



INKATHA

Inkatha Freedom Party

IQembu leNkatha yeNkululeko

20 February 1992

Dr Theuns Eloff

Sub-Committee on Participation in Codesa of

(a) His Majesty the King of the Zulus.

(b) Traditional Leaders.

CODESA Offices

World Trade Centre

JOHANNESBURG

2000

FAX NO. :

Dear Sir

Please find herewith material related to the above cited Subcommittee.

I do hope it may be used by the Committee.

1. A letter suggested for sending to Experts who may be helpful
2. Submission by one such expert viz.
Mr V.J. Matthews M.A., LL.B. with his Curriculum Vitae.
3. List of experts suggested by some knowledgeable people.

Yours sincerely.

DR F.T. MDLALOSE

MEMBER OF MANAGEMENT COMMITTEE - CODESA

President: The Hon. Prince Dr. Mangosuthu G. Buthelezi
National Chairman: Dr. F.T. Mdlalose
Deputy Secretary General: Inkosi S.H. Gumede
Sub Committee Chairmen:

Political Constitutional, and Legal: Dr. D.R.B. Madike
Economic and Finance: Mr. M.A. Nzuza; Social and Cultural: Dr. F.T. Mdlalose; Elections Publicity and Strategy: The Rev. C.J. Mtetwa
Appointment and Disciplinary: Mr. E.S.C. Skhebe; Community Development: Mr. M.V. Ngema.

Prof./Dr/Mr/Mrs/Ms.....

Dear

RE : PARTICIPATION IN CODESA BY (1) H.M. THE KING OF THE ZULU
 (2) TRADITIONAL LEADERS OF OTHER
 AFRICAN PEOPLES IN SOUTH AFRICA

I am writing on behalf of a subcommittee appointed by the Management Committee of the Convention for a Democratic South Africa (CODESA). This Convention, as you may know, is making preparations for negotiations between the Government and various political parties and organizations on the formulation of a new constitution, fully democratic and free of all forms of discrimination and exclusion, for this country. Our subcommittee has the task of investigating, and making recommendations to the Management Committee on, the appropriate part in the negotiations process to be taken by (a) the King of the Zulu, as the head of the Zulu nation, and (b) traditional leaders of other African peoples in South Africa.

King Goodwill Zwelithini Zulu, whose royal ancestry extends back over two centuries, is the head of a people numbering more than 7 million people which retains its traditional political structure, as well as its language and culture, despite conquest last century and subsequent incorporation into the Republic of South Africa. Over 200 amakhosi (chiefs) pay allegiance to the Zulu king, and the uniqueness of the nation and its monarchical order has been acknowledged recently by the State President. Although the Zulu people participate, like the other peoples of South Africa, in a modern monetary economy and come likewise under the rule of the South African government, their formerly existing structure for the regulation of their affairs has been essentially preserved, albeit through adjustments and adaptations, alongside the imposed system. The question therefore arises: What should be the relation between these two parallel political structures in a new, democratic South Africa?

The position of other traditional leaders, outside the Zulu nation, is equally complex, but varies according to the history and customs of their peoples. The degree to which they have collectively recognized heads differs from one case to another. What all have in common, with also the Zulu people, is that the established African political, economic, legal, religious and other cultural practices have not been integrated systematically into the structure of government which derives from the colonial period. Now that the exclusion of Africans from participation in decision-making in the central political system of the South African state is to come to an end, the need is to ascertain how the two modes of participation in political affairs can best be reconciled. Specifically, the immediate problems are (a) how to bring the Zulu monarchy appropriately

into the deliberations of CODESA, and (b) by what means might other traditional leaders be appropriately represented.

We are seeking advice and guidance from scholars of Africa on the best approach to these matters. Especially, it would be most useful for us to be more fully informed about the experience of other African countries which have encountered comparable problems in finding a satisfactory relation between their pre-colonial political systems and rulers and the new systems which followed the end of colonial domination. In what ways, for instance, and where, has a stable and enduring combination of the precolonial and the post-colonial systems been achieved, and what have been the consequences of attempts to disregard or even abolish the position of traditional rulers?

It would be most helpful for us to be informed soon whether you are available during February as an adviser/consultant on any of the questions I have outlined. You will appreciate that the time is unfortunately very constrained, as CODESA is due to resume its deliberations during March.

On receipt of a response from you, accompanied by a c.v., we shall send you relevant background material on CODESA, and the terms of reference of consultancy, as well as the conditions of participation in the advisory support provision.

Warm thanks in anticipation of your assistance.

V. J. MATTHEWS

VINCENT JOSEPH MATTHEWS, M.A. U.S. BOND

ATTORNEY
ADMINISTRATOR OF ESTATES
COMMISSIONER OF OATHS

OUR REF:

YOUR REF:

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1st February, 1992.

Dr. F.T. Mdlalose,
IFP National Chairman,
c/o Office of the Chief Minister,
ULUNDI.

Dear Minister,

I acknowledge receipt of your fax dated 31st January, 1992 and note contents for which I thank you.

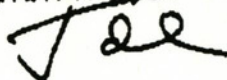
I believe that the crux issue is whether or not His Majesty The King of the Zulu is entitled, as of right, to participate at any preparatory or negotiating forum charged with the task of discussing a new constitution for South Africa. The evidence for such participation is overwhelming.

Since 1947 beginning with India numerous states have had constitutional conferences which preceded the adoption of new democratic constitutions. In India itself the negotiations had to take account of the Princely States of India of which there were over 500 odd.

In Africa beginning with the Sudan Traditional Kings and Rulers invariably participated in the constitutional conferences. I am arranging for the Command Papers which contain the reports of the participants and proceedings of such conferences to be sent from Britain as a matter of urgency. I specially requested the Reports of the constitutional conferences of Ghana, Nigeria, Uganda, Zambia, Botswana, Lesotho, and Swaziland to be sent. In the light of the evidence it is utterly beyond comprehension as to why this issue requires any investigation at all.

As soon as I receive the material I will transmit it to you. In the meantime I will be glad to let you have any further information you require.

Yours sincerely
V. J. MATTHEWS.



V. J. MATTHEWS

VINCENT JOSEPH MATTHEWS. M.A. LL.B (LOND)

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BRIEF CURRICULUM VITAE

1. MATTHEWS. Vincent Joseph .
2. Qualifications: B.A. (University of South Africa) 1951 with majors in History and English.
 LL.B. (University of London) 1956 .
 Advocates Admission Examination 1957 .
 Admission as Attorney of the Supreme Court of South Africa 1958.
 M.A. (University of London) Major subject African History; African law ; and Elements of Roman-Dutch Law .
 Experience : Extensive International experience from 1960 to date. Assistant Secretary of Office of the President of Botswana in 1970. Assistant Attorney-General Botswana in 1972 to 1976. Twice Secretary to Delegation of Botswana Commonwealth Heads of Government Conferences in Singapore in 1971 and Canada 1973. Attended Organisation of African Unity Conferences 1963 to 1974. Have travelled extensively all over the world including Africa, Eastern Europe, Russia and China .