

CODESA Special

February/ March 1992

Congress Militant

Price 50c
[Free if bought with issue No. 8]

Paper of the Marxist Workers' Tendency of the ANC

ANC stand firm for majority rule!

Say NO!

**to De Klerk's
"Transitional
Government" plan**

*Demand a date for elections
to a Constituent Assembly!*

Reports indicate that the ANC leadership and the National Party are moving behind the scenes towards agreement on a new government.

This is to be based on a new constitution that will be agreed in CODESA, and then put to a referendum, before being made law by the Tricameral Parliament.

If these reports are true, they mean abandoning key elements of the decision made by the ANC Congress last July – in particular, the demand for a sovereign Constituent Assembly elected by one-person-one-vote.

The ANC Congress required:

- (1) The convening of an All-Party Congress (CODESA).
- (2) The appointment by CODESA of an Interim Government to jointly oversee preparations for elections.
- (3) One-person-one-vote elections for a Constituent Assembly with sovereign powers.
- (4) The adoption of a new constitution by the Constituent Assembly, leading to future parliamentary elections on a democratic basis.

The Congress saw negotiations as a means of peacefully replacing the present illegitimate government and constitution with *majority rule*.

Central to this strategy was a democratically elected Constituent Assembly, so that directly chosen representatives of the people in all communities would come together with power to write the new constitution.

The Interim Government was to be merely a short-term arrangement negotiated among the parties to replace the present government until the Constituent Assembly could lay down an entirely new and democratic basis for constitutional rule.

The ANC leadership has no mandate to deal with the Nationalist government on any other lines.

Lies and tricks

Under De Klerk, the Nats may have dropped apartheid, but they have not abandoned their tradition of lies and tricks. They know they have to change their old method of rule to avoid a civil war. But they, and the capitalists they represent, are not prepared to gamble with losing power.

They began by rejecting outright both an Interim Government and a Constituent Assembly. They proposed instead an outline for a new constitu-

tion which is a bare-faced fraud. (See *Congress Militant*, no. 8 for details.)

Its aim is to prevent the mass of the people from having effective political power; to maintain white privilege, the unfair share of the rich, and the rule of the monopolies. It concedes votes to all, but inflates the representation of minorities and the well-off. It has blocking devices to paralyse the majority party, the ANC. It would require a permanent government of coalition with the Nats and Inkatha!

De Klerk wanted to bring in this fraudulent new constitution by direct negotiations in CODESA, then a referendum, and then adoption by the Tricameral Parliament. He has been determined to have "constitutional continuity" and not the risky interruption of the government's authority which a Constituent Assembly would imply.

But he could not get the ANC leaders to agree simply to drop the demand for an Interim Government and a Constituent Assembly, on which so many speeches and so many promises have been made. He realised he could not get the black masses to accept a constitution *permanently* entrenching the privileges and power of our oppressors, and making the ANC govern jointly with them.

De Klerk's manoeuvre

So De Klerk and the Nats were in a dilemma. But on serious matters these people do not give way. They manoeuvre shrewdly. They decided to make a so-called "concession", changing the *appearance* of things but not the *real content*. They decided to call their plan "Transitional" (that is to say, Interim), and smuggle it in that way.

Their strategy, presented by Stoffel van der Merwe and Gerrit Viljoen, boils down to this:

(1) Get CODESA to agree on *constitutional changes* which will form the legal framework for a new government.

(2) Call this government a "Transitional Government", so that it can be claimed that the ANC's demand for an Interim Government has been met. The length of life of the "Transitional Government" is to be *as long as possible, or at least capable of being extended later*.

(3) Make the constitution for the "Transitional Government" as close as possible to *the Nats' earlier fraudulent constitutional proposals*. That means extra weight for minority votes; blocking devices and limits on the majority party's power; and joint government by the ANC, Nats and Inkatha.

(4) Put this constitution to a *referendum*, with the results counted both together and separately by racial group. This is to allow the claim to be made that the constitution has been democratically adopted by the people as a whole, and at the same time to fulfil De Klerk's promise to the whites to put any negotiated changes to them for approval.

(5) After the referendum, the Tricameral Parliament will adopt the new "Transitional" Constitution as law. Constitutional "continuity", and *the authority of the present government* during the change is thus maintained.

(6) Elections will then be held according to this constitution for the new parliamentary chamber or chambers that will choose and direct the "Transitional Government". The elections will not put political power in the hands of the majority. *There will not be majority rule*.

(7) If possible, says the plan, get the "Transitional Government" itself, or a later version of CODESA, to negotiate and write the eventual "permanent" constitution. But once the "Transitional Government" has been set up, including the ANC leaders in a coalition with the Nats, the process of negotiating further changes could be long drawn out.

(8) If necessary, instead of (7) above, the government will accept in principle the idea of a 'Constituent Assembly' to write a permanent new constitution at some point in future. This "concession" will be used to let ANC leaders off the hook. But its implementation will be *postponed, possibly forever*. And there will be *no guarantee of simple one-person-one-vote elections* as the method of

eventually creating it.

Trap for the ANC

Stripped of its disguises, expressed in this way, the NP's proposals are obviously a further step in their plan to trap the ANC. They want to draw the leadership into joint responsibility for running the country, without the power to change anything fundamentally. They are tempting our leaders with the promise of ministerial positions and the false impression that the compromises will, after all, only be "temporary".

Unfortunately, instead of focussing on the dangers posed by the government's latest manoeuvre -- instead of rejecting these so-called "concessions" outright -- ANC leaders are presenting them in a favourable light and putting their foot right into the trap.

Secretary-General Cyril Ramaphosa has said that the shift in the government's position "is consistent with the negotiations that are taking place at CODESA. De Klerk does seem quite serious in negotiating about interim government with us. (He) is tilting more and more towards our idea of having an elected body to draft a constitution." (*Business Day*, 28/1/92)

Comrade Ramaphosa is quoted further as saying the ANC was sure it would "turn de Klerk completely around and win our constituent assembly demand." (*Business Day*, 28/1/92)

Does our leadership not appreciate the difference between a sovereign, elected Constituent Assembly as an *instrument of majority rule*, and the undemocratic fraud masquerading under the same name which De Klerk seems prepared to concede?

NP's proposals

This is how Gerrit Viljoen himself explains the NP's latest proposals:

"The Government is providing an alternative ... to the concepts of constituent assembly and an interim government, as defined by the ANC.

"While a constituent assembly as generally defined is supposed to be elected on a one man, one vote majoritarian basis -- where the majority, once elected, will simply finalise the constitution -- the approach of the government is to ensure proper minority representation." (*Star*, 29/1/92)

The NP's proposals are a further step in their plan to trap the ANC. They want to draw the leadership into joint responsibility for running the country, without the power to change anything fundamentally

By "proper minority representation" Viljoen, of course, means a white political veto -- the very thing that today exists inside CODESA, and which the Nats want to build into the new constitution.

Certainly, the rights and representation of minorities are a serious matter, especially in a racially and culturally divided society. *Congress Militant* is serious about the need to provide effective guarantees for all individuals and groups against discrimination on grounds of race, religion, sex and so on. We are also fully in favour of guaranteeing modest property for private use, as well as the ownership rights of the middle classes in small businesses and investments.

But what today goes under the name of "protection of minorities" in the deceptive language of the capitalist politicians, is actually minority veto powers to preserve the unjust *privileges of the rich*.

Journalist Allister Sparks points out the irony: "Normally when one speaks of minority rights, one has in mind a vulnerable group requiring special protection -- not a hugely powerful one that dominates every sector of the socio-economic system. ... the whites are no ordinary minority ... with 87 percent of the land, 98 percent of the industrial undertakings and 95 percent of wealth in white hands." (*Star*, 18/12/91.)

Sparks would be more accurate if he identified among the whites the real holders of the bulk of SA's productive wealth -- the owners of the big monopolies. The NP under De Klerk differs from before in that they are now conscious representatives of the interests of monopoly capital. It is above all these interests that they are protecting against the demands of the working class, when they claim to speak for "minorities".

Referendum

The Nats' proposals involve a referendum, in which the white vote would be counted separately. The ANC leadership has made this latter aspect its main point of difference with the government. A referendum held on these terms implies that if the majority of the population vote "yes", the negotiated constitutional changes could nevertheless be vetoed by the white minority.

This is obviously grossly undemocratic, an insult to the black majority, and must be rejected. But to concentrate simply on the racial aspect of the proposed referendum is to miss the main point.

Even without a white veto, the referendum plan is thoroughly objectionable. It is the device designed by the government to endorse a fraudulent constitution, misleadingly called "Transitional",

which will not have been drawn up by an elected Constituent Assembly. It is the government's alternative to a genuine Constituent Assembly in fact.

To accept the referendum, with or without a separate white count, is therefore to abandon the fight for majority rule.

Why has the ANC leadership not brought this point out into the open? Instead it has said that if CODESA agrees to the referendum then the ANC will accept it. But how can 'CODESA' accept it if the ANC intends to say No?!

The Nats are using the debate over the racial aspect of the proposed referendum as a decoy to divert attention while they slip away from the main issue -- the Constituent Assembly.

In fact, as Shaun Johnson points out in the *Saturday Star* (1/2/92), De Klerk has not irrevocably bound himself to honouring a 'No' vote by the whites anyway. If it is by a small margin only and the vast majority of African, coloured and Indian people vote in favour, he could risk ignoring the whites' 'No' -- although he would face a serious political crisis. He could still use his party's command of the Tricameral setup to pass a new constitution into law regardless. He will, as Johnson says, "keep his options open until the last minute."

Weakness invites aggression

Fear of a possible 'No' vote by the whites will be used now by the Nats to extract more concessions from the ANC during the negotiations on the constitutional plan. It is time we all realised that concessions by the ANC do not win sympathy from white racists -- concessions only embolden them, because they smell weakness. In politics, weakness invites aggression.

The increasing self-assertiveness of the racists is the result of the *demobilisation* of the mass movement by the ANC and trade union leaders -- the appearance which is given that the revolution that rose up in the 1980s has drowned in division or been permanently called off.

It is this mistaken policy of the leadership which must be reversed. It is essential to see also that rejection by the whites of De Klerk's constitutional fraud would not be a disaster for the black majority.

We, too, of course, will be totally against a separate white count in any referendum that may be held -- because it is racist and undemocratic, and because it could give an unnecessary political advantage to Treurnicht and the CP. But it is important also not to exaggerate the dangers that would follow from this.

The CP could not on the basis of a

referendum victory even take over the government. Moreover, they and the right as a whole have absolutely no workable policy and lack the power to drag South Africa back to the ox-wagon era before February 2, 1990.

Their "victory" in a referendum would spark off a crisis not only for De Klerk's government, but for the CP itself. How would they carry it forward? If they attempted a military-police coup, they would probably provoke very soon an armed rising by the blacks, and civil war amidst chaos and splits in the ruling establishment.

Any considerable advance by the CP now, any serious collapse of De Klerk's reform strategy, would bring back into the foreground the mighty power of the black working class, once mobilised and united, as the real agent of change and the barrier to all the schemes of deception and dictatorship by the ruling class.

We should therefore make no concession to the propaganda of the ruling class that the alternative to De Klerk's concessions is... Treurnicht. The alternative is the struggle for power by the black majority, by the working class, for democracy and socialism.

In this struggle, the demand for majority rule through a democratically elected and sovereign Constituent Assembly must retain its central place.

What we propose

De Klerk's plan to defeat majority rule must be sunk now, and the ANC leadership can sink it by a clear and simple step:

☆ Publicly declare that neither CODESA nor the Tricameral Parliament has any legitimate right to bring in a new constitution -- even if it is to be called "Transitional". A Constituent Assembly is the only place to do that.

☆ Reject altogether the idea of a referendum on negotiated constitutional changes.

☆ Demand instead the setting of a date for one-person-one-vote elections to a sovereign Constituent Assembly.

☆ Walk out of CODESA if this is not conceded by the government immediately.

☆ Participate in further negotiations on an Interim Government only if and when a date for Constituent Assembly elections has been agreed.

☆ Mobilise the mass movement in action to enforce these demands.

'Terrain of struggle'

The leadership says that they are using negotiations as a terrain of struggle. This can have meaning only if the leadership combines mass action with an uncompromising defence of the democratic demands of the majority.

In our opinion, as we warned beforehand in print, the ANC should not have entered CODESA without prior public commitment from the government to concede a genuine Constituent Assembly. Now CODESA itself is turning into part and parcel of the government's trap.

Comrade Mandela powerfully attacked De Klerk's hypocrisy at the first meeting of CODESA, warming the hearts of the mass of black people who watched on TV and listened on radio. He rightly called the government a "discredited and illegal regime".

But these words must be backed up with mass action to weaken and ultimately remove the government. Instead of showing willingness to leave CODESA and confront the government with the real power of the working people, the ANC leadership weakens its own negotiating position by stating that it will cling to CODESA at all costs.

"The ANC would never pull out of CODESA no matter how frustrating it becomes", said comrade Ramaphosa (*Citizen*, 28/1/92). It would be difficult to imagine a more serious mistake.

Federalism

Cde Ramaphosa has also announced further disturbing concessions, clearly to accommodate the NP's insistence on diluting the powers of a central government in which the ANC would have some kind of majority. Whereas previously the ANC held firmly to the demand for majority rule in a unitary South Africa, with equal rights and protection against discrimination for all, now some of its spokespersons are echoing ruling-class ideas of fragmentation and federalism.

In a statement that would surely please Buthelezi and other homeland leaders, "Ramaphosa said the ANC's position on self-determination was not in conflict with the idea of regionalism. The ANC believed there should be regional governments in the context of a united or undivided SA. Regions like Transkei, Natal and a 'few other areas', had existed as 'one unit within our country for many years'." (*Business Day*, 28/1/92)

Who can doubt the need, in a democratic society, to establish a high degree of local autonomy and self-government, along with a voluntary

broader unity and centralisation? But we cannot forget that to build a genuinely new South Africa, the oppressed majority must first take power to break down the the old state institutions of oppression, division, racism and tribalism everywhere.

Cde Ramaphosa's reported words are short-hand for preserving the bantustan governments, as well as the various bureaucratic organs of regional and local administration that now exist. Whether his words also imply carving out part of SA as a territorial base for the white racists -- something that will become a haven for future ultra-right terrorism and counter-revolutionary sabotage in the whole of SA -- remains to be seen.

On the basis of the NP's constitutional proposals, Buthelezi who, according to opinion polls, enjoys only 6% support in SA, and has more support amongst right-wing whites than amongst the Zulus, would be guaranteed control of KwaZulu. Thus, with the support of a government in which the ANC will have the majority, he would be in a position to continue his bloody reign of terror which has already consumed the lives of over 5 000 people -- the majority of them ANC supporters!

Negotiations have replaced struggle

It is indeed possible to conduct negotiations in such a way that they are a "terrain of struggle". But then they can only be a subordinate part. The reality of the past two years is that negotiations have become everything in the strategy of the leadership and the struggle almost nil.

To the state-sponsored killings the leadership has responded by appealing to the state to intervene. The organisation of community self-defence has not been translated into reality across the country. There has been no sustained action called to defend working people against the unrelenting social war conducted against them by the bosses -- on jobs, wages, housing, education and health.

The NEC's statement on the ANC's 80th anniversary reminds us that 1991 was the "Year of Mass Action for the

Transfer of Power". 1992 has been proclaimed the "Year of Democratic Elections for a Constituent Assembly." However, power was not transferred in 1991, and mass action for that purpose was never mobilised. On the basis of the present strategy, we will not have democratic elections to a Constituent Assembly in 1992 either.

The NEC recognises that "the changes that have been wrought thus far are a result primarily of the actions of the people." It points out further that "despite the formal repeal of some apartheid legislation, this system is still in place. Only consistent struggle can change this state of affairs."

Fine words, but words must be translated into deeds. The ANC still enjoys enormous support and authority. The working class is ready to respond to calls to action. This was demonstrated in the "Peoples' Parliament" demonstration. It was demonstrated above all in the magnificent two-day general strike of November 4 & 5 last year. Though triggered by VAT, that strike was essentially a demonstration of political support for the ANC and a warning to the regime.

It showed that the basic unity of the working class was still intact despite the campaign of state-sponsored terror. This fighting spirit must not be squandered. The trust in the leadership must not be disappointed.

Don't compromise on majority rule

As Allister Sparks asks: "what possible compromise can there be between having majority rule and not having it? The Government may well be prepared to concede certain points in its plan, but will it be prepared to concede the basic principle of majority rule?"

"And can the ANC accept anything less? I am convinced it cannot without splitting itself asunder. It would destroy itself just as Bishop Abel Muzorewa did when he accepted Ian Smith's parity plan for "power sharing" in Rhodesia." (*Star*, 18/12/91.)

A campaign of mass action around social questions as well as the

Living conditions get worse ... and worse

Whilst de Klerk presents a face of sweet reason at the negotiating table, the bosses he represents are continuing to carry out an unrelenting assault on the living standards of the working class.

For the first time since 1986, wages have fallen behind inflation. Whilst profits of many big firms continue to increase despite the recession, continuing retrenchments are forcing unemployment levels to new heights. Estimates of the number of jobless go as high as 8 million. Only one in ten matriculants will be lucky enough to find a job.

What does the "new South Africa" being negotiated at CODESA mean if it leaves political power and ownership of the country's wealth in the hands of the capitalist class?

Insurance magnate Douw Steyn was recently in the news when he entertained comrade Nelson Mandela and actress Whoopi Goldberg at his home in Sandton. Steyn's R35-million mansion has 12 toilets and bathrooms, a 20-seat cinema, a tennis court and 12 domestic servants to attend to the needs of his family of six.

Meanwhile down the road in Alexandra, the Helen Joseph hostel houses 4000 working-class women. They live 4 to a room. The rooms don't even have electric sockets. Huge numbers have to share communal kitchens. The toilets are woefully few, and most of

the time some are out of order.

The government itself has admitted that housing needs could be as high as 7 million units -- which is probably an underestimate. By the year 2000 there will be 14 million "squatters".

The system which this government is defending -- capitalism -- is rotten to the core. As a result of the deepening crisis of unemployment and poverty, crime figures have gone through the roof. The police, many of them implicated in crime, have proven totally incapable of stopping it.

Inkatha continues to carry out its murderous attacks with impunity. Despite confirmations in the press about collusion between the security forces and Inkatha, the government continues to deny that there is any proof, opening and closing the tap of violence as it pleases.

It is no wonder that in Ennerdale it is said "die nuwe Suid Afrika is tussen die vloer en die politoer".

For the mass of the people to rise out of this misery and go forward, it will require a root-and-branch reorganisation of society. We can be taken out of the barbarism of capitalism towards democracy and socialism only by the working class -- the only force really representing civilisation today -- which must become fully conscious of its tasks and its power.

demands for majority-rule would fill the working class with new confidence and avert the dangers of splits. It would enable us to defeat the monster of Inkatha. It would provide an alternative to those frustrated youth now seeking an alternative to the strategy of negotiations by engaging in terrorism against black policemen and white teachers, apparently under the banners of the PAC.

Serious campaigns of organised, disciplined mass action would deepen the class divisions amongst the whites, increasing the attraction of the power

of the black working class to the white workers. It would enable us to undermine the cohesion of the state machine, winning in the first instance the black police. It would enable us to present a show of strength to the white right in the AWB and elsewhere.

But, to be realistic, a strategy of this kind has to rest on the clear understanding that the struggle for freedom, democracy, peace and a decent life is inseparable from the struggle to overthrow capitalist rule and base the new South Africa on the alternative of workers' power.

Join with Congress Militant!

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