

MULTI-PARTY NEGOTIATING PROCESS

P.O. Box 307, Isando, 1600

Telephone: 011-397-1198 Fax: 011-397-2211

Ms C. Albertyn
Centre for Applied Legal Studies

FAX: 403-2341

Wednesday 18 August 1993

Dear Ms Albertyn

In attempting to arrive at agreement on fundamental rights for the transition (i.e. specifically those rights relating to the period from the date of the elections to the acceptance of a final constitution by an elected constitution-making body) concerns have been raised by traditional leaders regarding the effect of certain clauses on Customary Law.

In particular, the issue revolves around the "Equality" clause (Clause 2 Subsection 2) detailed in the Technical Committee's Seventh Report (copy attached).

Because of your recognised expertise in this field your comments are requested on the impact of the Draft Interim Bill on Customary Law and specifically on the following aspects thereof:

- (1) Law of succession and inheritance
- (2) Marriage
- (3) Authority of Chiefs:
 - * legal succession
 - * institution of Chieftainship
 - * Allocation of communal land and rights to property and their traditional functions

You are one of five experts approached in this way. The others are:

Prof. R.M. Dhlamini
Ms Thuli Madonsela
Professor R.B. Mqoke
Judge Pierre Olivier

Your assistance will be greatly appreciated. Because of time constraints we would be grateful if your comments (should you agree to assist) could be received on Thursday 26 August.

Yours sincerely,



Dr Theuns Eloff
Head of Administration

FAX with enclosure = 16 pages

Kindly telephone Melody Emmett at the above telephone number if not received clearly and for any further information or assistance you may require.

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Telephone: 011-397-1198 Fax: 011-397-2211

Professor R.B. Mqoke
Registrar
University of the Transkei

FAX: (0471) 23-884

Wednesday 18 August 1993

Dear Professor Mqoke

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Telephone: 011-397-1198 Fax: 011-397-2211

Judge P. Olivier
South African Law Commission

FAX: (012) 320-0936

Wednesday 18 August 1993

Dear Judge Olivier

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Ms Cathi Albertyn
Professor Charles Dhlamini
Ms Thuli Madonsela
Professor R.B. Mqeke

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Telephone: 011-397-1198 Fax: 011-397-2211

Ms T. Madonsela
Centre for Applied Legal Studies

FAX: 403-2341

Wednesday 18 August 1993

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Telephone: 011-397-1198 Fax: 011-397-2211

Professor R.M. Dhlamini
Rector
University of Zululand

FAX: (0351 93-130)

Wednesday 18 August 1993

Dear Professor Dhlamini

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