

CONSTITUTIONAL ASSEMBLY

**THEME COMMITTEE 1
CHARACTER OF THE DEMOCRATIC STATE**

**MINUTES OF THE EIGHTH MEETING OF THEME COMMITTEE 1
TUESDAY 14 FEBRUARY 1995 14H00**

**Mtshali L P H M (Chairperson)
Present**

Ally	Cassim M F
Chiba L	Chiwayo L L L
Fani L M	Ferreira E T
Gumede D M	Janse van Rensburg A P
Kekana N N	Mabuza M C
Macozoma S J	Mahlangu N J
Marais P G	Meshoe R K
Mohale M	Momberg J H
Moorcroft E K	Mtshali L P H M
Mulder P W A	Ncube B S
Nobunga B J	Nzimande B E
Ripinga S S	Seaton S
Shope G	Sisulu N A
Streicher D M	Van Deventer
Van Zyl I D	Williams A J
Zondi M K	

APOLOGIES:

**Booi M S
Chikane M M
Cwele S C
Dyani M M
Majola-Pikoli N T
Marais A
Routledge N C
Schoeman E A
Vilakazi B H**

1. OPENING

The meeting was opened by the Chairperson at 14h10.

2. PREVIOUS MINUTES

The meeting adopted the minutes of 7 and 8 February in document A11. The meeting adopted the minutes of the 9 February in document A12, subject to item 4.1.B. being amended to read: " There was consensus on the item".

3. MATTERS ARISING REPORT OF BLOCK 1

- 3.1** Mr Mahlangu gave a brief report on the Core-Group meeting which of the 10th February 1995.
- 3.2** The meeting agreed that the fourth line of the Report under item K) should read: ..."Constitutional provision for a notion of the right to self-determination \ and not nation.
- 3.3** Mr Mahlangu spoke to the preliminary report which was discussed at the Constitutional Committee meeting on Friday, 10 February 1995.
- 3.4** It was agreed to put an asterisk at the end of the sentence on Item G) of the non-contentious issues. The sentence should be read in conjunction with the last paragraph in page 2 of the report.
- 3.5** The meeting agreed to read the last paragraph on page 2 of the Report as follows: It was resolved at the Core Group meeting held on the 10 February 1995, that principle G) under non-contentious issues shall not anticipate that the State will be structured along Federal or Unitary lines nor shall it preclude any party from arguing in favour of Federalism or Unitarianism.
- 3.6** The meeting further agreed to replace the last two paragraphs of the Report by inserting paragraph (4.2) and sub-section (4.2.1) of the minutes of the 9 February 1995, contained in document A12.
- 3.6.2** Item (F) under non-contentious issues will henceforth read as follows: Elections shall proceed, in general, on the basis of proportional representation. The possibility of constituency representation shall be explored.
- 3.7** The meeting endorsed the view that the Report should also incorporate submissions from the public.
- 3.7** The meeting agreed to adopt the Report and the Secretariat was mandated to effect the suggested amendments forthwith.

4. PUBLIC PARTICIPATION PROGRAMME

- 4.1** The meeting received a brief report of the Constitutional Committee meeting that took place on 13 February 1995.
- 4.2** The Secretariat briefed the gathering on the outlined Public Participation Programme that was adopted at the Core Group meeting of 10 February 1995. It

was announced that Prof. James from IDASA would be addressing T/C 1 on 15 February. The 25th of February and the 25th of March have been earmarked as dates for Public Fora.

5. GENERAL

The Secretariat together with the core group were mandated to arrange dates for further hearings. Secondly, the members were requested to arrive timeously for the presentation which was scheduled for 09h30.

The meeting rose at 16h00.