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TO : (PERSON) M MOROBE

(COMPANY) CODESA

FROM : CHIEF NONKONYANA

FILE REF :

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MESSAGE

KINDLY FORWARD THESE TO THE SUB-COMMITTEE FOR TRADITONLA LEADERS.

REGARDS.

CHIEF M NONKONYANA
CONTRALESA
CHAIRMAN - TRANSKEI REGION

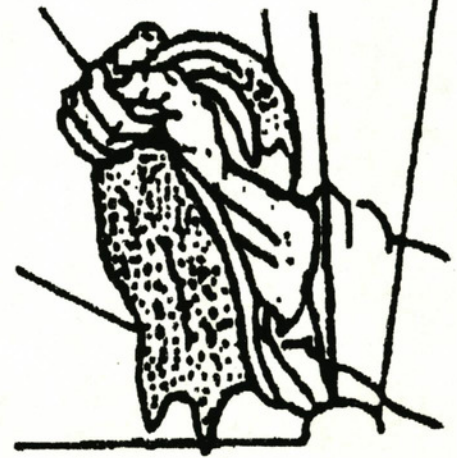
CONTRALESA

The Dawn of Freedom

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Congress of Traditional
Leaders of South Africa



30 January 1992

The Administration Manager
Codesa
JOHANNESBURG

ATT.: MR M MOROBE

Dear Sir,

Find herewith forwarded a memorandum prepared by our sub-committee for the urgent attention of the sub-committee of the Management Committee dealing with issue of Traditional Leaders participation in Codesa.

We regard the matter as extremely urgent and we would accordingly appreciate if the Committee could convene a special meeting to consider our proposals. Furthermore, we would be pleased if the committee could allow us to attend such a Meeting in order to clarify some points they may regard as needing further clarification from us.

We would be very pleased if you could favour us with your positive response not later than Friday the 1 February 1992.

We thank you in advance.

Yours Faithfully,

P.P. 
CHIEF V T SEFORA: GENERAL SECRETARY

MEMORANDUM

TO : CODESA MANAGEMENT COMMITTEE

CC. : LEADERS TAKING PART IN CODESA

ATT. : SUB-COMMITTEE FOR TRADITIONAL LEADERS

SUBJECT: PARTICIPATION OF TRADITIONAL LEADERS IN CODESA

DATE : 1991-01-27

1. **BACKGROUND:**

1.1 Our organisation wrote and sent a memorandum to all the leaders of the organisations which were invited in the Preparatory Meeting of the All Party Congress/Multi Party Talks/Pre-Constituent Assembly Meeting which was held on 29-30 October 1991.

1.2 The matter was not raised at the Preparatory Meeting but was discussed indirectly only after the delegation of the IFP raised an issue of King Zwelithini Bekuzulu's delegation.

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- 1.3 The issue of representation of Traditional Leaders could not be resolved and the members decided to refer the matter to Codesa for a decision.
- 1.4 Codesa 1 was held on 20-21 December 1991 and strange enough the issue was not on the agenda. However, it was raised by delegates and to our surprise it was referred back to Management Committee for a decision. This was done notwithstanding the fact that the President had sent another Memorandum to the Chairpersons with a view that we should be heard.
- 1.5 We have reason to believe that the Management Committee at its meeting held on 20-01-1992 discussed this issue and resolved to refer it to its sub-committee.
- 1.6 We further have reason to believe that the Working Group of Codesa 1 met on the 20 January 1992 with a view to schedule their work.

2. **MOTIVATION:**

- 2.1 The Traditional Leaders are the born leaders

of all the peoples of South Africa in accordance with tradition and culture. The people of S.A. respect their leaders and likewise the Traditional Leaders have vested interest in their subjects. This is in accordance with the principle of allegiance. This bond and mutual trust existed from time immemorial and notwithstanding vicious attacks to destroy or undermine it - it exists.

- 2.2 We have used a term Traditional Leader to include Kings i.e. those who are often referred to as Paramount Chiefs, Chiefs and Headmen. We use the term used by the Government instead of vernacular e.g. Nkosi, Kgosi etc.
- 2.3 In view of what has been said under 2.1 above when the Colonialists arrived here, the Traditional Leaders were rulers over the territory which is now the subject of negotiation.
- 2.4 When the land was taken away, the Traditional Leaders and their people fought and because when they were fighting they did so against the United Force they were defeated and the land of the forebears was taken away and as a

result the Traditional Leaders and the people found themselves beggars in the land of their forebears.

2.5 The Traditional rule was from thenceforth dramatically curtailed and in some instances completely destroyed.

2.6 When the Traditional Leaders and their people were not involved in the Convention for the Creation of the Union of S.A. of 1910, they and their subjects bitterly protested and form their Union in 1912.

2.7 The Government soon realised that it could not administer the affairs of the People of S.A. without according the Traditional Leaders recognition. Because of the previous experience the Govenner General was given a power to be "a Supreme Chief of all the Africans" in terms of the then Native Administration Act No. 38 of 1927. It should be remembered that during this period the Union was still under Britain and in view of the fact that the British Monarch was respected by the Governors, our Kings were accorded an inferior status to that of the British monarch and referred to as

"Paramount Chiefs".

2.8 Further constitutional development took place in 1951 when the promotion of Self Government Act was passed by the S.A. Parliament. The Government realised the fact that it could not effect any new constitutional development without the involvement of Traditional Leaders and had no choice but to recognise them and infact caused them to head the Territorial Authorities i.e. the Homelands. This explains why the first Chief Ministers were traditional leaders. There is no doubt that without the full participation of Traditional Leaders in the creation of the structures they would fail.

2.9 We have quoted only the few abovementioned constitutional developments to prove that there are no genuine negotiations that could take place in this country without the full participation of Traditional Leaders.

2.10 We understand that the reluctance to invite the Traditional Leaders is because some people regard it as "interest group" whose objectives is restricted to the interest of the group. We have indicated above that the involvement of Traditional Leaders is

relevant in any constitutional development in this country. Our interest is not restricted to the interest of the Group. It is well-nigh irrefutable that we have vested interest in the land. It is a fact that we administer the areas under our jurisdiction. Nobody can deny that the overwhelming majority of the people of S.A. still regard us as their leaders and accordingly look upon ourselves to lead and assist them to regain freedom.

2.11 We would like to bring to your attention that there are various political parties that canvass and have support of the people. However, in view of the conflict between rival political parties and sometimes in view of the attitudes of some governments some of our people have decided to adopt a wait and see attitude and some have not as yet decided to join any of the political parties. Their interest should be taken into consideration. We have constant communications with them through our customary gatherings. We know what they want and we believe that they can also make contributions in the rebuilding of their country. There is no doubt we, their born leaders are best able to voice their views.

2.12 It is therefore our considered view that the exclusion of Traditional Leaders in Codesa is with respect an anomaly that needs to be rectified without any further ado.

2.13 Furthermore all the items in Codesa agenda and which are now going to be discussed fully by the Working Groups, directly affect our institution and like governments we have vested interests in making contributions for the benefit of our beloved country and all peoples living in it.

2.14 We realise that one of the main objectives of Codesa is to accommodate the views of all the Africans. In accordance with this objective the National Executive Committee has resolved that in view of the fact that some Traditional Leaders have not as yet decided to join the organisation coupled with the fact it is necessary that all Traditional Leaders of S.A. should form a single delegation. We believe that separate delegations to represent each ethnic group is not possible and in fact it is also objectionable on the basis that such groupings would further tribalism.

3. RECOMMENDATIONS:

We accordingly strongly recommend as follows:-

- 3.1 THAT Traditional Leaders should be invited to attend CODESA and be accorded full participation.
- 3.2 THAT Traditional Leaders should form a single delegation.
- 3.3 THAT the delegation should be comprised of Traditional Leaders all over S.A.
- 3.4 THAT the delegation should be elected by Traditional Leaders on the basis of proportional representation.
- 3.5 THAT Management Committee should obtain statistics of Traditional Leaders from Governments and on the basis of information request Traditional Leaders to send all Regional representative(s). (Twelve (12) names of delegates and five (5) names of advisors should be sought and also twenty (20) Traditional Leaders to represent them in the Working Groups i.e. $4 \times 5 = 20$.) Accordingly representation should comprise of thirty seven (37) people in all and the number spread over South Africa

proportionally.

3.7 THAT once all the 37 names have been received by Management a member of Management Committee should convene a Meeting to brief Traditional Leaders and also to preside over the nomination of a leader of Traditional Leaders delegation.

3.8 THAT in addition to the aforesaid the kings should be invited as dignitaries to attend CODESA 2 and be accorded only an observer status.

PREPARED BY:


CHIEF M NONKONYANA : N.E.C. MEMBER

APPROVED FOR SUBMISSION:


CHIEF S P BOLOMISA : PRESIDENT