

The SOUTHERN AFRICA SUN

A Newsletter of the NCSL
Southern Africa Task Force

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From Chairman Neal

South Africa's New Constitution Nears Completion

Remarkably and only 1 1/2 years after the fall of apartheid, South Africans of all political persuasions have written the first draft of their new constitution. This is an enormous accomplishment considering their tumultuous history and lingering racial and political divisions. The final draft of the constitution is the combined effort of 490 representatives from seven political parties who make up the Constitutional Assembly (CA). CA members have worked diligently via theme committees to rework the interim constitution that was adopted in 1993. The final draft constitution will be published November 15 and open for public discussion for two months. It is the responsibility of the CA to adopt the final constitution by May 10, 1996.

In spite of this accomplishment, there is still a long way to go. The draft does not spell out the relationship between central and provincial governments or the brand of federalism that South Africa will inherit. The issue of provincial powers is one of the most contentious before the drafters and the major political parties have refused to compromise on this issue. The African National Congress supports a strong centralized system with limited provincial powers. According to the ANC, most provinces are economically unable to thrive independently. ANC leaders also believe that the provinces lack the bureaucratic capacity to take on greater powers and creating this capacity would yield an expensive and bloated

bureaucracy. Some believe that a strong central government is necessary to complete South Africa's "revolution". Conversely, the Inkatha Freedom Party seeks a decentralized system with the provinces having considerable autonomy. IFP leader Buthelezi fears that the IFP voice (representing mostly Zulus) will be ignored within a centralized system. The National Party and the Democratic Party

are somewhere in between. Only two provinces, Western Cape and Guateng, are economically viable today. Several of the provinces are sparsely populated, and some of the provinces are struggling to incorporate the former homeland administrations into the new provincial system.

In an effort to assist South
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TASK FORCE HOSTS SOUTH AFRICAN SPEAKERS

The NCSL Southern Africa Task Force was very proud to host a distinguished and historic delegation from South Africa at the 1995 Annual Meeting in Milwaukee, Wisconsin. The speakers of South Africa's nine provincial assemblies and a national senator from KwaZulu-Natal attended

the Annual Meeting as part of a USIA-sponsored study tour.

The speakers delegation arrived in Milwaukee in time to attend the "Art and Politics of Parliamentary Procedure" preconference seminar. The delegates participated in the Southern

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The South African Provincial Speakers participated in the July Task Force meeting.

Member's Report

Building Legislative Links in Southern Africa

by Representative Irma Hunter Brown, Arkansas

In May 1995, a legislative delegation embarked on a working trip in three southern African countries: South Africa, Namibia, and Zimbabwe.

The members of the group were Senator Virgin Smith and Mrs. Elizabeth Smith of Michigan, Representative Art Hamilton of Arizona, Representative Irma Hunter Brown of Arkansas, and Mr. Dumisani Kamalo of New York, Projects Director of the Africa Fund.

The three countries were selected because of their similarity of purpose and mission and because each has attained different levels of maturity in their independence -- South Africa one year, Namibia five years, and Zimbabwe fifteen years. Prior to departing, the delegation was briefed by representatives from each of the countries, generally setting the stage for what we were to see and the role we would play during our visit.

The first formal part of our trip started in Cape Town, South Africa where Madame Frene Ginwala, Speaker of the Parliament of South Africa was the primary hostess. Legislative forums were held with elected officials from the Western Cape Regional Government. Speaker Doman and Deputy Speaker Mampe Ramotsami served as panel leaders and conveners. This meeting set the stage for future meetings that were to be held in the provinces. At each level of discussion, we shared information on methods and techniques of governmental organizations, as we know it, as well as process and procedure. The discussions were lively and centered on the need for technical training and assistance for those who were in government for the first time.

A main issue of importance to many parliamentarians we met was the Reconstruction and Development Program (RDP). The Chair of the RDP Committee, Representative Max Sisulu, shared their goals and objectives with us and sought our support for their initiative.

One of the more memorable meetings in South Africa was with Reverend Stofile, Chief

Whip of Parliament, who discussed legislation dealing with reconciliation and its proposed ramifications.

The delegation next traveled to Bloemfontein to meet Reverend Chabaku, Speaker of the Free State Legislature, and members of the Northern Cape Legislature.



Left to right: Representative Art Hamilton (AZ), Representative Irma Hunter Brown (AR), Namibian President Nujoma, Mrs. Elizabeth Little-Smith, and Senator Virgil Smith (MI).

Our final stop in South Africa was Johannesburg where we were hosted by Premier Tokyo Sexwale and Speaker Trevor Fowler, of the Gauteng Province. The discussion was focused on the budgetary process and funding sources.

Namibia is very different in its governmental growth, being five years into independence. The delegation was very fortunate to have an audience with President Nujoma and members of his cabinet. We were very impressed by the history of the struggle that President Nujoma shared with us as well as his vision for the future. It proved to be a very moving and wonderful experience for all of us.

From the metropolitan area of Windhoek, we visited the game reserves in Etosha, crossed the Namib Desert, met with Regional Councils in Oshakati, and the coastal area of Swakopmund where we met with local governmental representatives from the area.

Another point of interest was that we were able to walk across the border into Angola where the ravages of war were still very evident, but where the people were struggling to rebuild their

Legislators Forge Links, continued on page 4

IN MEMORIAM

It is with great sadness that we report the passing of Pennsylvania Representative David P. Richardson, who died on August 18, 1995. Representative Richardson served as the Chairman of the Southern Africa Task Force from 1993-1994. During his long career, he was a champion of many African interests.

South African Local Elections Day Approaches Despite Difficulties

by Jeremy D. Meadows, NCSL Africa Programs

On Wednesday, November 1, 1995, South Africans will go to the polls for the third time since the fall of apartheid. This time, they will be electing newly-created municipal councils and rural boards. Though these elections follow on the great successes of the national and provincial elections held last year, they are facing many difficulties as logistical and political troubles plague preparations.

According to the interim South African constitution, "a local government shall be autonomous" and "shall make provision for access by all persons residing within its area of jurisdiction to water, sanitation, transportation facilities, electricity, primary health services, education, housing and security within a safe and healthy environment." In addition, local governments will have authority over town planning. To carry out these functions, these entities will be empowered to levy property taxes, fees, and tariffs. Local governments will be "entitled to an equitable allocation by the provincial government of funds" collected by the central government. Despite the responsibilities enumerated in the interim constitution, the powers of local governments remain a contentious issue and are being hotly debated as South Africa's new, permanent constitution takes shape.

Major concerns over the local election plans revolve around ward boundary demarcation, voter registration, and election-day turnout. Some disputes are based on financial concerns and question whether boundaries should be drawn to merge wealthy suburbs with poor black townships. Political disputes are more numerous and potentially more crippling. Tribal chiefs are concerned about their role in the elections and the ensuing local

authorities. Political parties fear that boundaries are being drawn to favor opposing parties.

South Africa's largest and richest cities (Johannesburg, Durban, and Cape Town) had particular trouble meeting election-related deadlines for demarcation of ward boundaries. In some cases, their delays have been attributed to strife at the provincial level. Provincial authorities in the Western Cape and KwaZulu-Natal, controlled by the National and Inkatha Freedom Parties respectively, had sought semi-autonomous powers over the



local authorities and against the ANC-controlled central government. Reuters news service reports that many localities in both of these provinces have postponed local government elections until the first quarter of next year due to boundary disputes.

In addition to troubles with ward demarcation, many localities are facing problems with voter registration. For the national and provincial elections, registration was permitted at the polls. How-

ever, for local elections, voters are required to register in advance, creating confusion and raising concerns. While over 22 million people took part in the historic general election of last year, several polls are estimating far fewer people will participate in this November's elections, despite a universal belief that the "local councils are the tier of government where communities can access government in a meaningful way."

According to a national survey conducted by the Market Research Africa earlier this month, 16 percent of the people who said they voted in last year's elections had not registered by the time registration had closed. MRA reports that 2.8 million potential urban voters, of which 1.6 million were black, were not registered by the deadline. Of those polled, 88 percent claimed to have voted last year while only 78 percent were registered and planning to vote this November. The survey showed 65 percent of the coloured population, 68 percent of the Indian, 76 percent of the white, and 82 percent of the black population intended to vote. In a similar poll conducted by the Institute for Democracy in South Africa, "voters appeared to have accepted the need for registration," but showed low levels of interest in the campaign and abysmal levels of familiarity with the candidates." IDASA predicted that, unless the parties increase their campaign efforts, November will bring a low visibility and low information election.

Concerns over demarcation, voter registration, and political balance have prompted nearly every political party to call unsuccessfully for a postponement of all local elections. Constitutionally, the local elections must occur on the same day

Local Elections, continued on page 4

Provincial Speakers Tour U.S.

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Africa Task Force meeting and attended a dinner in their honor on Sunday, July 16. The dinner was hosted by the Task Force and sponsored by the Wisconsin Soft Drink Association. Other highlights included a meeting with Wisconsin Assembly Speaker David Prosser. The delegates had the opportunity to attend the committee meetings and concurrent sessions of their choice. Following Annual Meeting, the speakers met with county and city officials in Milwaukee and visited the impressive Milwaukee Enterprise Center.

After arriving in Washington, D.C., the delegation lunched with South African embassy officials. The delegation visited Annapolis for meetings on the organization and fiscal operations of the Maryland General Assembly. Over lunch, Delegates Nancy Kopp and Salima Marriott shared their experience as legislators with the delegation.

In Washington, D.C., the delegation had a meeting with former Speaker of the U.S. House Thomas S. Foley. At the Library of Congress, they were briefed on the role and function of the Congressional Research Service and later met with representatives from the U.S. Information Agency. The delegation ended its official visits with outstanding meetings with U.S. Senator Nancy Kassebaum and Congresswoman Maxine Waters.

NCSL and the Southern Africa Task Force were very pleased and honored to host this distinguished delegation and look forward to a long and vibrant relationship with the speakers and the South African provinces they represent.



NCSL's officers received the South African Provincial Speakers delegation during Annual Meeting in Milwaukee.

Local Elections Proceed

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nationwide. According to Minister Meyer, "Both the constitution and the Local Government Transition Act will need to be amended to allow for staggered elections." Nonetheless, President Mandela and the ANC, with its 62 percent majority in parliament, have decided to pursue staggered elections as the best solution to problems with preparations. Proponents of the delay warn that elections without legitimate ward boundaries and adequate voter registration would be vulnerable to bungling, fraud and even court challenges. Cape Town

and Johannesburg have already taken their election-related disputes to court. Advocates for the November 1 elections, including President Mandela, believe that postponement would further delay the development assistance promised to poor blacks and would increase the tensions in some politically volatile regions.

Regardless of the ultimate election date and outcome, the local governments are likely to be responsible for delivering many of the goods and services that President Mandela and his government have promised since last year's elections. These municipal

councils and rural boards will be under great pressure to improve the standard of living in their communities through the delivery of sanitation services, water, and improved housing and schools. Regarding these expectations, Deputy President Thabo Mbeki recently stated, "In some instances people think we are going to produce miracles." He encouraged ANC candidates to avoid making hollow promises, but recognized that the work of the local governments will be difficult following November's elections.

Constitutional Assembly Produces Draft

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Africans in debating what role the provincial governments should play, NCSL will conduct a workshop in Cape Town next month. The four day workshop will address intergovernmental relations, fiscal matters, legislative-executive relations, and a variety of institutional issues. Twenty-six South African legislators from the nine provinces and members from both chambers of the national legislature will be represented. Former NCSL President Art Hamilton (Arizona), task force members Delegate Ken Montague (Maryland) and Representative Donna Sytek (New Hampshire) will join me for this conference.

LEGISLATORS FORGE LINKS

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lives and their communities.

Our third and final country was Zimbabwe, a country with fifteen years of independence. It is a country very rich in natural resources with people committed to providing a better life for all its citizens. The host was Speaker Cyril Ndebele of the Zimbabwe Parliament. Our meetings with the parliamentarians were very productive, because we were able to exchange and share information based on experiences. We discussed the National Conference of State Legislatures and its organizational structure, as well as the support we, as lawmakers, receive from this kind of organization. We also shared the mission of the Southern Africa Task Force and how we can enhance the work of the group. We learned that there were many ways we could support each other, namely through the sharing of information, technical assistance, and corporate adopters, just to name a few.

We left Africa with great accolades to the Africa Fund for sponsoring the trip and with a strong recommendation that this be the first of many delegations to visit the continent.

WORKSHOP CONCLUDES WEST AFRICAN PROGRAM

During the last week of September, NCSL conducted a successful regional workshop in West Africa for the parliamentary staff of Bénin, Côte d'Ivoire, Mali, and Niger. The workshop, held in Porto-Novo, Bénin, represented the second and final phase of a USIA-sponsored program to empower the National Assembly staff of these four French-speaking countries.

Representative John Martin of Maine, Deborah Friedman, a Legislative Analyst in Maine, and Scott Hubli, a Legislative Attorney in Wisconsin, served as trainers for the week-long workshop. The trainers and the 18 African delegates discussed important legislative topics such as the committee system, the role of research staff, program evaluation, and fiscal analysis.

NCSL has submitted a proposal to USIA to continue West African staff training in the coming year.

African Staff Form Support Organization

As a by-product of the Francophone African staff members' involvement with NCSL, the delegates to the Porto-Novo Workshop decided to organize a West African association dedicated to the support and professional development of parliamentary staff. The delegates elected provisional officers and plan to hold a formal organizational meeting by the end of January 1996. NCSL is very pleased to be associated with the start of such a valuable support organization.



NCSL TRAINS STAFF IN ANGLOPHONE AFRICA

Following closely on a successful regional workshop in Harare, Zimbabwe and a U.S. study tour, NCSL is making plans to place five African parliamentary staff members in U.S. state legislatures as interns. The national parliaments of Ghana, Kenya, Namibia, Zambia, and Zimbabwe will each send one delegate to the U.S. for the two-month program. The Connecticut, Maryland, and Wisconsin legislatures have agreed to host interns for the months of

January and February next year.

In June, NCSL organized a regional workshop that brought together parliamentary staff from six English-speaking African nations in Zimbabwe. Alan Green, Director of the Office of Legislative Research in Connecticut, Pat Flahaven, Secretary of the Senate in Minnesota, and Connie Johnson, Senior Legislative Analyst in the Oklahoma Senate, served as trainers and conducted discussions on the role of staff in the legis-

lative process.

In September, one staff member with research responsibilities from each of the participating countries came to the U.S. for a twelve-day study tour. The delegation examined the research functions of legislative staff in Hartford, Connecticut and then moved on to Denver, Colorado, where they met with representatives of the Colorado Legislative Council and attended NCSL's Research and Committee Staff Section meeting.

News from the Continent

Voters in Côte d'Ivoire went to the polls on October 22 to reelect incumbent Henri Konan Bedie to the presidency. Bedie became president in 1993 upon the passing of Felix Houphouët-Boigny, who had ruled the nation since its independence from France in 1960. The presidential elections were marred by opposition party boycotts and sporadic violence, accounting for as many as ten fatalities. Bedie received 96 percent of the votes cast by 56 percent of the nation's 3.8 million registered voters. Boycotting parties claimed voter registrations were rigged against them and

denounced the results.

In Tanzania, voters enthusiastically went to the polls on Sunday, October 29th to elect a new president and 232 members of parliament. For the first time since independence from Britain, voters were able to participate in truly multi-party elections. The ruling Revolutionary Party is battling the National Committee for Constitutional Reform and seven other opposition parties. Voting was to conclude on Sunday, but due to a lack of ballots and ballot boxes at many polling sites officials expect elections to continue through Monday.

DON'T FORGET

The SOUTHERN AFRICA TASK FORCE

will meet during the December Assembly on Federal Issues
meeting in Washington, D.C.

For more information, contact Klare Rosenfeld
or Jeremy Meadows at 202-624-5400.

Mark December 13th on your calendar and plan to attend.

The Southern Africa Sun is a periodic publication of the NCSL Southern Africa Task Force. It reports on the activities of the Task Force and on NCSL's exchange programs in Africa. The newsletter is distributed to all Task Force members and to other interested parties. Readers' comments and contributions are invited and should be addressed to the Task Force in care of NCSL, 444 North Capitol Street, N.W.; Suite 515; Washington, D.C. 20001.



SOUTHERN AFRICA TASK FORCE
NATIONAL CONFERENCE OF STATE LEGISLATURES
444 North Capitol Street, Suite 515
Washington, D.C. 20001

