverty. Pristine environments can attract millions of tourists, and be as big a foreign exchange earner as the mining industry. It also creates many job opportunities. If managed properly, tourism can pay for conservation, and we can have close to the best of the two worlds.

All of this brings me to the policies of the Department of Environmental Affairs and Tourism. I am sad to say that I have not seen much of a coherent policy in the department which takes the above principles into account. There is no White Paper in existence which seriously addresses the RDP in terms of the environment.

There is, as far as I know, not one Black person in the top management structure of the department. It seems as if the department does not acknowledge the fact that Black people also have multidimensional lives. There is no coherent policy on wetlands, catchment areas, coastal management, seriously-depleted marine resources, the list goes on ad infinitum.

May I respectfully suggest that the hon the Minister spend his time on a proper formulation of an environmental policy in accordance with the RDP. May I point out to the hon the Minister that consultation on policy does not mean publication in the *Gazette*. Only then will the hon the Minister stop running around like a fire engine trying to put out fires like the fishing industry, Thor Chemicals, the Cape Peninsula Mountain Chain, and people who want to mine pristine wilderness areas, to name only a few recent incidents.

To achieve all these we will have to take unpopular decisions from time to time, based on what is morally right or wrong. Our President is a prime example of a man who does not shrink from morally right but unpopular decisions. Let us all follow his example.

Mr L M GREEN: Mr Deputy Speaker, hon members, the opening address of President Mandela . . . [Interjections.] Excuse me!

An HON MEMBER: Start again!

Mr L M GREEN: Hon President of the Senate, and hon members! The opening address of President Mandela was most commendable, and a speech of a true statesman. I wish to respond to a few of the issues mentioned in his speech.

The President admitted that the Government had made mistakes, and once admitted, these should be corrected. It is my view that any mistakes made by the Government of National Unity were not made by one party alone; the other two parties should also accept co-responsibility for the mistakes.

The compromise of power-sharing inherently bears with it collective responsibility. Here I perceive a contradiction: Is it responsible for a party which is part of the Government of National Unity to walk out of Parliament when there is a misunderstanding on the issue of international mediation?

We believe that the issue of international mediation should be dealt with by the President and the Cabinet speedily. However, once an agreement has been reached, it should be honoured.

The ACDP believes that the President is a man of integrity and if there was a written agreement between the three parties in the Government of National Unity before the election, then that agreement should be honoured. It is the mechanics of this agreement that must now be addressed.

Secondly, the President's commitment to stamp out systemic corruption has our full support. No political party has the monopoly on virtue. The issue of corruption should therefore be addressed by all political parties. We have been entrusted by our various electorates to represent them with dignity and to be transparent and accountable for our actions. As public representatives we should never accept bribes for special favours. If we started accepting small bribes, they would soon become bigger and then corruption could destroy the integrity of both the Government of National Unity and Parliament.

With reference to the Truth and Reconciliation Commission, the ACDP believes that the full truth of our past must be known in a very

responsible manner. The Bible reminds us that the knowledge of the truth is a liberating experience. In the book of John, Chapter 8 verse 32, Jesus said, and I quote:

And ye shall know the truth, and the truth shall make you free.

This does not only refer to spiritual truth; it refers to all truth. It refers to political truth, and it even refers to promises that are made. When we make these promises, then we must speak the truth.

We are tired of all the lies and the cover-ups. This nation must know the truth of what happened in the past. The revelation of truth, however, is not enough to ensure reconciliation. A full revelation of the truth as well as the willingness to forgive on both sides, will be the beginning of true reconciliation.

I want to ask to ask my brothers and sisters on the right of the House whether they will forgive those on the left of the House, who might have been involved, when they have heard their full confessions. Will there be any feelings of bitterness or hatred, or shall there be a spirit of forgiveness? I want to turn to my brothers on the left of the House. I want to ask if they are prepared to stand proxy for the sins of their forefathers, the sins of apartheid. Are they prepared to confess and reveal the full truth of the past, whatever it takes?

The healing of this nation is guaranteed once we accept that reconciliation is possible. We must, however, make reconciliation possible with the help of God. We in this House must set an example and the nation will follow us.

The ACDP welcomes the President's strong stand against crime in order for us to develop a culture of human rights. We will only succeed in this if we successfully reduce the levels of crime in our society. A human rights culture should not be abused by criminals in order to protect their criminal lifestyles. Section 25(2)(d) of our Constitution states that an accused has the right:

. . . to be released from detention with or without bail, unless the interests of justice require otherwise.

This right has been abused by many criminals who continue to commit crimes once released on bail, only to be rearrested, which sometimes leads to a second or third application to be

released on bail. More often than not, they commit more crimes. In order to bring down the levels of crimes, courts must apply bail conditions more stringently.

The incident in Port Elizabeth where warders have been taken hostage by prisoners should be dealt with firmly by the police. When addressing the issue of crime, the President stated that a situation cannot be tolerated in which our country continues to be engulfed in a crime wave which includes murder, crimes against women and children, drug trafficking, armed robbery, fraud and theft.

It is my firm belief that the state authorities should not negotiate with prisoners while warders are held hostage. The taking of hostages should become a criminal offence. How was it possible for prisoners to obtain handguns and hand grenades? The responsible Minister should explain to Parliament what happened at that prison and why it could not be stopped by the prison authorities.

The ACDP wants the Human Rights Commission to start constructive work as soon as possible. We are concerned that a company, Thor Chemicals, has not sufficiently protected its workers against mercury poisoning. In fact, some of its workers were sacked after it had been discovered that they could no longer produce as a result of their illness. Why was Thor Chemicals allowed to import toxic waste under the guise of recycling mercury? How many Government officials have received bribes to keep quiet about the possible dangers to workers? The Human Rights Commission must launch an in-depth investigation.

In conclusion, the ACDP wishes to encourage the President and the Cabinet to continue governing this country with justice, righteousness, wisdom and peace, and to lead the country by setting the highest moral standards. [Applause.]

Senator C ACKERMANN: Mr Chairman, the hon member Dr Pahad said this morning that facts were stubborn things. However, what he forgot to say was that the ANC had a stubborn lady in their midst, in their ranks. We in the NP want to know where the hon member Winnie Mandela is today. Who gave her permission to be where she is?

*This morning five ANC speakers spoke one after the other. No one took a standpoint in

support of their leader's refusal to allow the member Mrs Mandela to visit Africa. Nobody!

She attended a film festival against the express instructions of, and in the face of opposition from, the leader of the ANC. That took place while people in South Africa are asking for houses and food. She afforded herself the luxury of attending an overseas film festival.

This morning another report appeared in *Die Burger* that the DP would be calling for a commission on the hon member Mrs Mandela. The report read as follows:

... mev Mandela probeer het om uit die Pretoriase SDR 'n skikking van meer as R80 miljoen aan openbare geld te kry ten gunste van iemand wat onderneem het om gratis werk vir een van haar liefdadigheidsorganisasies te doen.

Eighty million rand! [Interjections.] She is a prominent figure in the ANC. The public of South Africa want to know when steps are going to be taken against this kind of thing. When is the ANC going to adopt a standpoint?

The hon member Dr Pahad says that they are going to act soon, and they are going to act purposefully. We are waiting for that. When is it going to happen? [Interjections.] This morning he complained here about the press. It is of no avail to attack the press and to accuse them when they report on what is taking place in the ranks of the ANC. The press is a prominent part of the democracy of South Africa and they have the right to inform the public on what is going on within the ranks of the ANC. [Interjections.]

†The President in his opening address paid much attention to local government and the forthcoming municipal elections. Firstly, the question arises whether the ANC has a double agenda regarding the final structuring of local government. The ANC says it is not in favour of power-sharing at national level, but there are prominent members in the ANC who say that there must be power-sharing at local government level.

We want to know whether that is the truth. We want to know whether a double agenda exists within that party. [Interjections.]

Mr J VAN ECK: Mr Chairman, on a point of order: Is the hon member Senator Ackermann allowed to refer to people in the ANC as being

allegedly involved in corruption if he was found guilty of corruption in 1982 with regard to electoral fraud? He pleaded guilty to six charges of electoral fraud. Can he thus point a finger at other people? [Interjections.]

*Senator C ACKERMANN: Mr Chairman, I hope that the time which is now being wasted will be added to my time later on. One does not even want to talk about that hypocritical prophet. His political history looks worse than anybody else's.

†The President also emphasised that all political organisations should ensure that no violence or intimidation takes place during the conduct of elections. The NP welcomes his view, but would also like to remind him that most incidents of intimidation in the past election came from the ANC and the IFP. Therefore we hope that his view will be clearly spelled out to followers and sympathisers at ground level to ensure that political organisations will be able to canvass support for their views.

Signs of intimidation are already apparent in the remarks made by Mr Frank van der Velde from the ANC to Rev William Bantom that he was not representative of those who suffered under apartheid. This was not only a racist remark, but also a slap in the face of our Brown community that rejected the Group Areas Act since it was enacted. Mr Van der Velde was one of the persons who denied the Brown community their right to a better life by not negotiating with management committees.

Who is the ANC to claim the monopoly on representing sufferers of apartheid? [Interjections.]

*The election of Mr Bantom as the first Brown mayor of Cape Town is therefore a victory for our Brown community after their years of struggle against apartheid. However, it took place according to the rules of democracy, with the support of the inner conviction and initiative of the NP to place South Africa on a new road of fairness.

The NP in the Western Cape is playing a leading role in the new local transitional councils, because it is the only party with the knowledge, the experience and the ability to deal with the unique requirements at local level. The NP understands the distinctive and unique requirements of our various communities. The NP also has the exper-

tise to render adequate basic services at cost-effective and affordable levies.

The NP's standpoint is that local government should take its full and equal place as the basis of local participatory democracy. As much power as possible must be devolved to this level. In this regard, I am concerned about the proposals made by the Demarcation Board for substructures in the Cape metropolis. Ons is entitled to ask whether the proposed six substructures within the Cape metropolis do not look more like smaller metropolises than substructures. [Time expired.]

Ms N N MAPISA-NOAKULA: Mr Chairman, hon President Comrade Mandela, Mr President of the Senate Kobie Coetsee, Ministers, Deputy Ministers, hon members and dear comrades, we want to congratulate the President on his speech which was incisive and educative. The speech was pervaded by a strong sense of wisdom. We appreciate the courage he displayed in addressing some of the problems which bedevil the process of transition to democracy in our country at present.

I want to refer to a few of the issues the President raised. Quite clearly there are still pockets of serious violence in our country. Efforts that seek to address this matter should be supported by all peace-loving and freedom-loving people.

It is indeed a serious indictment against our society that violence against women and children seems to be on the rise. We welcome the arrest of some rapists recently, and the prosecution of both the so-called "Yeoville rapist" in Johannesburg, and the parents of poor Samantha. We are still awaiting the explanation of the death of the alleged Cleveland serial killer, if he was in fact the Cleveland killer, since similar murders are continuing.

There are many cases where both women and children are seriously abused or killed that need to be investigated and brought to court. The punishment of criminals must not be a measure for vengeance against the accused. We would therefore like to see the improvement of facilities for the rehabilitation of all those who commit violence, sexual and otherwise. Little Samantha's parents should be subjected to such rehabilitative correctional measures.

There is also a role for the intelligence services in the eradicating crime and violence. In the past,

State security structures were accomplices of criminality in the climate of crime and violence. Today we can proudly say that the executive can task the intelligence structures with unearthing the root causes of violence, including domestic violence. It must be the basis of governmental strategy to rid our society of the antisocial cancers that apartheid has left festering in our flesh.

We applaud the President of the Republic's Monday meeting with the heads of the security apparatus. However, let us not lose sight of the fact that in these changed conditions, society should play an important role in the security of our country. Our people are the active agents, eyes and ears of the security forces of our country. We welcome the firm hold the President of the Republic has taken on intelligence by situating it within his office.

We congratulate Comrade Joe Nhlanhla on his appointment as the Deputy Minister for Intelligence Services, and we wish him strength in his task. We also congratulate the new directors, comrade Sizakele Sigqashe and Mike Louw, and we look forward to a vibrant working relationship with them. By all accounts, the amalgamation and restructuring of the intelligence services is taking place with high morale and clarity of purpose and without undue disruption of the information flow. It is an example to others involved in the transformation of state security structures.

It reassures the ANC to know that the intelligence structures that serve the executive have clearly defined briefs laid down in the Acts. We look forward to the speedy setting up of the rest of the package of structures to ensure oversight, complaint investigation and co-ordination between four intelligence structures. The difficult balance between accountability, transparency and secrecy that this country has so much to learn about will be facilitated by the existence of all the structures envisaged by law. Without those, the transformation of intelligence away from competitive and territorial empires of a respectable, accountable and scientific intelligence system will be incomplete.

The intelligence community that the country expects Comrade Joe to build is not one where spooks and spies become untouchables who sow suspicion and destabilisation in our country, as has happened in the past. The intelligence

community that Comrade Joe will establish must serve our people and nation. We expect him, as an individual, to move swiftly against all forms of wrongdoing which include corruption.

We want to know the truth about the role of the intelligence community in actions against this country's activists in the struggle for freedom. We expect the Intelligence Department to contribute constructively to the search for the truth in this matter. The Deputy Minister for Intelligence Services should deal a death blow to any attempts at covering up. He comes from a culture in the ANC in which investigations have been conducted and they have been conducted openly and honestly, as has happened in the Motsuenyane Commission.

The question of the integration process of our armed forces continues to worry me, despite assurances from the Ministry of Defence in particular. At this time I do not want to look at the entire process but rather very briefly to look at some aspects relating to women in the army. Women reported for integration at the last intake but were asked to come back in August, because no facilities were available for them. We have not been told whether such facilities will be available, for instance in August.

Worse than that, those women who will report in August will be six months behind in whatever programmes of training and development their male peers, who were taken in in February, would have gone through. The issue of discrimination against married women in the Defence Force, where some benefits cannot be accorded to them, is a matter of concern to us.

I briefly wish to touch on the wave of strikes which have happened since the President's inauguration. There are genuine grievances out there. The advent of the ANC and the emergence of a democratic dispensation in our country have not concomitantly brought about democracy and better working conditions at the working place. The workers are exactly where they were before the elections. From time to time, therefore, they will demonstrate, in a variety of ways, their dissatisfaction with the present situation.

We are aware, though, that there are elements within the working class that are not keen to assist us in fundamentally transforming South Africa. They are, in the circumstances, continu-

ously devising plans to destabilise our programmes. It is our duty, and the duty of all progressive democrats in our country, led by the well-established trade unions, to expose these elements who are presenting themselves as militant revolutionaries, whereas when our people were still fighting against apartheid monsters, some of these so-called militants were either on the fence or working for the defence of apartheid. [Time expired.]

Senator Dr S M MOTSUENYANE: Mr Chairman, hon President of the Republic, hon members of Parliament, I deem it a great honour indeed, and a privilege, to be among those whose duty it is to respond to the President's most stimulating and erudite opening address.

During the past four days we have listened with close attention to numerous speakers from the various parties in Parliament who, for the most part, commented favourably on the President's address. To give my own personal impression, I can only say, in the language of our people: "Tshotsho ubekho, Madiba. O re phelele. Nangamso." [Your presence was beneficial to us, Madiba. Please live long for our sake. Thank you.]

In his wide-ranging, illuminating and inspiring address, the President touched upon quite a number of important socio-economic and political issues which represent challenges currently facing the country, and pointed to some positive, innovative ways of meeting these challenges. The most pertinent piece of advice that the President gives the country at the beginning of his address is that the challenges before us require us to move from being mere spectators and talkers and to start working harder than ever before.

It is indeed the culture of hard work that has helped to unleash phenomenal economic development in the countries of the Far East, the absence of which has resulted in the stagnation seen in many countries of the African continent. Hard work is no doubt the most important key for opening the doors of prosperity for any nation.

What the South Africa of today and tomorrow requires, more than anything else, is the development of a strong work ethic in the ranks of our people, young and old. Another equally important challenge facing the country, which the

President dealt with lengthily in his address, is the need for the creation of conditions throughout South Africa that are essential for the maintenance of peace and stability, without which no sustainable development is possible.

In this context the President outlined some firm measures which the Government will embark upon with a view to bringing down the level of crime, violence and anarchy in the country, in that way creating an investor-friendly environment.

It is reasonable and perfectly in line with common democratic practice for a government to take firm action against any elements that seek to weaken or to undermine the stability of law and order in the state.

Whilst seeking to resolve the problems presently causing tensions and violence within the country, the Government of National Unity did not need to be burdened with another problem resulting from the IFP's sudden walk-out of Parliament which is likely to exacerbate the already existing tensions. This action on the part of the IFP, whatever the reason for it, was totally unnecessary, ill-advised and entirely counterproductive insofar as ensuring the attainment of the objective of national unity is concerned. The sooner this grave political error is rectified, the less disastrous the consequences will be for both the IFP and the rest of South Africa.

I would like to focus briefly on other challenges which face the country on the economic front. In this regard, the President made reference to serious financial constraints that make it impossible for the Government to satisfy all the needs and high expectations of the people immediately. This reality, he said, had to be conveyed to the people of South Africa.

Fellow parliamentarians, development is indeed a process which needs to occur within a given timeframe. In a situation such as in our country, in which the economy has been largely ruined, mismanaged and weakened, largely due to inappropriate fiscal and monetary policies and by the pursuance of misguided political ideology such as apartheid, it will take the country even longer to attain the higher levels of growth which the present Government is seeking to achieve in the near term.

Until the ANC-led Government came to power nine months ago, the country's economy was

progressively declining, experiencing negative growth rates, large outflows of investments through sanctions, an excessively high inflation rate as compared with our traditional partners in Europe and shrinking export markets within an increasingly hostile international environment.

To restore the health and the vigour of the economy will not be an easy process. This indeed cannot happen suddenly or overnight. What South Africa needs quite urgently to put its economy on the course towards speedy recovery are, firstly, a climate of internal political stability and peace; secondly, a commitment towards achieving and maintaining sound fiscal and monetary discipline on the part of the Government; thirdly, attraction of increased foreign investments and the opening of new markets for international exports; fourthly, the upgrading of our levels of productivity in order to achieve a greater degree of competitiveness with the rest of the world. In the fifth instance, an accelerated human resource development strategy for the whole country has to be developed. This must go hand in hand with the Government's affirmative action policies.

The priorities which the President identified as forming . . . [Time expired.]

Mr J VAN ECK: Mr Chairman, on a point of order: I interrupted Senator Ackermann's speech on the point of order that he should not point fingers at people in the ANC whom he alleges have committed corruption, because he pleaded guilty to six counts of electoral fraud in 1982 and was found guilty and paid an R700 fine. After that he came to my bench and threatened to beat me up. He does not scare me. Nevertheless, I found this very distressing, because he used very bad, foul and four-letter words against me, which were heard by all the colleagues around me. I believe that it is unparliamentary to do that. I informed him that I would like him to be in the Chamber, but he has chosen not to be here. However, I believe that this should be reacted against and ruled unparliamentary with an apology.

The CHAIRPERSON OF COMMITTEES (Senate): Order! The matter will be followed up.

Senator M BHABHA: Mr Chairman, the growth of our fledgling democracy demands a commitment to the principles of equality, justice

and empowerment. It needs a commitment which transcends the usual rhetoric, a commitment which translates into actions, which aim to achieve these very ideals.

The unfolding events in the Western Cape in recent weeks required a mature and selfless response from members of the Western Cape legislature. I regret to say that in this regard Mrs Olckers and Mr Peter Marais have failed miserably. Their attitude towards solving problems has been indicative of insensitivity and a failure to understand what democracy and empowerment really are.

When our elderly voted for the first time last year, they voted with a hope that their children would be spared the indignities of the past. They hoped that their children would arm themselves with an education for a better life. Thankfully, that hope is becoming a reality in most provinces at least.

However, the nightmare is perpetuated in the Western Cape. Perpetuated not only because of a want of facilities, but perpetuated because of a lack of sensitivity and a dogged resolution to cling to the cruel practices of the past. It is a sad day in our history when the world hails our progress as a democracy and yet children have to protest for a basic right, a right to a proper and decent education. When Mrs Olckers panders to the whims of a racist community, at the cost of a decent future for thousands of children, then one really has to question her commitment to the new South Africa. When an MEC refuses to acknowledge the existence of a catastrophe in the making, one really wonders whether the word democracy has been understood.

Let me assure the House that the people of Ruyterwacht were quite happy to accept their new visitors, so much so that some enterprising chaps even put up spaza shops. It was only after the Speaker of the Western Cape legislature whipped up racial hatred that things turned ugly. On the day of the march, Mrs Olckers was not particularly cordial to the delegation of students. My sense of decency does not allow me to quote the expletive she used. However, she said something to the effect of "vat jou goed en waai". One can put this inept response to a crisis of such magnitude down to the aberrations of an individual, but lo and behold, the saga continues.

Recently Mr Peter Marais, the MEC for Local Government, took it upon himself to impinge on the right of individuals to enter into contracts, the right to act at their own discretion, by unilaterally tampering with the lists at local government forums, particularly in the Cape Metro. Once again the interests of the underprivileged in the province are being marginalised. This temerity can only be attributed to a short-sighted and self-serving approach which disregards the will of a large sector of this province.

While Mr Marais wants us to believe that he is the champion of nonracism, the town of the Strand remains unrepresented with the structures of apartheid still intact. I have just heard that the town clerk of the Strand has been paid an enormous sum for his early retirement and has been promptly rehired at an enormous salary. Did I just hear rumblings that I was on the gravy train?

If ever there were living proof that original power should not vest in second-tier government, this is it. How does one then convince the underprivileged that central Government cannot interfere with the works of an MEC who has neither the will nor the inclination to redress the past? I would even go further to suggest that central Government should have the right to rescind the powers of second-tier government when it acts in opposition to the national interest. How can we even think of a federal system when there is such an inconsistency in commitment?

Not a day goes by without the papers reporting on the acrimony in the local government and education in the province. There is a rising tide of anger as evidenced in the march last week. One wonders whether these MECs are aware that there is an Olympic bid and a Rugby World Cup in the making. I do not believe that this country deserves the ramifications of this myopic vision. The image of this entire country and this Government of National Unity is now at stake.

Finally, there are some very interesting observations that are made about the Western Cape legislature. "Arme mnr Kriel!" His job description at the moment is to douse the fires his NP's MECs ignite. At the rate at which things are going he may be the only NP member that may be needed in the legislature. Another observation is that whenever the NP is in the minority, the ANC is constantly reminded that it is in the

Government of National Unity. But whenever the NP is in the majority, the Government of National Unity becomes the victim of amnesia. This is the case in the Western Cape.

I urge the legislature here today, comrades in the ANC and comrades on the other side to use whatever powers we may possess to intervene before it is too late, lest we be accused of allowing the self-serving motives of people to destroy our democracy. [Applause.]

Senator E K MOORCROFT: Mr Chairman, in his wide-ranging speech last Friday, the hon the President emphasised one concern in particular. He twice made the point that the Government has very limited resources with which to address the multiple and urgent needs of our people. He appealed for patience and understanding. I wonder if the hon the President would agree with me if I were to try and identify the most urgent of the needs about which he speaks.

I would suggest that the need for employment must be very high on the list. Can there be a more humiliating and debilitating human condition than to be out of work, to have a hungry family that one cannot feed, clothe or house? In every city and town of this country, one can see the terrible symptoms of unemployment. I refer to the long lines of jobless people who gather at some road or street, who wait patiently in all weathers for a passing vehicle to stop and offer them a job, any job, for an hour or a morning or a day. If the cars do not stop—and how many of us do stop—there will be some hungry children at some wretched shack that night.

It is therefore not surprising that the hon the President, who is a compassionate man, feels a great sense of responsibility towards the people whom he has called the poorest of the poor. In his speech, the leader of my party, Mr Tony Leon, devoted much of his time to spelling out the DP policy for reducing unemployment and poverty.

He called it economic liberation and explained that it was based on the economic empowerment of people—all people, including the poorest of the poor. The question that now arises is whether our vision of how to address this problem is, in any way, at variance with that of the hon the President or his Government. There does seem to be a difference, and it is a very basic one.

Whereas the hon the President places the onus on the State to provide jobs and houses, etc, we place the onus on the economy. It is the economy that must deliver. The State's primary responsibility is to create the correct environment, the correct climate, for the economy to work. Allow me to illustrate my point by way of the well-known old proverb about the importance of giving a hungry man a fishing rod rather than a fish. If we study the President's speech in terms of this idiom, the message he is giving to needy people is something like this: We feel for you in your need, but please understand, we do not have a big basket of fish to give to you. Please be patient until we are in a better position to help you.

As I have already said, we in the DP have great appreciation for the concern behind these sentiments. However, we feel that they are sending out the wrong message. The formal sector will employ less than 7% of school-leavers this year. How can the State even begin to provide for the 90% of young people out on the streets looking for work, let alone those already unemployed? With the best will in the world, the State just cannot do it. It will never be able to catch enough fish to feed all those people. Unless the Government begins employing policies which will liberate people economically, in the same way that countries like Japan and Taiwan, and all the so-called 'young tigers' of the Pacific Rim, liberated their people, we will not get on top of the problem. We are fortunate that we have these role models from whom we can learn.

Less than a generation ago many of them, like us, were floundering in economic difficulties. Today they are among the winning nations of the world. They showed the way in the East. If the hon the President employed policies which were aimed at the economic empowerment of our people, rather than of the State, in the way that we in the DP are suggesting, then we could show the way in Africa.

Mr G M MUSHWANA: Comrade Chair, his Excellency, the President of the Republic of South Africa, hon Deputy Presidents, South Africa is a country with the potential of becoming a future world economic power bloc.

The only problem facing us is the gross imbalance we have between the haves and the have-nots. The economy is still in the hands of a few, while millions are still without proper housing

and jobs and adequate health and educational facilities. Now that we have a legitimate Government with a vision for the future in place, we have to come out with a comprehensive programme of action which will aggressively attack our socio-economic problems, facilitate our economic growth and reduce our Budget deficit.

We owe it to ourselves as South Africans to succeed. After having attained independence, Africa is riddled with stories of failures. For once in our lifetime, let us all join hands to come up with a success story.

The question is whether we are ready to take up the challenge as a nation which comes from a background of racism, hatred, destruction and anarchy. In order to succeed in building our economy, we have to create an investor-friendly atmosphere. Let us all stop concentrating on petty party-political point-scoring and work hard to achieve our short-, medium- and long-term objectives, as contained in our RDP.

South Africa has the capacity to produce twice the amount of goods produced now. Our industries have the capacity to employ twice the number of people employed now. Why do we allow our machines to sleep at night, while only people need to sleep at night, and not hire people to work night shifts? By so doing, we can employ more people and increase our productivity.

We should allow our transport system to operate day and night to convey goods from producers to markets, and people from home to work at night. Similarly, we can do the same with our schools and universities to develop our human resources. We also export raw materials and agricultural products, and buy our processed products instead of adding value to them. South Africa produces a lot of fruit, but we have very few agro-related industries.

We need foreign investment to create more jobs and generate more income. We can also learn from foreign investors how they increase their productivity. In as much as we need foreign investment, we have to promote our local industries and gear them for export markets by introducing export incentives. As we open up our markets to foreign investors, we should also penetrate the world markets.

Are we ready to enter the world markets? Can our country compete effectively with countries such as Japan, Taiwan, and China? Have we

opened up enough trade links with countries which do not have the products we produce in our country? Do we have attractive incentives in place for export and import markets? Incentives are highly essential for industrial development.

The formation of the National Economic Development and Labour Council (Nedlac) is a step in the right direction. It is very essential that Government, business and labour should co-operate in formulating economic strategies and legislation which will satisfy the needs of all sectors. It is the first forum which enjoys the support of all sectors of our population.

We have, in our country, a large number of emerging Black farmers who are still struggling to establish themselves. They have problems in gaining access to land, finance and Government assistance. These farmers are not asking for more assistance than their White counterparts are getting. I am very pleased that the hon the Minister of Trade and Industry dealt effectively with this issue yesterday.

We need to see Black and White farmers and their unions coming together to form a very strong agricultural sector which will make a contribution towards our economic growth. The industrial and mining sectors need agricultural products to keep them going. The agricultural sector also needs industrial equipment in order to be effective. The above sectors, together with the manufacturing sector, generate income and are also labour-intensive. [Time expired.]

The CHAIRPERSON OF COMMITTEES (Senate): Order! Earlier a point of order was raised by the hon member Mr J van Eck, which I stated that I would follow it up. I believe that the hon Senator Ackermann is now present in the Chamber, and that he wishes to make a brief statement for the record. I have decided to permit Senator Ackermann that indulgence. However, I will not allow any debate on the matter to ensue.

*Senator C ACKERMANN: Mr Chairman, I believe the hon member Mr Van Eck has made certain accusations concerning what I supposedly said to him. That is the truth and in terms of the Rules of the House I apologise and withdraw what I said. I draw your attention to the fact that he threatened me in the same way. I expect him to show the necessary respect to the House by following suit.

The CHAIRPERSON OF COMMITTEES (Senate): Order! I rule that the matter is closed.

Mrs G N M PANDOR: Mr Chairman, when the President delivered his address to this Assembly last week, he urged us to seriously confront and take on the challenges that are part and parcel of the South Africa that we have inherited from the apartheid government. He enumerated some of the successes that the Government has begun to have in meeting the tough post-apartheid challenges.

I wish to add to his list. The Government has to be congratulated for being the first South African government to provide funds for the support of needy tertiary-level students. The Ministry of Education has begun the process that will lead to the existence of a self-sustaining national loan scheme for needy students, most of whom come from the ranks of the previously ignored, disadvantaged and oppressed.

This loan scheme is a necessary step in creating a professional corps that will have no interest in contributing to the brain drain. We recognise that the brain drain of South Africans who should contribute to our reconstruction and development is a tragic loss, but we also acknowledge that the South Africans who are drained are those who can easily acquire American and British residence permits after enjoying the benefit of a privileged education in this country. Even more than for this first step in equalising education opportunity, the Government has to be congratulated for bringing hope to South Africans, who had begun to feel that our country was caught in a hopeless spiral of chaos and conflict.

In his great novel *Cry, the Beloved Country*, Alan Paton wrote of South Africans who became prisoners of their privilege, who built walls around their homes and then bought vicious dogs to further protect them, only to find that they were, in fact, imprisoning themselves in the quicksands of apartheid. These South Africans are called minorities by some in this Parliament. This is a device to pull them back into fear and insecurity. The ANC is committed to creating conditions in which every South African will feel part and parcel of this country and will need no label of privilege or separateness.

Let me come to some of the challenges that we have to confront. I mentioned the tertiary loan

scheme. The availability of such funds should not be taken to mean that South Africa must continue to produce large numbers of arts and social science graduates. We have a serious need in the area of science and technology. Institutions should be encouraged to admit growing numbers of Black students and women to these fields of study. The Government must assist by providing targeted loans and bursaries.

An area in which we are being held back and hampered by loud cries of moral outrage from masters at this strategy is that of affirmative action. The truth should be told to White South Africans. They, more than any other group in this country, are disproportionately represented in every facet of our society and this is the reason for a policy of affirmative action. Ninety-eight per cent of top managers in our society, 90% of senior appointees at universities and technikons and 65% of students in tertiary level education—all of these are White.

This has to be changed if we are to say that we live in a country that has truly changed. This situation will only change if we begin by implementing well worked out programmes of affirmative action for the employment and training of previously disadvantaged people in our country. Our country has to see the Government leading in the process of corrective action, so that other sectors can follow suit.

In conclusion, I would like to set the record straight by refuting the terminological inexactitudes which the members to my left have conveyed about Ruyterwacht. They have criticised the NECC for its role in heroically striving to assist young people who need education. They have failed to chastise the racist residents of Ruyterwacht, who spoke unrepeatable filth to our friends and families. They do very little to establish whether the 6 000 places which their MEC claims to have in HoR schools actually exist.

My salute to our community leaders, in the NECC and the ANC, who spent the whole of yesterday evening and early this morning drawing up lists of pupils who do not have places in school. They were told that they had to prove there were children who did not have a place in school.

These people do this work in our shabby offices, with no equipment and no assistance from the

education authorities. This situation is intolerable. Let the Western Cape government act with honesty and sincerity and respond to the legitimate demands of our children. [Interjections.]

You, Sir, are used to ignoring facts. It is time that we began to address them.

Mr S J SCHOEMAN: Well, then stick to the facts!

Mrs G N M PANDOR: You should come to me and I will give you the exact facts.

Mr S J SCHOEMAN: What you are saying is not factual.

Mrs G N M PANDOR: It is exactly true and you, Sir, are not deserving of a response.

Mr S J SCHOEMAN: Then why do you respond?

Mrs G N M PANDOR: You, in fact, know the facts from your position. Thank you. [Time expired.] [Applause.]

THE CHAIRPERSON OF COMMITTEES (Senate): Order! Hon members, it is my privilege to acknowledge in our midst today the presence of the Rt Hon Joe Clark, a former Prime Minister of Canada. He was Secretary of State for External Affairs from 1984 to 1991, and Minister of Constitutional Affairs from 1991 to 1993.

After leaving political office in 1993, Mr Clark was a visiting scholar at the University of California at Berkeley. Mr Clark is at present President of Joe Clark and Associates, an international consulting firm affiliated with Ernst and Young, a national accounting company, and Milner Fenerty, an established Calgary law firm. He is also a special representative of the United Nations' Secretary General, charged with finding solutions to the strife in Cyprus. We are honoured to have Mr Clark with us. [Applause.]

Mr J W MAREE: Mr Chairman, President of the Republic, Deputy President, gentlemen and ladies, I was not scheduled to speak here today, but yesterday Deputy Minister Bantu Holomisa referred to me several times in his speech. Since he mentioned me by name, our whips gave me a slot in order to respond.

If it were not for Mr Holomisa's speech, I would not have spoken today. It is, therefore, with thanks to him that I have this opportunity. This

is, therefore, an historic occasion. For the first time in his life Mr Holomisa has done something with a positive spin-off. I think we must all be grateful for small mercies.

Yesterday the hon Mr Bantu Holomisa called me a liar. I am in good company, because he also called the hon the President a liar of sorts. [Interjections.] He refuted me, but he also refuted the hon the President.

A few days ago I saw a big *Sowetan* poster in the streets, with the headline "Holomisa refutes Mandela". I have with me here the relevant portions from *The Sowetan* where it says: "Mandela's word not final, says Holomisa". I would like to read it to hon members because it is very interesting. According to the report Maj Gen Bantu Holomisa said he did not attach too much importance to a claim by President Mandela. He went on to say that he did not attach too much importance to what the President said. That was what Holomisa said of Mandela. [Interjections.]

An HON MEMBER: Who is the editor? Gogotya is the editor!

Mr J W MAREE: Sir, this is *The Sowetan*! My question now is, who has the final word in the ANC: Is it Holomisa, or Mr Mandela? I have never heard Mr Ramaphosa say that his word was final, neither have I ever heard Mr Mbeki say that. However, the hon Mr Holomisa comes along, and he must think that he is so popular and important, in his own eyes of course, that he can challenge the great Mandela! [Laughter.]

I would like the President to talk to him, but he should please do so gently; I implore the President not to hurt him! [Laughter.] The reason is he has done me a favour today. Since that hon member's public record militates against him, he now intends to create a new perception of himself in the mind of the public as being not only powerful and popular, but also Mr Clean. He wants us to sing "goody, goody" when we see him.

If he wants to create this positive perception of himself, he would have to work very hard. I say this because although he called me a liar yesterday, I would like to remind this honourable House that throughout the 1993-94 political campaign right up to April 1994, of all the people who participated therein, there was an electoral court finding in respect of only one person who had distorted the truth grossly.

I wish to remind members that Mr Holomisa made his *pap en vleis* story about the NP, and that he made many other statements. His rigged claim was rejected by the court and he was taken to task by the court. The court ruled that he should stop making grossly false statements. That is his record up to date. [Interjections.]

I was at the hearing in Port Elizabeth when this ruling was made. Before we arrived there Mr Holomisa had had a lot of things to say. He even threatened the then President De Klerk—I am quoting *The Daily News*. The quotation went on to say that the "General said he (De Klerk) would regret having taken me to court when I appear". Asked if he would appear in person, he had replied that if they wanted him in person, he would go.

When we arrived there he was as quiet as a mouse! He was found guilty of these distortions, and was interdicted to refrain from repeating these utterances. He now calls me a liar. What did I say? I said in a speech here, with reference to other things, that he had paid himself a salary of approximately R770 000. [Interjections.] [Time expired.]

Senator M A SULLIMAN: Mr President, hon members, I am not going to respond to the previous speaker's speech because paying attention to it is not worthwhile. [Interjections.]

I would like to refer to the point that was made by the President of the Republic on Friday, namely that the popularly elected structures at the local level cannot be overestimated. That the critical stage of dismantling the system of apartheid is at the level of the local government, is true. One then needs to ask why is this is so?

My contention is that we need to monitor carefully the process and the legislation around local government, because the apartheid value system manifested itself strongly at that level of local government. We must also remember that this is where racial communities were separated by law in every sphere of society. The White community enjoyed all kinds of privileges at the cost of other racial communities.

The process of transforming our society should focus seriously on local government because they have a very huge task awaiting them. A society is a dynamic organism which is constantly changing and adapting to new circumstances. However, government must closely monitor the changes in

its society in order to regulate those driving forces optimally. Central Government must therefore have regular returns in order to accommodate changes in social and community values and behavioural patterns.

The legacy of apartheid left us homeless because White local government systems were the best in terms of resources, facilities, services, business and industrial areas. Black townships were discriminated against and thus were restricted from developing to their full potential. It is therefore important that we make the necessary provisions in the coming Budget to build communities that were destroyed by apartheid.

The layman in the street must be able to witness the transformation in our society. For him changes which are not at the local government level may be less visible. The process of transforming our country into a truly democratic and nonracial society will be determined by the amount of effort and dedication we put into local government. It is perhaps important to note that the President said it will be impossible to democratise the democratically elected structures of government.

I welcome the call by the President to commit ourselves to ensure conditions conducive to the election of local government structures. One would like to see the process of transformation in our society being people-driven so that our people are directly involved in shaping their own future or destination. The structures of local government will also contribute positively towards reconciliation at grassroots levels, because they denote the political and bureaucratic structures and processes through which community activities are promoted and regulated.

Government will have to intervene by means of grants to finance minimum standards of service. Even with one tax base, many smaller local authorities will not be able to finance minimum standards and services. Government may deem it necessary in the national interest to give grants to local government in order to help build the infrastructure to provide those necessary basic services. It is the duty of all parties involved to ensure that communities respond positively to the President's call to pay for services to allow for services to be provided effectively and efficiently.

Our people are prepared to pay and I know that they are committed to doing so. They need to see the services improved accordingly. We cannot afford to postpone the need to better the lives of our people. Our duty is to ensure that we address the basic needs of our society and, more than anything else, this is what will give the transformation and democratisation process its true meaning.

We also need to be realistic about the constraints our Government is facing. The dramatic changes in the country and the violence that accompanied them, all occurred in the context of severe economic problems. These include unemployment, declining living standards for many people, low growth rates and stagnant investment.

However, the crisis of poverty and unemployment cannot be solved through fiscal redistribution alone. Even given the relative wealth that does exist in the White local structures, it is important to note the need for sustained economic growth of a pattern that enhances the opportunities for poor people to participate fully in our economy. The Government will have to play a leading role in creating the conditions for such growth to emerge.

The existing pattern of local government spending is seriously inappropriate all over. Substantial figures of the budget in councils . . . [Time expired.]

Mr A G EBRAHIM: Mr Deputy President of the Senate, comrade President Nelson Mandela, Deputy President De Klerk and hon members, PAC parliamentarians have all welcomed the President's broad-ranging statements in his state of the nation speech. They have also commented on the various issues raised.

Today I rise to refer to only one issue in the limited time allocated to me, namely the Truth and Reconciliation Commission. The following is not fiction, but a true and tragic story.

Mr Chan was a small businessman, providing service to a rural community on the border between South Africa and Botswana. The little rural shop he ran was basically a family affair. The Chan family consisted of Mr Chan, his wife and three sons. Two of the three sons, who were all in their teens, were mutes.

At two o'clock in the morning a group of heavily armed paratroopers stormed the peaceful home-

stead of the Chan family. The three children, all teenagers, were machine-gunned in their beds. The two mute sons, needless to emphasise, did not hear a thing and were killed in their sleep.

The paratroopers also rushed into the bedroom of Mr Chan and marched him and his terrified wife in their pajamas into the lounge. In the lounge Mrs Chan was murdered in cold blood in the presence of her husband.

Throughout this period the apparent leader of the paratroopers demanded to know from Mr Chan whether he knew of any movement of what he called terrorists in the area. Mr Chan repeatedly told them that he knew nothing about any movements of any terrorists. The paratroopers then took Mr Chan into the yard, strapped him with hand grenades and left him sprawled on the ground. Moving away, they riddled him with bullets from a machine gun. This set off the strapped hand grenades and his body was so mutilated that parts of it hung from a nearby tree.

Besides murdering Mr and Mrs Chan and their teenage children, the paratroopers then embarked on a systematic destruction of the Chan homestead.

This may sound like a Hollywood script, but this is exactly what happened. All this was witnessed by a local youngster who was visiting the Chan family that evening. Apparently the paratroopers, in their reconnaissance of the Chan homestead, did not know of his presence, and that is why he survived.

The tragedy of the Chan family did not end there, however. His brother in Johannesburg, on hearing of the tragedy, decided to rush to Botswana. On his way he was involved in an accident and killed.

The entire Chan family, save their two married daughters, was ruthlessly and brutally murdered by South African hit squads in the cross-border raids. The daughters and other members of the Chan family are still living this nightmare. Do they not have a right to know the truth about who was responsible for this brutal murder? [Interjections.] Who murdered their parents and their helpless brothers?

Similarly, innocent teenagers were burning the proverbial midnight oil while preparing for examinations in Umtata in the former Transkei.

They too were surprised in the early hours of the morning by members of the SA Defence Force and brutally murdered.

There are, needless to say, many more such examples that we can cite. There are people living with those realities today. We need the truth to come out so that healing can begin, and only then can reconciliation be achieved.

Senator M G E WILEY: Mr President, President of the Republic and Deputy President De Klerk, I am particularly honoured today to be the last speaker before the President sums up this debate. I would like to thank the President for the positive and spirited speech that he delivered to this Parliament before this debate. His speech was full of character, it was courageous and it gave the country a great deal of hope.

I am not going to respond to many of the negative comments that were made in the speeches that followed, because I believe that they detracted from the import and the statesmanship of his speech in this House.

I would like rather to refer to another of his speeches, namely the first to this House at the opening of the first session of this Parliament. In that speech he dealt with a couple of subjects which he also dealt with in his second speech, but at more length. The first that I would like to refer to concerns environmental affairs and tourism.

May I say at the outset that Senator Grové's speech about the environment was very important, and he raised many valid arguments. Yes, the sooner we become more activist with regard to our environment, the better it will be for our country. If we do not take a serious look at our built and natural environment, we will have nothing for our children to look forward to.

Tourists come to this country mainly for the specific reason that we have a good environment. South Africa attracts about 0,3% of the global tourist market. This figure is growing in leaps and bounds. This week the Western Cape was twinned with the state of Florida, where tourism has an annual turnover in the region of approximately \$41 billion and employs 800 000 people. The potential for us to reach great heights in tourism and for tourism to overtake mineral resources as being the strength of our economy, is unlimited.

In that respect, and following on what Senator Grové said, we are taking positive steps. The Minister of Environmental Affairs and Tourism and the Premier of the Western Cape will be meeting next week to discuss the future of Table Mountain. We are taking this matter seriously after decades of paralysis by local authorities which have not been able to get their act together.

I would like to refer to a second, more important point raised by the President in his speech at the first opening of Parliament. He stressed the youth, and I quote:

The youth of our country are the valued possession of the nation. Without them there can be no future. Their needs are immense and urgent. They are at the centre of our Reconstruction and Development Plan.

That brings me to the next point that I would like to make. At the moment we have a crisis in the Western Cape, something which we also feel in the country as a whole. It is something one reads about all the time in our newspapers here in the Western Cape, namely the issue of the Olympic Games.

The Olympic Games bid for Cape Town is not just a bid for Cape Town, but it is a bid for South Africa. We went through a process of elimination of three cities, namely Durban, Johannesburg and Cape Town. Many of the members sitting here are patrons of those different city bids. Many are patrons of the Cape Town bid. Minister Tshwete, Jannie Momberg and Mrs Tambo are all current patrons of this bid. It is a national bid, a bid for South Africa.

I am concerned that the current spat between strong personalities is going to endanger this bid. The Olympic Games is the single biggest event that takes place in the world and it happens every four years. It holds out a beacon of hope and light to young South Africans. Who of us would deny this man, Ezekiel Sepeng, and thousands like him, the opportunity to represent his country?

Whether they make it to the Olympics or not is not important. The importance is that we as legislators should give them the opportunity to go to the Olympic Games. I am asking the President of the Republic as a request and as a South African, to please take a personal interest in this particular issue before it gets out of hand.

We now have the newspapers inundated with advertisements and bitter personal rivalry. It is very important that we take this matter in hand soon, because athletes and sports administrators the world over are gun-shy people. If people do not believe me then they should go to an athletics or swimming event and see what happens when a shot is fired. Everybody runs away from the gun.

We need to give our people a beacon of hope, and we need to bring this together. Private enterprise, the municipalities, the regional and central Government are all team players in this effort and we have to bring it together to afford that ray of hope to our youth.

I will give the House an example of how important sport is to the youth in South Africa. There is a lady who started a basketball team from the gangs in the Hout Bay area. The gang members have stopped the gang activity and are now in the league for basketball. If she could do it on a small scale then we can do it on a national scale. My concern is that we give sport too low a profile and priority.

I would like to finish with the Olympic Charter:

Olympism is a philosophy of life, exalting and combining in a balanced whole, the qualities of body, will and mind. Blending sport with culture and education, olympism seeks to create a way of life based on the joy found in effort, the educational value of good example and respect for universal fundamental ethical principles.

I doubt whether there is any man or woman in this Chamber that can argue against those very high values.

THE PRESIDENT OF THE REPUBLIC: Deputy President of the Senate, Deputy President F W de Klerk, Ministers and Deputy Ministers, hon members of the National Assembly and Senate, ladies and gentlemen, it was to be expected that in a society as politically vigorous as ours, a country with such a rich history, and a society which has experienced such trials and tribulations, there should be a vibrant Parliament. I therefore wish to express my sincere appreciation for the excellent, exciting and eventful debate on this year's State of the Nation Address.

It was a joy to listen to the contributions of all the speakers, even in instances where one did not

agree with their points of view. Each one individually, and all collectively, as parties, sought to make their mark on the renaissance of the South African nation unfolding before our very eyes.

At the end of this debate one can say that all of us, in our own humble way, are making that mark, contributing to nation-building and reconstruction. I am told that even those who sought to make their point strongly by suspending their active participation in the national Parliament, did so after utilising much of the time allocated to them in this debate. [Laughter.] We congratulate them for that. [Laughter.]

We are heartened by the commitment expressed by all the parties in this Chamber to work together for the good of the country. We welcome this commitment, too, from those who did so in a qualified manner, and I will return to this later.

Necessarily, and perhaps actually by design, much has been made of the actions of the IFP. It is therefore appropriate that we deal with this first before delving into the serious business of the implementation of Government programmes.

As we have already stated, we strongly disapprove of this action, because it is here in these Chambers that the blast furnace of policy formulation is located. It is here that ideas should be pitted against one another and differences ironed out.

Yet, we should acknowledge that in a vibrant democracy it is the right of any party or individual to walk in and walk out of Parliament . . . [Laughter] . . . as long as this does not mean abandonment of the democratic ideal, as long as it does not mean withdrawal from the institutions that the nation founded in April of last year.

We disapprove of this behaviour also from the point of view of the interests of the country as a whole. It does not reinforce confidence, on the part of our people and the international community, in the capacity of leaders to use democratic institutions to resolve differences. However, our concern goes particularly to those who voted the IFP into these institutions.

In this context I wish to address them directly.

Ngifisa ukukhuluma nabantu okuyibona abavotele i-IFP. Amalungu animele kuleliPalamende akhethwe yinina ukuba azofeza okuyiz-

ifiso zenu nokungaphakathi ezinhliziyweni zenu. Niwakhetha lamalungu ngoba nikholelwa ekutheni awasiwo amagwala azophuma abaleke [Uhleko]. . . uma ehlangabezana nezinkinga, noma ngabe zincane kangakanani. Nibakhetha ngoba nethemba ukuthi bazoma baqine kuleliPhalamende nasendlini yeziGele ukwenza lokho okuyizifiso zenu. Basebenza ngaphansi kwemithetho yePhalamende.

Ayikho neyodwa yalezizinkinga ezivezwa yi-IFP engaxazululwa ngokuduba nokuphambe uhambe. Kusemahlombe enu nina enibakhethile ukuba nibabuyisele emugqeni. Landelani ezinyathelweni zika Shaka, Makhandla, Cetshwayo, Moshoeshe, Ramabulana, Sekhukhune noNgungunyana, nibatshele ukuthi bangabaleki, babuyele ePhalamende bazokwenza umsebenzi wabo. (*Translation of Zulu paragraphs follows.*)

[I would like to talk to the people who elected the IFP. The people representing you in Parliament were elected by you to fulfill your wishes and aspirations. You elected these members because you believed that they were not cowards who would run away. . . [Laughter] . . . when they experienced problems, no matter how trivial they were. You elected them because you hoped that they would stand firm in this Parliament and in the Senate, to fulfill your wishes. They work under the Rules of Parliament.

There is not even one problem raised by the IFP that can be solved by giving up and walking out. It is the responsibility of you people who elected them to bring them back into line. Follow the steps of Shaka, Makhandla, Cetshwayo, Moshoeshe, Ramabulana, Sekhukhune and Ngungunyana, and tell them not to run away, but to come back to Parliament to do their job.]

Let me once more reiterate the principles which guided the ANC's approach to the issue of international mediation, which has been raised extensively as the reason for this irrational behaviour. Firstly, the ANC has stated over and over again that it is committed to the agreement which was reached on 19 April 1994. It is precisely for this reason that a subcommittee was formed to look into the matter.

Secondly, sheer logic tells us that to invite any eminent persons to undertake this task requires that there should be clear terms of reference. This is precisely what the tripartite subcommittee was discussing.

Thirdly, we are examining any steps that might be needed to deal with the issue. On the part of the ANC we will delegate Deputy President Mbeki to take this matter up as soon as he returns from his trip abroad. In the meantime I will this afternoon meet Chief Buthelezi at Genadendal in order to explore possible solutions to this problem. I hope that Deputy President De Klerk will be able to join us as well.

Fourthly, the ANC, and I believe other rational parties, would not want to be party to an approach that seeks to treat a matter pertaining to the King and Kingdom of KwaZulu-Natal as if the King did not exist. Neither would we accept to arrogate to any political party the right to speak on behalf of any king or kingdom.

Let me, however, make one issue very clear. While we do recognise the right of people to undertake any action within the limits of the law and while we are committed to political solutions to this problem, we cannot and must not as a nation and as a Government allow threats and the actual perpetration of violence to go unchallenged.

We are confident that South Africans of all political persuasions, including the media, will support the right of Government to carry out its obligations to the nation, as prescribed in the Constitution, and that they will not approach this matter in a manner which encourages irresponsibility, lawlessness and blackmail.

The measure of the progress our nation is making should be the extent to which we have set the stage for actual implementation of programmes. It should be measured by our success, as elected representatives, in involving the people in policy formulation and implementation. This is the real foundation for the consensus which binds South African society. It is a consensus not confined to us in these Chambers, nor to the national or provincial executives. It is, above everything else, a living partnership of social structures united in pursuit of common goals.

Nedlac, which we launched a day after the opening of Parliament, the historic agreements in the areas of housing, the debates in the field of health which should culminate in such consensus, the successes in the areas of education and many others—all these are a vivid expression of a nation united in an effort to improve its lot. To lose sight of this would be an act of disrespect

towards those ordinary South Africans who are themselves ready to assume their responsibilities.

A number of hon members reported on the impact which socio-economic programmes are making on citizens, especially the poor. We cannot fail to recognise the progress in these projects, be it in urban or rural renewal, the supply of water, free medical care or the nutrition programme. Certainly, the pace of launching these programmes may not have been as rapid as we had intended. Certainly, there are many teething problems. But a start has been made, and there is a definite commitment to make visible change one of the beacons of the Government's operations this year.

Indeed, in many other areas, the planning process has yet to be completed. But, working together with communities, we will ensure that there is a sense of urgency in our handling of these matters. We will ensure that there is as little delay as possible between the completion of the plans and their actual implementation.

Many issues raised in the debate bear testimony to the seriousness of the problems we face—concerns that members, as elected representatives, bring from the ground. A few of them deserve special mention.

As I indicated last Friday, the Minister for Safety and Security and the Commissioner of Police have been instructed to take immediate steps to deal with the problem of crime and violence. At their disposal is a police service already well on the path to transformation. The basis of the Government's approach is that we must, all of us, as institutions, as communities and as individuals, take responsibility for the war against crime.

On its part, the Government has made clear its intention to address the matter of the unacceptable low pay for the lower ranks of the police, and the shocking conditions under which they work. In addressing society's socio-economic problems, we are also conscious of the fact that these problems are at the root of this scourge.

However, too often the word "crime" is taken too narrowly when there are calls for action against it. There is a kind of crime that is much less visible, but whose existence is well known. White-collar crime and theft committed within business costs the country enormous resources

and it needs to be combated with equal vigour. [Applause.]

Inversely, references to the Government's commitment to stamp out anarchy and lawlessness in mass protests is interpreted broadly to mean union-bashing and suppressing people's rights. Let us make it clear once more that our recognition of the right to protest and to strike is unshakable. [Applause.] These are rights guaranteed by the Constitution itself. What we shall deal with firmly—and this is no idle threat—is the breaking of the law through acts of vandalism, the taking of hostages, blockades of roads and damage to property. This we cannot tolerate! [Applause.]

Understandably, the issue of corruption loomed large in this debate. The threat that corrupt norms implanted by apartheid may survive and overwhelm us as we set about the building of new values, is one that alarms us. It is a threat that we as Government are determined to forestall. The Cabinet is finalising a code of conduct for its members, a code that shall be firmly applied.

However, if the sanctions against the corrupt practices are not carried out in every corner with equal fervour by Government and public servants, political parties, private business and nongovernmental organisations, this scourge will remain with us.

Having said this, we repeat our insistence on due process. If we were to abandon the principles of justice, we would be subverting the very basic values that underpin our democracy.

*The fact that the issue of the Truth and Reconciliation Commission should receive serious attention in this debate, should not surprise anyone. The fact that the discussion frequently evoked strong emotions, should not surprise anyone either. We should rather learn lessons from the debate.

On the one hand, the debate and its nature clearly underlined how absolutely essential it is that we appoint this commission. Bluntly put, condemnation of the proposed process shows gross and heartless contempt for the memory of the many victims of cruel violations of human rights. [Applause.] Furthermore, it is also an insult to the families and relatives of those victims.

At the same time there is also another message for us as leaders. It is in fact the strong feelings that came to the fore during the debate that allow us to see that we have a serious responsibility to administer and conduct this process in a very sensitive manner. We have every confidence that Parliament will deal with this matter with the maturity it deserves, namely to ensure that the truth comes to light in order to ensure that there is equal treatment and that reconciliation is promoted.

We are ultimately called upon to join together the different folds of a divided nation, without incorporating the dross of the past in our political body. That is why it is the duty of all of us, no matter which side of the political spectrum we are standing on, to give guidance and to ensure that there is full co-operation with the commission. [Applause.]

†Alongside the warm support for the goals set out in the opening address—goals which are the declared objectives of the Government of National Unity—there was a second thing running strongly through some of the contributions. This other voice professed doubt that the goals could be implemented because, it said, the ANC's constituency was not fully behind the programme of the Government of National Unity.

By the way, those who read *Die Burger* yesterday might have seen an article which referred to my pronunciation of Afrikaans as being like that of a tikeloshe. [Laughter.] This comes from an incident in prison when a top prison official came to the island . . . [Interjections.] We had a lot of problems on the island. In order to impress the official, I prepared a piece in Afrikaans so as to ensure that my representation would succeed. [Laughter.] I went up to him, very confident that I was going to go back with all my representations accepted, and I started. A little while later I saw the official becoming restless and then he said: "Jong, jy moet liever jou eie taal praat." [Laughter.] "Jou uitspraak is baie sleg. Dit klink soos dié van 'n tokkelossie." [Laughter.] So, those here who thought a tikeloshe was speaking, now know the background. [Laughter.]

The ANC recognises the responsibility it has to mobilise people in all their organised formations everywhere, in every sphere of life. We have always taken on that task without reservation. The political forces which were united in removing oppression from our land will bear, with

equal effect, on the task of reconstruction and development. We need no urging in this.

As the majority party, we have the responsibility to lead by example. Where problems do arise within our ranks, we will address them frankly and openly, so that we can fully and effectively defend democracy.

It is to be hoped that the doubt concerning the capacity to implement the RDP, coming so forcefully from some speakers, does not betoken a readiness to stand back. We hope that it does not reflect a readiness to undermine the implementation of the RDP in the belief that there has been found what one speaker to my left called the "Achilles heel" of the ANC.

All parties, especially those participating in the Government of National Unity, have a responsibility to work together for the goals which have become the common ideals of our nation.

Society as a whole has a responsibility to work for transformation. Partnership is central to our success. Society also has the right to take its destiny into its own hands at every level. That is the significance of the local government elections, and that is why we are determined that no one, no matter what his status, should be denied the right to vote.

I would like to take this opportunity to call once more on our people in their millions, of every persuasion and party, to register for the local government elections. In that connection, religious leaders, teachers, traditional leaders and other community leaders, as persons of standing in their communities, have an especially valuable role to play. It is imperative, in particular, that traditional leaders co-operate in this campaign and contribute to changing our country. I am confident that discussions on issues pertaining to traditional authorities will be concluded in ways satisfactory to everyone involved.

With local government elections, the most important barriers to programmes for transformation will fall away. Each and every community will be able to participate, without restraint, in the planning and development approaches in their localities.

The speed with which South Africans have turned from division and conflict to knitting the fabric of a normal society has become a source of pride to us as a nation. There have been

unavoidable conflicts and tensions. They are inherent in such a process of change, but they have been mercifully few, far outshone by the steps signalling transformation and progress.

One of the steps which brought us where we are today was the boycott of local authorities by communities determined to assume their share of responsibility for their own liberation.

Thanks to the political transition to which that action contributed, we have already been able to establish within Government the capacity to implement programmes of change. We have started to address the most urgent needs of our people.

We have been able to do so because we are a Government of all the people of South Africa. However, far as we have come, we face immense challenges as we seek to build a better life for all South Africans—a long road on which we have only just set out.

Our history cast government and people in hostile roles. Such a history inevitably set a brake on the speed with which communities could embrace government—above all, local government—as their own.

However, the process of democratisation is irreversible. The time has come to accept in our hearts and minds that with freedom comes responsibility.

It is the responsibility of participation and partnership, the responsibility of each of us for one another, the responsibility captured in the saying: "Masakhane"—let us build one another".

On the part of the Government this means ensuring efficient and frugal use of resources, providing services to all the people and carrying through the transformation of Government structures towards reconstruction and development.

It means improved services and infrastructure. Housing subsidies must reach the people they are intended for. People have the right not only to hear about change from their leaders here in Parliament, but also to see change on their doorsteps. This applies to every population group in this country, whether it is Coloureds, Africans, Indians or Whites. They are all entitled to see change on their doorsteps.

On the part of business, it means drawing on its resources and managerial ability to help transform South Africa efficiently and productively. It means providing for training and skills development. The pledge by the financial institutions of 50 000 bonds for low-income housing sets a standard to be emulated by other sectors of the business community.

Investment opportunities need not always lie in Sandton or Rosebank—they make sense in Soweto, Mitchells Plain, Chatsworth and Khayelitsha too. For these things to happen, communities must, themselves, create a climate which is conducive to investment, and an environment in which the Government will have to live up to the high standards of honesty, efficiency and openness which our country now expects of public officials.

Communities must take responsibility for projects which are meant to serve them. The disregard for a community's assets—its schools, clinics and parks—must be consigned to history.

The urgent task is to instil everywhere a culture of payment for services rendered. There are still many places where housing and services are not being paid for. These are not organised boycotts with a political purpose designed to halt apartheid. Nonpayment today hurts those who have nothing and who are waiting for houses, electricity and sewerage. It hurts neighbours, who must carry an unfair burden. [Applause.]

Whatever is withheld, is kept out of our investment programmes for housing and services. Although we are putting massive resources into these things, we cannot continue doing so if money does not come back into the system through payment.

We do understand that many people are struggling financially and may have difficulty in

finding money to pay for services rendered. However, we need to reprioritise our family budgets, just as the Government is having to reprioritise in order to bring about a better life for all South Africans.

We must pay in the spirit of Masakhane, so that we can build together. The Masakhane campaign is backed by the Government of National Unity. It is supported by religious and community leaders across the country and has benefited substantially from business support. The time to build has arrived—the time to build together and to build each other.

As elected representatives we have set out, in full view of our people and the world, the challenges that face us as a nation. We have solemnly committed ourselves to programmes that will set South Africa firmly on the road to prosperity and a better life for all.

This task is definitely not an easy one to fulfil, but conditions throughout the world and within our own economy are favourable for us to make a resounding success of our programmes. Let us seize the moment!

Senator Wiley has raised the question of my intervention in regard to the Olympic Games. He will be interested to know that the Minister of Sport and Recreation, Mr Steve Tshwete, and I will be meeting Mr Raymond Ackerman tomorrow night at Genadendal.

We also hope to bring in Mr Sam Ramsamy, who has played a very important role in bringing the Olympic Games to our country. So this is a matter that is receiving attention. I hope you will pray for us to succeed. Thank you. [Applause.]

Debate concluded.

The Joint Sitting rose at 12:54.

PROCEEDINGS AT JOINT SITTING

Members of the Senate and the National Assembly assembled in the Chamber of the National Assembly at 14:30.

The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.

WELCOMING ADDRESS BY THE SPEAKER TO PRESIDENT CHISSANO OF MOZAMBIQUE

The SPEAKER: Order! It is my pleasure and privilege to welcome President Chissano of Mozambique to South Africa's first democratically elected Parliament. We greet a neighbour, a comrade in arms, a brother and a statesman. Yet, these words do not give adequate expression to the long and enduring relationship which exists between the peoples of Mozambique and South Africa, and which your presence amongst us today, Mr President, symbolises.

Our countries have been trading partners, and Mozambique has been the conduit for the export of many of our goods through its ports. Lourenço Marques, as it was, was a favourite holiday resort for South Africans. However, the links I refer to are not these. One of the earliest forms of co-operation in our region was that of the colonial powers. A co-operation which added to the oppression of the colonised. To southern Mozambique was assigned the role of providing cheap labour for the exploitation of South Africa's gold.

As early as 1901 an agreement was signed, which over this century brought millions of Mozambicans to South African mines. With other migrant workers, they laboured with pick and shovel thousands of feet underground. The toil and sweat of these workers and the distress and deprivation of the women left behind, provided the basis for much of our country's wealth.

Over the years Mozambican workers joined other workers in South Africa in building a workers' movement which, in its turn, influenced the political process. The solidarity built in the workers' struggle was strengthened as we fought for liberation.

A Mozambican seeking military training was given a lift on an aeroplane out of Botswana by ANC chairperson J B Marks and was amongst the first group of fighters trained in Nigeria. His name was Samora Machel—the first President of Mozambique . . . [Applause] . . . who later died on South African soil.

It is many decades ago, Mr President, but I am sure you will recall clearing the bush in Tanzania together with our present Minister of Defence, Joe Modise, and the gruelling hardships of the camp at Kangwe where the cadres of uMkhonto and Frelimo shared the last plate of beans, and a few tomatoes had to be sliced very thinly so that each could have a taste. You were with us in those days, and we acclaimed you as Frelimo led your people to victory over Portuguese colonialists.

Those bonds, built in common struggle, were translated by the government of independent Mozambique into support for the liberation of the people of Zimbabwe and South Africa. But what a terrible price you were to pay for that support—aggression, destabilisation, economic sabotage and the fomenting of a civil war that resulted in hundreds of thousands of Mozambicans being killed. Many more have been left maimed, a horrific legacy of the four million land mines that were planted. The entire landscape of Mozambique has been blighted by the effects of war and civil strife. This ghastly sequence was initiated by Rhodesia's White minority regime and then taken over and extended by successive governments in Pretoria. [Interjections.]

Today, Mr President, here before the elected representatives of the South African people, and on their behalf, I want to apologise for the terrible crimes my countrymen committed against the people of Mozambique. [Applause.]

It has taken your country many years to come out of that morass. Your personal steadfastness and leadership successfully steered your people out of the bitter hostilities, through a multiparty election, into a parliamentary democracy. As the confirmed elected leader of the Mozambican people, you have brought to South Africa members of parliament from different political parties and we extend a special welcome to them. We hope that such contact can be maintained and even institutionalised.

That we are able to meet today in democratic South Africa's Parliament to welcome Mozambique's democratically elected President, is the joint achievement of the peoples of Mozambique and South Africa, supported by the peoples of Southern Africa.

Hon members, I now call upon His Excellency President Chissano, President of Mozambique, to address Parliament. [Applause.]

**SPEECH BY MR JOACHIM CHISSANO,
PRESIDENT OF MOZAMBIQUE**

The PRESIDENT OF MOZAMBIQUE: Madam Frene Ginwala, Rt Hon Speaker of the National Assembly; Mr Coetsee, President of the Senate; Dr Nelson Rolihlahla Mandela, President of the Republic of South Africa; Mr De Klerk, Deputy President of the Republic of South Africa; hon members of Parliament; distinguished members of the Diplomatic Corps; ladies and gentlemen, we feel honoured to address this Parliament which leaders like Albert Luthuli, Steve Biko, Chris Hani, Oliver Tambo, Joe Slovo, among many other distinguished sons of this land, have lived and fought for.

We are deeply gratified at being given this privilege, for this Parliament consubstantiates the secular and legitimate aspirations of the South African people for freedom, justice, dignity and progress. This Parliament, which symbolises the victory by the overwhelming majority, to a greater extent allows for the emancipation and international recognition of the national minority group which used to be the sole holder of power.

Thanks to this Parliament, the South African minority group, which yesterday lived in isolation and was rightly opposed by the community of nations, is today accepted without prejudice, because it has at last recognised the universal values of equality, democracy and justice.

The multiplicity and intensity of the vehement gesture for freedom by the South African people have stretched their struggle to a universal dimension and attracted solidarity from all peoples of the world.

During that struggle the people of Southern Africa have endured all kinds of sacrifices, including the death of their best sons and daughters, in order to turn South Africa into a country

for all South Africans, irrespective of their race, ethnic group, religious belief or social status.

The people of Southern Africa did make the liberation struggle of the South African people their own struggle. Your freedom is therefore a source of our pride, because each and every one of the countries of this region has given valuable contributions to its realisation. This is an undeniable reality which constitutes the binding factor for our relationship in the region.

Both the geographic and time factors have led Mozambique and Mozambicans to play a critical role in this process. Indeed, my country, as a frontline state, had become the main target of apartheid. Schools, hospitals, roads, bridges, factories, power lines and other key infrastructures of the country were systematically destroyed in an attempt to bring us to our knees and to force us to renounce our sacred duty of solidarity with the South African people.

Far from affecting our conviction, the repeated acts of aggression and destruction carried out by the then apartheid regime have made us more united and resilient, because we share a common past of pain and suffering, but also of perseverance and struggle. [Applause.]

It is against this background that we would like, through this august Parliament, to pay our tribute to all South Africans, irrespective of their race and beliefs, who, through their blood, endurance and thinking, have made it possible for us to be here in this House today. We have the divine duty of being guided by their aspirations and ideals of freedom and justice. We bow to them with a feeling of mission accomplished.

In saying these words I cannot contain my emotions in seeing you, Madam Speaker, sitting on that Chair. The recollection of having been in the front line together with you and many of my colleagues brings back memories of the great efforts and sacrifices entailed in order for us to reunite today under these circumstances.

We were confident that the seeds we had planted together would bear fruit. However, who would have expected that to happen during our own lifetimes? It is sufficient to mention that many of our comrades in arms, such as Eduardo Mondlane, Samora Machel and all others that we have mentioned before, cannot see with us here the size of the glorious plant before us today, especially when the Speaker of the first demo-

cratic Parliament of South Africa is a woman of well-known talent and merit. [Interjections.] [Applause.] We feel overjoyed.

The Mozambicans look at the future with confidence and are focusing their actions to face the challenges ahead. We are now living in a new era. The era of armed conflict gave way to an era of harmony and national reconciliation.

As this Parliament must be aware, the first multiparty general elections in my country were held between 27 October 1994 and 29 October 1994, marking the beginning of a new era. During those elections the Mozambican people did, against all odds, reveal an extraordinary political maturity and a sense of national consciousness of which we are proud.

Considering the free and fair nature of the elections and the massive popular participation, the international community has regarded them as an example to be shared in other parts of the world.

As a result of these elections, a new Assembly of the Republic of Mozambique was inaugurated on 8 December last year. This parliament is made up of 250 deputies, representing the three political parties which received the most votes, namely Frelimo Party, Renamo and the Democratic Union coalition. I am pleased to inform you that during this trip we brought with us MPs representing each of these parties. [Applause.]

Within the powers conferred on me by the constitution and in strict observance of the democratic principles and rules, I have formed the first government resulting from the democratic elections. This new government has, as its first priority, the task of preserving peace and consolidating national unity, implementing a programme that is aimed at rebuilding the social and economic fabric of Mozambique, reducing poverty and creating conditions for sustainable development.

I formed the government with the strong belief that the democratic line and measure can only be defined by each society according to the evolutive space which is assessed in social and economic terms. It is in this trilogy that one can find the binding and determining factors for the consolidation of democracy.

The application of some principles of governance in certain countries may prove to be useful and

necessary. However, such an application in other countries may produce opposite results, thus threatening the pillars of democracy, and leading people to a state of disappointment and a total lack of interest in democratic rules and leading them to resort to solutions other than the ballot in order to express their real wish.

By participating in their masses in the electoral process, our people have shown their commitment to the universal values and procedures of democracy. We are conscious of the fact that democracy is not the mere existence of several parties, the holding of free and fair elections, the formation of a government and the establishment of an assembly or parliament deemed to be representative. We have always defended the concept that democracy is, first and foremost, the participation of citizens in the political, economic, social and cultural life of the country. What really matters, from our point of view, is that each country finds its own format for organising powers, the mechanisms for consultation, and methods of conducting the destinies of the country which can ensure the maximum possible participation of the people.

Those who are bent on remaining mistrustful in their hearts, mistrust with regard to the historic evolution of peoples, judging the success of change only through the satisfaction of their selfish ambitions, do not easily accept the implementation of programmes aimed at allowing such participation at the appropriate time and place. We believe that nothing positive can be carried out outside its appropriate time and context. Nothing meaningful can be achieved unless appropriate human and material conditions are created.

Sceptics deliberately rush their fences asking us to take a leap in the dark and sometimes even torpedoing the steps that are now being taken by the government and by society in general, to fulfil the programme defined within the framework of the adopted change and the evolution of history.

We are confident, however, that once again the maturity of the Mozambican people shall prevail. The institutions established to conduct the destinies of the nation, shall operate in harmony among themselves and with direct and indirect involvement of the people towards building a better future.

In spite of being part of the continuation of activities of the party that has conquered, consolidated and defended national independence, spearheaded the process leading to the establishment of peace, and which together with other parties and liberation movements of African countries, contributed to the freedom of Southern Africa, the government that has just been formed in Mozambique is a new government.

This government is geared to inject a new drive towards changes and it operates within the new national and international economic and political environment created by the struggle of our political movements, particularly in Africa and across the world in general.

We fought to put an end to racism and inequality and all forms of discrimination, for the people's self-determination and national independence, for democracy and human rights, for the easing of tensions, against Manichaeism, and for peace and justice. The world has changed notwithstanding many persisting spots of conflict. It is our duty to ensure that the spiral of history is never again characterised by the most negative aspects of the tragedies we have experienced in the recent past.

We wish to thank the people and the Government of South Africa for their valuable political, diplomatic and material contribution since the signing of the Rome Accord. This help came particularly at the most critical moment of the implementation of the accord, as well as during the electoral process. For the first time in its history, Mozambique is now surrounded by countries which are, in general, not hostile. On the contrary, they are totally favourable.

The time has come for us to live in harmony and to reconcile our differences. We should focus our efforts on the necessary and urgent process of healing the wounds caused by the war imposed on us. At this stage of the democratic process, we remain determined to replace violence and the use of threats to force a political confrontation within an atmosphere of dialogue and fraternal tolerance.

We believe that we have started a new era in which the right to agree or disagree must be respected, not only by political groupings, but also by civil society as a whole.

It is our conviction that an enduring peace in our country can only be maintained within the

framework of a true and conscious political pluralism, having as pillars the non-negotiable will for national reconciliation, structured according to the supreme and sacrosanct values and interests of the Mozambican nation.

Now that peace has been established we are, firstly, concentrating on the implementation of a programme aimed at solving problems faced by our people, who were so brutally affected by successive wars. We have to build the schools and the health network destroyed by war, seek means to normalise the livelihood in the rural areas, increase production of food and primary commodities as well as re-establish the commercial network.

In order for these undertakings to succeed, there is a need to carry out a mine-clearing operation of considerably vast areas of the country and we have to re-open roads, railways and the communication network. It is a colossal task. However, we are confident that it will be crowned with success, considering our existing resources, the enhanced co-operation with all partners. We are also counting on assistance from the international community.

To that end, the continued implementation of the economic and social rehabilitation programme, launched in 1987 by the government of Mozambique, is of an imperative need, taking into account the fact that this programme is mainly designed to solve poverty-related problems which are facing the country. We hope that at the forthcoming meeting of the Consultative Group, to be held later this month in Paris, our traditionally co-operative partners will react positively to the expectations of our people.

We realise that for the prosecution of our social and economic objectives the revamping of our economy will also require the involvement of the private sector—both national and foreign. In this connection I wish to refer to the investment code which provides investors with incentives, ranging from exemption of customs duties, tax reduction and guarantees in the area of legal protection of property rights to the re-exportation of revenues and sharing of the invested capital.

On the other hand, the wealth of our extensive seashore offers extraordinary conditions for fishing and tourism. At the level of the subsoil the country is endowed with a variety of important mineral reserves, precious and semi-precious

stones. Nature has made our economies interdependent. That is why the abundance of gold and diamonds of South Africa can hardly be found in the Mozambican subsoil.

Our country has a vast potential for producing energy, as can be seen from our important gas and coal pits, as well as substantial hydroelectric power. The appropriate utilisation of such resources can constitute a springboard for the development of our region. However, we deem it important that the utilisation of hydro-resources, for whatever end, should be done in the strictest observance of international laws regulating the matter and in the collective interest of our countries.

It is with appreciation that we note the South African farmers' interest in investing in the Republic of Mozambique. This demonstrates the emergence of a new drive which will certainly benefit our two countries. We believe that with the necessary interaction and complementarity between South Africa's programme of reconstruction and development and our economic and social adjustment programme, we can be in a position to mitigate the costs involved and speed up the programmes' materialisation.

The countries of Southern Africa are facing the challenge of rebuilding the social and economic fabric of the region in an international environment where lack of financial resources is the most binding constraint, particularly with regard to the African continent. It is in this connection that we must harness our limited financial resources in order to achieve the economic emancipation of our region.

The problems facing each country of our region should be the concern of all of us. We are, therefore, urged to seek mechanisms conducive to the final re-establishment of peace in Angola. We must do all we can in order to see stability and respect for democratic principles consolidated in that country. We hope that the Lusaka protocols will be respected and fully implemented within a short time.

Mozambique and South Africa are united through geography and history, suffering and joy, songs and dances, through misery and work and through a spirit of struggle. The relations between our peoples are not only of friendship, but also essentially of identity and closest affinities. We constitute an ample and unique space.

Our citizens know no boundaries. They regard themselves as an integral part of each of our countries. Therefore, they do not feel like aliens. Xenophobic attitudes must not take place in any of our countries. [Applause.]

We have inherited a common past of humiliation and plunder, therefore we should be the builders of a future of continued fraternity and solidarity.

In my speech there is written "In conclusion", but I am not going to read that portion now, because if I had known that you, Madam Speaker, would start this meeting as you did, I would not have written the speech in this way. Your apology, on behalf of your country, for what happened in Mozambique has touched my heart and the heart of the whole Mozambican nation. [Applause.]

We do not deserve any apology from you, Madam Speaker, or from the South African people. We accepted the fight and we accepted all the consequences, in the same way as those who started the struggle for liberation had accepted everything, thereby inspiring us.

Those are the ones who suffered first. We just followed in their footsteps. They were suffering, not only for South Africa, but for the whole of Africa. [Applause.]

When I hear you, Madam Speaker, say "forgive us", I hear you in the same way as our neighbour across the street would hear you say the same thing if he had suffered from apartheid. He was one of us, although we are in Mozambique. He was here, but we felt that we were in the same trench. Would I say to President Mandela that we apologise for his 27 years in jail? [Applause.] We have used his name in order to fight. His name has been a weapon in our hands to fight against colonialism, against apartheid. [Applause.]

The President of the Republic consented to be in jail for 27 years. In fact he was there on a life sentence, but he never said that people should stop fighting because he wanted to come out. [Applause.] What of the others we cannot point out because we do not know them; those who fell in the streets of Johannesburg, Cape Town and Durban, and those who did not fall in South Africa, but outside South Africa? I refer to you, Madam Speaker, because we were together. Our resolution to fight together was felt in the places

which you mentioned, such as Algeria, Morocco, Egypt, Russia, Tanzania and Zambia.

We were together because we had accepted that we could not look at our struggle only from the time when the apartheid regime decided to assault Mozambique after independence. Apartheid had been working hand in hand with Portuguese colonialism and we, the people, were hand in hand. Therefore, I accept your apologies only in the context that you are just encouraging a brother to proceed in firm co-operation and alliance with all those who stand for freedom, democracy and for peace. Now we are at peace, and here I refer to the people who, by their deeds, including thinking, have contributed to creating the era in which we are living. This includes people who would be regarded as being on the other side. This happened in Portugal.

The Mozambican people fought. We supported democratic forces in Portugal. When the time came for them to understand the truth and to accept it, we sat down around a table and we talked with them. There were officers, generals, lieutenants, colonels, majors and captains. We discussed matters with them and brought about freedom, not only for Mozambique, but also for Portugal. Today Portugal is a democratic country. [Applause.] Today we are co-operating with them on national reconstruction in Mozambique and on development in Portugal, which was the most backward country in Europe.

We find the same thing in South Africa. We find people like F W de Klerk who came to Maputo before he was the State President of South Africa. He showed me the light in the depths of the tunnel when he told me that Mandela would be released. [Applause.] Very few people knew about it at that time. Then I believed that change had come.

A new people is emerging in South Africa that will make real that ideal of Samora Machel when he was speaking to Pik Botha—he is not here. [Laughter.] He was telling him that in South Africa there would be peace and development when the children of South Africa ceased to be Black or White, but were just children. [Applause.] People who understood this became part of the majority.

Today, in South Africa, I feel that when we speak about the minority and majority, we are speaking about the membership in the parties. We are speaking about the majority in Parliament. We are no longer speaking about the majority of colours or tribes. [Applause.] Because today all those who are on the side of justice are on the side of the majority, they are the majority. [Applause.]

Now I have spoken for too long, therefore I can say now “in conclusion”. I would like to renew our profound gratitude for the fraternal welcome and the hospitality extended to us since our arrival in your glorious country. [Applause.]

The Joint Sitting rose at 15:11.

PROCEEDINGS AT JOINT SITTING

Members of the Senate and the National Assembly assembled in the Chamber of the National Assembly at 11:42.

Madam Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.

WELCOMING ADDRESS BY THE SPEAKER TO HER MAJESTY QUEEN ELIZABETH II

The SPEAKER: Order! It is an honour and a privilege to welcome to this Parliament her Majesty Queen Elizabeth II, who has had to wait for a long time to return to our shores. The 48 years between the visit to our country of Princess Elizabeth and Queen Elizabeth have been momentous ones and have witnessed a dramatic transformation in the relationship between our two countries and between the South African people and the monarchy.

The visit which begins today is historic in many ways and sets the seal on our new relationship in two significant areas. The association between South Africa and Britain has developed for more than two centuries. Over this period it has gone through many phases which were experienced in very different ways by those who are today South Africans. There have been the colonised and the colonisers, loyal subjects and people subjugated, conquerors and conquered, kith and kin and petitioners, settlers and the dispossessed.

These relationships have created the rich tapestry which now provides the backdrop for the new interaction between the peoples of Britain and a democratic South Africa that this visit symbolises; a relationship of equality based on mutual respect and friendship.

Within the international community that played such an important role in supporting the democratisation of our country, the Commonwealth provided a particular focus. Discussions on support for a human rights order in South Africa and the facilitation of a negotiated settlement occupied Commonwealth heads of state and governments at several of their biennial Commonwealth Heads of Government Meetings. It is

therefore fitting that Queen Elizabeth, as Head of the Commonwealth, should visit us so early in our existence as a democratic country.

I am not sure whether South Africa is best described as the newest member of the Commonwealth or the prodigal returned. Our ways parted, as the legacy of a parliamentary system lost its essential democratic content.

The Commonwealth has been able to incorporate the developed and the developing countries and harmoniously manage differing political, economic and social systems as well as the rich mosaic of ethnic diversity within it. This is also South Africa in microcosm. In a democratic South Africa, our diversity is a source of strength and our founding principles include nonracism and equality, which are also the fundamental ethics of the Commonwealth. It is an ethic which Her Majesty is known to support and espouse.

The challenge for us is to close the divide between the First and the Third World, between rich and poor, between Black and White and between South and North. As we, in our infant democracy, grapple with the solutions to these issues, we can draw on the experience of the Commonwealth and also contribute to solutions at a global level.

As the democratically elected representatives of the South African people, this Parliament has the responsibility to chart the way forward. Our interaction with the international community will help to inform the direction we take. The visit of Her Majesty confirms that we will do so with the support of friends within a wider family.

Hon members, I now call upon Her Majesty Queen Elizabeth II to address Parliament.

ADDRESS BY HER MAJESTY QUEEN ELIZABETH II

HER MAJESTY QUEEN ELIZABETH II: Madam Speaker, 48 years ago I watched my father opening Parliament here—the first he opened in any of his dominions. Of course, I come here in very different circumstances, but ever since that visit, I have felt that my memories of South Africa are part of me, and I have wanted to return to this magnificent country. That wish has never deserted me through a half century during which you have seen turmoil and tragedy.

Now, though, you have become one nation, whose spirit of reconciliation is a shining example to the world, and I have come back to see for myself what is little short of a miracle. It is one of your own making, and one which will give you pride and confidence as you face the challenge of transition. I congratulate you all on your achievement.

That visit in 1947 was less than two years after the end of the Second World War. This year, as we commemorate the fiftieth anniversary of the end of the War, we shall have many reminders that South Africa's contribution to victory for the Allies was, as in the First War, immense. Three hundred and fifty thousand South Africans volunteered, and twelve thousand, of all races, lost their lives. In his speech to Parliament all those years ago, my father paid tribute to that great sacrifice. He continued:

You are now dealing with the problems of peace—a peace which must be based on the principles of freedom and justice if it is to endure.

Your struggle has shown that the only way to true peace is indeed through those principles of which so many, throughout this country, have been doughty champions. It was a fitting tribute to you, President Mandela, and to Deputy President De Klerk, when you were both, in 1993, awarded the Nobel Peace Prize. It was a recognition of the spirit which inspired the bringing of peace and freedom to South Africa. In your memoirs, Mr President, you remarked:

It simply did not make sense for both sides to lose thousands if not millions of lives in a conflict that was unnecessary . . . it was time to talk.

I wish that more people, the world over, would heed those wise words.

They typify the new South Africa, which is showing that, with far-sighted, able leadership, willingness to compromise, and patient determination in the quest for peace, it is possible to reconcile the seemingly irreconcilable. The transformation wrought here, culminating in the elections last year, has set the country on a democratic course from which there can be no turning back. Its citizens stand together, equal in a free nation.

Democratic values are not just nebulous or academic things; they bring benefits and opportu-

nities with them, and these are now becoming clear here, where your people can fulfil the most fundamental ideals with dignity, can advance themselves irrespective of wealth and background, and where, most important, the word and spirit are free.

However, democracy carries its risks and uncertainties, and South Africans will look to this Parliament as the defender of the democratic faith. Forging the new nation is a formidable task, and the spirit of reconciliation is vital to it. So is the sort of open and upright government which takes the people into the confidence of their leaders.

Throughout the years apart from South Africa, the Commonwealth worked to bring about the transition which led to South Africa's rejoining the Commonwealth last June, after 32 years of separation. It gave me so much pleasure to see South Africa regain its rightful place. South Africa has an essential role to play as a new force for regional stability and growth. The Commonwealth, meanwhile, will stand by South Africa's hard-won freedom. I look forward to welcoming the President to the Commonwealth Heads of Government Meeting in Auckland later this year.

The year 1995 marks the bicentenary of the first links between our two countries. Our relationship, like that between many old friends, has been, at times, a tempestuous one. Our peoples have fought against each other, as they have together against a common enemy. But we can, together, feel unreserved pride in the role which so many Britons and South Africans have played in our respective countries. I think, for example, of the contribution made by British missionaries and teachers in South Africa over the years.

British involvement in South African education has continued throughout, especially in the disadvantaged communities, through the activities of our government, the British Council and British voluntary organisations. Similarly, British entrepreneurs and businessmen have played a vital role in South Africa's economic development. Your emergence as a democratic country has led to a flowering in our relations. I am sure that the initiatives taken during Mr Major's visit last September will help strengthen our friendship even further.

I was pleased to hear that Britain and South Africa have recently signed agreements for development and scientific co-operation. Above all, we want to see opportunities for our young people, making the most of their common language, to get together, whether it be in trade, sport, culture, education or social work. Britain, like South Africa, contains people of many races. Like you, we want all our people to pool their talent for the benefit of their fellow human beings.

Britain and South Africa have so much to offer each other. Let us make the most of the affection between us. Next year I look forward to welcoming you, Mr President, on the first ever state visit to Britain by a South African head of state. [Applause.] You are, of course, well versed in making history, but I hope that, even for you, that will be an important milestone. [Applause.]

That will happen too at a very fitting moment, as we approach the end of the twentieth century and peer into the next. The view may sometimes be a little obscure, but the events in South Africa of the past few years have helped to bring rays of sunshine to pierce the mist. May the sun shine ever brighter. [Applause.] Nkosi Sikelel' iAfrika. [Applause.]

The SPEAKER: Order! Members should please remain seated until Her Majesty the Queen, President Mandela, the President of the Senate, the Chairperson of the Constitutional Assembly, the Deputy Speaker, the Deputy President of the Senate, the Deputy Chairperson of the Constitutional Assembly and I have left the Chamber.

The Joint Sitting rose at 11:59.



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

PROCEEDINGS AT JOINT SITTING

Members of the Senate and the National Assembly assembled in the Chamber of the National Assembly at 14:30.

The President of the Senate took the Chair and requested members to observe a moment of silence for prayers or meditation.

WELCOMING ADDRESS BY THE PRESIDENT OF THE SENATE TO PRESIDENT BEN ALI OF TUNISIA

The PRESIDENT OF THE SENATE: Order! It is with pleasure that I welcome today in the Parliament almost at the extreme southern point of Africa a distinguished leader from the northern extreme, that is our honourable guest, the President of Tunisia, President Ben Ali. [Applause.]

What renders today momentous is the fact that His Excellency is also the current chairman of the OAU. [Applause.] His Excellency has had a distinguished career as a political leader. He first distinguished himself in the struggle to liberate his country from foreign rule. After this he led the struggle to build a new country and a new society. He rose through the ranks of the Tunisian Defence Force until he was called to represent his country in the diplomatic field and then in government. On 2 October 1987 he assumed the office of Prime Minister. On 7 November 1987 he was called to the highest office of his country.

Under his leadership Tunisia has developed an economic record that is the envy of many African states. It has, in fact, maintained a per capita growth rate of approximately 6% per annum over the past five years and its inflation rate is close to the same figure.

In the international sphere President Ben Ali has also been providing significant leadership. Having maintained his close ties with the Palestinian Liberation Movement, he was a key figure in the peace process. It is also gratifying to know that there are already meaningful ties between the leadership of the Republic of South Africa and the Republic of Tunisia. His Excellency President Mandela has visited Tunisia three times thus far. The latest visit, in June 1994, was the most historic when President Mandela led a delegation to the OAU, which was having a session in Tunisia at the time.

Members will be aware that the past year has been a difficult one for our continent, with various crises, wars and famines. Under the Tunisian leadership, much has already been done to address these problems. Perhaps in future we will look back at these years and say: That was when Africa finally began to take responsibility for the resolution of its own problems.

Your Excellency, we welcome you to Parliament and now invite you to address this Joint Sitting of the National Assembly and the Senate.

ADDRESS BY PRESIDENT ZINE EL ABIDINE BEN ALI OF TUNISIA

بسم الله الرحمن الرحيم
 رئيس تونس زين العابدين بن علي : فخامة
 الرئيس، السيد مجلس الشيوخ، السيدة
 الرئيسة، حضرات السيدات والسادة
 المحترمين، أعضاء مجلس الشيوخ و المجلس
 الوطني، أصحاب السعادة: أودّ، في البداية،
 أن أعرب عن الابتهاج بوجودي في رحاب
 هذا المجلس الموقر، رمز الحرية و الديمقراطية،
 الذي يجسم الوفاق بين مكونات شعب
 جنوب أفريقيا الشقيق.
 كما أود أن أجدد أمامكم، عبارات الامتنان
 والتقدير، لأخينا، فخامة الرئيس نيلسن
 مانديلا لدعوته الكريمة التي أتاح لي، اليوم،
 فرصة لقاءكم، مشيدا بدوركم و مسؤوليتكم
 الجسيمة في تمكين بلادكم من التخلص،
 بشكل نهائي، من مخلفات الماضي القريب، و
 بناء المجتمع الجديد، الذي يطمح اليه كافة
 أبناء هذا البلد الشقيق.
 و اننا نعرب، من أعلى هذا المنبر، عن ارتياحنا
 العميق لنجاح مسار المصالحة و الوفاق
 الوطني، الذي أعطى به مناخ جنوب أفريقيا
 المثل، من خلال تجسيمة في تركيبة مجلسكم
 الموقر، الذي يضم مختلف الحساسيات لشعبكم
 الشقيق.
 أحمل اليكم تحيات تونس التي تستلهم، في
 عهدها الجديد، أمجاد قرطاج مآثر أعلامها، و
 ما عرفته و عرفها به العالم من حضارة و

تفتح و تواصل، في كنف الاحترام و السلم و
 تبادل المنافع.
 و ان تونس المتعلقة بقيم الحق و الحرية، كانت
 دوما بمجانينكم، و ساندت، باستمرار، القضية
 العادلة لشعب جنوب أفريقيا، و جعلت من
 تلك المساندة احدى ثوابت سياستها
 الخارجية، منذ السنوات الأولى من استقلال.
 و اقتناعا منا بأن مبادئ الحرية و الديمقراطية و
 حقوق الانسان هي ركائز المجتمع المعاصر في
 عالمنا اليوم، أقررنا العزم، منذ تغيير السابع من
 نوفمبر، على ارساء مقومات دولة القانون و
 المؤسسات و دعمها. و جئنا المصاحبة
 الوطنية، باتخاذ مبادرات سياسية رائدة، أبرزها
 اصدار عفو تشريعي عام، و تنقيح الدستور
 باتجاه تعزيز القيم الجمهورية، و تشريك
 مختلف الحساسيات السياسية و الشرائع المهنة
 و الاجتماعية، في صياغة الميثاق الوطني الذي
 أجمعت عليه كافة الأطراف.
 و لقد توجت هذه الجهود، في السنة الماضية،
 بتنظيم انتخابات تشريعية و رئاسية، أكّدت
 إلتفاف الشعب التونسي حول إختياراته و
 أهدافه، و انبثق عنها، لأول مرة في تاريخ
 تونس الحديث، مجلس نواب تعددي. و نحن
 مقبولون، بعد فترة قصيرة، على تنظيم
 انتخابات بلدية، ستعزز الديمقراطية المحلية.
 و يقينا منا بأن جدوى هذه الاصلاحات
 السياسية تقتضي اعادة هيكلة جذرية على
 الصعيد الاقتصادي و الاجتماعي، اتخذنا

الاجراءات الادارية و الجبائية و المالية الكفيلة
بتحرير الاقتصاد الوطنى، و تشجيع المبادرة
الخاصة فى مختلف قطاعات الانتاج، بما ضمن
انطلاق مجهودات التنمية على الصعيد
الداخلى، و ساعد على الاندماج فى الدورة
الاقتصادية العالمية، و التأقلم مع التحولات
الاقتصادية الدولية.

و شجعنا، فى الوقت ذاته، الاستثمار
الخارجى، باقرار جملة من الاعفاءات و
الحوافز فى مجلة موحدة للاستثمار، و ارساء
الاطار القانونى لاقامة المناطق الحرة، و
تشجيع مشاريع الشراكة مع الباعثين من
الدول الشقيقة و الصديقة.

و قد اكسبت بلادنا، بفضل ذلك تجربة
ناجحة، هى محل اهتمام من قبل عديد الدول
و المؤسسات المالية و الاقتصادية الاقليمية و
الدولية.

و لما كان تحقيق المردودية الاقتصادية و
التوازن الاجتماعى مرتبطا باعداد العنصر
البشرى، وضعنا فى صدارة اهتماماتنا تنمية
الموارد البشرية، فادخلنا اصلاحات جوهرية
على نظام التربية و التكوين المهنى و
الثقافة. اقرنا برامج موازية للتأهيل و التدريب
و الرسكلة، و مكافحة الأمية. و النهوض
الاجتماعى.

و فى هذا الإطار، أولينا أهمية كبرى للنهوض
بالمرأة، بتعزيز حقوقها و مكتسباتها، بما يحفظ
كرامتها، و يجعلها شريكا فى كامل الحقوق

و الواجبات، مساهما، بنديّة، فى مجهود
التنمية الوطنية. و أولينا كذلك عناية خاصة
لحماية الطفل و الحفاظ على الأسرة.

كما جعلنا من الإصلاح الاجتماعى أحد
ركائز إختياراتنا، فأعدنا الإعتبار إلى المنظمات
المهنية، و سهلنا تعاملها، على أساس الحوار و
التعاقد، فعمّ عالم العمل مناخ السلم و الوئام،
و ضممنا حقوق العمال، و عمّمنا التغطية
الاجتماعية، و دعمنا مكانة الصحة و السلامة
المهنية، و أذكينا قيم التضامن الوطنى بتوجيه
إهتمام خاصّ إلى الطبقات الضعيفة بتأهيلها و
تمكينها من موارد الرزق فى مواطن عيشها،
بمختلف أنحاء البلاد.

و قد تجاوبت كلّ فئات الشعب التونسى مع
هذه الإصلاحات، و إلترمت بتكريسها فى
الواقع، بإقتناع و حماس، لأنها نابعة من
إختيارات جوهرية، مبنية على إستشارات
وطنية واسعة، فتدعمت الوحدة الوطنية، و
ساد الأمن و الإستقرار، و تعزّزت ثقة الشعب
التونسى بنفسه، فى ضوء ما تحقّق من
إنجازات، خلال السنوات السبع الماضية، و
تجدّد عزمه على المضىّ قدما فى تحقيق المزيد
منها.

و إنّ النتائج الإيجابية التى توصّلنا إليها بفضل
تطبيق هذه الإصلاحات الجوهرية فى كلّ
المجالات مكّنت بلادنا من مواجهة التحديات
المتعدّدة التى فرضتها التحولات السياسية و

الإقتصادية الدّوليّة و ستكون خير حافز لنا على مثابرة و مزيد الكدّ و الإجتهد.

لقد عاشت قارتنا، خلال السنة المنقضية، أحداثا على غاية من الأهميّة نظرا لما لها من إنعكاسات على أوضاعها الحاليّة، و على مستقبلها.

و أهمّ هذه الأحداث، دون شكّ، هو إنضمام بلادكم إلى الأسرة الإفريقيّة، بعد زوال الميز العنصري، و تنظيم إنتخابات حرّة و ديمقراطيّة، تحقّقت بفضلها المصالحة الوطنية، و التعايش بين مختلف مكونات المجتمع.

و بما زاد في أهميّة هذا الحدث، في رأينا، و في إعتبارنا و إعتزازنا به، و أكسب قمتة منظمة الوحدة الإفريقية الأخيرة طابعا خاصا، إنضمام بلادكم إليها في تونس التي إحتضنت هذه القمتة.

و قد تشرّفت تونس بإستقبال الزعيم نيلسون مانديلا، بمناسبة إنعقاد تلك القمتة، بوصفه أوّل رئيس لجمهورية جنوب أفريقيا الحرّة اللّيقراطية، و بإعتباره، كذلك، رمزا للنضال من أجل الحرية، و محلّ تقدير و إعجاب، من قبل المجموعة الدّولية، لما برهن عليه من شجاعة و حكمة، و ما يتحلّى به من خصال رجل الدولة.

و يسعدني، بهذه المناسبة، أن أعرب عن تقديرى الخاص لأبناء هذا البلد البررة، و لنضالهم البطولى و تضحياتهم الجميمة، و أعنى فخامة الرئيس نيلسون مانديلا، و

ألبارت لوثولى، و أوليفر تامبو، و ولتار سيسولو. كما أنوّه برجال هذا البلد الحكماء ثمن بذلوا قصارى الجهد فى سبيل بلوغ هذا الهدف النبيل، و منهم، بالخصوص، السيد فريدريك دي كليرك، الذى ساهم، بشجاعته و بعد نظره، فى تقويض أسس نظام الميز العنصرى، و فتح الطريق لقيام المجتمع الجديد.

و قد كان إسناد جائزة نوبل للسلام سنة ١٩٩٣ إلى كلّ من الزعيم نيلسون مانديلا و السيد فريدريك دى كليرك، تعبيرا صادقا عن تقدير المجموعة الدولية لفضل هذين الرجلين و إعترافها به.

لقد كان لانضمام بلادكم إلى منظمة الوحدة الإفريقية الأثر الكبير فى تعزيز الصفّ الأفريقي، و دعم قدرات القارّة على رفع التحدّيات و تحقيق التقدّم و الرخاء.

و إنّى أعرب، فى هذا السياق، عن عميق إرتياحى لتصميم بلادكم الشقيق على بذل قصارى الجهد للإسهام فى عمل المشترك الذى نقوم به، جميعا، لتنمية إقتصاديات الدّول الإفريقية، و تمكينها من رفع ما تواجهه من تحديات على النطاق الداخلى و الخارجى.

و إننا على يقين من أنّ بلادكم قادرة، بفضل إختياراتها السياسية، و بعد نظر مسؤوليها، و عزيمّة شعبها و تقاينه، على رفع هذه التحدّيات و تحقيق الأهداف التى تصبو إليها.

المحالات، و إستكمال الإصلاحات السياسية و الاقتصادية، و الإجتماعية التى توفر الأرضية اللازمة لتحقيق التنمية الشاملة و الدائمة، و ضمان الأمن و الإستقرار و الرفاة، وفق ما نادينا به من ضرورة الرّبط العضوى بين التنمية و الديمقراطية.

و إن تحقيق هذا الهدف سيحبّ الشعوب الأفريقية كلّ أشكال الهيمنة و التسلّط، و يؤهلها لإختيار نمط المجتمع المناسب لخصوصياتها الحضارية و الثقافية، شأنها فى ذلك شأن أغلب دول قارتنا، التى توقفت إلى إقامة أنظمة ديمقراطية و تعددية، و فحت قنوات الحوار الوطنى بين مختلف الحساسيات، و فى هذا النطاق، و تعزيزا لهذا التمشى، بمساهمة هذه الأطراف فى المجهود الوطنى، إنعقد إجتماع الأحزاب الأفريقية، سواء كانت فى الحكم أو فى المعارضة، فى الأقاليم الماضية بتونس، بناء على دعوة منّا، و تدارست مناهج دعمها لبرامج الدول و الحكومات الأفريقية عن طريق منخرطها، لحثهم على التعريف بهذه البرامج و تنفيذها و متابعتها، إقتداء بما قامت به هذه الأحزاب أثناء تحرير أو طائنا، و غداة إستقلالها.

لقد أنشأت منظمة الوحدة الأفريقية، منذ قرابة العامين، آلية الوقاية من النزاعات فى القارة، و فضّتها و معالجتها، فى إطار العزم الأفريقى المشترك على تعزيز دور الدبلوماسية الوقائية، و قد وُجّهت هذه الآلية إهتمامها إلى

الدّولة.

إنّ التحولات الديمقراطية فى بلدكم الشقيق، و ما يعيشه من أجواء الحرية، علامة مضيئة باعثة على الأمل، بالنسبة إلى ما تعيشه القارة الإفريقية من أوضاع آليمة و مؤسفة، بسبب النزاعات و الحروب القائمة فى بعض المناطق، و التى تتسبب فى خسائر مادية و بشرية جسيمة، و فى تدور الأوضاع الاقتصادية و الإجتماعية فى عدد من الدول الأفريقية الشقيقة.

و إن وضع حدّ لهذه النزاعات بشكل، فى رأينا، إحدى الأولويات، حتى تستقرّ الشعوب الأفريقية طاقاتها لمجهود التنمية و التقدم، فى كنف الوئام و السلام.

و قد أكّد القادة الأفارقة، فى قمة تونس، أنّ السبيل الموصلة لهذا الهدف هى إضطلاع القارة الأفريقية بمعالجة مشاكلها بنفسها، و مواكبة التحولات الدّولية، فى مختلف

معالجة بعض النزاعات، و تسويتها، خاصة في
البورندي و رواندا و أنغولا و ليبيريا و
الصومال و أخيرا في السيراليون.
إنّ هذا المجهود الأفريقي الخاص، في حاجة
إلى دعم من المجموعة الدولية حتّى تمكّن
الآلية من الإضطلاع بدورها على أحسن
الوجوه. و نحن إذ نتوجّه بالشكر إلى الدول
الصديقة التي قدّمت العون المالى و
اللوجستيكي لهذا الآلية، فإننا ندعو الدول
المانحة إلى دعم <صندوق منظمة الوحدة
الأفريقية للسلام> الذى أنشئ من أجل تمويل
نشاطات هذه الآلية.

و الأمل يحملونا في أن يكون الاجتماع القادم
لقمة الجهاز المركزى للآلية في تونس، مناسبة
لتعميق التشاور و تعزيز دور الدبلوماسية
الوقائية في أفريقيا، و رسم السبل الكفيلة
بالتوصّل إلى الأهداف التي نصبو إلى تحقيقها.
أمّا على الصعيد الإقتصادي، فإنّ الأوضاع
السائدة في القارة الأفريقية تتطلّب مزيدا من
التنسيق، و تفرض توثيق علاقات التعاون بين
دول القارة من أجل دعم جهود التنمية
الإقتصادية فيها، و حتّى تمكّن من مواكبة
التحوّلات الإقتصادية الدولية، و خاصة في
مجال التجارة الدولية بعد إنشاء <المنظمة
العالمية للتجارة>.

و في هذا الإطار بالذات، سعيًا، خلال
رئاستنا لمنظمة الوحدة الأفريقية، إلى حفز
همم أقطارنا، على تدارس أوضاعها

الإقتصادية. و نحن مستبشرون بالنودة الأخيرة
التي تدارست سبل التنمية الإقتصادية و
الإجتماعية بالقارة، إستجابة لندائنا.
و إنّ الجهود التي تبذلها أفريقيا، حاليا، في
هذا المجال جديرة بدعم المجموعة الدولية، إذ
أنّ الأمن و الإستقرار و التنمية مسؤولية
جماعية و طموح مشترك، كما ذكّرت بذلك
في النداء الذي توجّهت به إلى القمة الأخيرة
لمجموعة الدول السبع الأكثر تصنيعا، في
نابولي، حيث دعوت الدول الغنية إلى تحمّل
مسؤولياتها تجاه الدول النامية، و إلى ضرورة
الإستجابة لمقتضيات الأمن و السلم و

الإستقرار و التنمية، بإعتبارها مطامح مترابطة
و مشتركة. و إقترحنا إعداد مخطط دولي
شامل لتنمية في أفريقيا، يقوم على إبرام عقد
للسلم و التنمية المتضامنة، على أساس شراكة
سليمة لتوفير التمويلات اللازمة لذلك، و
إعادة التوازن للمبادلات التجارية بين الدول
الغنية و الدول النامية.

و قدّمنا، من جهة أخرى، تصوّرا لحلّ قضية
المدونية في أفريقيا عن طريق إلغاء الديون
كليّا أو جزئيا، أو إعادة توظيفها في مشاريع
تنموية و بيئية، بإعتبارها ضرورة ملحة
لتمكين القارة الأفريقية من تحقيق التنمية، و
توفير الظروف الملائمة لإنجاح الإصلاحات
الهيكليّة التي أقدمت عليها.

و إنّ الوصول إلى هذه الأهداف يقتضى،
بالإضافة إلى ما يمكن أن تقدّمه الدول الغنية

من دعم و مساعدة، أن تعول الدول الأفريقية،
 فى المقام الأول، على إمكانياتها و قدراتها
 الذاتية، بتحقيق التنمية الوطنية و تطوير
 مجالات التعاون و التكافل بينها، و فى
 مقدّماتها المبادلات التجارية التى بقيت ضعيفة
 للغاية. و هو ما يدعونا إلى تأكيد ضرورة
 الإسراع بتطبيق المراحل التى أقرتها معاهدة
 (أبوجا) بعدما دخلت حيز التنفيذ.
 و إننا على يقين أنّ إعطاء دفع جديد للتعاون
 الأفريقي الثنائي و الجهوى فى كلّ الميادين،
 سيكُنّا من دعم العلاقات بين شعوبنا و
 تحقيق التكامل المنشود بين بلداننا. و فى هذا
 الإطار، يمثّل التعاون بين المجموعات الإقليمية
 خير سند لتوحيد الجهود و تسبق الخطط و
 تنويع فرص التعارف و الشراكة و التضامن.
 و نحن حادّون فى نطاق إتّحاد المغرب العربي
 إلى بلوغ هذا المقصد، رغم ما تعيشه المنطقة
 المغاربية من صعوبات، و خاصّة منها ما
 يتعرّض له الشعب الليبي الشقيق من
 انعكاسات الحظر المترتب عن الخلاف مع
 بعض الدول الغربية، أمّلين أن يتمّ التوصل إلى
 حلّ هذا الخلاف بالطرق السلمية و طبقا
 للشرعية الدولية، حتى تنصرف مجموعتنا
 الجهوية إلى تعزيز كيائها و تطوير أوضاعها،
 و تسهم بصورة فعّالة فى إثراء الجهود
 الأفريقي المشترك من أجل النهوض بقرارتنا و
 دعم مناعتها و تقدّمها.

فى الوقت الذى إحتفل فيه شعب جنوب
 أفريقيا، بتحقيق الحرية و الديمقراطية، ودّعنا
 نحن فى تونس، خلال شهر جويلية ١٩٩٤،
 القيادة الفلسطينية، و فى مقدّمها الزعيم ياسر
 عرفات، فى طريقهم إلى وطنهم فلسطين، بعد
 أن إحتضنتهم بلادنا، طيلة ١٢ سنة، و
 أحاطتهم بواجب الرعاية، و المساعدة الجادة
 فى كفاحهم من أجل قضيتهم العادلة.
 و قد كانت هذه العودة إيدانا بالشروع فى
 مرحلة جديدة من حياة الشعب الفلسطيني
 المناضل، و كذلك من التعاون التونسى
 الفلسطينى. و فى هذا السياق، قرّرنا فتح
 مكتب لدى السلطة الوطنية الفلسطينية فى
 غزة و أريحا. كما أعلنّا أنّه بقدر ما يتمّ تحقيقه
 من نتائج ملموسة فى مفاوضات السلام بين
 الفلسطينيين و الدول العربية و بين إسرائيل،
 سنطوّر علاقاتنا مع هذه الأخيرة، و ذلك
 مواصلة لدورنا فى مسيرة السلام، و مساهمة
 منّا فى إرساء سلم شاملة و عادلة و دائمة
 لكلّ شعوب منطقة الشرق الأوسط. و نعتقد
 فى هذا المجال أنّ الوقت قد حان لإنهاء
 معاناة الشعب العراقى الشقيق من الحظر
 المفروض عليه، بما سيساهم فى تعزيز مسار
 السلام الإستقرار فى المنطقة.
 و لا يفوتنى أن أعرب، أمام مجلسكم الموقر،
 عن إرتياحنا للإتفاق الأخير، بين جمهورية
 جنوب أفريقيا و السلطة الوطنية الفلسطينية،
 على إقامة علاقات دبلوماسية بينهما تعزيزا

لروابط التعاون و التضامن بين الشعبين اللذين
ناضلا طويلا من أجل الحرية و الكرامة و
العدالة.

و إنّ تونس التي كانت و ما تزال، منذ آلاف
السنين، واحة التسامح و التفتح و الإعتدال و
السلام، وفاء منها لخصوصيتها الحضارية و
الثقافية الثرية، لن تدخر أىّ جهد لمواصلة
مساندتها لقضايا الحقّ و العدل، و دعم
علاقات الصداقة و التعاون و البناء مع كافّة
الدول الشقيقة و الصديقة.

إسمحوا لي، فى الختام، أن أجدّد لكم أحرمّ
عبارات الشكر و تمنياتى لكم بالنجاح فى
مسؤولياتكم السامية، و أن أعرب لكم عن
عزمنى الراسخ على مواصلة دعم علاقات
الأخوة و الصداقة و التعاون بين شعبينا
الشقيقين لما فيه مصلحة بلدنا و خير قارتنا.

و شكرا لكم على حسن الإنتباه.
و السلام عليكم و رحمة الله و بركاته

(Translation of Arabic speech follows.)

[President ZINE EL ABIDINE BEN ALI: In the Name of God, the Merciful, the Compassionate, Mr President of the Senate, Madam Speaker of the National Assembly, Mr President of the Republic of South Africa, ladies and gentlemen, members of the Senate and the National Assembly, Your Excellencies, at the outset, I wish to express great joy to be present in your distinguished assembly, which symbolises liberty and democracy and which gave form to the agreement reached amongst all sectors of the South African population.

I would also like, in your presence, to express a few words of appreciation to our brother, His Excellency President Nelson Mandela, for this kind invitation which gives me the opportunity today to meet you all, and for your praiseworthy role and immense responsibility in finally ridding your country of the remnants of the recent past, and building a new society which each and every inhabitant of this country has been aspiring to.

We wish to proclaim from this platform our deep satisfaction regarding the success of the process of reconciliation and national agreement of which the political contestants of South Africa are a fine example; as is evidenced by the composition of this distinguished assembly which consists of different strands that represent your society.

I convey to you the greetings of Tunisia which derives its inspiration, during its New Era, from the glorious past of Carthage which witnessed the deeds of valour of its illustrious men, and a civilisation where openness and consistency have gained recognition throughout the world, in a context of mutual respect, peace and an exchange of mutual interest.

Tunisia is indeed a country deeply attached to the values of justice and liberty, and it has always been by your side, and it continuously supported the just cause of the South African people which formed, from amongst its support structures, one of the cornerstones of its foreign policy since the first year of its independence.

And being convinced that the principles of liberty, democracy and human rights are essential foundations of contemporary society in today's world, we firmly resolved, since the change on 7 November 1987, to firmly anchor the components and foundations of the Laws of the State and to support them. And we gave concrete form to the issue of national reconciliation by undertaking

progressive political initiatives; among the most important of these are the proclamation of a general amnesty, the amendment of the constitution so as to strengthen republican values, and the eliciting of the contribution of political persuasions and social and professional categories in preparing a National Pact, which was agreed upon unanimously by all the parties.

These efforts were crowned, last year, by legislative and presidential elections that bore witness to the Tunisian people's adherence to these choices and goals and that, for the first time in Tunisia's contemporary history, introduced pluralism into the Chamber of Deputies. In a few weeks we will also be organising municipal elections which will further strengthen democracy on the community level.

It is our conviction that the effectiveness of these political reforms will depend upon radical economic and social restructuring, and we are therefore instituting administrative, fiscal and financial measures that will liberalise the national economy and encourage private initiative in the various production sectors, thus providing new impetus to our development efforts inside the country and favouring our integration into the world economic circuit and our adaptation to worldwide economic changes.

At the same time we have encouraged foreign investment, instituting a set of exemptions and incentives included in the new Single Investment Code, setting up a legal framework for the creation of free-trade zones, and favouring projects of partnership with promoters from sister and friendly countries.

Our country has acquired useful experience. That is an indication that it attracted the interest of a number of states as well as a number of regional and international financial and economic institutions.

Economic profitability and social equilibrium depend upon the promotion of human potential and for this reason we have put the development of human resources in the forefront of our priorities. In this connection we have made basic readjustments in our system of education, vocational training and culture. Concurrently, we have set up programmes of apprenticeship, training, eradication of illiteracy and social promotion.

In the same context we placed important emphasis on the promotion of women, confirming their

rights and gains so as to preserve their dignity and make of them true partners, enjoying all their rights and obligations and participating in the national development effort in full equality with men. We have also shown special concern for protecting children and safeguarding the family.

We have, furthermore, made social reform one of our basic options, rehabilitating social and professional organisations and facilitating their task on the basis of dialogue and contractual policy. In doing this we have favoured the implementation of a climate of social peace and harmony, preserved the rights of workers, extended social welfare coverage, strengthened the place of occupational health and security, and resuscitated the values of national solidarity, paying special attention to the economically empowered and seeing that they are provided with sources of subsistence there where they live, throughout the country.

All sections of the Tunisian population have approved these reforms and have committed themselves to their realisation with conviction and enthusiasm, for they are reforms that have grown out of fundamental choices made through broad national consultations. The process has confirmed national unity and favoured security and stability, while the Tunisian population's self-confidence has been restored by the accomplishments made throughout the last seven years. The result is an even stronger determination to make further accomplishments.

What we have achieved in implementing these radical and broad-based reforms has enabled our country to face the many challenges imposed upon us by international political and economic disruption, and has provided the best possible stimulus for persevering and redoubling our efforts in this direction.

In the past year our continent has been an arena for events of great decisiveness, given their impact on both its present and its future.

The most important of these events is, without any doubt, your country's affiliation to the Pan-African organisation, following the dismantling of apartheid and the holding of free, democratic elections, which made it possible to achieve national reconciliation and coexistence among the various sectors of the society.

This event was particularly important in our eyes, and a source of even greater pride, in that it gave a very special stamp to the last Organisation for

African Unity summit meeting, which was held on Tunisian soil.

It was a great honour for Tunisia, on the occasion of that summit meeting, to welcome the leader Nelson Mandela, both as the first president of the free, democratic Republic of South Africa, and also as the living symbol of the struggle for liberty, a figure respected and admired by the entire international community for his courage, his wisdom, and his outstanding abilities as a statesman.

It is my great pleasure to express here my very special regard for this country's valiant fighters, for their heroic struggle and the enormous sacrifices they have made. I have mentioned His Excellency, President Nelson Mandela, as well as Albert Luthuli, Oliver Tambo and Walter Sisulu. I should also like to pay tribute to others of great wisdom who, in this country, have spared no effort in striving for this noble goal. Of these, I should like to make particular mention of Mr Frederik De Klerk, who contributed with such courage and clear-sightedness to the dismantling of apartheid and opened the way for the emergence of a new society.

The awarding of the Nobel Peace Prize to the leader Nelson Mandela and to Mr Frederik De Klerk in 1993 provides eloquent expression of the international community's esteem and recognition for the merit of these two men.

Your country's membership of the Organisation for African Unity has had tremendous impact in strengthening African ranks and consolidating the continent's capacity to meet challenges and achieve progress and well-being.

In this context, I should like to express to you the satisfaction I feel at your determination to contribute to the collective action we are carrying out to develop the economies of the African countries and to enable them to meet the challenges they are facing, both domestic and foreign.

We are, indeed, sure that your country can, thanks to its political choices, the perspicacity of its authorities, and the determination and enthusiasm of its population, meet these challenges and attain the goals to which it aspires.

The brilliant success of the democratic process, which is sure to continue in the coming municipal elections, confirms our optimism regarding the future of your country and the essential role it will

be called upon to play on the African scene. We are also confident that your country's human resources and potential will reinforce our continent's ability to promote our common interests, the success of our efforts for Africa's development, the strengthening of its position within the world economy, and the avoidance of its marginalisation on the international scene.

The democratic changes taking place in this country, and the climate of freedom that reigns here, are luminous guidelines which encourage us to be optimistic in the face of the difficult and regrettable situations that Africa is experiencing: conflicts and wars are inflaming certain regions of the continent, resulting in enormous material damages and loss of human lives, and causing the economic and social situation to deteriorate in a large number of sister African countries.

Limiting these conflicts must, in our view, be given top priority, so that the African peoples may devote all their potential to the effort of development and progress, in harmony and peace.

During the Tunis summit meeting, the African leaders declared once again that this goal was to be realised. Africa must assume responsibility for settling its own problems, adapting the continent to world changes in various domains, completing the political, economic and social reforms designed to establish the necessary platform for achieving global and sustainable growth, and ensuring security, stability and well-being, in line with the correlation we have recommended between growth and democracy.

Achieving such a goal will make it possible to free the African peoples from all forms of hegemony and domination, and will enable them to choose the model of society that best suits the specific nature of their individual civilisations and culture, like the majority of countries on our continent which have succeeded in setting up democratic and pluralistic systems and in opening the channels of national dialogue among the different groups.

As an element in the reinforcement of this process, with the participation of these different partners who are associated with the national effort, a meeting was held in Tunis only a few days ago for African parties, both those in power and those of the opposition. Organised at our invitation, this meeting provided an occasion for studying the ways and means by which these

parties could, through their membership, support the programmes of the African states and governments. The parties have undertaken to mobilise their members to build awareness of these programmes, implement them, and ensure follow-up, following the example of the role these same parties assumed during the struggle for independence in our countries and after independence had been attained.

It has been nearly two years now since the Organisation for African Unity set up a "Mechanism for the Prevention and Resolution of Conflicts" on the continent, a response to the common concern of all Africans to reinforce the role of preventive diplomacy. This Mechanism has addressed itself to settling certain of these conflicts, particularly in Burundi, Rwanda, Angola, Liberia, Somalia and, more recently, Sierra Leone.

In order to carry out its task in the best possible manner, this specifically African effort needs the support of the international community. As we express our thanks to the friendly countries that have provided financial and logistic assistance for this Mechanism, we also exhort donor countries to provide support for the Organisation for African Unity's Fund for Peace, set up to finance the Mechanism.

It is our hope that the next summit meeting of the Central Organ of this Mechanism, which is to be held in Tunis, will provide an auspicious occasion for furthering concerted action, strengthening the role of preventive diplomacy in Africa, and defining the paths by which we may achieve the goals to which we aspire.

In the economic field, the situation prevailing in Africa requires greater co-ordination and calls for a strengthening of the relations of co-operation among the countries of the continent, to consolidate development efforts so that these countries may keep abreast of changes in the world economy, especially in the field of international trade following the birth of the World Trade Organisation.

It is precisely within its framework that we have worked, during our term of chairmanship of the Organisation for African Unity, to make our countries aware of the necessity of working together to analyse their economic conditions. In this connection, we are highly optimistic following the recent meeting at which, in response to our

appeals, the areas of economic and social development on our continent were explored.

The efforts that Africa is now making in this domain most certainly merit the support of the international community. Security, stability and development are a collective responsibility and a common aspiration, as I recalled in the appeal I launched at the summit meeting of the seven most industrialised countries, the G7, which met recently in Naples. I exhorted the rich countries to assume their responsibilities to developing countries, and to realise the importance of meeting the requirements of security, peace, stability and growth, as common and inseparable aspirations. In this connection we have recommended the establishment of a global international plan for the development of Africa, based on a contract for peace and co-development founded on sound partnership, with a view to mobilising the necessary funds and restoring the balance of commercial exchanges between rich and developing countries.

We have also set forth the approach we have adopted towards settling the problem of Africa's foreign indebtedness. This approach consists in cancelling this debt, in whole or in part, or recycling it into the financing of projects of development and environmental protection. This is an urgent need, the satisfaction of which would enable Africa to achieve its development and to create the conditions favouring the success of the structural adjustments it has undertaken.

Over and above the support and assistance that the rich countries could contribute to these ends, the accomplishment of these goals implies for African nations the duty of relying first and foremost on their own potential in accomplishing their national development and in extending the scope of co-operation and mutual aid among themselves. Of prime importance here is the broadening of their commercial exchanges, which at present remain extremely limited, and this is why we have emphasised the necessity of speedily implementing the process defined in the Abuja Treaty, now that it has come into force.

We are convinced that if new impetus is given to inter-African co-operation in all fields, on the bilateral and regional levels, we will be able to strengthen the relations among our peoples and achieve the complementarity among our countries that we so fervently desire. Co-operation among regional groupings constitutes the best support for

bringing efforts together, co-ordinating strategies and diversifying opportunities for mutual understanding, partnership and solidarity.

We are attempting with the Arab Maghreb Union to achieve this goal, surmounting the difficulties confronting the Maghreb region, and particularly the sufferings endured by our Libyan brothers and sisters as a result of the blockade with regard to the dispute with some of the Western countries. It is our hope that this dispute may be settled peacefully and in accordance with international law, so that our region may work to strengthen itself as an entity, to promote its potential and to contribute with effectiveness and vitality to enriching the Pan-African effort for the progress of our continent and the strengthening of its invulnerability and its growth.

During the time when the South African population was celebrating the advent of liberty and democracy in July 1994, we in Tunisia were bidding farewell to the Palestinian officials, with the leader Yasser Arafat at their head, as they returned to their homeland, Palestine, after twelve years in our country; a period during which we gave them our complete attention and active support in their struggle for a just cause.

Their return was to open a new page in the life of the valiant Palestinian people, and in Tunisian-Palestinian co-operation. It was in this perspective that we decided to open a representation office with the Palestinian National Authority in Gaza and Jericho. We also announced that, as concrete results were reached in the peace talks between the Palestinians and the Arabs on the one hand, and Israel on the other, we would develop our relations with the latter state, thereby pursuing our role in the peace process and continuing our contribution to the establishment of a global, just and lasting peace for all the peoples of the Middle East. In this same context we feel that the time has come to put an end to the sufferings being endured by the people of Iraq, because of the blockade to which they are subjected. What is more, the lifting of this blockade would help to strengthen the process of peace and stability in the region.

I cannot neglect to seize this occasion to express, before your distinguished assembly, the profound satisfaction inspired in us by the agreement of the Republic of South Africa and the Palestinian National Authority recently concluded for the establishment of diplomatic relations. This should further strengthen the bonds of co-operation and

solidarity between two peoples who have long struggled for liberty, dignity and justice.

Tunisia, which for centuries has been and remains an oasis of tolerance, openness, moderation and peace, a reflection of the richness of the country's civilisation and culture, will spare no effort to continue supporting the causes of right and justice, and to strengthen the bonds of friendship and constructive co-operation with all sister and friendly countries.

In conclusion, allow me to reiterate my warmest thanks and wishes for all success in carrying out your noble responsibilities. In doing so, I assure you of our firm determination to continue strengthening the relations of fraternity, friendship and co-operation between our two societies, in the interests of our two countries and of our continent.

Thank you for your attention. May Allah's mercy and blessings, and peace be upon you all.]

The PRESIDENT OF THE SENATE: Order! Members must please remain seated after I have suspended the Joint Sitting until the procession of President Mandela and President Ben Ali has left the Chamber. Members are requested to remain in the Chamber. It will only be for a couple of minutes.

Business suspended at 14:55 and resumed at 15:05.

PRESENTATION OF NATIONAL PEACE ACCORD

The PRESIDENT OF THE SENATE: Order! In terms of the resolution adopted by both Houses on 5 April 1995, I now call upon the Usher of the Black Rod to accompany the Chairperson of the National Peace Committee, Mr John Hall, to the Bar of the House.

The Usher of the Black Rod will now proceed to conduct Mr Hall to the microphone. [Applause.] Mr Hall may proceed to submit his presentation.

Mr J HALL: Mr President, Madam Speaker, members of Parliament, and members of the peace family, I thank you for this unique opportunity to address Parliament, and wish to motivate a request to submit to Parliament the original signed copy of the National Peace Accord for preservation in the parliamentary records.

As a cog in a very large wheel, I feel privileged, but above all humbled, by the task of representing the dedicated people who, in their thousands, gave life to the National Peace Accord—the unsung heroes and heroines who, working at community level, risked and sometimes lost their lives in pursuing the goal of national peace to bring about a peaceful transition to democracy in South Africa. We will always remember those people.

God is our guest of honour here today. Under His guidance and inspiration, the Peace Accord, unique in historical terms, brought together a divided leadership with a common goal of arresting the wave of violence which threatened to engulf this country.

It is fitting that our religious leaders have taken the spiritual responsibility for the accord, a national peace accord negotiated with the facilitation of church and business leaders. The accord was to set the standard for tolerance and mutual respect which will provide the guidelines for the Government of National Unity which I address so proudly today.

The whole process of negotiation was not easy. Everyone here is aware of the trials and tribulations of the negotiating process. Everyone knows the horror stories, the long list of violent incidents and massacres which at times seemed to give the lie to the very existence of the National Peace Accord, but the structures of the accord kept the lid on violence. The Government is today waiving the House Rules to honour peace, and I wish to pay tribute to our leaders for this gesture, and for their commitment to peace.

I am proud, on behalf of the peace family, to request permission to present you, Madam Speaker, with the original signed copy of the National Peace Accord, and to ask you to accept the custody of the accord on behalf of the people of South Africa.

May the spirit of the accord live long in the hearts and minds of all South Africans. God bless South Africa and grant her peace. [Applause.]

Senator B T NGCUKA: Mr President, I move:

That Parliament receive the original signed copy of the National Peace Accord for incorporation in the records of Parliament.

Mr H A SMIT: Mr President, I second the draft resolution as moved by the Chief Whip of the ANC in the Senate.

Agreed to.

The SPEAKER: Mr President, it is a privilege to accept from the National Peace Committee on behalf of the people of South Africa the original signed copy of the National Peace Accord. The search for peace has been and remains an integral part of the transition to democracy in our country. The signing of the Peace Accord was a crucial landmark in this process.

The accord at that time was important in recognising three important components of the process that brought about the significant reduction in violence which allowed elections for this Parliament to take place, and has continued thereafter. The Peace Accord created an awareness that all South Africans were on the edge of a precipice, and not only the adversaries in any conflict. It had involved all sectors of our population—business, religious groups, and community organisations—in monitoring and mediating in the violence. There were no more innocent bystanders, nor those who could wash their hands because they were not involved in the violence. It created the structures in which third parties could participate in cooling down the political climate when adversaries faced up to one another, posturing before the people who bore the brunt.

Finally, the accord recognised the fundamental link between peace and development. It has helped to establish a platform from which we now begin the process of reconstruction. In so far as the reduction in violence allowed the free and fair elections that resulted in the installation of South Africa's first democratically elected Parliament, and our very presence here today, the National Peace Accord is a document which has a particular significance for us. The decision of the National Peace Committee to deposit this document in Parliament underlines the statement I made when I was elected as Speaker, that this House is both the fulfilment and the repository of the values and principles that at great cost have driven the changes through which our country and its people are passing.

We now share the responsibility to exhibit this historic document as a reminder to the people of South Africa of our collective responsibility to

keep alive the spirit of the Peace Accord in order to ensure justice and peace in our land.

CONSIDERATION OF REPORT OF JOINT COMMITTEE ON HUMAN RIGHTS COMMISSION‡

The PRESIDENT OF THE SENATE: Order! The question before the House is the adoption of the Report of the Joint Committee on the Human Rights Commission. In terms of section 115(3) of the Constitution, a majority of at least 75% of all the members present and voting is required.

Business will be suspended to enable members of the Senate to collect their voting cards, since they cannot be excluded from the vote.

Business suspended at 15:16 and resumed at 15:20.

Question put: That the Report be adopted.

AYES—334: Ackermann, C; Alant, T G; Albertyn, J T; Ally, A; Andrew, K M; Appelgryn, M S; Arendse, J D; Badenhorst, M J; Balie, A; Baloyi, S F; Bekker, H J; Bester, B C; Beyers, A S; Bhabha, M; Bhengu, F; Biyela, B P; Blaas, A; Bloem, D V; Bogacwi, K A; Booie, M S; Botha, R F; Botha, Y R; Cachalia, I M; Cameron, S M; Carelse, G M E; Chabane, O C; Chait, E J; Chalmers, J; Chauke, P; Chiba, L; Chikane, M M; Chiwayo, L L L; Chuenyane, L D; Coetzee, M P; Coetzer, P W; Coleman, M; Copelyn, J A; Cronjé, P C; Cupido, P W; Davhana, M K D; Davies, R H; De Beer, S J; De Lange, J H; De Ville, J R; De Villiers, D J; Diale, M L; Dingani, Z A; Direko, I W; Dlamini, B O; Dlamini, C; Doidge, G; Dowry, J J; Duna, M W; Du Toit, D C; Ebrahim, E I; Erwin, A; Fanie, L M; Fankomo, F C; Fazzie, E; Fazzie, H M; Ferreira, E T; Fihla, N B; Fismer, C L; Foster, J A; Fourie, A; Fredericks, G A; Gammohana, T; Gandhi, E; Gasu, X F; Gcabashe, S J; Gcina, C I; Geldenhuys, B L; Gibson, D H M; Girinda, M S; Gogoty, N J; Golding, M J; Goosens, A D; Gordhan, P J; Govender, D; Govenaler, P; Graaff, D V; Groenewald, R H; Grové, S P; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hendrickse, P A C; Hlengwe, M W; Hofmeyr, W A; Hogan, B A; Holomisa, S P; Jacobsz, F P; Jana, D P; Janse van Rensburg, A P; Jassat, E E; Jooste, J A; Jordaan, J A; Kathrada, A M; Kekana, N N; Kgauwe, Q J; Kgoali, J L; Kgositsile, B; Khasu, M J; Khoza, T S; King, T J; Koornhof, G W; Koornhof, N J; Kuzwayo, N E K; Lamani,

‡See column 473 of Senate Hansard.

May I add that those who fought and returned to our country after the war, especially the Africans and the Black people in general, received bicycles and other such implements as their reward. I may also add, in parentheses, that our own Government of National Unity has as yet not officially granted recognition to those armed fighters of the liberation movement whose sacrifices were central to the destruction of the apartheid state.

The ANC joins millions of people all over the world and dips its banners in everlasting tribute to those who fought and died for world peace and for freedom in South Africa. *Nkosi sikelel' iAfrika*. [Applause.]

*Mr D M STREICHER: Madam Speaker, I regard it as an exceptional privilege to speak on behalf of the NP on this occasion.

On 4 September 1939 the South African parliament made a significant decision. The Prime Minister at the time, Gen J B M Hertzog, proposed a motion in the parliament which declared that South Africa should maintain a position of neutrality. Gen Smuts proposed an amendment to this, in which it was requested that ties with the German Empire should be broken, that a position of neutrality should not be assumed, and that the Union of the time should fulfil its obligations and continue its co-operation with its friends in the Commonwealth of Nations. The amendment proposed by Gen Smuts won by 80 votes against 67. In this way war was declared against Nazism and Fascism.

†Only two months later, on a public occasion, Gen Smuts used the following prophetic words:

Deur wat ons gedoen het, het ons nie alleen gesorg vir die belange van hierdie land nie, maar het ons ook die eer van Suid-Afrika gered. In die jare wat voorlê, as al hierdie politieke sake in die vergetelheid gedompel is, en wanneer die groot oorheersende feite van die geskiedenis geboekstaaf word, sal dit helder uitblink dat Suid-Afrika nie 'n valse vriend was nie, maar 'n land op wie se woord en vriendskap vertrou gestel kon word.

*Further on in his speech he said:

Ons het opgetree as 'n vrye dog ook as 'n eerlike volk.

†Today we honour and remember our gallant and fearless men who upheld the good name of this country. From 1939 to 1945 we repeated what we had so nobly done from 1914 to 1918. We have

always been on the side of the free world. Freedom for all within one's own borders is worth fighting for. [Interjections.] However, to fight against foreign and dangerous ideologies and foreign domination is just as worthwhile. No nation should enslave its own subjects, nor should any nation ever be enslaved by other nations.

When the United Nations called on us in 1950 to fight in Korea, South Africa again answered the call. We today remember those young fighter pilots whom we lost. We also pay tribute to our security forces for having ensured peace and stability internally.

Wars, whether won or lost, never seem to convey lessons. They are repeated again and again. At this very moment, there are serious armed conflicts which are devastating certain countries.

*The sadness one experiences because of the destruction of human lives and property is only neutralised by one thing when battlefields and cemeteries are visited, and that is that countries and nations forgive one another. They take hands, and there is reconciliation again. In this way there has been reconciliation in this country and this Parliament is the product of statesmanship and vision.

On this occasion we thank and pay tribute to our President, Mr Mandela, and our Deputy President Mr De Klerk and all the other leaders, for what they have done to create a new country with vision and a new future for South Africa. We pay tribute to all the fallen South Africans today, and we do so with great pride and respect. They made the highest sacrifice:

At thy will to live or perish, O South Africa, dear land.

[Applause.]

Mr M F CASSIM: Madam Speaker, I would like to take my turn in the queue, also on behalf of my party, to remember this afternoon those brave men and women who made it possible for all of us to be free, not only in this country but throughout the world.

When I was born in 1945 the din of war was fading. The worst and darkest part of the war had already been fought. Great cruelty was perpetrated by man against man, but, mercifully, there were those who stood up to challenge the danger that it posed to the entire world. That danger was

overcome as a result of which we are able to enjoy the freedom that we have today.

That war also brought certain side benefits which were not immediately recognised by the world, namely mass communication and computerisation. People who attempted to defeat the warmongers also introduced certain benefits that mankind has since enjoyed in order for all of us to explore new frontiers without having to resort to war.

We also remember today that we in this country have now been one year in this Parliament, which is unique among the parliaments of the world. We have come here not through war and the efforts of war, but through negotiations. What we have done has shown to all mankind that we can negotiate and, through understanding, find a better way of doing things.

The Second World War, which engulfed the entire world, was a war that was totally unnecessary. It began with people who in the evening would go to great concerts and listen to Bach and Beethoven, people who had great civilisation on their side. However, when the time came to turn nasty, they showed that while human nature is always capable of great acts of good, it is also capable of great acts of evil.

This generation, that has been freed in the main from the evils of war, must do all it can to ensure that we never have to resort to war, that no matter what our differences are we shall put great faith in negotiation and talking to one another. Through understanding each other's problems we can accommodate our differences and we can build systems that will cohere and last into the next century.

The millennium is now coming to a close. With the close of this millennium one truth is beginning to emerge, namely that arms do not solve problems; they actually create problems. This is what we have seen in respect of Bosnia and Chechnya. Those who took up arms to solve their problems have created bigger problems for themselves. This generation which has seen the benefits of eschewing war must therefore put its utmost faith in negotiations as the way of building a system that will give us true justice. That justice will protect us and mankind for the foreseeable future.

We remember therefore today those who made it possible for us to enjoy that freedom, to bask in the glory of that freedom. May it bring long-

lasting comfort that this generation honours their names and what they stood for, and will do its best never to preach war or to undertake acts of war, because that is the way in which the darker side of humanity shows itself. Rather we should pin our hope on the fact that human beings are decent, good and will avail themselves of the best means to create the best system for themselves and for the generations to come.

*Senator Maj Gen P H GROENEWALD: Madam Speaker, the Second World War resulted in the greatest carnage of all time. Millions of soldiers and ordinary citizens made the supreme sacrifice because they believed that they were fighting for democracy. Since then many South Africans have also made such a sacrifice.

When we therefore on an occasion such as this pay tribute to those people who made the supreme sacrifice and to these heroes, it is fitting that we are critical of ourselves, because we are the descendants of these heroes. This is therefore a time for penetrating questions, but also a time in which we must join hands.

Firstly, we should realise that governments declared war and that millions of soldiers and citizens were prepared to die not only for what they regarded as their duty, but for what they considered an ideal of freedom and democracy. For that reason we should ask today whether we as governors do enough to be worthy of the memory of these people. Do we uphold the same high ideals as those for which these people died?

Secondly, the Second World War was supposed to bring an end to all wars. However, today we find that many of the states that claimed the moral high ground at that time were later guilty of the most atrocious violations of human rights and of violence. Here we need simply think of Vietnam, Hungary, Bosnia and also of the massacres in Rwanda, for example.

Violence has not yet ended in South Africa either. Are we as political leaders still prepared to use violence to solve political problems? Must we take more lives, make more women widows and more children orphans, here in South Africa?

Thirdly, what are we as political leaders doing to end violence? The FF clearly stated its standpoint before the election. It decided that as long as it was still possible to negotiate, human lives would not be sacrificed.

PROCEEDINGS AT JOINT SITTING

Members of the Senate and the National Assembly met in the Chamber of the National Assembly at 14:21.

The President of the Senate took the Chair and requested members to observe a moment of silence for prayers or meditation.

CONSIDERATION OF REPORT OF JOINT COMMITTEE ON PUBLIC PROTECTOR

The PRESIDENT OF THE SENATE: Order! The report addresses two issues. The first is the nomination by a joint committee of the Houses of Parliament of a Public Protector in terms of section 110(2)(a) of the Constitution. This nomination is now being submitted to a Joint Sitting of the two Houses for approval and thereafter submission to the President of the Republic of South Africa.

In terms of section 110(2)(b) of the Constitution, the resolution appointing the Public Protector must be adopted by at least 75% of the members present and voting. Accordingly, if a division is not demanded, I shall nevertheless direct that the names of the members who are in favour of the question should be reported. This will be done using the electronic voting system.

If hon members would care to glance at the report which should be in front of them, they will see that the second issue relates to recommendations by the joint committee to amend the Public Protector Act. The nature of this is that of a recommendation, and may be adopted or not in the ordinary course of events this afternoon.

I now proceed to attend to the first portion of the report. The Joint Committee on the Public Protector reports that, having considered and examined nominations for the Public Protector, it begs to nominate in terms of section 110(2)(a) of the Constitution the following person for appointment as Public Protector, Bakwa S A M.

Question put: That the nomination of Baqwa, S A M, as Public Protector be approved.

Division demanded.

The PRESIDENT OF THE SENATE: Order! I shall now put the question.

*Mr H A SMIT: Mr President of the Senate, I hereby register that the NP will vote against the adoption of the first part of the report.

Declarations of vote:

*Senator J A JOOSTE: Mr President, sections 110, 111 and 112 of the interim Constitution deal with the Public Protector. The NP regards this post as one of the most important appointments to be made by the President of the Republic on the recommendation of Parliament.

Section 111 refers to the independence and impartiality of the Public Protector which is of the greatest importance to the entire South African people. The legal fraternity of the Republic of South Africa places this post equally high in the order of importance and impartiality, because such an appointment must engender complete confidence in all sections of the population. The Public Protector should therefore be able to act without a hint of partiality and in the interests of justice in relation to everyone.

The Public Protector should be accessible to everyone. The NP has adopted a strong standpoint on this and has said that this important post should not be politicised, but that the holder of this post should be able to act impartially and equitably across all political borders.

When interviews were conducted with the candidates for the post of Public Protector during the committee session, Adv Baqwa made a good impression on us all. However, in reply to a direct question relating to his political association he stated that he was a member of the ANC, but would resign from the party if he were to be appointed.

The NP therefore cannot support Adv Baqwa's candidature. In our opinion his nomination does not meet the requirements of the Constitution. The NP will not support his nomination. [Interjections.] However, the NP will fully support the person appointed to this important post in accordance with democratic processes, in the performance of his very important duties. [Interjections.]

Ms B KGOSITSILE: Mr President, I stand here to make it very clear that the ANC has no doubt that Adv Baqwa stands head and shoulders above any nominee that has ever been mentioned with regard to the post of Public Protector. We also have

confidence that Adv Baqwa is going to discharge his duties as Public Protector with impartiality. [Interjections.]

We would like to point out that Adv Baqwa was actually made to appear before the interviewing committee twice. Even those parties which were initially not convinced that he was a suitable person for this post, were left with no doubt except for the doubting Thomases who have appeared before us here this afternoon. With these few words, I would like to congratulate the NP for at least assuring us that they will support the person who will be appointed as the Public Protector, and there is no doubt that it will be Adv Baqwa.

Mr M A MZIZI: Mr President, the IFP is fully supportive of the provision in the interim Constitution which makes provision for the position of the national Public Protector, to whom members of the public who feel dissatisfied with their contact and dealings with any government official may take their complaints.

It is, however, crucial that the person appointed to this position should be independent and impartial and even more importantly should be seen to be so. It would be a great tragedy if the office of the Public Protector was to be delegitimised by the appointment of a person who does not satisfy these criteria.

Our democracy is a fledgling one and cannot afford unnecessary politicians and the delimitation of key governmental posts. It is for this reason that we as a party have expressed reservations about the appointment of Adv Baqwa as the first Public Protector in terms of the interim Constitution. It is not that the IFP has any doubts as to the qualifications, expertise and personal integrity of the said person. We are, however, concerned that the advocate is partial towards the ANC. [Interjections.] After all, he has been involved with the Goldstone Commission and with the commission appointed by the Minister for Safety and Security, Sydney Mufamadi, to investigate alleged hit-squad activities in the province of KwaZulu-Natal.

During his interview before the joint parliamentary committee, he in fact admitted to having an allegiance to the ANC. This is and remains of great concern to us, not simply because of a narrow party-political interest and the charge that is levelled at us unfairly and with nauseating regularity by the printed and electronic media. In

fact we would be equally opposed to the appointment of any person to this very powerful and sensitive position, if such a person had a strong affiliation to any other political party, including the IFP.

The Public Protector needs to be, and must be perceived to be, above party politics. If he is not, we run the risk that a decision which he might make and an investigation which he might conduct, will be viewed as being party-politically motivated. The constitutional requirement that he should be nominated by a committee of Parliament in which all parties are represented on an equal basis and that such a nomination should be approved by a 75% majority in a Joint Sitting of Parliament, and motivated by this crucial consideration . . .

However, nevertheless we support the appointment. [Time expired.]

*Senator J R DE VILLE: Mr President, the fact that the NP is voting against this nomination this afternoon, is so typical of them! Over the years we have come to know them to be like this. [Interjections.] Everything is about the NP and their petty politicking. [Interjections.]

The local elections are at hand and now they think they can score a political point or two. They are hoping to gain a few additional votes in this way. [Interjections.]

*The PRESIDENT OF THE SENATE: Order! The hon senator may continue.

*Senator J R DE VILLE: As I said, the local government elections are at hand and the NP think they can score a political point or two and in that way gain additional votes. They are not thinking about the broader national interest.

I agree wholeheartedly with the hon the President of the Republic who said over the weekend that the NP was an aimless grouping. The NP does not know what it wants! [Interjections.] They also do not know where they are going! [Interjections.]

This afternoon I would like to make a statement. It is forever being said that we are racists, but I would rather like to tell hon members that the members of the NP are the biggest racists there are! [Applause.] I think they do not want to vote for Adv Baqwa this afternoon, because he is Black. That is why the NP does not want to vote for him this afternoon! [Applause.]

This afternoon I would like to pay tribute to Mr Justice Van der Walt who first held the post of Advocate-General and then the post of Ombudsman on a temporary basis for 13 years. Mr Justice Van der Walt became known for the excellent work he did during his term of office and his status as a judge leant equal status to the office of Ombudsman. The FF would like to thank him for the service he rendered to the country.

†The FF supports the nomination of Adv Baqwa and we agree with the Association of Law Societies when they say that it would be a matter of tremendous regret for us all if the election process were to be tainted by party politics or if the current stalemate situation were to continue indefinitely. Ideally, his nomination should be a product of all-party consensus and he should be elected without even token opposition. This, however, did not happen owing to the NP.

However Adv Baqwa, must now not be seen to have been elected on the grounds of his politics or political affiliation or support for any political party. The sole yardstick should now be his independence. His role is that of an independent investigator. His integrity, independence and experience must allow him to become widely respected. The FF supports his nomination. [Time expired.] [Applause.]

Senator J SELFE: Mr President, the DP ... [Interjections.]

*The PRESIDENT OF THE SENATE: Order! Order! Senator Selfe, you cannot continue until there is order in the House.

*Senator J R DE VILLE: Mr President, on a point of order: May the hon the Minister for Provincial Affairs and Constitutional Development tell me that I am a disgusting man? [Interjections.]

*The PRESIDENT OF THE SENATE: Order! I think the hon the Minister should reconsider his remark.

*The MINISTER FOR PROVINCIAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT: Mr President, I said he had adopted a disgusting attitude.

*The PRESIDENT OF THE SENATE: I am not going to allow Senator Selfe to continue before there is order in this House.

*Mr J W MAREE: Mr President, on a point of order: May a member of the House refer to that

hon member who has just spoken as a comrade? [Interjections.]

The PRESIDENT OF THE SENATE: Senator Selfe, you may proceed. [Interjections.] Order! Order!

Senator J SELFE: Mr President, the DP supports Adv Baqwa for the position of Public Protector and does so enthusiastically. [Applause.]

Choosing Adv Baqwa was not an easy choice to make since the two final contenders for this position were in different ways, outstanding people. Each of them would have brought different qualities to bear in fulfilling the responsibilities of the Public Protector. For some time the committee explored the possibilities of involving both candidates within the office. However, this, in the end, proved impossible. We believe that Adv Baqwa has all the qualifications for the job, and we wish him well with his new appointment. We have every confidence that he will, with his provincial counterparts, help to create an enduring culture of corruption-free and responsive public service in South Africa. [Applause.]

The PRESIDENT OF THE SENATE: Order! Due to the many vacant seats in the House, it would be appropriate to have the bells rung for three minutes.

During division:

The PRESIDENT OF THE SENATE: Order! We are engaged in determining the number of abstentions, which at this point in time appear to be five. We shall have to clarify the question of abstentions, namely whether these were wilful abstentions or accidental abstentions. I have been notified that some of the voting mechanisms did not operate properly, and I shall now read the names of those who abstained. The hon members may then say whether their abstentions were wilful or by accident. The first name is Mr L M Green.

Mr L M GREEN: Mr President, I abstained.

The PRESIDENT OF THE SENATE: Order! The second name is Mr T S Khoza.

Mnu T S KHOZA: Mongameli, ayisebenzi! [It does not work.]

Mnu N J GOGOTYA: Hamba uyo vota ngesithupa. [Go and vote with your thumb.] [Interjections.]

The PRESIDENT OF THE SENATE: Order! The hon member may come forward and then record his vote at the Table. [Interjections.] We have to give every hon member the right to vote or not to vote. The third name is Rev K R Meshoe.

Rev K R MESHOE: Mr President, I abstained.

The PRESIDENT OF THE SENATE: Order! The fourth name is Mrs C I Gcina. This could perhaps be a long process. Will the hon member come forward and record her vote here at the Table. The fifth name is Mrs A N Siggawu. Will the hon member come forward and record her vote at the Table.

*Mr P W COETZER: Mr President, on a point of order: Members who were not here when the vote was taken are at this moment entering the House while the votes are being counted. I want to ask whether this is in order.

*The PRESIDENT OF THE SENATE: Order! That is out of order. The names of the hon members who have voted already appear on the voting list. The hon members who are entering now will have no influence on this process, but in normal circumstances it would be out of order. They do not have to leave the Chamber, since control can be exercised. However, such an occurrence is out of order.

Order! Is there any hon member whose vote has not been recorded?

†If there is any doubt, hon members may check with the Table whether or not their names were recorded.

Senator B T NGCUKA: Mr President, on a point of order: You indicated to us that there were five people who had abstained, and you called out their names. Can you tell us the name of the lady who is now approaching the Table, and why she is doing so?

The PRESIDENT OF THE SENATE: Order! We are collating a name with a list which has already been recorded. If a name does not appear anywhere . . . [Interjections.]

*Mr P A MATTHEE: Mr President, on a point of order: I indicated to you that the hon member had indicated to me that she thought there was a problem with her voting mechanism. That is the reason why she wants to make sure. [Interjections.]

The PRESIDENT OF THE SENATE: Order! That is correct. Long before the voting was finalised,

Mr Matthee did draw my attention to the possibility. That is why I am at pains to allow every member's vote to be properly recorded. The names have now been collated. Is the Table satisfied that that name does appear? The name does appear on the voting list. The vote has, therefore, been recorded and properly accounted for. [Interjections.]

I shall now proceed, after having taken cognisance of those who have explained their position in respect of abstention, and have otherwise recorded their vote. I now wish to announce the results. Those in favour of the nomination, 268; those not in favour of the nomination, 83; abstentions, 2. A total of 353 votes have been recorded, thus giving us a percentage of those present and voting then having voted for approval by 75,9%. [Applause.] [Interjections.]

The House divided:

AYES—269: Abrahams, L A; Ally, A; Arendse, J D; Baloyi, S F; Bhabha, M; Bhengu, F; Biyela, B P; Bloem, D V; Bogacwi, K A; Booi, M S; Botha, W A; Botha, Y R; Bunting, B P; Buthelezi, M G; Cachalia, I M; Carrim, Y I; Cassim, M F; Chabane, O C; Chalmers, J; Chauke, P; Chiba, L; Chikane, M M; Chiwayo, L L L; Coetzee, M P; Coleman, M; Cronjé, P C; Cwele, S C; Davhana, M K D; De Lange, J H; De Lille, P; De Ville, J R; Diale, N L; Dingani, Z A; Dlamini, B O; Dlamini, C; Dooidge, G Q; Duna, M W; Du Toit, D C; Ebrahim, A G; Ebrahim, E I; Eglin, C W; Ellis, M J; Fani, L M; Farisani, T S; Fazzie, E; Fazzie, H M; Fenyane, S L E; Fihla, N B; Foster, J A; Gamndana, T; Gasa, X F; Gcabashe, S J; Gcina, C I; George, M E; Gibson, D H M; Gininda, M S; Goniwe, T M; Gordhan, P J; Gous, P J; Groenewald, P H; Grové, S P; Gumede, A J; Gumede, D M; Hajaij, F; Hanekom, D A; Hanganu, N E; Hendrickse, P A C; Hendrickse, H J A; Hlengwa, M W; Hofmeyr, W A; Hogan, B A; Jana, D P; Jassat, E E; Jordaan, J A; Kathrada, A M; Kekana, N N; Kgaue, Q J; Kgoali, J L; Kgosisile, B; Khasu, M J; Khobe, O N; Khoza, T S; Kondlo, N; Kuzwayo, N E K; Landers, L T; Lausberg, C E; Lebona, H J P; Lekgoro, M K; Ligege, M G; Loots, H G; Losabe, L K; Louw, L; Love, J Y; Lubidla, E N; Lubisi, S W; Luthuli, B N; Mabudafhasi, R T; Mabuza, M C; Macozoma, S J; Mafolo, M T; Mahlangu, G L; Mahlangu, J L; Mahlangu, M J; Mahlangu, N J; Maine, M S; Majola-Pikoli, N T; Makgothi, H G; Makwetla, S P; Makwetu, C M; Malebo, S

M; Malumise, M M; Mandela, N W; Manie, M S; Mapisa-Nqakula, N N; Marais, A; Marsh, D W; Marshoff, F B; Martins, B A D; Mashamba, T G G; Mashile, N L; Mashimbye, J N; Mathebe, P; Matthews, V J; Mayekiso, J M; Mayimele, H W; Mbeki, G A M; Mbuyazi, L R; Metele, A T; Mfebe, M W; Mgidi, J S; Mkhathswa, S; Mkhwanazi, T R; Mkwai, Z W; Mlangeni, A; Mncwango, M A; Mngomezulu, G P; Mnguni, L L A; Modise, J; Modisenyane, L J; Moeti, S E; Mogale, M P E; Mohamed, I J; Mohamed, M; Mokitlane, M C; Mokoena, D A; Mokoena, M L; Molekane, R S; Molewa, B G; Moloto, C P; Momberg, J H; Mompati, R S; Mongwaketse, S J; Montsitsi, S D; Moorcroft, E K; Motshabi, C H; Mpahlwa, M B; Mti, L M; Mtintso, T E; Mtshali, L P H M; Mukhuba, T T; Mulder, C P; Mushwana, G M; Mushwana, M L; Myakayaka-Manzini, Y L; Mzizi, M A; Naidoo, E N I; Naidoo, J; Nair, B; Nash, J H; Ncinane, Z I; Ncube, N Z; Ndawonde, D; Ndlovu, M C; Ndou, R S; Ndzanga, R A; Neerahoo, H M; Nel, A C; Netshimbupfe, M A; Ngcuka, B T; Ngwane, L B; Ngwenya, M L; Nhlanhla, J M; Njobe, M A A; Nkadimeng, J K; Nkomo, S A; Nkosi, D M; Nobunga, B J; Nogumla, R Z; Ntaopane, T E; Ntuli, B M; Nwadamutswu, M J; Nyembe, N D; Nzimande, B E; Nzimande, B M; Olifant, D A A; Oliphant, G G; Omar, A M; Pandor, G N M; Peires, J B; Peters, E D; Phakathi, N E; Phillips, I M; Phohlela, S; Ramusi, M C; Rantho, M M; Richards, I; Ripinga, S S; Rockman, G; Routledge, N C; Saloojee, R A M; Schreiner, J A; Scott, M I; Seaton, S A; Sekgobela, P S; Selfe, J; Seperepere, M S; September, R K; Serfontein, J L H; Serote, M W; Sethema, B E E; Shabangu, S; Shandu, E E N; Shilubana, T P; Shope, N G; Shope, N R; Sigcau, S; Sigcawu, A N; Sikakane, M R; Singh, H K; Singh, L; Singh, N; Sisulu, M V; Sisulu, N A; Skosane, B M; Skweyiya, Z S T; Smith, P F; Solomon, G; Sonjica, B P; Sosibo, J E; Sulliman, M A; Surty, M E; Suttner, R S; Taunyane, D P; Thabethe, E; Thomson, B; Tinto, C F; Tiry, M; Tolo, L J; Tonjeni, T L; Tsenoli, S L; Tshabalala, M E; Tsheole, N M; Tshivhase, M P K; Tshivhase, T J; Turok, B; Tyobeka, V M; Van den Heever, R P Z; Van Eck, J; Verwoerd, M; Vilakazi, B H; Vilakazi, J N; Vilakazi, M I; Viljoen, V; Vos, S C; Xingwana, L M; Zitha, D A; Zondi, K M; Zulu, M I; Zuma, N C D.

NOES—83: Ackermann, C; Alant, T G; Albertyn, J T; Appelgryn, M S; Badenhorst, M J; Bakker, D M; Bester, B C; Beyers, A S; Bikitsha, P I; Blaas, A; Botha, R F; Breytenbach, W N; Camerer, S M; Carelse, G M E; Chait, E J; Chuenyane, L D; Coetzer, P W; Cupido, P W; De Beer, S J; De Klerk, F W; De Villiers, D J; Dowry, J J; Fisser, C L; Fourie, A; Geldenhuys, B L; Gogotya, N J; Govender, D; Graaff, D d V; Groenewald, R H; Hamman, M v S; Janse van Rensburg, A P; Jooste, J A; King, T J; Koornhof, G W; Koornhof, NJJvR; Lee, T D; Makhanya, D W; Malan, T J; Malatsi, D M; Mangaliso, Z K; Marais, J A; Marais, P G; Maree, J W; Masango, N E; Masher, M G; Matthee, P A; Meyer, A T; Meyer, R P; Mnguni, Z D; Mohamed, A G; Myburgh, G B; Naidoo, A G V; Nel, A H; Niemann, J J; Nkwemesha, K W; Ntsizi, T C; Odendaal, W A; Oosthuizen, G C; Padiachey, D K; Phenethi, M M; Pretorius, I J; Rabie, J A; Radue, R J; Ramaremsa, N G; Ranchod, B G; Redcliffe, C R; Rhoda, R T; Saaiman, P W; Schoeman, R S; Schutte, D P A; Smit, H A; Streicher, D M; Van Heerden, F J; Van Niekerk, A I; Van Schalkwyk, M C J; Van Wyk, A; Van Zyl, I D; Watson, A; Waugh, J C N; Wessels, L; Wiley, M G E; Williams, A J; Wyngaard, C A.

ABSTAINED—2: Green, L M; Meshoe, K R.

Nomination accordingly approved in accordance with section 110(2)(b) of the Constitution.

The PRESIDENT OF THE SENATE: Order! The name of Baqwa, S A M, will now be submitted for consideration to the President of the Republic of South Africa. [Applause.]

● Question put: That the report be adopted.

Agreed to.

CONSIDERATION OF REPORTS ON CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA AMENDMENT BILL‡

Reports adopted.

CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA AMENDMENT BILL

(Second Reading debate)

The MINISTER FOR PROVINCIAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT: Mr President, hon members, the Bill under consideration constitutes the first amendment to

‡ See columns 1327 and 3266.

the Constitution of the Republic of South Africa for this parliamentary session. Although all amendments to the Constitution are carefully considered before being proceeded with, it must be accepted that amendments to the Constitution will, from time to time, become necessary in order to facilitate the application and administration thereof.

No amendment should affect the fundamental principles in the Constitution, however, and should, in fact, be directed at the successful implementation of the substantive measures and processes as well as the establishment of the institutions which are provided for in the Constitution.

To deal with the Bill in more detail, I would like to draw members' attention to the memorandum on the objects of the Bill which comprehensively deals with each clause of the Bill. Section 236(6) of the Constitution provides for the appointment of a commission to review contracts, appointments, promotions and other benefits which accrued to persons employed in State departments or institutions during the period 27 April 1993 to 30 September 1994. In terms of this section, the commission had to complete its task within one year after the commencement of the Constitution, that is by 26 April 1995. The Browde Commission was, however, only appointed on 1 February 1995. The chairperson of the commission, Mr Justice Browde, has requested that the lifespan of the commission should be extended to enable the commission to complete its task. In terms of the amendment, the lifespan of the commission is, therefore, extended until 31 December 1995.

At the request of the commission, a further amendment was effected in order to make it possible for the commission to entertain complaints regarding persons who have received benefits during the said period, but who left the employ of the Public Service before 30 September 1994.

A further request to amend section 236 was received from the Browde Commission shortly before the Bill was considered by the Portfolio Committee on Constitutional and Provincial Affairs and the Select Committee on Constitutional Affairs. The commission requested that provision should be made to enable it to entertain complaints received after 26 April 1995, the date on which the referral period for complaints had lapsed. The committees agreed that the referral

period should be extended for a further period of three months.

The Bill also seeks to extend the validity of section 237(4) of the Constitution. This section of the Constitution provides for a mechanism for public servants to lodge claims or disputes that may arise as a result of the rationalisation of the public administration. The Labour Appeal Court, sitting as a special tribunal in terms of an Act of Parliament, is the competent structure to deal with such claims or disputes. Section 237(4) and the Act of Parliament to which I have referred, lapsed one year after the commencement of the Constitution, namely on 26 April 1995.

Following recent consultations by the Public Service Commission with the employee organisations involved in the central chamber of the Public Service Bargaining Council, it became clear that the process of the absorption of personnel in the Public Service into the rationalised structures would be finalised after 26 April 1995.

To ensure that personnel who claim to be detrimentally affected by the rationalisation process after that date will have the opportunity to utilise the mechanism for which provision is made in this section, the Public Service Commission requested that the Constitution should be amended to provide that, as far as the Public Service is concerned, the abovementioned subsection shall only lapse two years after the commencement of the Constitution.

As far as the National Defence Force is concerned, it is envisaged that the rationalisation process will only be concluded by 31 December 1998. Clause 2 therefore provides for an extension of the timeframe in respect of the National Defence Force until that date.

The proposed amendments, as contained in clauses 1 and 2 of the Bill, will remove the pressing time constraints imposed by the Constitution and will therefore ensure the effective application of the relevant provisions. In order to prevent a statutory vacuum, the amendments are introduced with retrospective effect to accommodate the periods that have already elapsed.

Clause 3 of the Bill seeks, at the request of the provincial legislatures concerned, to change the name of the province of Pretoria-Witwatersrand-Vereniging to Gauteng, that of the province of the Orange Free State to Free State, and that of the province of Northern Transvaal to Northern Prov-

Beyers, A S; Bhengu, F; Biyela, B P; Blaas, A; Bloem, D V; Bogacwi, K A; Booi, M S; Botha, R F; Botha, Y R; Breytenbach, W N; Buthelezi, M G; Cachalia, I M; Camerer, S M; Carrim, Y I; Cassim, M F; Chabane, O C; Chauke, P; Chiba, L; Chikane, M M; Chiyawo, L L L; Chuenyane, L D; Coetzee, M P; Coetzer, P W; Coleman, M; Cronjé, P C; Cupido, P W; Davhana, M K D; De Beer, S J; De Lange, J H; De Ville, J R; De Villiers, D J; Diale, N L; Dingani, Z A; Dlamini, B O; Dlamini, C; Doidge, G Q; Duna, M W; Du Toit, D C; Ebrahim, A G; Ebrahim, E I; Eglin, C W; Ellis, M J; Fani, L M; Farisani, T S; Fazzie, E; Fazzie, H M; Fenyane, S L E; Fihla, N B; Fisser, C L; Foster, J A; Fourie, A; Gamndana, T; Gasa, X F; Gcabashe, S J; Gcina, C I; Geldenhuys, B L; George, M E; Gibson, D H M; Gininda, M S; Gogotya, N J; Gordhan, P J; Graaff, D d V; Green, L M; Groenewald, R H; Groenewald, P H; Grové, S P; Gumede, A J; Gumede, D M; Hajaij, F; Hamman, M v S; Hanekom, D A; Hangan, N E; Hendrickse, P A C; Hendrickse, H J A; Hofmeyr, W A; Hogan, B A; Holomisa, S P; Jana, D P; Janse van Rensburg, A P; Jassat, E E; Jooste, J A; Jordaan, J A; Kathrada, A M; Kekana, N N; Kgauwe, Q J; Kgoali, J L; Kgositsile, B; Khasu, M J; Khobe, O N; King, T J; Kondlo, N; Koornhof, G W; Koornhof, N J J v R; Kuzwayo, N E K; Landers, L T; Lausberg, C E; Lebona, H J P; Lee, T D; Leggoro, M K; Ligege, M G; Lockey, D; Loots, H G; Losabe, L K; Louw, L; Love, J Y; Lubidla, E N; Lubisi, S W; Mabandla, B S; Mabudafhasi, R T; Mabuza, M C; Macozoma, S J; Madikizela, P; Mafolo, M T; Mahlangu, G L; Mahlangu, J L; Mahlangu, M J; Mahlangu, N J; Maine, M S; Majola-Pikoli, N T; Makgothi, H G; Makhanya, D W; Makwetla, S P; Makwetu, C M; Malan, T J; Malatsi, D M; Malebo, S M; Malumise, M M; Mandela, N W; Mangaliso, Z K; Manie, M S; Mapisa-Nqakula, N N; Marais, A; Marais, P G; Maree, J W; Marsh, D W; Marshoff, F B; Masango, N E; Mashamba, T G G; Masher, M G; Mashile, N L; Mashimbye, J N; Mathebe, P; Mathee, P A; Matthews, V J; Mayekiso, J M; Mayimele, H W; Mbeki, G A M; Mbuyazi, L R; Meshoe, K R; Metele, A T; Meyer, A T; Meyer, R P; Mfayela, S B; Mfebe, M W; Mgidi, J S; Mkhathswa, S; Mkhwanazi, T R; Mkwai, Z W; Mlambo-Ngcuka, P G; Mlangeni, A; Mngomezulu, G P; Mnguni, L L A; Mnguni, Z D; Moatshe, P; Modise, J; Modisenyane, L J; Moeti, S E; Mogale, M P E; Mohamed, I J; Mohamed, M; Mokaba, P R; Mokoena, D A;

Mokoena, M L; Molekane, R S; Molewa, B G; Moloto, C P; Momberg, J H; Mompoti, R S; Mongwaketse, S J; Montsitsi, S D; Motshabi, C H; Mpahlwa, M B; Mti, L M; Mtintso, T E; Mtshali, L P H M; Mukhuba, T T; Mulder, C P; Mushwana, G M; Mushwana, M L; Myakayaka-Manzini, Y L; Myburgh, G B; Mzimela, S E; Mzizi, M A; Naidoo, A G V; Naidoo, E N I; Naidoo, J; Nair, B; Nash, J H; Ncinane, Z I; Ncube, N Z; Ndawonde, D; Ndlovu, M C; Ndou, R S; Ndzanga, R A; Neerahoo, H M; Nel, A C; Nel, A H; Netshimbupfe, M A; Ngcuka, B T; Ngwane, L B; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Niemann, J J; Njobe, M A A; Nkadimeng, J K; Nkomo, S A; Nkosi, D M; Nobunga, B J; Nogumla, R Z; Nqwemesha, K W; Ntaopane, T E; Ntuli, B M; Nwedamutswu, M J; Nyembe, N D; Nzimande, B E; Nzimande, B M; Odendaal, W A; Olifant, D A A; Oliphant, G G; Omar, A M; Oosthuizen, G C; Pahad, A G H; Pandor, G N M; Peires, J B; Peters, E D; Phakathi, N E; Phenethi, M M; Phillips, I M; Phohlela, S; Pretorius, I J; Rabie, J A; Radue, R J; Rajoo, K; Ramabulana, E V; Ramusi, M C; Rancod, B G; Rantho, M M; Rhoda, R T; Richards, I; Rippinga, S S; Rockman, G; Routledge, N C; Saaiman, P W; Saloojee, R A M; Schoeman, R S; Schreiner, J A; Schutte, D P A; Scott, M I; Seaton, S A; Sekgobela, P S; Seperepere, M S; September, R K; Serote, M W; Sethema, B E E; Shabangu, S; Shandu, E E N; Shilubana, T P; Shope, N G; Shope, N R; Sigcau, S; Sigcawu, A N; Sikakane, M R; Singh, H K; Singh, N; Sisulu, M V; Sisulu, N A; Sizani, R K; Skweyiya, Z S T; Slabbert, J H; Smit, H A; Smith, P F; Smuts, M; Solomon, G; Sonjica, B P; Sosibo, J E; Streicher, D M; Sulliman, M A; Surty, M E; Suttner, R S; Thabethe, E; Tinto, C F; Tiry, M; Tolo, L J; Tonjeni, T L; Tshabalala, M E; Tsheole, N M; Tshivhase, M P K; Tshivhase, T J; Turok, B; Tyobeka, V M; Van den Heever, R P Z; Van Eck, J; Van Heerden, F J; Van Schalkwyk, M C J; Van Wyk, A; Van Zyl, I D; Verwoerd, M; Vilakazi, B H; Vilakazi, M I; Viljoen, V; Vos, S C; Watson, A; Waugh, J C N; Wessels, L; Williams, A J; Wyngaard, C A; Xingwana, L M; Yengeni, T S; Zitha, D A; Zondi, K M; Zulu, M I; Zuma, N C D.

Bill accordingly read a second time in accordance with section 62(1) of the Constitution.

The Joint Sitting rose at 15:36.

PROCEEDINGS AT JOINT SITTING

Members of the Senate and the National Assembly met in the Chamber of the National Assembly at 14:20.

The Deputy Speaker of the National Assembly took the Chair and requested members to observe a moment of silence for prayers or meditation.

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON CONSTITUTIONAL AFFAIRS (NATIONAL ASSEMBLY) AND SELECT COMMITTEE ON CONSTITUTIONAL AND PROVINCIAL AFFAIRS, PUBLIC SERVICE AND ADMINISTRATION (SENATE) ON CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA SECOND AMENDMENT BILL

Order disposed of without debate.

Report adopted.

CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA SECOND AMENDMENT BILL

(Second Reading debate)

THE MINISTER FOR PROVINCIAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT: Mr Speaker, hon members, the Bill under consideration constitutes the second amendment to the Constitution of the Republic of South Africa for this parliamentary session.

The main purpose of the Bill is to effect certain amendments to the Constitution which relate to the forthcoming local government elections. These amendments became necessary as a result of the decision that provision should be made for the staggering of these elections. The Bill also contains a number of amendments not related to local government matters. This is, therefore, a Bill that can best be discussed by dealing with the clauses seriatim.

Clauses 1, 2 and 3 of the Bill provide for the appointment of a deputy president of the Constitutional Court, regulate the quorum of that court and provide for the extension of the jurisdiction of the Supreme Court in order to grant interim relief in respect of matters which are pending before the Constitutional Court.

The Constitutional Court Complementary Act of 1995 was passed by Parliament during May of this year. The provisions of clauses 1, 2 and 3 of the Bill are virtually identical to those of sections 8, 13 and 16 of that Act. During the deliberations on the Act by the parliamentary committees on justice, particularly the National Assembly's Portfolio Committee on Justice, there was a strong feeling that these provisions should ideally be dealt with in the Constitution, as the latter contains comprehensive provisions dealing with the composition and functioning of the Constitutional Court and the interaction between the Supreme Court and the Constitutional Court. As there was an urgent need for the Constitutional Court Complementary Act to be enacted as soon as possible, it was decided first to pass that Act and, at the first convenient opportunity, to give effect to suitable amendments to the Constitution.

The relevant provisions in the Constitutional Court Complementary Act are therefore repealed in clause 14 of this Bill.

At the request of the Speaker's Forum, section 143 of the Constitution is amended in order to place a provincial legislature in the same position as Parliament with regard to the appointment of a secretary and other members of staff of such legislature. Clause 4 of the Bill provides that the provincial legislatures shall appoint the secretary and such other staff as may be necessary for the discharge of the work of such legislature.

Clause 5 amends section 149 of the Constitution in order to provide that the remuneration and allowances of Premiers and members of the executive councils of provinces shall no longer be prescribed or determined in terms of a law of the provincial legislature, but that such remuneration and allowances shall be determined by the President. This amendment will ensure uniformity in this regard in all the provinces.

Clause 6 is aimed at addressing a problem raised in connection with the functioning of local government councils. Section 176 of the Constitution provides that a council itself, or one of its committees, must decide all matters pertaining to town planning. There are numerous such matters to be dealt with almost on a daily basis that can now, and could in future, just as well be dealt with by officials. This clause therefore gives councils the power also to delegate to officials.

The amendment of section 179 of the Constitution is being effected in clause 7 in order to provide for a person holding an office of profit under the Republic, which includes a public servant, to participate as a candidate in the forthcoming local government elections.

Different interpretations are being given to section 182 of the Constitution providing for ex officio memberships of traditional leaders of local government councils. If the uncertainty is to remain, it can have a disruptive effect on the constitution and functioning of newly elected councils. In clause 8 it is therefore proposed that section 182 be amended to provide for a mechanism whereby the uncertainty can be addressed before the elections take place. This can be done by proclamation after the Council of Traditional Leaders has been consulted.

Section 184(5)(a) of the Constitution requires any Bill pertaining to traditional authorities, indigenous law, or traditions and customs to be referred to the Council of Traditional Leaders before being passed by the second House of Parliament. The Council of Traditional Leaders has not yet come into existence, because its members have to be elected by an electoral college constituted by the members of all the provincial houses of traditional leaders. Two provincial houses have not yet been established by the relevant provincial governments, and consequently the national council has not yet come into existence. It is thus not possible for Parliament to avail itself of this advisory mechanism.

In the case of the Remuneration of Traditional Leaders Bill, the IFP, by way of a point of order, argued that the Bill could not be considered by the National Assembly—after having been passed by the Senate—because the council which had not yet come into existence had not considered it. The Deputy Speaker ruled that the House could proceed to discuss the Bill and could then decide for itself whether to pass the Bill or not. The Bill was duly passed.

However, some legal uncertainty remained, which not only affected the Remuneration of Traditional Leaders Bill, but also other Bills that had already been enacted by Parliament, as well as others that would still require Parliament's urgent attention. Under these circumstances, the President was advised to delay a decision on whether to sign the Remuneration of Traditional Leaders Bill, while ways and means of obtaining legal certainty were being explored. After official

and private legal advice had been sought, it was decided that the best way to do so was to put the matter before Parliament again by way of a proposed amendment to section 184(5)(a) of the Constitution to make it clear that the Bills need not be referred to a nonexisting council. This is being done in clause 9 of the Bill. In the meantime all efforts will be made to facilitate the establishment of the remaining two provincial houses of traditional leaders.

As in the case of the Remuneration of Traditional Leaders Bill, all efforts will be made to consult traditional leaders about legislation affecting their affairs, and to hasten the establishment of the Council of Traditional Leaders. Furthermore, clause 9 also includes the addition of a new paragraph (aA) to subsection 5, providing that if the council has not been established by 28 February 1996, Bills concerning traditional matters must then be referred to the provincial houses.

Clause 10 proposes an amendment to section 225 of the Constitution to make provision for the appointment of a Secretary for Defence. The duties, functions and responsibilities of the Secretary for Defence will be regulated in the Defence Act.

Clause 11 amends section 239 of the Constitution to provide for all debts and liabilities which, immediately prior to the commencement of the Constitution, vested in any government, administration or force within the national territory to be assumed by the national Government. The assets of such institutions are already provided for in this section.

*Two matters are dealt with in clause 12. Firstly, subsection (1) of section 245 of the Constitution provides that the restructuring of local government cannot take place prior to the elections, except in terms of the Local Government Transition Act. Because all the elections are no longer going to take place on one day it is necessary to make another arrangement. It is, therefore, proposed that restructuring may not take place prior to 31 March 1996, this being the date on which we all hope that all local government elections will have been completed. Subsection (2) is amended accordingly.

In this connection I wish to point out to hon members that the consequential amendment agreed to by the committees in respect of this subsection is not mentioned in the report of the committees and that it has not been effected in the

printed amending Bill now before hon members. I have been informed that this was the result of an administrative error, and that it will be rectified in any subsequent version.

Initially provision was not made in the Local Government Transition Act for rural structures. The models which have since been developed do not necessitate the use of wards. For that reason subsection (3)(a) is being amended to make it clear that the division into wards is only compulsory in the case of transitional local councils and transitional metropolitan substructures. Subsection (3)(b) is being amended to make it clear that wards with more than one member, for which provision has already been made in provincial regulations, are possible.

It is necessary for certain amendments to be made with retrospective effect to cover actions which have already taken place in good faith, and this is done in clause 15.

†In clause 13 of the Bill, constitutional effect is given to the decision to change the name of the national defence force to "SA National Defence Force", and the name of the province formerly known as the Eastern Transvaal to Mpumalanga. We would all like to congratulate the province on its new and appropriate name. In the same clause the name change of the Northern Province is also effected, as it was not done when its new name was enacted in the first amending Bill earlier this year.

I most sincerely wish to thank the chairpersons and members of the parliamentary committees for dealing with this Bill in an efficient and thorough manner, and for the spirit in which all parties co-operated in a joint effort to implement representative local government structures country-wide as soon as possible. We owe this to the people dependent on efficient local government so as to improve the quality of their lives. I also wish to extend a special word of thanks to adv Gary Oliver, the State Law Adviser, and all the officials of the department for their invaluable contributions to make this Bill possible.

Mr M S MANIE: Mr Speaker, section 179 of the Constitution states that all elections for local government in South Africa should take place on the same day. The Cabinet decision to proceed with elections in those provinces that are ready has made it absolutely necessary for us to amend the Constitution, because if we did not do that, it would have meant that we would have to wait for

all those disputes that are outstanding in the various provinces to be resolved before we could proceed with elections in this country. It therefore made it necessary for us to amend this section to make it possible for us to have staggered elections in South Africa.

Although the local government elections are the final step, in certain parts of the country, in bringing democracy to the local level, it is extremely unfortunate that we will not be able to have local government elections in certain parts of the country, namely the Western Cape and KwaZulu-Natal. The reasons for this are many and varied. However, it should be strongly stated that these delays have not only delayed the democratisation process, but also delayed the process of delivering much-needed basic services to the local communities.

A new deadline of March 1996 has been set for those provinces and it is important for us to think back to what was planned in terms of local government elections. The original intention was for us to have local government elections in October 1994. The fact that we are now going to have elections in 1996 is very bad and we certainly hope that we will not be required to move this date further forward. For that reason my plea is that the department and the Ministry monitor very carefully those provinces which will not be having their elections on 1 November this year. The department and the Ministry must monitor the process very carefully and remove the obstacles, so that these people can have their elections. The local government regulations spell out a series of dates and processes that need to be followed before elections can be held. These things must be done well before the deadline of March 1996.

Section 245 also had to be amended to allow us to hold the elections in rural areas, because the Constitution and the Local Government Transition Act did not go far enough to make it possible for us to implement the process of holding elections in rural areas.

In this regard the question of traditional leaders took up a lot of time in the committee. There was discussion on how traditional leaders will be represented in the local government structures in an ex officio capacity. I want to make it clear that the ANC's position on this matter is that we are committed to implementing the previous political agreements and to abiding by the Constitution, which states that traditional leaders must be

represented on local government structures in an ex officio capacity. Section 182 had to be amended to allow us a mechanism to determine how this would be implemented. The amendment empowering the President to establish, in consultation with traditional leaders and their structures, who the traditional leaders are, the number of people and the mechanism by which they will be appointed became very important for us to implement.

In conclusion I would like to urge all the political parties to contribute towards creating an environment that will lead to peaceful elections in our country. Whether it is going to be in November or whether it is going to be in March next year, I know that it of necessity leads to polarisation of the political parties.

Over the past 18 months we have battled to develop a very fragile working relationship between the parties. We must remember that after the elections we have to come back here and deal with the question of the delivery of basic services to our people. So I hope that all political parties—and I include the ANC—will work hard at making these elections peaceful.

Mr S J SCHOEMAN: Mr Speaker, I agree with the hon member Salie Manie that we need a situation of tolerance with regard to all the political views in this country when we go into elections again. I trust that the ANC will set the example as far as the whole question of greater tolerance is concerned. [Interjections.] On the side of the NP we can guarantee, as in the past, that we will co-operate as far as these elections are concerned and that we will play our role.

In contrast to other portfolio committees, I trust it is true to say that the Portfolio Committee on Constitutional Affairs has laid a sound foundation with regard to the accommodation of different viewpoints. To my mind, we have succeeded in dealing with this very important piece of legislation by reaching maximum consensus on many difficult issues. I would like to compliment the chairman for allowing ample time for us to try to reach maximum consensus.

*It is certainly true that during this transitional phase, we are dealing with matters for which no provision has been made, while we were negotiating on this interim Constitution and agreeing to it. As the Minister for Provincial Affairs and Constitutional Development has pointed out, most of the amendments which we have effected

here today deal with the elections for local governments which we are now going to have. These are very important elections and that is why I think that it is essential that we should effect these amendments in order to ensure that these elections take place as smoothly as possible. I do not want to repeat what the hon the Minister has said in this regard, but I just want to say that I think if we accept these amendments today, it would make it possible to ensure that various matters which crop up in this last phase of the process of democratisation, can also run proceed smoothly.

This is also necessary, as a result of the fact that matters such as the Constitutional Court and traditional leaders have been discussed in other portfolio committees. These matters will be dealt with by other colleagues and I do not wish to take up the Assembly's time with this now.

It is a pleasure for the NP to be able to say that we support these amendments.

Mr P F SMITH: Mr Speaker, I rise today to express the IFP's deepest and most profound opposition to this Constitution of the Republic of South Africa Second Amendment Bill. I must agree with the fact that there are certain amendments in the package which are necessary and which we agreed to, but as a package, let me say quite bluntly, the Bill represents the death knell of constitutionalism in this country. Both procedurally and substantively it is a travesty of how we should be dealing with important and contentious issues.

Procedural issues should be of great significance to us all, particularly to a Parliament which purports to be democratic, accountable and transparent. But it is quite evident from the rush to process some 44 Bills through this session of Parliament, that Parliament is not adequately fulfilling its brief. Frankly, the rationale that this or that Bill is urgent and has to be processed immediately and urgently has become a tired and predictable refrain and the time is long past since we as legislators should have put our collective foot down and told the executive that its inability to table Bills timeously is no longer acceptable. The Bill before us typifies the problem. I want to make a few references, first to procedural problems and then substantive ones.

Firstly, I must say that the portfolio chair did convene the committee to allow some opportunity to start a dialogue before the Bill was officially

tabled. We should be grateful for that. However, against that, it should be noted that new amendments were still being tabled by the department at the last minute, some even minutes before the committee voted on them. This is totally unacceptable. Apart from placing a very unfair burden on the committee, it reflects very poorly on a department seemingly unable to determine from one day to the next what needs amending in the Constitution.

Secondly, it must also be recognised that with respect to at least two of the amendments, and I refer here to sections 149 and 239, that the committee was not adequately appraised of the motivation for the amendments. Indeed, the committee agreed that the briefing from the Department of Finance on section 239 was unsatisfactory, and requested a properly motivated explanation of what was to be entertained by Parliament. As a committee we still have not received that motivation, yet we are expected to endorse that amendment today. Likewise, with respect to section 149, again the committee requested a proper motivation, but yesterday had to rest content with an assurance by the Minister that he would motivate it in his address here today. Frankly, he did not motivate it. He said nothing more than has been said in committee. We are still voting on something for which we have no adequate motivation.

This process raises grave doubts as to the separation of powers between the Executive and the legislature, and is again a reflection of the procedural problem this Parliament appears ready to accept as the converse of rushing through Bills this session.

Thirdly, the department is ostensibly of the view that there has been adequate consultation on the particularly contentious issues in this Bill. I refer to the amendment of sections 245, 182 and 184. I say ostensibly for I cannot accept that the Minister himself really believes that he has consulted with affected interests, and with traditional leaders in particular. It should, moreover be noted that the memorandum to the Bill actually makes no reference whatsoever, as it should, to those who have been consulted. He has, it is true, claimed that he has consulted Contralesa and has engaged in negotiations with them. But this casual disclaimer, I submit, is not quite as genuine as he would have us believe. The fact of the matter is that neither he nor the department approached Contralesa. What happened was that Contralesa

approached the President who referred them to the Ministry, who then engaged in this dialogue. It resulted in one of the formulations to an amendment we received only yesterday afternoon, again minutes before we voted on it.

While we as a party have no objection whatsoever to the department talking to Contralesa, it must be stated, however, that there are other institutions which were not consulted, in particular the houses of traditional leaders of the provinces. It needs to be asked why the department chose to ignore the houses of traditional leaders, whose constitutional function, after all, is precisely that of consultation on legislative matters affecting the interests of traditional communities. They are statutory bodies, which the department simply ignored. One must note, moreover, that one amendment before us today, namely to section 184, even makes specific provision to refer relevant legislative matters that are before Parliament to provincial houses of traditional leaders in the absence of an operational Council of Traditional Leaders, which is somewhat ironic to say the least given the fact that they have not been consulted on the Bill before us.

With respect to the Minister, I therefore wish to say that the IFP does not accept his word that there has been an adequate process of consultation, because the facts do not bear him out.

Fourthly, as far as the portfolio committee is concerned, I must acknowledge that the chairperson went some way towards accommodating our concerns that there would not be sufficient opportunity for consultation, and it is true to say that this Bill was not rushed through with quite the same haste that we had originally anticipated. However, this does not invalidate our contention that there has still been inadequate consultation, and that we were still too hasty. For instance, despite certain logistical problems resulting from the application and the implementation of National Assembly Rule 145A, there was nothing to stop the committee from sending an invitation to all the houses of traditional leaders requesting them to make submissions before the committee. This did not happen. There was a press statement, it is true, inviting submissions. However, this is not an adequate substitution, and it was purely fortuitous in one instance, that the house of traditional leaders of the province of KwaZulu-Natal was able to respond, because there was a personal contact. Even so, there were still two problems with that.

In the first instance, the deputy chairperson of the House flew down to Cape Town to deliver his submission. Of the three issues that were tabled for discussion, there was only time for one issue to be discussed.

Secondly, he expressly stated that his submission was an unmandated one. He requested time for the House of Traditional Leaders to be convened in order for him to make a properly mandated submission. Again, this was not addressed and, in the absence of any certainty as to when the Bill would come before this House, there was absolutely no point in reconvening the House in order to enable him to make a submission if there was no certainty that he was going to be heard.

I raise these issues not because I delight in rubbishing what we are doing in Parliament, but because there are genuine procedural problems which, in my party's view, seriously undermine the integrity of the legislative process and which render the amendments before us today even more suspect than they already are. If we are honest with ourselves as legislators, we cannot be anything but unhappy with what has been occurring in Parliament during this session and we should recognise the procedural shortcomings I have referred to as a very sad indictment of the way we are conducting ourselves.

Moving on to the substantive objections the IFP has to the Bill, I will make brief reference only to three problem areas, because there is no time to refer to any others.

The amendments to subsections (1) and (2) of section 245 of the Constitution are quite simply unacceptable. The current position in a nutshell is this. In terms of the Constitution as it reads at present the restructuring of local government shall, until the elections, only be done in terms of the Local Government Transition Act, while after the elections any competent authority, be it the national Government or a province, is entitled to restructure local government in terms of Chapter 10 and the Constitution as a whole.

A problem arises from this. As it is true that the elections will no longer be held on one day and that they are going to be staggered, there is a case to be argued that it is necessary to have an amendment to address this problem. However, we are very unhappy with the idea of replacing the spirit of what was previously contained in section 245 with the cut-off date of 31 March, as has been proposed. The reality is that the amendment is less

innocuous than first appearances suggest, since its practical effect is yet again—this is characteristic of what happens in this House—a reduction in provincial competencies.

The current position is that the provinces will be holding elections on different dates. I think we all accept that in all likelihood, they will complete their elections on different dates as well. In terms of the Constitution a province would then be entitled to restructure its local government in compliance with Chapter 10 of the Constitution.

As we know, both the Western Cape and KwaZulu-Natal, to name but two provinces, have legislation waiting in the wings for just such an eventuality. Yet they, and for that matter any other province wishing to get on with the process of restructuring, are now being held back, pending an arbitrary date. I will admit that this date is a vast improvement on two earlier proposals from the department. One was that we would wait; there would be no restructuring until the new constitution was in place. That is the most crazy idea I have ever heard in my life. The other was that we would wait until 30 June or until July. The date of 31 March is an improvement, for which we can thank the NP, I understand.

Nonetheless, the IFP sees no need to alter the spirit and letter of section 245 more than is absolutely necessary to deal with the staggering of elections. The amendment goes beyond that. The practical effect on the provinces, in a province such as KwaZulu-Natal, where the elections are likely to be held later than in certain other provinces, will perhaps be minimal.

But the issue is one of principle, because we have to object to a principle which is being violated in the present section which, from a provincial perspective, entitles provinces to commence restructuring immediately after the elections. They are now being held back until 31 March.

I also believe that if Parliament were to respect the spirit of section 245 and the pre-election constitutional amendment which gave us Constitutional Principle XVIII(2), its committee would have been less dismissive of our proposed amendment, which at least had the virtue of not diminishing existing provincial powers while taking adequate cognisance of the need to have staggered elections.

The amendment to section 182 is far more problematic. It arises, as the Minister has said, from problems of both the interpretation and the

implementation of the existing provision of the Constitution. It states that the traditional leader of a community residing within the area of jurisdiction of a local government body shall be an *ex officio* member of that government.

The problem of implementation is purportedly that of deciding who should be a traditional leader for the purpose of this membership.

The department's first formulation provided for elected members only to decide the issue. This is quite incredible. This was then superseded by a proposal that the Premier would do so in consultation with elected members, which is equally crazy. Then we ended up with the version which was tabled with the committee, which was that the Premier would do so after consultation with elected members and with traditional leaders themselves.

The IFP objected to this even though that formulation would not at all be against our interests at all as a party in KwaZulu-Natal. However, on principle and in the interest of all traditional communities throughout the country, we rejected the notion that elected members of a council or an elected Premier should decide who is and who is not a traditional leader for the purposes of the section or for any other purpose for that matter.

On procedural grounds we also argued that it was essential that the department and the committee itself consult with affected interests and in particular with the houses of traditional leaders, both because it is intrinsically desirable and also because this is the spirit in which section 184 was in fact formulated, even though it is not being used for the purpose of this amendment.

Be that as it may, with time running out and with no option of representations being made to the committee, we argued strongly and simply that the traditional leaders themselves in the houses of traditional leaders should be those who ought to decide who is a traditional leader and who is not. This was rejected by the committee in favour of the present amendment and this is totally, totally unacceptable.

In the first place, the amendment makes no reference to the procedure being applied only in the event of a dispute. In other words, its provisions apply irrespective of whether or not there is a problem within a community or within a province, so that even if there is unanimity within a community or a province on their traditional

leadership this can be totally disregarded in favour of the President's guidelines.

Secondly, the manner of selection is determined by guidelines prescribed by the President by proclamation. Yet again we have the central Government or, to be more precise, the President storming in where angels should fear to tread, without any reference whatsoever to the provinces, despite the fact that indigenous law and customs are a provincial competence. I must say here that as a province our recommendation to the committee was that even a province should not get involved in this. It is a matter for the houses of traditional leaders and for traditional leaders themselves. It is not a matter for elected members to deal with.

Thirdly, the amendment states that the President shall decide these guidelines "after consultation" which we all know is a qualitatively different matter to deciding "in consultation". As worded, the President can overrule the inputs of the traditional leaders either *in toto* or from any part of the country, which is very problematic in principle since the issue here is not necessarily what the President will or will not do, but what he is empowered to do.

The fact that the President of the country—and let us be honest, not necessarily the present incumbent, we are talking about future presidents as well—is now given the power to determine who a traditional leader is, has enormous consequences. It is the kind of power sought by the colonial regimes which intended that traditional leaders should be appointed and recognised by the sovereign. Traditional leaders resisted this as we all know, but it is now being forced upon them by the first essentially Black Government of this country for the very same reasons of controlling and directly ruling traditional communities.

It must be realised that in terms of section 182, as it originally stood, traditional leaders had an absolute and unconditional vested right to be *ex officio* members of local government bodies. By virtue of this amendment their actual right depends upon guidelines issued by the President and will only rest on the basis of such guidelines and only to the extent provided therein. Therefore, this amendment is transforming . . . [Interjections.]

The DEPUTY SPEAKER: Order! Will hon members please converse quietly. I am having difficulty following the speaker. The hon member may proceed.

Mr P F SMITH: Mr Speaker, I am admittedly rushing to get in as much as possible. The amendment is in fact transforming a constitutionally vested right into a mere legal expectation.

With time running out, let me move on the third objection we have to this Bill, which revolves around the amendment to section 184 of the Constitution. This is frankly the most pernicious piece of legislation this Parliament has yet received. The amendment to section 184 makes it mandatory for the Council of Traditional Leaders to be consulted on any parliamentary law pertaining to traditional authorities and lays down the procedure to be followed in Parliament governing the passage of any such Bill.

It will be recalled, and the Minister reminded us, that the IFP invoked this section in arguing that the Remuneration of Traditional Leaders Bill was unconstitutional. This first resulted in the Bill not being assented to by the President after he had received legal opinion . . . [Interjections.]

The DEPUTY SPEAKER: Order! I am requesting hon members for the second time to converse quietly or, if they want to have a meeting, to have it outside the House. I will have no option but to name members if they continue to behave in this fashion. The hon member may proceed.

Mr P F SMITH: Thank you, Mr Speaker. The first result was that the Bill was not assented to by the President after he had received legal advice. Secondly, it led to a statement by the Minister acknowledging what he termed "legal uncertainty", to which he referred again today. In our view it is a certainty which would have resulted, as the Minister also acknowledged, in the Bill being challenged in the Constitutional Court. Thirdly, it brought into question the constitutionality of other Acts of Parliament which fell foul of section 184 and, finally, it motivated this amendment before us today.

Let us first dispense with empty promises. The second part of the amendment, making provision for consultation with Houses of Traditional Leaders from the end of February should the council still remain unoperational, is utterly immaterial given the fact that, firstly, all parties here as well as the department itself are fully confident that the two remaining Houses of Traditional Leaders will have been formed and that the council will be in place.

Secondly, I say it is immaterial because of the fact that, of the 44 Bills before us here in this session,

those germane to section 184 as presently formulated will be excluded from the new provisions ostensibly intended to substitute for the consultative procedures which have not been followed to date. If the intent were honest—which I maintain it is not—surely the Houses of Traditional Leaders should be consulted.

I give but one example, namely that of the Development Facilitation Bill before us now. Why are the Houses of Traditional Leaders not being consulted on this Bill? It is merely one example of the Bills before us which traditional leaders are entitled to comment upon.

The political reality is that the amendment is intended to achieve just one goal, namely the removal of this inconvenient constitutional obstacle, utilised by the IFP to thwart the President's intentions with respect to the Remuneration of Traditional Leaders Bill, and to legalise the passage of that Bill and all others that are currently unconstitutional, passed by this Parliament.

We believe that this is not an honest route to go and that it does not reflect the intention of section 184 as formulated. We say there is a better way of Parliament rectifying its own mistakes. We have argued in committee that all of those unconstitutional Acts or, if we are going to be generous to the Ministry, all of those which we claim to be unconstitutional or on which there is legal uncertainty, should be referred to the Council of Traditional Leaders within 14 days of its coming into operation, that the council be afforded an opportunity to comment them and, with respect only to those to which the council objects, that Parliament should, within six months, by resolution confirm them as Acts of Parliament. That would at least satisfy a procedure to engage traditional leaders in the process of consultation which, by virtue of this current amendment, is totally being dispensed with. Of course, it was treated with howls of outrage and as a joke by our colleagues on the left and the right.

Though there were other amendments that we voted against in committee, these are the three with which we have the greatest problems. I believe that, despite our acceptance of certain amendments in the Bill, any one of these three on its own would constitute sufficient grounds to object to the Bill as a package. However, when viewed cumulatively, they contribute towards an intolerable assault on constitutionalism in South Africa, which started with the failure of the

central Government to assign laws to the provinces, which was then expressed in the failure of the ANC and the NP to abide by the agreement on international mediation, and which we witness daily here in laws passed by this Parliament.

Frankly, it is the IFP's view that we are on the slippery slope of constitutional gerrymandering, which is driving us to an abyss. This Bill and, indeed, the entire legislative session, is the mark of the celebration of the death of the first Republic, as it was shaped by the Constitution to which we ostensibly owe allegiance, and it marks the birth of the new banana republic with which it is being replaced here. [Interjections.]

Mr W A HOFMEYR: But you come from the banana republic! [Interjections.]

Mr P F SMITH: So God save South Africa and all who live in it.

Senator M BHABHA: Mr Speaker, I would have been surprised if the hon Mr Smith did not complain. I would like to say this to Mr Smith: Thou protests too much. There is a crèche next to the Good Hope Centre. I think he should pay it a visit. [Laughter.]

The history of this country will record the monumental efforts of traditional leaders to maintain their institutions. From the time that the first foreigner set foot on the shores of this land, the traditional leaders maintained a struggle to preserve their culture and to protect their assets from a force that threatened their very existence. History also records the contribution of this institution to the demise of apartheid. It is precisely for these efforts that the traditional leader in this country has earned the respect of the nation.

However, the integrity of this institution was vulgarised by the manipulation of successive governments that sought to exert their influence and undermine the authority of these leaders. This manipulation was so complete that we now have a situation in which the illegitimate leader seeks to enjoy the status of the legitimate leader. With the establishment of democratically elected local governments, this becomes particularly problematic. Hence, a system was required to address this challenge.

It has never been the intention of the interim Constitution or the ANC, for that matter, to temper the authority of the traditional leader. On the contrary, the Constitution entrenches the place

of the traditional leader. However, the literal interpretation of certain provisions of the Constitution neither captures the intention of the drafters nor is it practical.

One such provision is section 182. The category of traditional leader that would enjoy *ex officio* status in the local government structures is not defined, and there is no mechanism to establish the legitimacy of a person claiming to enjoy such status. This could result in a scenario in which the number of *ex officio* members is totally disproportionate to the affordability of the council and their numbers could exceed those of the elected councillors. This could place a particularly severe burden on the coffers of rural councils that would, from their inception, suffer from a lack of resources. Hence, it has become necessary to amend section 182.

I believe that traditional leaders play a necessary and indispensable role as the custodians of customs. It is unfortunate that some view local government and traditional authorities as competing interests. We would be better served if these two institutions could be seen as complementing each other, with both playing a distinct role in society.

It is at this juncture that I hazard to suggest that it is not the creation of democratic structures that poses a threat to traditional authority, but in fact the susceptibility of some traditional leaders to become pawns of political parties. The politicisation of this institution can only be at the cost of their integrity. I believe that the survival of the traditional authority depends on the ability to remain apolitical, and to adjust to the new challenges of the day. Surely inflexibility must be a recipe for extinction?

The hon the Minister, Mr Meyer, has already given the reasons for the amendment to section 245, but I wish to add that it is ironic that it is in the very quarters in which the champions of devolution of power reside that local government elections are not going to be held. These quarters are KwaZulu-Natal and the Western Cape. I wonder what happened to the constant clamouring for bringing power closer to the people?

The truth of the matter is that when it really comes down to actually practicing one's principles, these two provinces fall horribly short. [Interjections.] Ideology sounds very nice, especially when it is expounded in the glowing and romantic manner

in which our friends in these two provinces do, but then I have to pose the question: If they are so committed to their beliefs and ideologies, when is the election? Surely there is an interest in bringing government to the people as soon as possible? It can be seen that this is a clear illustration of how my friends want power devolved. It must devolve only to the provinces and no further.

What is good for the goose is also good for the gander. Why the hesitation in allowing local government to assume some of that power? A few months ago we were subjected to the proud claims of the Western Cape, that the Western Cape was the province best prepared for the election. Suddenly, however, there is an announcement that the entire province will not have an election, because of reasons that still elude us. [Interjections.]

We can accept that the metropolis cannot have an election on 1 November, but what about the rest of the province? Likewise there are a number of towns in KwaZulu-Natal that can have an election. However, Mr Miller wants to postpone the elections for the entire province. One can draw only one conclusion: Some of us claim to be democrats, but fear democracy. So much for ideology. [Interjections.]

What these two provinces do not realise is that the implementation of the RDP, the transformation of society and the actual empowerment of our people await the implementation of local government. It is the Western Cape that wants the Olympics, it is Cape Town that wants Parliament to be here, but how sympathetic can one be when there is a reluctance to implement a simple exercise in democracy? [Interjections.]

The next time Mr Marais cries foul to a local journalist—by the way, some of them very articulately do the crying for him—one should remember that he is the victim of his own designs. That hon member should not look at our doorstep.

*Our doorstep is clean. [Interjections.]

†Perhaps I should end with a line from Bertrand Russell, who once said that there were two kinds of morality—one which we preach, but do not practise and another which we practise, but seldom preach. All I can tell hon members is that democracy is being practised in seven provinces. I rest my case. [Applause.]

*Mr A FOURIE: Mr Speaker, it is naturally very obvious that Senator Bhabha simply cannot accept that the ANC did not get a majority in KwaZulu-Natal and the Western Cape. They must simply accept this. [Interjections.] They are not the only government in South Africa.

One does not like to tamper with a Constitution. It is a pity that changes have to be made to the details of this Constitution, but we accept that this may possibly be necessary in the transitional process.

I want to deal briefly with clause 1 which amends section 99 of the Constitution. Here we are dealing with the appointment of the deputy president of the Constitutional Court. I want to state here that in the spirit of the Government of National Unity one would have liked to see the President also having to consult the vice-presidents with regard to the appointment of such a deputy president. Although the Act does not stipulate this, one wants to express the hope that President Mandela will consider this.

Clause 5, which amends section 149 of the Constitution, concerns the salaries of premiers and MECs. I think there may be uncertainty in the minds of some of our colleagues who are serving in other places, who feel that the President will determine these salaries on his own. We are satisfied that the mechanism which has been built in, that according to section 207(2) of the Constitution it is subject to the Commission on Remuneration of Representatives, indeed achieves synchronisation. I do not think that concern is necessary.

‡Clause 7, which amends section 179, about which we have heard so much today, deals with the representation of traditional leaders on the transitional rural councils and/or district councils. One thing we must say quite clearly here today is that the principle of ex officio representation by traditional leaders on those councils is not in dispute. We had a long debate in the portfolio committee, and eventually settled for a consensus decision that because the matter could not be resolved before nomination day, we would leave it to the President to deal with by way of proclamation.

However, I want to make an appeal to the President in his absence today. Resolving a very serious problem that has hitherto not been possible to resolve places a major responsibility on the President. I would like to plead with him that when he considers this, there must be transparency, there must be flexibility and there must be

consultation, not only with Contralesa, but also with the traditional leaders in KwaZulu-Natal. What is needed is a synchronisation between local government activities and traditional authorities.

There is also a difference in the hierarchy of traditional leaders from one ethnic community to another. Therefore, I would like to plead with the President, when he deals with this, to accommodate this particular preference that might arise.

Clause 9, which deals with the amendment of section 184, states that the Council of Traditional Leaders must be consulted before any Bill is passed in this Parliament. A serious difficulty has arisen because that council is not in place, and we cannot run away from it. We must deal with it in a responsible way, and I believe that we have found a way out.

We find it very difficult to understand that four provinces should be penalised and not given the opportunity to be consulted only because two provinces have not appointed their Houses of Traditional Leaders. The way out is that we put pressure on those two provinces and set a date for those councils to be in place, 26 February 1996, so that at least when we come back next year, legislation by this Parliament can be referred to those Houses of Traditional Leaders. I think that will be a tremendous improvement.

Lastly, I want to deal with clause 11, which provides that the Department of Finance must take over the liabilities of all the former self-governing territories and TBVC-states which have been offloaded onto the provinces. We in the NP are quite happy that they motivated their case very well.

However, I want to make one point, namely that liabilities go hand in hand with assets. There are major assets—never mind apartheid—that have been built into all the provinces in terms of old apartheid policies, if hon members want to call it that. There are a few examples that I want to mention. In KwaZulu-Natal, the apartheid structure of Ulundi is good enough for them. In the North-West, they are quite happy to be using the old Mmabatho legislature building. In the Eastern Cape they go to Bisho. The Western Cape also uses the old provincial council building, and the Free State does likewise. However, in Gauteng—perhaps Johannesburg has a lot of money—they spent a lot of money. The Eastern Transvaal provincial legislature sits in Nelspruit.

The Northern Province legislature has a choice of

three major buildings but are not using any of them. Their excuse is that those are apartheid structures. I want to say to the Department of Finance that if it takes over the liabilities of the provinces, a province such as the Northern Province, which is planning to build an elaborate new Parliament in Pietersburg, has to be stopped because that cannot be allowed. They have three buildings to choose from, and only half an hour from Pietersburg is the former LebowaKgomomo Parliament. At the moment they are renting luxurious offices in Pietersburg for the premier and the MECs at exorbitant rates, whilst the facilities are just half an hour away.

I want to say that if the Department of Finance takes the liabilities, then they should also take hold of the assets and ensure that provinces, especially our Northern Province which is the poorest of the poor, does not spend a lot of money. That money can rather be used to build houses, clinics and roads and install water reticulation in that particular area.

Lastly, I want to congratulate the two provinces Mpumalanga and the Northern Province on their new names.

I want to say to the ANC that when we take over in the Northern Transvaal, we will call it the "Great Northern Province", and the ANC must not think that we cannot take it over. In Canada, the previous government fought an election and they did not even win two or three seats, they lost completely. So the ANC should watch out as we are on the march, and we are going to win the votes. [Interjections.]

*Dr C P MULDER: Mr Speaker, it is a pleasure to see the hon member Mr Fourie fighting for his province of Northern Transvaal. I think he is an example to other members to fight for their provinces.

However, what I find strange is that this hon member, as is the case with some of his colleagues, is still in dreamland and thinks they are going to win an election in future. The sooner he accepts the reality in that regard, the sooner he will reach other solutions.

The amending Bill is a comprehensive piece of legislation which deals with quite a number of issues, and consists of 15 clauses. Some of my other colleagues have already outlined the detail of the legislation, but I would nevertheless like to refer to certain aspects of it.

The Bill deals with less contentious issues, such as the appointment and duties of the Deputy President of the Constitutional Court, in clauses 1 and 2 the determining of the quorum of the Court, rulings of the Supreme Court in general, and the appointment of the secretary and staff of provincial legislatures. It empowers the President to determine the allowances and remuneration of premiers and executive councils, and then there are certain provisions about local government elections, which are essential.

I would like to quote clause 3 of the amending Bill, because it makes provision for the following:

Any division of the Supreme Court shall have jurisdiction to grant an interim interdict or similar relief, pending the determination by the Constitutional Court of any matter referred to in section 98(2), notwithstanding that such interdict or relief might have the effect of suspending or otherwise interfering with the application of the provisions of an Act of Parliament.

We welcome this provision, as it increases to a very large extent access for the public and for everyone who is to be involved. It is therefore to be welcomed.

Clause 5 amends section 149(10) of the Constitution. In terms of the Constitution, a law from the provincial legislature is currently necessary to determine the salary of the premier and the executive council. This is now being changed in terms of the amending Bill to make provision for the President to determine it. When he proposed it, the hon the Minister said that it would achieve uniformity, and would therefore be a good idea.

It is our opinion that it is not necessarily a good idea, because the provinces are not uniform. We have rich and poor provinces and it may be necessary—we think it is better—for the provinces to determine this themselves. The public in that particular province can then decide whether that province is acting economically or not. I find it strange that the NP supports this idea.

Section 182 of the Constitution as a whole is replaced. This section deals with the entire issue of traditional leaders and currently determines that a traditional leader of a community observing a system of indigenous law and residing on land within the area of jurisdiction of a local government is entitled to be an *ex officio* member of that local government.

Problems are rightly being experienced and foreseen in the implementation and interpretation of this section and therefore, it is being said, it is necessary to introduce a mechanism to solve the problems.

However, it is interesting that the Bill as introduced proposed a certain mechanism which left it to the premier of a province to determine who the traditional leaders are, in consultation with the local government there. That mechanism was replaced in the final Bill with another mechanism in terms of which the President determines who the traditional leaders are, in terms of regulations and certain conditions which may be determined.

It is our opinion that this is wrong, and that one should perhaps look at a third, totally different, mechanism to determine where these differences exist with regard to who are traditional leaders and who are not. I think the last thing which we can allow is the development of a power-struggle between the provincial and the central authority about who determines who are traditional leaders and who are not. Perhaps the time has come for one to look at another mechanism—a neutral, independent institution—really to investigate this situation comprehensively. Under the present circumstances, and until such time as a mechanism exists, we are, however, of the opinion that the premiers in the provinces would more readily be the correct people—they are closer to their communities—to be able, in consultation with the leaders at local level, to determine who are traditional leaders and who are not.

We cannot allow an incorrect principle to be applied because problems are probably foreseen in one province—that a system will be incorrectly implemented there—and then leave it to the President to have to get involved in the matter to say who are traditional leaders and who are not. This can lead to tremendous problems, and my concern is that it is not good enough, as the hon member Mr Fourie asked, that the President must consult. He has to do that in any case. However, I think this provision will cause problems which we could have prevented.

Finally, the legislation makes provision for the possibility of local elections taking place on different days. This is inevitable. However, we think it is a pity—it is wrong. We have already said that it must be arranged that all these elections must take place on the same day, even if

it must then be at a later date, and in an orderly manner.

As a result of this, the FF will not support the legislation.

Mr C W EGLIN: Mr Speaker, at the start of the Minister's introduction to the Bill, he paid a tribute to the members of the portfolio committee for the work they had done.

I think that is entirely justified. They have worked—I shall use a common phrase—like navvies to get this legislation in order. However, it does not prevent me from doing what we have to do and that is expressing our strongest disapproval of the pressure-cooker atmosphere in which we have had to deal with this legislation. It was reminiscent of the worst of the old days of the PW Botha regime: End of the session, pressure-cooker, pass it, because it has to be passed! It does not do justice to the legislation and it does not do justice to the Constitution of South Africa.

The members did work hard, I concede that to them! The fact is that we were sitting when Parliament was sitting. Yesterday afternoon while we were sitting, deliberating in this House the portfolio committee was sitting, voting on this Bill. They received amendments which had not been introduced until yesterday afternoon. The first time all of these members who are sitting here, who are gaily going to vote for this Bill, saw those amendments, was this morning. The first time the members of the committee saw it was yesterday afternoon and the first time these hon members saw it, was this morning. Yet hon members say: "They must be all right. We are going to approve them as they are."

I must say this: I do not feel that any of us on that committee did our work correctly, because of that pressure-cooker atmosphere. There was not time to assess the legal and consequential implications of the amendments. I venture to say that we are going to come back to amend them again because of that. There was not time for any of us to refer this to our caucuses, because we were taking decisions. There was not time to discuss this with interested parties, other than those who have been requested formally to come and give evidence or who formally sought evidence.

This placed an intolerable strain on that committee, and let me say it as a member of a smaller party: It placed an intolerable strain on the input of smaller parties who had to combine the

activities of Parliament, of the portfolio committees and of the Constitutional Assembly. The fact is this: In those pressure-cooker circumstances, no committee, however efficient, is going to be able to do justice to the legislation.

It will be said that these amendments that were tricky and difficult all arose out of the provincial election. Yes, the provincial election was a factor, of course, but it was not the only factor. Many of these amendments are amendments because either laws have been passed or regulations have been issued which, in fact, are in conflict with the Constitution. Instead of us changing the laws or getting the procedures right, and instead of us amending the regulations, we just say: "Well, let us change the Constitution to fit into the regulations that have been made."

I accept all the difficulties of time and pressure, but it shows a concept that, in fact, the Constitution is not the fundamental law, the Constitution is not the supreme law, and that the Constitution must be made to fit in to what the Government wants or what the regulators want rather than the Government or the regulators fitting in with the requirements of the Constitution. [Interjections.] This is an about-face.

I want to say that there are a number of clauses against which we have no objection. They have been mentioned, for instance, the question of a Deputy President of the Constitutional Court. I am surprised that President Mandela has already announced that he has appointed this gentleman before Parliament has amended the Constitution. [Laughter.] I am surprised that this has happened. The question of a quorum was the very issue which the DP raised when he wanted to appoint acting judges. We said: "What about the quorum?" They said: "No, we will deal with that by having acting judges." We do not object to that. We think it is good that the Supreme Court should have a wider assignment in the field of constitutional matters. On the issue of town planning, we believe that it has to be delegated to officials. There are a number of other matters. We certainly approve of the fact that public servants, and that includes teachers, nurses and other people, should be entitled to stand in the forthcoming municipal elections.

With those we have no specific objection, but there are other areas in which we have serious objections. One is the changing of a date which we all said had to be on one day throughout the

country. There may be practical reasons why that should be so. However, we feel very strongly about it and we moved an amendment at the committee, saying that, provincially, at least, the election should take place on the same day. If a particular province cannot hold it because of problems, let them not hold it, but one should not have the case within provinces where some areas have elections and others not.

I know that the Government rejects that, but interestingly enough, in the Western Cape, they say, we would be penalising people just because of the Cape Town situation if others did not have the election. However, in KwaZulu-Natal, there are areas where elections could take place, but there, they said that, because of problems in KwaZulu-Natal, it should be on a provincial basis.

So the Government has two standards of criteria. In Natal they have one standard and in the Western Cape they have another standard. We believe that if one is going to honour the philosophy and the concept of local government and provincialism, which are very important features, elections should take place throughout a particular province on the same day, even if the provinces, unfortunately, have to be staggered.

Secondly, the clause that deletes the question of a single day also does something else: Section 179(1) does not only say elections should take place on the same day throughout the province, it also says a local government shall be elected democratically. That has also been excluded, because we passed another Bill some other time, to say in fact it does not have to be elected democratically in rural council areas.

Therefore, having ignored that element of the Constitution by passing another law, we now say: "By the way, let us change the Constitution to fit the law that we have passed." All I am saying is that this is evidence, I think, of untidy work which is not befitting a legislature amending a constitution.

The next one is clause 8, dealing with the question of traditional leaders serving on a local council. That is part of the Constitution. However, the words are very clearly intended to mean the traditional leader of a community residing in that area. The DP suggested that the problem would not be resolved by adding riders to the effect that

the Premier must resolve it, or XYZ must resolve it. It must be resolved at the roots.

What is meant by the words "traditional leader of a community"? There is an ambiguity as to what it means, and it should be amended to change that in particular, so that one should know exactly what one is talking about. Our view was that it should be "the traditional leader designated by the community". If he is the traditional leader of the community, why should anybody else tell the community who their traditional leader is?

In the end there were problems of time. Let me say that the majority adopted what I have become accustomed to as a charming ANC technique: if one cannot resolve problems, one leaves them to Madiba, or his deputy. [Interjections.] That is exactly what we are saying! If we cannot resolve a problem in the Constitution, we say let us leave it to the President to decide what he is going to do. That is not how one draws up constitutions. That is perhaps how one resolves problems in political parties, but is not the way we should resolve problems in South Africa. [Interjections.]

Another issue is this question of local government. At the moment the Constitution says that local government should be structured in a certain way. We are deleting the words "local government", and changing it to "local transitional councils and substructures of metropolitan government". That means that the metropolitan councils are no longer covered by this clause, and that they do not have to have democratic representation. It also means that we have passed the Rural Councils Act in conflict with the Constitution. All we are saying is, if we respect the Constitution, we should change the other laws and the regulations to fit the Constitution, and not change the Constitution to fit the laws.

The last issue is the question of the remuneration of traditional leaders. We are not in favour of this, as we were not in favour of the parent Act. We actually do not want to get involved in the argument about KwaZulu-Natal, and who is manipulating whom. Ours is a very simple philosophy: The people who should in fact determine the remuneration, and pay for the service, are the people who want them. The local community who wants a leader, pays for the leader; not the President or the Premier, but the local community. This is because it is that factor which creates a direct bond of accountability between the traditional leader and the community.

And so, we would once again argue against it. We have actually passed a law which even the Government, by implication, admits is unconstitutional. Yet they are saying: "No, let us not rescind that Act and follow the correct procedure; let us amend the Constitution to make the constitutionality retrospective."

Therefore, we have specific objections to specific clauses, but we also have an objection to the whole attitude, the whole style of Parliament in respect of the Constitution of South Africa. Of course it must be amended from time to time: Constitutions are not cast in stone.

However, for heaven's sake, at a time when we are trying to persuade our fellow South Africans to respect constitutionality, to respect the rule of law, I think this Parliament has to send out a signal that as far as it is concerned the Constitution is the supreme law, and if we are going to amend the supreme law, we should do it in a way which befits the status and significance of that Constitution.

We will not be able to support this amending Bill.

Mr S M MALEBO: Mr Speaker, I was not going to address this House this afternoon. However, I felt that I had to respond to the statements made by an IFP member who spoke after the Minister. I am not going to bore myself by responding to the DP's and the NP's comments.

When the IFP member was delivering his speech, the Speaker had great difficulty in maintaining order in the House. Hon members did not want to listen to him. This is precisely because he was rapping, which is a new type of music. This House is too honourable to listen to rap music at this time. That is why members decided to converse rather than listen to him. The content of his speech left much to be desired.

The issue of traditional leadership does not only belong to KwaZulu-Natal and the IFP.

Le rona re na le magosi kwa re tswang teng. Magosi a rona le ona re a tlotla. E bile rona ga ise re tlhasele matlo a magosi a rona. Re a tlotlile. Bogosi ba ga Sekgoma le bogosi ba ga Moroka, bo eme kwa Thaba Nchu. Bogosi ba ga Moshweshwe bo santse bo eme. Ga ise re botlhasele jaaka lekoko la ga Rre Smith le buile. Re tshwanetse re thlagise gape gore lekoko le la IFP, le bua o kare ke lona le le sireletsang bogosi ka kakaretso. Ba bua o kare ke bona fela ba ba

nang le bogosi. Nyaa, le lwela bogosi ka ntlha ya eng? Bogosi bo eme go filtha gompieno jaana gonne bo ipatagantse le batho. Le tshwanetse go re lo lese bogosi gore bo eme mo maemong a a tshwanelang nako ya gompieno ya demokrasi le semolaotheo. (*Translation of Tswana paragraph follows*)

[We also have chiefs where we come from. We also respect our chiefs. Furthermore, we do not attack our chiefs' homes. We respect them. Sekgoma's and Moroka's chieftaincy is still in place in Thaba Nchu. Moshweshwe's kingdom is still in place. We never attacked them in the way in which Mr Smith's party says we did. We also note that the IFP speaks as if it is the only one that protects chieftaincies in general. They speak as if they are the only ones who have a kingdom. Why are they fighting for a kingdom? Chieftaincies have stood the test of time because they are close to the people's hearts. They have to let chieftaincies take a place that suits today's times of democracy and constitutionalism.]

We must also emphasise the fact that their intention is not necessarily to oppose this Bill. Their intention is to frustrate the constitutionalism that is developing in this country. We can quote many examples. The reason the IFP is not participating in Minmec's meetings and intergovernmental relations is precisely that they are opposed to democracy taking root in our country. We must also say that the nature of traditional authority has always been dynamic and not static. We not only need to protect the traditional leadership, but ensure its survival in a South Africa which is democratic and constitutional.

The challenge, therefore, is that today we need to nurture democracy and the traditional office. These coming elections and the clause that the IFP is opposed to, are precisely what we need to achieve this.

The second challenge is that elected officials and traditional leaders need to decide today, in this democratic South Africa, who should be assigned which powers. We should not protect and fight for those powers which were relevant when we were setting up the offices of traditional leaders.

Thirdly, in a democratic and developmental state, which South Africa is today, what role do we need to assign to both elected and traditional leaders? We need to assign a new role to those traditional leaders who are still willing to function hand in

hand with those elected authorities. The fight between the elected representatives is not over in this country. It is clear that it is found in a specific area. For this reason this House must not always waste its time by concentrating on this as if it is a major problem. If one goes to the Northern Province, Eastern Cape Province, the Free State and other provinces, there are no fights that these other parties are talking about.

In conclusion, these challenges are not insurmountable and can be overcome. They can be overcome in the same way that democracy defeated apartheid and all those who stood for its ideals.

Senator D M MALATSI: Mr Speaker, thank you for this opportunity. I would like to follow on the speaker who has just taken his seat by saying that if it had not been for apartheid, we would, in my view, not have all of the traditional leaders we have today. [Interjections.] I believe I can indeed say that.

The amendments that are being considered need not necessarily be opposed by anyone. In fact, it is a necessity that we support them, because at present we are not in a position to control the Council of Traditional Leaders. We really do need this legislation. [Interjections.]

I am being paid as much as that hon member, and I would like to say that the traditional leaders have a great deal of respect for the President of this country. The mandate which has been given to the President to consult with traditional leaders in order to decide who among them should participate in the locally elected local authorities is, in my view, a better arrangement than the previous one, in terms of which the premiers were given the power to consult and to decide who traditional leaders were. I believe that the premiers would actually have done the same job as the former homeland leaders, who deposed chiefs when they did not agree with them.

I believe that the President of this country is in a better position to reach a decision in this regard, even though he may find himself in a difficult position. However, who would be better able to consult the traditional leaders and to understand them? I have had contact with some traditional leaders who feel very happy with the arrangement that they should be consulted by the President of this country.

However, our proposals could have been legitimised by the traditional leaders themselves had they been here. We are having this debate today, but I have not seen any of the traditional leaders whom I know are present, come forward to present their side of the matter. I am talking on their behalf, and we expect them to accept what we mete out to them.

I have been informed by traditional leaders that the President has indeed consulted them in this regard. The outcome was the regulations that were published by the Department of Constitutional Affairs in respect of representation on the Council of Traditional Leaders. The contents of that document reflect what the traditional leaders said to the President during the consultations.

Therefore, it would be unfair to the traditional leaders to oppose this legislation. It would be unfair for us simply to decide on their behalf and to say what we feel should happen in their case. I would like to add that it would also be unfair if we were to say who was a traditional leader and who not, thereby deciding who could participate in the local government structures. Ideally, all traditional leaders who are ex officio members of local authorities should be able to sit on those councils. However, I think the people out there perceive the structures of the Council of Traditional Leaders as an addition to the gravy train. Maybe they do not want traditional leaders to participate at local government level. I do not believe that traditional leaders should be participating at that level in order to be rewarded; they should participate as representatives of their own communities in the areas in which they have jurisdiction.

If we were to decide which traditional leaders qualified to serve on what body, we would have to be careful. We would have to see to it that it did not lead to tribal wars. I say this, because the traditional leader in my own area, for example, would not allow a traditional leader from another community to represent his community while he was excluded. I think we should take cognisance of that. It is very important that traditional leaders, as ex officio members of these local authorities, should be able to participate in and influence structures of government that are meant to govern their people. I do not care whether they vote or not. Unless we take that into consideration, we are going to find ourselves coming back here to look at the issue once more.

Furthermore, I would like to say that we also support section 184 of the Constitution, which provides for the establishment of the Council of Traditional Leaders. However, I would like to say that we in the NP are concerned about the problems in the Eastern Cape and the Northern Province. The problems are such that we should really try to use our own influence to get those Houses of Traditional Leaders established, so that we will be able to establish the Council of Traditional Leaders and it will not be necessary for us to come and sit here to amend the Constitution so as to make it possible to implement decisions which we have taken. The date of 28 February 1996 should, therefore, be taken seriously by the Northern Province and the Eastern Cape, where there is indeed a big problem.

We hope that in the next few weeks they will be able to establish Houses of Traditional Leaders in these provinces. My colleague on the right keeps screaming. I do not know whether or not he knows of and subscribes to a journal called *The African Communist*, in which it is stated that traditional leaders are members of a group of elite bourgeoisie who need not be catered for. [Interjections.] His shouting actually means that he despises and disrespects the institution of traditional leaders and, therefore, that he subscribes to the publication. [Laughter.]

A ke boleli maaka, ke mmosa nnete ya go xe yena a sa otwane le makgosi. [I am not telling lies, I am telling the truth. He was not in agreement with chiefs.]

The facts should be told straight, as they are. This Parliament should take cognisance of the fact that traditional leaders are here to stay, whether we like it or not.

Mr R K SIZANI: Mr Speaker, I am very pleased to be speaking while the hon Mr Ramaphosa and Mr Meyer are present in the House. I think it should be acknowledged that concluding a constitution at 3am in the morning is not necessarily a good thing. We now have to process a number of amendments, many of which are the consequence of agreements reached without any thought as to their implications. I never imagined that I would show any concern about what happens to the interim Constitution, but I must say that the PAC is concerned about the implications for these numerous constitutional amendments and their constitutionality.

The PAC accepts some of these amendments, rejects some and has concerns about others. I shall mention a few of those with which we have problems. The PAC rejects the amendment to section 179 which introduces the notion of staggered elections. We are not unmindful of the problems faced by the authorities in ensuring democratic elections throughout the country. We recognise and acknowledge the importance of having democratic local government structures. In this regard, we supported the notion of holding those elections on the same day, on 1 November 1995.

We are now informed that there are problems in certain provinces which necessitate a staggering of the elections. What we are not sure about is whether or not the implications of the staggering, especially within the provinces, have been considered. This may result in chaos, intimidation and violence with activists on all sides moving from one area to another to ensure that losses suffered elsewhere do not recur. The financial implications, especially for smaller parties, are very disturbing.

Furthermore, we have been informed that the Government is determined to ensure that all the elections will have been held by no later than 31 March 1996. We support this. Our question, therefore, is the following: Why can we not shift the date to some time in February or March, in order for the elections to take place on the same day all over the country? In addition, apart from deliberate delays, there are genuine problems which still need to be addressed. At the very least, the PAC will settle for staggering between provinces, but certainly not within provinces. We are, therefore, disappointed that both these options were rejected in the committee.

Since the talks at the World Trade Centre, the PAC has been concerned about the treatment of traditional leaders and about anything that has to do with African values and culture. We were, therefore, very worried when a constitutional amendment which affected the ex officio status of traditional leaders in local government structures was piloted. This was done without any serious consultation with them. During the committee meetings the PAC argued that if there were problems with the implementation of section 182, traditional leaders, among others, should be consulted about the solution. We are pleased that Ministers Meyer and Moosa were tempted to do

this and managed to secure a reasonable compromise.

The PAC would have supported the amendment of section 182 if it stood alone. It has always been a great pity that both the interim Constitution and the Local Government Transition Act had an urban bias. For instance, no serious consideration was given to rural local government. Even now, no serious attempt has been made to address the problems in the rural areas holistically.

In addition, it was unfortunate that the Local Government Affairs Amendment Act accepted race as a criterion in using the 50-50 formula for the allocation of wards. This has meant that urban dwellers now have an electoral system that allows wards and proportional representation, while rural areas will mostly have proportional representation.

Again the relationship between traditional institutions and local government structures has not been satisfactorily addressed and clearly spelt out. The PAC objects to this shabby treatment of rural people and, therefore, has strong reservations about the amendment to section 245(3) of the Constitution.

The PAC must express concern about the fact that up to now the Council of Traditional Leaders has not been established. Their role is very important in legislation such as the Restitution of Land Rights Act and the Remuneration of Traditional Leaders Act, and in amendments pertaining to rural local government. We accept that the problem lies with the setting up of the provincial Houses. This is, of course, due in part to the fact that certain people in the provinces are prejudiced against traditional leaders. We are promised, however, that these Houses will be in place very soon.

We must express our dissatisfaction with the implications of the amendment to section 184, especially that of retrospectively removing the requirement that some of the laws already passed by both Houses should, in fact, have been examined by the Council of Traditional Leaders before they were passed. This is a bad precedent. It sends disturbing signals for constitutionality. What will follow next? Will we remove the Senate if it becomes inconvenient?

The last issue the PAC would like to address is the question of the debt of R14 billion which was created by the Bantustan administrations, which

must now be assumed by the national Government. The PAC has no problem with the technicality of the national Government's taking over the debts in line with the provisions of the Constitution. What we would like to know, however, is whether there has been a full and satisfactory account of where the R14 billion went. Lucas Mangope is being investigated for the abuse of State funds. If it is found that he is guilty, he should pay back what was not due to him.

In addition, this principle must be extended to all the homelands and their apartheid masters. The national debt increased enormously in the last days of apartheid. Where did that money go? In short, the PAC is calling for a truth commission to deal with serious economic crimes. We cannot bring back those who were killed by apartheid, but we can recover something from those who plundered the national coffers.

It is easy to pay lip service to the RDP, but this is the time to show concrete support for it by confessing to economic crimes and by recalling all those millions in secret numbered accounts in Switzerland and surrendering them to the RDP. Alternatively, we should investigate these crimes and reclaim what is due to the people of this country.

Finally, as we said earlier, this Bill contains some good amendments, such as those relating to the Constitutional Court, the public servants and defence, which we would have supported had they been presented individually. They are presented as part of a package, however, and we shall vote against the package.

Ms Y L MYAKAYAKA-MANZINI: Mr Speaker, hon members, I rise to support the Constitution of the Republic of South Africa Second Amendment Bill which, among other things, amends section 182 of the interim Constitution, which provides that -

The traditional leader of a community observing a system of indigenous law and residing on land within the area of jurisdiction of an elected local government . . . shall *ex officio* be entitled to be a member of that local government . . .

This is very important to us, because this provision is intended to facilitate the local government elections. The amendment as it stands is not contentious. It is only contentious to those people who do not want local government elections.

These are the same people who did not want the elections of 27 April. [Interjections.] What a coincidence!

At the same time we also have an amendment which seeks to ensure that the process which we embarked upon on 27 April continues and is not actually reversed. This is an amendment which seeks, in retrospect, to have those Bills which we already passed regarded as laws of the country, despite the fact that they were not referred to the Council of Traditional Leaders. As hon members know, this council is not yet in existence.

Our transition has been hailed as a miracle. If we are to maintain this image, we have to deal with some of the problems which have arisen during this transition. One of these is that we have to accommodate the traditional leaders in a new dispensation. Indeed, Chapter 11 of our interim Constitution goes a long way towards recognising the role and status of traditional leaders in our country.

In implementing this constitutional provision a number of problems have arisen, such as determining who in the hierarchy of traditional leaders should serve at local government level. It is not as easy to resolve this problem as the hon member from the DP Mr Eglin seems to think. Within the traditional communities there is a hierarchy. There are kings, paramount chiefs, chiefs, headmen, as well as subheadmen.

When the Constitution was drafted, we took it for granted that the traditional leader who would serve as ex officio at local level was going to be a chief or inkosi. This arose from our understanding that traditional authorities, as they existed, would continue and exercise those powers and functions they had within their communities, powers which they exercised in consultation with headmen and subheadmen.

Now we have to deal with the problem of trying to resolve who the traditional leaders in those communities are in cases where there are still disputes. This is a problem we have inherited from the past apartheid system in terms of which certain headmen were given the status of chiefs. Because of this there is no way in which individual premiers can determine who exactly the legitimate chiefs are. Thus the amendment gives this power to the President of the country, who will act, after consultation with the Houses of

Traditional Leaders, as well as the Council of Traditional Leaders, if it exists at national level.

We hope that the President and the traditional leadership structures, both at provincial and council levels, will be able to communicate and consult with the communities affected in this process. This will therefore not be a unilateral decision, as has been stated here by some parties. [Time expired.]

Senator R J RADUE: Mr Speaker, I just want to pass a few remarks in the time available to me on the question of those provisions which relate to the Constitutional Court.

Earlier this year we passed in Parliament the Constitutional Court Complementary Act, Act 13 of 1995, which provided, *inter alia*, for the establishment of the Constitutional Court as a court of record, and which regulated the question of the quorum of the court and provided for the appointment of a deputy president of that court. These matters had not really been settled in the original legislation which was passed, and this became necessary as a result of the practical operation, the practical functioning and the administration of the court itself.

The Constitutional Court Complementary Bill was initiated before the Select Committee on Justice of the Senate. It came to the Senate in the first instance. During the Senate debate the question was raised by the FF, the DP and the IFP as to whether these provisions were in fact constitutional, since the Constitution was silent on these matters. The NP took the view that the provisions did not appear to conflict with the Constitution or the spirit of the relevant sections of the Constitution.

I must say that we further pointed out that the creation of the post of deputy president of the court did not change the composition or the number of judges of the court. In any case, the changes were brought about at the specific request of the President of the Constitutional Court, Mr Justice Arthur Chaskalson, who indicated that they were necessary for the efficient, smooth operation of the court itself.

The ANC agreed that the legislation did not appear to violate the Constitution, and they also supported the Bill at that stage. It has, however, now been deemed prudent to eliminate all doubt on this issue, because doubts were expressed on whether or not they were constitutional provi-

sions. The time is now convenient to provide for changes to the Constitution, and the Bill before us provides the remedy for the situation and allows for the Constitution to accommodate all these necessary requirements.

If any doubt previously existed as to the constitutionality of the previous legislation, it is now removed, and in any case, sections 8, 13 and 16 of the Constitutional Court Complementary Act will now be abolished. All cases which come before the Constitutional Court will be heard and determined by the president and all available judges, subject to the proviso that the court shall at no stage consist of less than eight judges. The position of the deputy president of the court is now also finally secured.

Embodying these important provisions governing the Constitutional Court into the Constitution itself at this stage in fact reinforces the principle of a constitutional state in this country, and entrenches the Constitutional Court in South Africa.

Under the circumstances we are happy to support the legislation.

Mr L M GREEN: Mr Speaker and hon members, by section 3 of Act 29 of 1994, section 99(8) of the Constitution was introduced a relatively short time ago. Here provision was made in subsection (8) for an acting president of the Constitutional Court who would take over the functions of the president, should he or she be unavailable. What is at best an obvious oversight, and at worst scant attention to detail, forces yet another totally unnecessary and superfluous functionary to be caused to be established, namely a deputy president of the Constitutional Court, just in case an acting president has not been appointed.

More interesting, however, is the way a deputy president is appointed, especially when viewed against the more stringent requirements for appointing an acting president. Surely the appointment of the deputy president must have at least the same requirement of consultation with the Chief Justice. The deputy president's tenure is equally strongly linked to the president's favour. Therefore he or she will have a very strong influence on the particular candidate, and this cannot be in the interest of justice.

With reference to the amendment of section 101, the clause is aimed at giving any division of the Supreme Court jurisdiction to grant an interim

interdict or similar relief pending the outcome of a constitutional case, even though such interdict or relief might have the effect of suspending or otherwise interfering with an existing Act of Parliament. We cannot accept such an amendment. Take, for example, the matter regarding pornography that is at present being heard in the Constitutional Court. Should this amendment go through, the existing legislation that curbs pornography could immediately be challenged and its operation suspended as being contrary to the Constitution. This we cannot allow for obvious reasons.

It would seem that the parties which accept such a fundamental limitation do not have the confidence in the members of the Constitutional Court we had thought, and that they want to cut straight across the line of separation of powers and give authority that rightly belongs with the Constitutional Court to every other superior court.

With reference to the amendment of section 149, provinces are supposed to be autonomous and as such the President determining the salaries of premiers and MECs is unthinkable.

The amendment to section 176 says that a local government council may appoint an individual to do its town planning, and takes this vital aspect away from a special committee which would have the advantage of negotiation and discussion. This makes it potentially possible for a single person to do the town planning, unchecked by the metropolitan council. We do have a concern in this regard.

With reference to the local government elections, we would prefer the elections to be on one day, because we believe that one national holiday for elections is enough. We cannot afford another national holiday.

In view of these objections the ACDP cannot support these proposed amendments and we challenge the NP to change their vote. It is not enough for them to raise their concerns. These concerns will sound very hollow if they vote for these amendments.

Mr P J GORDHAN: Mr Speaker, the hon the Deputy President and the hon the Minister, the ANC supports this Bill after carefully looking at each of the clauses, amending them where necessary and ensuring that this was not done in a rush.

On behalf of the ANC, I accept Mr Schoeman's offer that we should all display tolerance in respect of the elections and in our general conduct. I trust that Mr Schoeman will extend that same wisdom to his colleagues in the Portfolio Committee on Education, who I believe are threatening to walk out because they are not happy with some things that are in the Bill.

Let me nevertheless take this opportunity to thank the hon the Minister and the department for their co-operation over the past three and a half weeks we have been dealing with this Bill.

I believe that any complaint from the DP and the IFP, in particular, that this Bill was rushed and that there has not been time to refer it to caucuses or anything else is utter nonsense. This Bill has been before this committee in various forms for over three and a half weeks, and that is a fact. We arranged with the Ministry, even before the Bill was published in an official form, that the draft Bill would be made available to us once the Cabinet had approved it in principle. We agreed that parties should be given the maximum possible opportunity, not only to address the Bill in the committee, but also to hear submissions on the Bill. Unfortunately the portfolio committee is limited at this stage by the way in which Parliament works, in that it does not have any facility to advertise these Bills, put advertisements in newspapers and use other mechanisms to draw attention to these Bills. Nevertheless we have done everything possible to accommodate whosoever has been willing to express their concerns at our committee.

One of my colleagues just said to me that it appears that the electioneering for the local government elections has started. Perhaps no better demonstration of this was given by the 1,7% party, the DP.

Clearly, what Mr Eglin had to say was an example of manufacturing issues to lend dubious credence to the watchdog image which the DP is trying to cultivate for itself. To talk of rushing and no time for caucusing is both an exaggeration and a flimsy excuse for the fact that they are unable either to persuade us or force us to be persuaded.

The DP and the IFP regrettably form a strange alliance in this regard. Both of them are engaged in the popular exercise of saying that we are rushing things when in fact the rush, the time and the process are not the issues before us, but rather

that it is a political one about which they might differ with other political parties.

In Mr Eglin's submission in respect of section 179 he wants to constitutionalise the fact that staggered elections could take place on the same day in a particular province. I will come back to that matter.

On the other hand, the IFP, as we all have learned through not too pleasant experience, can never be satisfied. Mr Smith's reference to Rule 145A, which is not a functional Rule of Parliament at this point in time, is in fact what happened in practice. That Rule provides for three weeks for responses after a Bill has been published. This Bill has been before the committee for three and a half weeks and in effect the public or any other interested party has had all that time to address the matter.

The Bill reflects very important, yet difficult, issues, such as the staggering of elections, the role of traditional leaders—which has been adequately addressed by my colleagues—and the transformation and restructuring of local government.

Perhaps it is opportune at this time for all of us to congratulate Mr Justice Mohamed on his appointment as the Deputy President of the Constitutional Court, although it might have pre-empted this particular debate in Parliament. I would think that it was rather petulant of the DP to snipe at this, rather than share with us in congratulating a person who has made an illustrious contribution to the judiciary and the law in South Africa. [Applause.]

The issue of the premiers' pay was raised by the IFP as well as the ACDP. I do not see any reason why any particular province would want the right to pay its premier a different salary from any other province.

Also of note in this Bill is that it now provides for the appointment of a Secretary for Defence which is an important step towards bringing about civilian control over the Defence Force.

However, I want to return to two important matters with respect to local government. The first is the question as to why an amendment to section 245(1) was necessary in the first place. It was necessary to provide for the staggering of elections, because demarcation problems in various provinces, particularly in KwaZulu-Natal and the Western Cape, had not been resolved. We as a

Parliament need to ask whether these problems are insoluble or manufactured. We must ask why, in the Western Cape, the metro is unable to resolve its problems and why the parties are unable to find political solutions. Is it a deliberate exercise to thwart the democratic process in this province, or is it a legitimate inability to find solutions for these problems? We have been given no reasons as to why no rural elections will be taking place in the Western Cape.

An HON MEMBER: Do they have to?

Mr P J GORDHAN: Yes, they have to. But in KwaZulu-Natal an interesting saga has been taking place over the past four to five weeks. First we were told that only the metro was having difficulties and that the rest of the province would be having elections. Then we heard that the metro and some of the rural areas would have difficulties, but that the rest of the province would have elections. We were then told that the metro, rural areas and 14 TLCs which have to be combined with adjoining tribal areas in the view of the Demarcation Board, have problems, but that the rest of the province would have elections. Lastly, we have heard that only 1% of the population of KwaZulu-Natal can participate in the elections and that therefore no elections are necessary at all.

Clearly this is a graphic illustration of political manipulation in order to thwart the democratic process and to immerse the province of KwaZulu-Natal in a political quagmire which is going to result in engineered conflict and violence for political purposes which all of us fail to understand.

The amendment which Mr Eglin put before our committee on behalf of the DP did not enjoy the support of the ANC, because we believe that there is no point in putting into the Constitution a provision which we cannot adequately ensure will be implemented when the time comes.

There is no way in which we can now say that the elections in KwaZulu-Natal will all happen on the same day. We would then have to come back to this Parliament, to this Joint Sitting, and ask for the Constitution to be amended again.

Let me lastly address the implications of the amendment to section 245 other than in respect of the staggering question. The Local Government Transition Act was supposed to be effective only until the first election. Yet, its impact will be felt for possibly up to three years, and perhaps even beyond, in that the structures created by the LGTA will continue in that form until then.

The second element that we need to build in is that whilst we are going through this transition process in local government, we are also engaging in the process of drafting the new Constitution, and embracing within that Constitution a new vision for local government. However, what we have is a vacuum between the end of the application of the LGTA and the development of the new legislation on the basis of the new Constitution. We believe that this vacuum provides us with an important opportunity to ensure that in a co-operative, consultative and constructive way, we develop a coherent and clear model for local government throughout the country. We believe that that is much better than to engage in Constitutional Court exercises and conflicts as a result of any uncertainty that there might be.

We also believe that section 126, if approached constructively, and I believe most of the parties in the portfolio committee are doing so, will provide us, if we sit together, with national legislation drafted in consultation with the provinces and provincial constitutions drafted in consultation with the national legislature in Parliament and the Government. That will ensure that we do not engage in any unnecessary political or constitutional conflicts. We are beginning to reach a point in our portfolio committee where we have broad agreement amongst the parties and with the department, that there is a need for bridging legislation, and that there is a need to develop a new vision for local government and to review existing legislation to bring it in line with the current democratic model. [Applause.]

The MINISTER FOR PROVINCIAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT: Mr Speaker, we have the interesting phenomenon that four parties, namely the FF, the DP, the ACDP and the PAC all indicated their objection to this Bill this afternoon, in spite of the fact that they did not do so clearly at the time of the discussions in the portfolio committee.

It makes one think about what the reasons could actually be for their objections to the Bill. I will deal with the IFP separately, because the IFP indicated right through the debate that they are in fact against this Bill.

One has to analyse the arguments of the parties that I mentioned. It was probably spelt out clearest by the hon member Mr Eglin, so I am going to analyse his arguments on why he is objecting to this Bill on behalf of his party. Firstly, the hon member complained about the fact that this Bill was put before the portfolio committee in a way

that put undue pressure on the committee in terms of its deliberations.

I will now go back a little bit to see what the actual situation is. It appears that the Cabinet decided on the staggering of the election at the end of July. Thereafter, the department was instructed immediately to prepare the necessary legislation to ensure that the staggering of elections could take place. The Bill, as it is now, or as it served before the portfolio committee, was made available on an informal basis to all members of the committee on 15 August, some three and half weeks ago. I believe that that, under normal circumstances, provided sufficient time for the portfolio committee to discuss the Bill, consider it and make decisions on it. In fact, that is what happened.

I do not know how many times the committee met, but I would think it was quite a number of times. The point is that the committee had the fullest opportunity, to my mind, to consider the Bill. It is quite clear from the amendments produced by the various parties in that committee that it had ample opportunity to discuss and consider the Bill and to come to decisions on the Bill. That argument of the hon member Mr Eglin is not correct.

If he had argued that this Bill should not be proceeded with at this point because of, for instance, section 182 and that we should have allowed ourselves more time to consult further with traditional leaders, then it might have been a good argument. However, if that were the case, and if we had to allow ourselves that time, then, I am afraid to say, Parliament would have to sit all year round for it to be able to engage in that process of consultation.

The reason section 182, for instance, has to be amended at this point in time is the elections which are going to take place on 1 November. Since Parliament has decided that it is going to adjourn on 15 September and is not going to sit again before 1 November, there will not be an opportunity to consider this amendment again before that time. I will deal with this specific amendment a little later.

The next point that the hon member Mr Eglin made was that the appointment of the Deputy President of the Constitutional Court was not duly made. I have to refresh his memory. The appointment was made in terms of the Constitutional Court Complementary Act and was therefore duly made in terms of the law. I have the record here to prove it. By the way, the Deputy Presidents were

also consulted, as appears from the record of the decision.

Mr A J LEON: Why change the Constitution?

The MINISTER: The hon member Mr Leon was apparently not here when I delivered my introductory speech. I referred to the fact that at the time of the introduction of the Constitutional Court Complementary Bill, it was decided by the portfolio committee—if I am not mistaken, his party is also a member of that committee—to refer the Bill and its contents for consideration to the Portfolio Committee on Constitutional Affairs so that it could be taken up in the Constitution at the earliest possible convenient moment, and that is exactly what we are doing today.

The next argument that the hon member Mr Eglin produced was to say that we should have elections all around the country or at least on a province-by-province basis on the same day. That may be an arguable point.

In some cases it may be advisable to do it that way, but if we were to take that position, then in the Western Cape, for instance, 95 transitional local councils would not be able to participate in the elections on 1 November, which would geographically exclude the vast majority of the Western Cape's areas. I think that that would have been unfair to those communities, and for that reason we decided to follow the idea of staggering the election in the provinces.

The next argument that the hon member brought forward was to say that, in terms of section 182, we should leave the question of who should serve on the local councils in the hands of the local communities. He said that the traditional leaders should be designated by their communities. That might be true; I am not arguing against him as far as this point is concerned.

However, what he does not take into account is that in some cases there is more than one tribal community. The question is who should then serve on those local councils. How many and who? That question is not addressed in section 182 of the Constitution as it stands. There is no clarity on that. We have to find a mechanism for the process after the elections to determine who should serve on the local councils.

This information was provided to the committee and the hon member did receive it like all other members in the committee. We were looking for a method or a mechanism for how this could actually be done, but I will come back to that argument.

The next point which the hon member addressed was the Remuneration of Traditional Leaders Bill. That is not at all a part of this Bill before us and I am therefore ignoring his argument in that regard.

Lastly, the hon member said that amendments to the Constitution, as we are doing here, should not be a regular occurrence. I have stated that position before on behalf of the Government and that is we would not normally amend the Constitution in the way in which we are doing it here, but only if it is necessary for the sake of ensuring the implementation of the transition. Again I think that the argument is correct to say that in the case of this Bill before us there are no material changes or amendments to the Constitution. It only contains amendments of a transitional nature or which in fact will improve the implementation of the transition as such.

So, the point which I am making, after analysing the arguments of the hon member Mr Eglin, is that the DP has no valid right to vote against the Bill before us. The same would apply to all the arguments of the other parties who have indicated the same, except for the IFP which I am going to deal with separately in terms of the arguments provided by the hon member Mr Smith.

The hon member Mr Smith also referred to the fact that the portfolio committee has been under great pressure in its deliberations on this matter. Again the point is proved by the fact that amendments were made to various sections, *inter alia*, sections 182 and 184 as a result of the deliberations and the discussions which took place in the debates in the portfolio committee. For that reason I do not think it is valid and correct to say that there was insufficient time for the committee's deliberations.

As far as section 149 is concerned, to which the hon member has referred, he asked me again what the reasons were. I indicated yesterday that I would provide those reasons today. I am going to read out to the hon member the reasons why it was decided by the relevant committee of Cabinet that this amendment should be introduced, namely that provision should be made that the remuneration of premiers and members of the executive councils of the provinces should be determined at the national level.

The reasons were, *inter alia*, firstly, to address disparities between facilities and privileges of the premiers of the provinces; secondly, to serve as a benchmark for the remuneration of representatives and political office-bearers in provincial legislatures; and thirdly, to ensure a co-ordinated

approach in the remuneration of representatives and political office-bearers at all levels of government. Those were, *inter alia*, the reasons for the decision which was taken by the Cabinet to introduce this particular amendment.

Then the hon member Mr Smith referred to clause 12, that is the one dealing with section 245, and he complained about the provision regarding the restructuring of local government. I want to remind the hon member that in any case restructuring, whether it is after the first elections on 1 November or whether it is at a later stage, will have to take place in terms of section 245 of the Constitution in accordance with Chapter 10 of the Constitution and of course also in line with section 126 of the Constitution.

That means that restructuring can only take place in such a way that there will have to be, at all stages, uniformity of a kind between the provisions as provided for at the national level as well as at the provincial level. The hon member knows the argument which was also put forward in the committee in this regard. Therefore it would, to my mind, provide us with an opportunity, as it is stated now, namely that the restructuring will not take place before 31 March, which would hopefully be the last day upon which elections will take place in the various provinces. It will, in any case, provide us with the opportunity, in the process leading up to 31 March, to look at the various aspects of what will have to be addressed either at the national level or at the provincial level with regard to local government.

Those would entail, *inter alia*, inputs in terms of the new constitution, inputs regarding a White Paper on local government, inputs regarding a framework for legislation at national level, and also inputs regarding other relevant legislation on local government.

The point that I am arguing is that I do not think it is correct for the hon member Mr Smith to say that it is not at all necessary to provide for this. At all stages there will be, as far as I can see, legislation at national level providing for local government, be it in the Constitution in the form of Chapter 10, or in the form of framework legislation. Therefore it would be better to ensure a co-ordinated approach at both national and provincial level in regard to this matter.

The DEPUTY SPEAKER: Order! May I request hon members to converse quietly. This is an important debate and we ought to be listening to the hon the Minister. Please proceed.

The MINISTER: Mr Speaker, I have almost finished. The last two points raised by the hon member Mr Smith are next. In connection with section 182, I have already dealt with this in reference to Mr Eglin's point with regard to why a process or mechanism has to be established so as to establish who and how many traditional leaders should be represented in a local council.

But the hon member Mr Smith then also said that this was a matter for the House of Traditional Leaders to decide on. With all due respect, that is not a correct argument either. The question then would immediately be: What about the elected councillors at local council level? If only the House of Traditional Leaders is to decide on this matter, it could cause a situation of imbalance in those local authorities which also have traditional authorities in their midst. Therefore it is absolutely necessary to find a mechanism to set guidelines.

Maybe I should inform the House about what we intend to do. As it is now foreseen in section 182, we intend to consult as widely as possible with Houses of Traditional Leaders, other bodies of traditional leaders, to ensure that we establish a process and guidelines in terms of which it would be quite clear in all communities, local and tribal areas, who and how many traditional leaders should serve in a relevant case in those local areas. For our part our Ministry and department will embark on this process of consultation as widely and as broadly as possible with traditional leaders.

The hon member lastly also referred to section 184. Again I would like to emphasise that the amendment that serves before the House with regard to section 184 would, to my mind, actually encourage an expedition of the process of establishing the two Houses of Traditional Leaders in the two provinces where they have not yet been established. I refer to the Eastern Cape and the Northern Province where, so far, particular problems have been experienced. This amendment will actually contribute to the expedition of the processes there, which will then enable us to establish the Council of Traditional Leaders at a national level, as envisaged, making it possible to complete this process within the timeframe as set, namely before the end of February.

The hon member argued that it made no sense, since this stipulation of 28 February 1996 was an amendment contained, but the point in that regard is that, as things stand right now, Parliament will not necessarily produce further legislation in the period leading up to that point. We hope to have

the process of establishing those houses and the council completed as soon as possible. Therefore I do not think the hon member's argument is valid in that regard.

*May I, in conclusion, in answer to the question of the hon member Mr Fourie concerning the execution of the powers of the President with regard to the appointment of the Deputy President of the Constitutional Court, say yes, in terms of the Constitution—this provision is now being written into the Constitution—the President would be required to consult the two Deputy Presidents over the appointment of the Deputy President of the Constitutional Court. With regard to the present appointment this has indeed been done, as can be seen from the record I have already referred to.

†I believe that covers the main arguments that were raised in connection with objections to the Bill. I would like to thank hon members who gave indications of their support for the Bill. [Applause.]

Debate concluded.

Question put: That the Bill be now read a second time.

The House divided:

AYES—304: Abrahams, L A; Ackermann, C; Albertyn, J T; Appelgryn, M S; Arendse, J D; Asmal, A K; Bakker, D M; Balie, A; Baloyi, S F; Beyers, A S; Bhambha, M; Bhengu, F; Bikitsha, P I; Bloem, D V; Bogacwi, K A; Booï, M S; Botha, Y R; Bunting, B P; Cachalia, I M; Carrim, Y I; Chait, E J; Chalmers, J; Chauke, P; Chiba, L; Chikane, M M; Chiwayo, L L L; Chuenyane, L D; Coetsee, H J; Coetzee, M P; Coetzer, P W; Coleman, M; Cronjé, P C; Cupido, P W; Cwele, S C; Davies, R H; De Beer, S J; De Lange, J H; Dexter, P D; Dingani, Z A; Dlamini, B O; Dlamini, C; Doidge, G Q; Dowry, J J; Duna, M W; Du Toit, D C; Ebrahim, E I; Fani, L M; Fankomo, F C; Farisani, T S; Fazzie, E; Fazzie, H M; Fenyane, S L E; Ferguson, J; Fihla, N B; Fisher, S D; Foster, J A; Fourie, A; Fredericks, G A; Gammdana, T; Gandhi, E; Gcabashe, S J; Geldenhuys, B L; George, M E; Gininda, M S; Gogotya, N J; Goniwe, T M; Goosen, A D; Gordhan, P J; Govender, P; Graaff, D d V; Groenewald, R H; Grové, S P; Gumede, A J; Gumede, D M; Gxowa, N B; Hanekom, D A; Hangana, N E; Hani, L; Hendrickse, P A C; Hendrickse, H J A; Hofmeyr, W A; Hogan, B A; Holomisa, S P;

Jacobsz, F P; Jana, D P; Janse van Rensburg, A P; Jassat, E E; Jooste, J A; Jordaan, D A; Jordan, P; Kekana, N N; Kgauwe, Q J; Kgositsile, B; Khasu, M J; Khobe, O N; King, T J; Kondlo, N; Koornhof, G W; Kuzwayo, N E K; Lamani, N E; Landers, L T; Lausberg, C E; Lebona, H J P; Leeuw, S J; Lekgoro, M K; Le Roux, J W; Ligege, M G; Lockey, D; Losabe, L K; Louw, S K; Love, J Y; Lubidla, E N; Lubisi, S W; Mabudafhasi, R T; Mabude, N; Mabuza, M C; Macozoma, S J; Madikizela, P; Maduna, P M; Mafolo, M T; Maharaj, S R; Mahlalela, A F; Mahlangu, J L; Mahlangu, M J; Mahlangu, N J; Maine, M S; Makgothi, H G; Makwetla, S P; Malan, T J; Malatsi, D M; Malebo, S M; Maloney, L; Mangaliso, Z K; Manie, M S; Marais, A; Marais, J A; Marais, P G; Marcus, G; Maree, J W; Marsh, P W; Marshoff, F B; Masango, N E; Mashamba, H J; Mashamba, T G G; Masher, M G; Mashile, N L; Mashimbye, J N; Mathebe, P; Mathee, P A; Mayimele, H W; Mbeki, T M; Mboweni, T T; McBride, R J; Mchunu, E S; Mdladlana, M M S; Mduyana, S N N; Meyer, A T; Meyer, R P; Mgidi, J S; Mkhathshwa, S; Mlambo-Ngcuka, P G; Mlangeni, A; Mnguni, L L A; Mnguni, Z D; Moatshe, P; Modisenyane, L J; Moeti, S E; Mohamed, A G; Mohamed, I J; Mohamed, M; Mohlamonyane, G M; Mokaba, P R; Mokgalong, M R V; Mokitlane, M C; Mokoena, D A; Mokoena, M L; Molekane, R S; Molewa, B G; Moloto, C P; Momberg, J H; Mompoti, R S; Mongwaketse, S J; Montsitsi, S D; Moosa, M V; Moosa, M W; Mothoagae, P K; Motshabi, C H; Mpahlwa, M B; Msane, A T; Mthembi-Nkondo, S D; Mthembu, J M; Mti, L M; Mukhuba, T T; Mushwana, G M; Mushwana, M L; Myakayaka-Manzini, Y L; Nair, B; Ncinane, Z I; Ncube, N Z; Ndlovu, M C; Ndou, R S; Ndzanga, R A; Nel, A C; Nel, A H; Netshimbupfe, M A; Ngcuka, B T; Ngwane, L B; Niehaus, C G; Niemann, J J; Njobe, M A A; Nkomo, S A; Nkosi, D M; Nobunga, B J; Nogumla, R Z; Nqwemesha, K W; Ntaopane, T E; Ntsizi, T C; Ntuli, B M; Nwedamutswu, M J; Nxumalo, S D; Nzimande, B E; Odendaal, W A; Olifant, D A A; Oliphant, G G; Oosthuizen, G C; Pahad, E G; Pandor, G N M; Peires, J B; Peters, E D; Phakathi, N E; Phenethi, M M; Phohlela, S; Piliso, M M; Pretorius, I J; Rabie,

J A; Radue, R J; Ramabulana, E V; Ramaphosa, C; Ramaremsa, N G; Ramgobin, M; Ramusi, M C; Rasmeni, S M; Redcliffe, C R; Richards, I; Ripinga, S S; Rockman, G; Saaiman, P W; Saloojee, C; Saloojee, R A M; Schoeman, E A; Schoeman, S J; Scott, M I; Sekgobela, P S; Seperepere, M S; September, R K; Serote, M W; Sethema, B E E; Shabangu, S; Shilubana, T P; Shope, N G; Shope, N R; Sifora, T V; Sigcau, S; Sigcawu, A N; Sikakane, M R; Sisulu, L; Sisulu, M V; Sisulu, N A; Solomon, G; Sosibo, J E; Stofile, M A; Sulliman, M A; Surty, M E; Suttner, R S; Swanepoel, L J; Taunyane, D P; Thabethe, E; Thomson, B; Tinto, C F; Tiry, M; Tonjeni, T L; Tsenoli, S L; Tshabalala, M E; Tsheole, N M; Tshivhase, T J; Turok, B; Turok, M E; Vadi, I; Van den Heever, R P Z; Van Deventer, F J; Van Eck, J; Van Heerden, F J; Van Niekerk, A E; Van Schalkwyk, M C J; Van Zyl, I D; Verwoerd, M; Vilakazi, B H; Vilakazi, M I; Viljoen, V; Wessels, L; Williams, A; Williams, A J; Zitha, D A; Zulu, M I.

NOES—64: Abraham, M; Ally, A; Andrew, K M; Bekker, H J; Bhengu, M J; Biyela, B P; Botha, W A; Botha, W J; Bruwer, A A B; Buthelezi, M G; Cassim, M F; Chiolé, J; De Ville, J R; Dyani, M M Z; Ebrahim, A G; Eglin, C W; Ellis, M J; Felgate, W S; Gibson, D H M; Green, L M; Grobbelaar, P W; Groenewald, P J; Hlengwa, M W; Jordaan, J A; Leon, A J; Louw, L; Lucas, E J; Madide, D R B; Makwetu, C M; Mars, I; Matthews, V J; Mbongwe, R R; Mbuyazi, L R; Meshoe, K R; Mkhize, B R; Mncwango, M A; Mnisi, W F; Moorcroft, E K; Msomi, M D; Mtshali, L P H M; Mulder, C P; Mulder, P W A; Mzimela, S E; Mzizi, M A; Ndlovu, V B; Neerahoo, H M; Ngubane, B S; Ngubane, H; Nzimande, B M; Powell, P; Rabinowitz, R; Seaton, S A; Selfe, J; Singh, H K; Singh, L; Singh, N; Sizani, R K; Skosane, B M; Smith, P F; Smuts, M; Vilakazi, J N; Viljoen, C L; Woods, G G; Zulu, N E.

As the Question was not agreed to in accordance with the provisions of section 62(1) of the Constitution by two-thirds of the total number of members of both the Houses, the Bill was not adopted.

The Joint Sitting rose at 16:49.

PROCEEDINGS AT JOINT SITTING

Members of the Senate and National Assembly met in the Chamber of the National Assembly at 15:29.

The Speaker took the Chair.

CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA SECOND AMENDMENT BILL

(Decision of Question on Second Reading)

The SPEAKER: Order! The House will now proceed to vote on the Second Reading of the Constitution of the Republic of South Africa Second Amendment Bill. In terms of section 62(1) of the Constitution a majority of at least two thirds of the total number of members of both Houses is required to pass the Second Reading of this Bill. Accordingly, if a division is not demanded, I shall direct that the names of the members who are in favour of the Question be recorded. This will be done using the electronic voting system.

Mr J H VAN DER MERWE: Madam Speaker, I would like to ask for an opportunity to raise a point of order and to make a declaration of vote.

The SPEAKER: Order! I think the member can raise his point of order at this point.

Mr J H VAN DER MERWE: Madam Speaker, on a point of order: In the previous debate I raised a point of order and you ruled on one particular matter. However, the second remains, namely that this Bill before us needs to be reintroduced as set out in Rules 146 and 147. The Bill has to be laid upon the Table by the Minister. This has not been done. Thereafter, in terms of Rule 147(2)(b), it has to be referred to the portfolio committee for enquiry and report. This has not been done either. Therefore we cannot vote on the Bill—the second part of the draft resolution—before the reintroduction has been completed. For that reason I ask that we do not proceed with the voting and that the Bill be referred back to the committee.

The SPEAKER: Order! The resolution adopted in both Houses regarding the reintroduction contained the fact that it is being placed there for decision notwithstanding any rule to the contrary. Therefore the Rules the member referred to are, in fact suspended.

Mr J H VAN DER MERWE: Madam Speaker, at what point will you grant me the opportunity to make a declaration of vote? May I do so now?

The SPEAKER: Order! No, I shall first take the “ayes” and the “noes”. If there is a division, the member may make his declaration of vote.

Mr J H VAN DER MERWE: Madam Speaker, I would like to do so before a decision is made.

The SPEAKER: Order! I think we first ought to know what the vote is before you declare it as a party.

Question put: That the Bill now be read a second time.

Mr J H VAN DER MERWE: Madam Speaker, could we make our declarations of vote now, before the next stage starts?

The SPEAKER: Order! Are you calling for a division?

Mr J H VAN DER MERWE: Madam Speaker, I believe that after the declarations of vote there will be a request for a division. [Interjections.] I hear members shouting “Rules”. The Rules have been suspended by that party. [Interjections.]

The SPEAKER: Order! There will be no point in a declaration of vote if we do not have a request for a division. If the member wants to call for a division, he should do so now and then he can make a declaration of vote before we divide.

Mr J H VAN DER MERWE: Madam Speaker, would you then grant me one minute to say something? [Interjections.] As there are no Rules, would you not make a new Rule now and grant me one minute in which to say something? [Interjections.]

The SPEAKER: Order! Would members please resume their seats?

Is there a request for a division? I see two members requesting a division. If there is a request to make a declaration of vote, I will now allow it. I will not allow statements that are not part of a declaration of vote. This is not the time for it.

Division demanded.

Declarations of vote:

Mr J H VAN DER MERWE: Madam Speaker, the Constitution of the Republic of South Africa

Second Amendment Bill was not passed last week and has been tabled again today with the consent of the National Assembly and the Senate.

The Bill has been voted on, so we will not vote on the same Bill again. [Interjections.] We have elected to lodge our objection against the policies of expediency which are evident in its tabling again today in the National Assembly and the Senate. If the ANC and the NP want to impose a tyranny of their majority, they must do so without making us party to what they are doing.

The Rules of Parliament are effectively being trampled upon by the ANC and by the NP that trails in the wake of the ANC. The parties who speak frequently about the need for transparency and democracy are bending the Rules whenever necessary to suit their purposes. This institution should not allow itself to be raped by the whims and demands of any party, and we in the IFP are certainly not going to allow this to happen.

We therefore register our objection to voting on this Bill for a second time in the strongest terms. We as a party perform our duties, but cannot allow this blatant gerrymandering to go unnoticed. [Interjections.] The IFP will not lend legitimacy to the political expediency inherent in tabling the Bill again today to help the NP and the ANC's escape from their failure to get a majority of two thirds last week by voting again on the Constitution of the Republic of South Africa Second Amendment Bill.

To publicly demonstrate our strongest objection, the IFP will now walk out of this Chamber. [Interjections.]

The SPEAKER: Order! We shall now proceed. Are there any further declarations of vote?

*Dr C P MULDER: Madam Speaker, the FF would like to state its standpoint before the division takes place. It is true that the FF voted against the legislation in the original debate ...

The SPEAKER: Order! Members who are leaving should kindly do so in silence so that the House can proceed with its business. The hon member may proceed.

*Dr C P MULDER: During the discussion on the legislation the FF clearly stated why it voted against the Constitution of the Republic of South Africa Second Amendment Bill. We would like to repeat our standpoint.

Although it amends approximately 13 sections of the Constitution and we agree with some of them, there are two clauses in particular in this amending Bill with which we do not agree. The first is clause 7 of the amending Bill which seeks to amend section 179 of the Constitution in terms of which elections at the third tier of government will not take place on one day, but on different dates. We are opposed to this for the simple reason that the mere fact that the elections cannot take place on one day is a clear indication to us that the country is not necessarily ready to hold an orderly election at this stage. We feel that it should rather be postponed until the country is ready for such an election.

In the second place we are also opposed to clause 8 of the amending Bill, which amends section 182 of the Constitution which deals with the issue of traditional leaders. We do not agree with the mechanism which is now being proposed by the statutory amendment and we will vote against it.

As a result of the fact that the Rules are, to a certain extent, not applicable, we would just like to request that the NP's votes should be kept secret so that the members can vote according to their consciences, because we know that we will then have a different result. [Interjections.]

*Mr S J SCHOEMAN: Madam Speaker, it is fascinating to see how politics in the country changes and yet does not change. It is fascinating to see that the CP members have succeeded in teaching the IFP members the old CP ways—when they do not get their way, they run away from the problem like small children. [Applause.]

The central question for which we must find an answer is not whether there must be a majority of two thirds, but whether there is a majority of two thirds of the members in this Parliament who agree with the fact that these amendments must be made. We will determine the answer to this later this afternoon. In my judgement the answer is "yes".

For technical reasons we could not get that majority of two thirds at a previous vote and it is the crux of the matter which must be resolved. We from the NP are therefore arguing, as opposed to other parties, that it is important that these amendments should be made. Exceptionally important measures are contained in these amendments with regard to the forthcoming elections. We from the NP are ready and look forward to the

elections on 1 November. Although it is true that there are problems in certain sections of the country, for which one has understanding, the largest section of the country is ready for these elections. We therefore think that the elections must take place in those sections that are ready and we support this Bill for that reason.

When I was listening to the arguments of the smaller parties, I could not help thinking about the story we all heard as children about the mouse and the elephant who were walking across the bridge. The mouse then said to the elephant: "Look how we are making this bridge rumble!" Last week they had the pleasure of making the bridge rumble, but if we allow this vote to take place now, the real result will determine that there is indeed a majority of two thirds who support these amendments, and we therefore take pleasure in supporting it.

Mr P J GORDHAN: Madam Speaker, for once the minority thinks that the majority should not have a voice in this Chamber.

This is not, as my colleague Mr Fanus Schoeman has just said, about shaking or breaking bridges. We are talking about building bridges. The choice that parties have to make in this Chamber today is whether they are willing to co-operate to build the bridges that are necessary for South Africa's transition.

The IFP can do no more than to walk out because it has nothing else to offer. Walking out is clearly part of its tradition of keeping out of constructive solutions. We believe that if they really want to walk out, they must walk out of Parliament for more than 15 days. If they really do not want to be part of this process, they must step out of the Executive as well and the national Government must then rule this country as it should rule in terms of the interim Constitution.

Clearly, walking out is part of the secessionist agenda of the IFP as far as KwaZulu-Natal is concerned. It is their effort to ensure that we do not have national governance in this country. It is their effort to ensure that all constructive efforts to undertake the transition process are either defeated or trampled upon in some way. The ANC appeals to all parties in this House not to become part of that agenda and part of that particular process.

This Bill is about building democracy and enhancing the local government transition process.

It is about extending the democratic right to people at local government level. Those who fight against this Bill, including the DP, the FF and the PAC—I do not think we should worry too much about the ACDP—must ask themselves whether or not they want to stand in the way of the majority. That is the real choice. There really are no technical issues before us. The issue is a purely political one. Do they want to be part of the majority, or do they really want to insist, as I said earlier on, on flexing their 1,7% muscles? [Applause.]

Mr C W EGLIN: Madam Speaker, I believe that the DP stated its position very clearly last Thursday, when this Bill was before the House. We have reflected upon it since, and let me say this: If one takes the hon the Minister's reply the other day, which was unimpressive and unconvincing, talking more to his own party than to the House; the events that have taken place; the gross incompetence on the part of both the governing parties in handling the legislative process, to the extent that they had to come back to Parliament a second time, how can one have confidence in the hon the Minister and his colleagues on the other side if this is what they allow to happen?

Last week I mentioned that the style of the Government—here I talk of the NP assisted in this case by the ANC—is to have scant respect for the Constitution per se. Today we have evidence that they have very little regard for the Rules of Parliament. They say: "If the Rules get in our way, let us scrap the Rules." This reinforces our position.

I want to say that I am surprised at the ANC. I thought they wanted to make a distinct departure from the old style of politics in South Africa under the former NP. I am also disappointed in the NP. I was one of those people who thought that there was a significant reform in the NP from 2 February 1990. However, when one sees what is happening, it is the same old NP, it is the same old bulldozer, and it is that same old party that wants to have its way. It says it is the champion of minorities. It is not interested in minorities and it is not interested in opposition. It is baasskap once again. Before it was the "grootbaas", this time it is just the "kleinbaas". [Laughter.]

This is the position. We want to say that we will vote against this not because of the merits of the Bill, which was before us the other day and which is before us today, but because of the whole style

which Roelf Meyer, as the Minister, and his party have injected into this debate and the handling of what is basically a constitutional issue. We will certainly vote against it again.

Mr R K SIZANI: Madam Speaker, we voted last week and nothing has actually changed since then to convince us otherwise.

The point I wish to make is that the ANC, as the majority party, needs to do a strong and serious self-examination. It is amazing that after only 15 months they show such intolerance, even of the Rules they have made.

Furthermore, I want to warn the hon Ministers . . . [Interjections.]

The **SPEAKER:** Order!

Mr R K SIZANI: I want to warn the hon Minister and the hon Deputy Minister in that committee that if they think they are going to . . . [Interjections.] Hon members heard what the chairperson of that committee said in this House. That is the attitude he adopts in that committee. If they expect to get the co-operation of other parties by insulting them and denigrating them, they are not going to get that kind of co-operation. [Interjections.]

The **SPEAKER:** Order!

Mr R K SIZANI: If there was one lesson in what happened last week, it was that it does not matter what numbers one has, one has to respect the opinions of other people and listen to them before taking a decision. [Interjections.]

Finally, the vote of the PAC last time was never a vote against elections, as some propagandists are saying. [Interjections.] We said last week and we are saying now that the elections should take place on 1 November. However, if there are problems—we believe there are genuine problems all over the country, even in Gauteng—the elections should be postponed to a date on which we will all be ready for those elections. If they cannot do that, then the PAC cannot accept what they are doing. [Interjections.]

The **SPEAKER:** Order! Hon members will kindly allow the parties to make their declarations of vote.

Mr L M GREEN: Madam Speaker, the ACDP took a stand last week which we will not change. We will not be intimidated by the majority parties.

We are taking a principled stand. The time has come for us to take a principled stand in terms of what is happening in Parliament today. Rules are being changed, disregarded and suspended. We see the Constitution as the highest law of the country. If one looks at the way in which the Constitution is being changed, and if one looks at the number of amendments that are being rushed through in one Bill, then we really want to say that nobody in this country will have respect for our Constitution if this is the way we are dealing with it.

We, like the PAC—in fact we want to support the PAC's view—are not against elections, but we are against the staggering of elections. With those words, I want to make it known that we are against the reintroduction of this Bill.

The Houses divided:

NATIONAL ASSEMBLY:

AYES—307: Abrahams, L A; Alant, T G; Appelgryn, M S; Arendse, J D; Asmal, A K; Badenhorst, M J; Bakker, D-M; Baloyi, S F; Bengu, S M E; Bester, B C; Beyers, A S; Bhengu, F; Bikitssha, P I; Booij, M S; Botha, R F; Bunting, B P; Cachalia, I M; Carelse, G M E; Carrim, Y I; Chabane, O C; Chait, E J; Chalmers, J; Chauke, P; Chiba, L; Chikane, M M; Chuenyane, L D; Coetzee, M P; Coetzer, P W; Coleman, M; Cronjé, P C; Cupido, P W; Dalling, D J; Davhana, M K D; Davies, R H; De Beer, S J; De Klerk, F W; De Lange, J H; De Villiers, D J; Dexter, P D; Dingani, Z A; Dlamini, B O; Dlamini, C; Doidge, G Q; Dowry, J J; Du Toit, D C; Duna, M W; Ebrahim, E I; Erwin, A; Fani, L M; Farisani, T S; Fazzie, E; Fazzie, H M; Ferguson, J; Fihla, N B; Fisser, C L; Fourie, A; Fredericks, G A; Gandhi, E; Gcabashe, S J; Gcina, C I; Geldenhuys, B L; George, C M; George, M E; Gininda, M S; Gogotya, N J; Goniwe, T M; Goosen, A D; Gordhan, P J; Govender, D; Govender, P; Groenewald, R H; Gumede, A J; Gumede, D M; Gxowa, N B; Hajaij, F; Hamman, M v S; Hanekom, D A; Hangana, N E; Hani, L; Hendrickse, P A C; Hofmeyr, W A; Hogan, B A; Holomisa, S P; Jacobsz, F P; Jana, D P; Janse van Rensburg, A P; Jassat, E E; Jordaan, D A; Jordan, P; Kasrils, R; Kathrada, A M; Kekana, N N; Kgauwe, Q J; Kgositsile, B; Khasu, M J; King, T J; Kondlo, N; Koomhof, N J J v R; Kuzwayo, N E K; Landers, L T; Le Roux, J W; Lee, T D; Leeuw, S J; Lekgoro, M K; Ligege, M G; Lockey, D; Loots, H G; Louw, S K; Love, J Y; Mabudafhasi, R T; Mabude, N; Mabuza, M C; Macozoma, S J; Madikizela, P; Maduna, P M; Mafolo, M T;

Maharaj, S R; Mahlalela, A F; Mahlangu, G L; Mahlangu, M J; Mahlangu, N J; Maine, M S; Majola-Pikoli, N T; Makhanya, D W; Makume, N J; Makwetla, S P; Malan, T J; Malebo, S M; Maloney, L; Malumise, M M; Mangaliso, Z K; Manie, M S; Manuel, T A; Marais, J A; Marais, P G; Marcus, G; Maree, J W; Marsh, D W; Marshoff, F B; Martins, B A D; Masango, N E; Mashamba, H J; Masher, M G; Mashimbye, J N; Mathebe, P; Matthee, P A; Mayekiso, J M; Mayimele, H W; Mbeki, T M; Mboweni, T T; McBride, R J; Mdladlana, M M S; Meyer, A T; Meyer, R P; Mfebe, M W; Mgidi, J S; Mkhathswa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mngomezulu, G P; Mnguni, L L A; Mnguni, Z D; Moatshe, P; Modise, J; Modisenyane, L J; Moeti, S E; Mohamed, A G; Mohamed, I J; Mohlamonyane, G M; Mokaba, P R; Mokgalong, M R V; Mokitlane, M C; Mokoena, D A; Mokoena, M L; Molekane, R S; Molewa, B G; Momberg, J H; Mompoti, R S; Montsitsi, S D; Moosa, M V; Mpahlwa, M B; Msane, A T; Mthembu-Nkondo, S D; Mti, L M; Mtintso, T E; Mufamadi, F S; Mushwana, G M; Myakayaka-Manzini, Y L; Myburgh, G B; Naidoo, J; Nair, B; Nash, J H; Ncinane, Z I; Ncube, N Z; Ndlovu, M C; Ndlovu, R S; Nel, A C; Nel, A H; Ngwane, L B; Nhlanhla, J M; Nhleko, N P; Niehaus, C G; Niemann, J J; Njobe, M A A; Nkomo, S A; Nkosi, D M; Ngwemesha, K W; Naopane, T E; Ntsizi, T C; Ntuli, B M; Nwedamutswu, M J; Nxumalo, S D; Nyembe, N D; Nzimande, B E; Odendaal, W A; Olifant, D A A; Oliphant, G G; Omar, A M; Oosthuizen, G C; Padiachey, D K; Pahad, A G H; Pahad, E G; Pandor, G N M; Peires, J B; Peters, E D; Phakathi, N E; Phenethi, M M; Phillips, I M; Phohlela, S; Piliso, M M; Pretorius, I J; Rabie, J A; Radebe, J T; Ramabulana, E V; Ramaphosa, C; Ramaremisia, N G; Ramgobin, M; Ramusi, M C; Ranchod, B G; Rhoda, R T; Richards, I; Ripinga, S S; Rockman, G; Routledge, N C; Saaiman, P W; Saloojee, C; Saloojee, R A M; Schoeman, E A; Schoeman, R S; Schoeman, S J; Schreiner, J A; Schutte, D P A; Scott, M I; Sekgobela, P S; Seperepere, M S; September, R K; Serfontein, J L H; Serote, M W; Sethema, B E E; Shabangu, S; Shilubana, T P; Shope, N G; Shope, N R; Sigcau, S; Sigcawu, A N; Sikakane, M R; Sisulu, M V; Sisulu, N A; Skweyiya, Z S T; Smit, H A; Solomon, G; Sonjica, B P; Steenkamp, P J; Stofile, M A; Streicher, D M; Suttner, R S; Tambo, A F; Thabethe, E; Thomson, B; Tiry, M; Tsenoli, S L; Tshabalala, M E; Tsheole, N M; Tshivhase, T J;

Tshwete, S V; Turok, B; Turok, M E; Vadi, I; Van den Heever, R P Z; Van Deventer, F J; Van Heerden, F J; Van Schalkwyk, M C J; Van Wyk, A; Van Zyl, I D; Verwoerd, M; Vilakazi, B H; Vilakazi, M I; Viljoen, V; Waugh, J C N; Welgemoed, P J; Wessels, L; Williams, A; Wyngaard, C A; Yengeni, T S; Zitha, D A; Zulu, M I.

NOES—23: Andrew, K M; Botha, W A; Botha, W J; Chirolé, J; Dyani, M M Z; Ebrahim, A G; Eglin, C W; Ellis, M J; Gibson, D H M; Green, L M; Grobbelaar, P W; Groenewald, P J; Jordaan, J A; Leon, A J; Louw, L; Makwetu, C M; Meshoe, K R; Mulder, C P; Mulder, P W A; Sizani, R K; Smuts, M; Viljoen, C L; Zulu, N E.

SENATE:

AYES—1: Ackermann, C; Balie, A; Bhabha, M; Bloem, D V; Bogacwi, K A; Botha, Y R; Chiwayo, L L L; Coetsee, H J; Cwele, S C; Fenyane, S L E; Fisher, S D; Foster, J A; Gamndana, T; Grové, S P; Hendrickse, H J A; Jooste, J A; Kgoali, J L; Khobe, O N; Koornhof, G W; Lamani, N E; Lausberg, C E; Lebona, H J P; Losabe, L K; Lubidla, E N; Lubisi, S W; Mahlangu, J L; Makana, S S; Makgothi, H G; Malatsi, D M; Marais, A; Marais, G; Mashamba, T G G; Mashile, N L; Mbeki, G A M; Mchunu, E S; Mdutshana, S N N; Metele, A T; Mkwai, Z W; Mohamed, M; Moloto, C P; Mongwaketse, S J; Moosa, M W; Mothoagae, P K; Motshabi, C H; Mthembu, J M; Mukhuba, T T; Mushwana, M L; Naidoo, A G V; Naidoo, E N I; Ndzanga, R A; Ngcuka, B T; Nobunga, B J; Nogumla, R Z; Radue, R J; Rasmeni, S M; Redcliffe, C R; Sifora, T V; Sosibo, J E; Sulliman, M A; Surty, M E; Taunyane, D P; Tinto, C F; Tolo, L J; Tonjeni, T L; Tshivhase, M P K; Tyobeka, V M; Van Breda, A; Van Niekerk, A E; Van Niekerk, A I; Wiley, M G E; Williams, A J.

NOES—8: Bruwer, A A B; De Ville, J R; Gous, P J; Groenewald, P H; Mnisi, W F; Moorcroft, E K; Selfe, J; Werth, C H.

TOTAL: AYES—378.

NOES—1.

Question accordingly agreed to in accordance with section 62(1) of the Constitution.

Bill read a second time.

The Joint Sitting rose at 16:01.