

## THE ARMS OF STATE (SEPARATION OF POWERS)

The Constitution Parliamentary Committee (COPAC) Outreach Teams (ORTs) are coming to your ward to get your views of what the constitution should be. You are completely free to express your views in public. Don't let anyone intimidate you. If they do report immediately to the police, COPAC, church or a human rights organisation. No one, not even your party leader, should tell you what to say. You are about to make a constitution for yourself, your family, your community, your people, and your country, for now and for future generations and generations. Take the right and duty very serious.

A democratic government is one with a clear separation of powers and that does not have any person with power do as he or she pleases. There are generally three branches of government, namely, the legislature, executive and judiciary. Each of these must be separate from others and act as a check against abuse of power by others.

When COPAC teams arrive they will ask you about the shape of government you want and some of the questions may be as follows:

**Who should be the head of state? Should they also be head of government (executive)?**

**Who should be qualified to be the head of state, and of government (executive)?**

**How are they to be chosen? If by popular vote, what system should be used?**

**How long should they be in office? What powers should they have?**

**How should the cabinet be composed? How big should it be?**

**How many chambers should the legislature have? What powers should each enjoy? How should each be elected?**

**What courts do you want established in the country? What should be their powers? How should judges be appointed? How do we ensure judiciary independence?**

So get together as groups and write your submission in advance. Select individuals who will speak on each topic on behalf of the community.

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## INGATSHA ZIKAHULUMENDE

Abe Constitution Parliamentary Committee (COPAC) bayeza e wadini yakho ukuzo buza ukuthi ufuna sibenjani isisekelo mthetho selizwe. Ukhululekile ukupha imibono yakho phambi kukazulu. Ungesabi. Umakungenzeka wethuselwe wazise amapolisa, i COPAC, ibandla lezokholo, loba inhlanganiso ezizimeleyo. Akulamuntu, ngitsho lomkhokheli weqembu lakho lezombusazwe, okufanele akutshele ukuthi uthini. Hlakanipha njalo ukhuthale ngoba ususenze isisekelo selizwe esizabusa wena, lomuzi wakho, lesigaba sakini, lelizwe lakho, lezizukulwana ezizayo.

Uhulumende omuhle ngowahlukanisa amandla ukuze kungabikhona untando kayiphikiswa ozenzela umathanda. Ngokujwayelekile uhulumende ulengatsha ezintathu, okubalwa kuzo iphalamende, lababona ukuthi imithetho iyalandelwa, lezinkantolo. Lolo lalolo gatsha lumele lubone ukuba akulalunye oluphatha kabi abantu.

Uma abe COPAC befika kulindelwe ukuba babuze imibuzo ngokuthi ufuna uhulumende abenjani. Imibuzo yakhona ingafana lelandelayo:

**Ngubani elifuna abengumkhokheli welizwe? Abenguye yini na futhi okhokhela uhulumende?**

**Ngonjani umuntu elifuna amengumkhokheli welizwe, lo hulumende na?**

**Bafanele bakhethwe njani laba? Uma ufuna bavotelwe, bavotelwe njani?**

**Bafanele bahlale isikhathi esingakanani ezikhundleni laba na? Babelawaphi amandla? Yakhiwe njani i cabinet yabongqongqotshe na? Ibengakanani?**

**I phalamende ibelezindlu ezingaki? Zikhethwe njani? Nxa zimbili, eyinye leyinye ibelawaphi amandla?**

**Ufuna kubelaziphi inkantolo elizweni? Zibelawaphi amandla? Abehluleli bakhethwe njani? Kwenziwe njani ukuze inkantolo zingakhetshi hlangothi kwezombusazwe na?.**

Hlanganani labanye libhale imibono yenu liyiphi abe COPAC. Khethani abazakhuluma emhlanganweni we COPAC.

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