

30 JANUARY 1995

THEME COMMITTEE 1 - SUBMISSION BY THE PAC

DEMOCRACY AND THE CHARACTER OF THE STATE

PAC believes in the classical definition of democracy, viz, a government of the people by the people for the people. It, thus, believes that all citizens of South Africa are the people, naturally entitled to a democratic rule.

The entirety of the constitution shall enshrine legal principles that buttress and protect the democratic rights of all citizens of the South African State. Allegiance to the state shall be premised on the visible democratic actions and processes followed by the government of the state.

Periodic elections of the government should be constitutionally established and protected.

The Constitution shall be the supreme law of the country.

The bearing of rights by the individual citizens of the state shall not be based on any phenomenon except citizenship. There shall, therefore, be no regard to race, class, status, sex or religion in the exercise and enjoyment of rights.

The constitution shall legally and philosophically view the citizens as of equal worth in everything within its ambit.

The state shall be a constitutional one. Parliament shall be the supreme law maker under the sovereignty of the constitution.

There shall be a unitary state aiming to merge the culturally heterogeneous people of this land into one politically, economically and socially homogeneous nation through politically unhindered evolutionary process.

A Bill of Human Rights shall protect the fundamental and non-fundamental rights of all citizens without any regard to race, culture, sex, class, status or creed. It is only the right of the individual that shall be protected.

The government shall be accountable to the civil society via its elected representatives, the National Assembly, primarily, and directly through its social formations when such a need does arise.

There should be one legislative chamber, the National Assembly with revisionary process of the statute making resting with the Select Committees.

The executive of the government shall be accountable to Parliament.

An independent constitutional court shall be the bulwark of the rights of citizens.

There shall be a three tier government, viz ,

- (a) National
- (b) Provincial and
- (c) Local

The provincial and Local governments must serve the purpose of the decentralisation of administrative functions and also that of representing and enlightening the National government on the peculiar problems and wishes of their respective domains.

M Dyani - MP

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